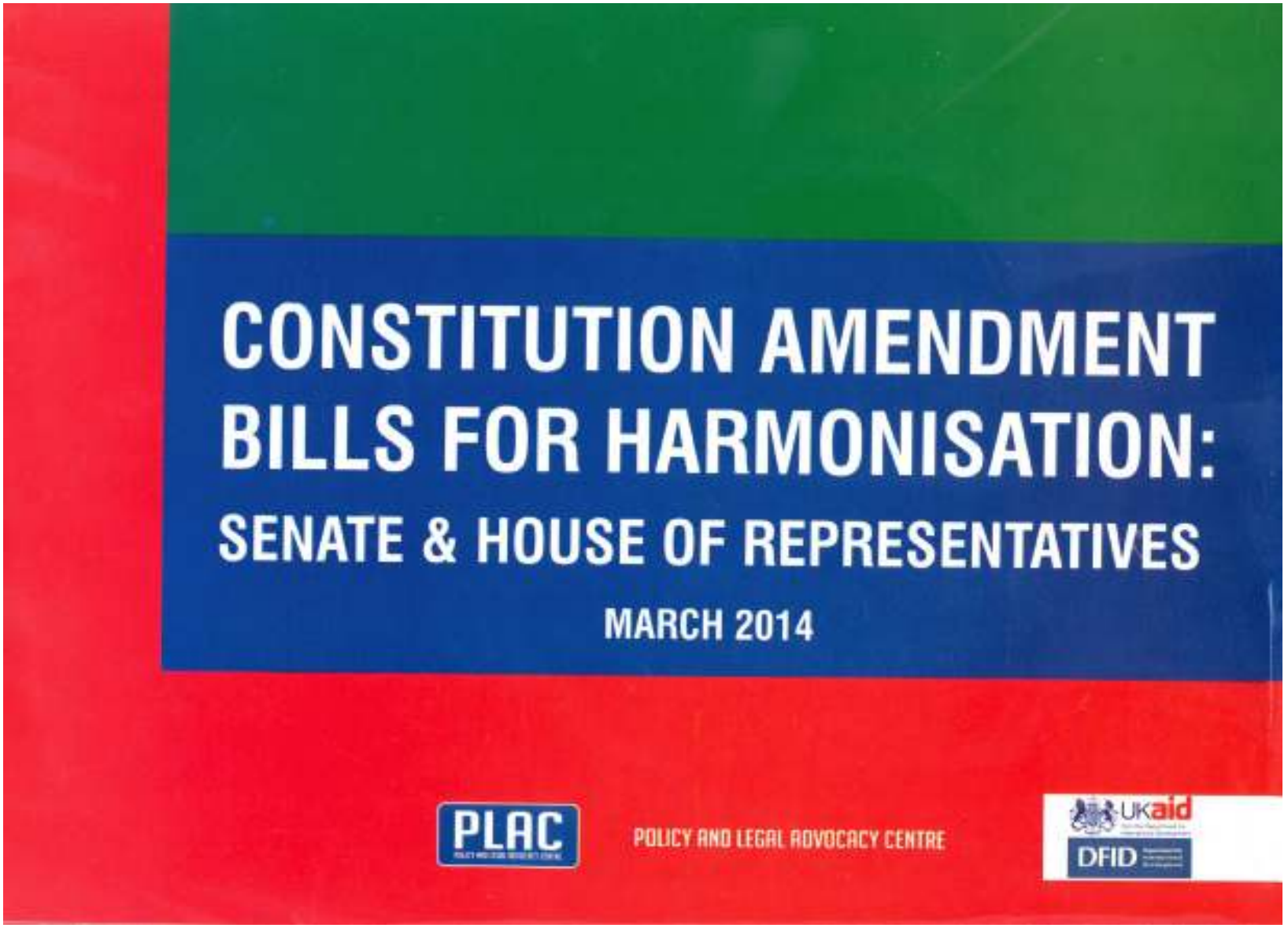

CONSTITUTION AMENDMENT BILLS FOR HARMONISATION:
SENATE & HOUSE OF REPRESENTATIVES
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PLAC
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CONSTITUTION AMENDMENT BILLS FOR HARMONISATION: SENATE AND HOUSE OF REPRESENTATIVES

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INTRODUCTION

The constitution amendment process in the Senate and House of Representatives has reached a crucial stage. With both Houses pursuing separate technical processes of arriving at its amendment bill, they are now poised to meet and harmonise their separate versions of amendment. The combination of the amendment bills of both chambers of the National Assembly represents a very significant attempt to alter the 1999 Constitution affecting almost 100 sections of the Constitution. The proposed amendments if passed, would have huge significance on Nigeria's democratic process and would respond to a large extent to the various agitations and suggestions for improvement to the Nigerian Constitution.

PLAC has worked closely with the National Assembly to achieve these amendments. In putting the bills into one compilation, PLAC is providing a ready tool and advocacy material for civil society organisations and constitution reform advocates to understand what has happened and use the information herein to advocate passage.

A BILL FOR AN ACT TO ALTER
THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 AND FOR OTHER MATTERS CONNECTED THERETO 2013

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
4	**Legislative Powers** **4.** (1) The legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly for the Federation, which shall consist of a Senate and a House of Representatives. (2) …… (3) …… (4) …… (5) …… (6) …… (7) The House of Assembly of a State shall have power to make laws for the peace, order and good government of the State or any part thereof with respect to the following matters, that is to say – (a) any matter not included in the Exclusive Legislative List set out in Part I of the Second Schedule to this Constitution. (b) any matter included in the Concurrent Legislative List set out in the first column of Part II of the Second Schedule to this Constitution to the extent	**Legislative Powers** **4.** (1) The legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly for the Federation, which shall consist of a Senate and a House of Representatives. (2) …… (3) …… (4) …… (5) …… (6) …… (7) …… **(7A) in the course of exercising the foregoing legislative powers, no civil or criminal proceedings shall be instituted against a member of a legislative House in respect of words spoken or written before the House or a Committee thereof.**	Retained as in Principal Act	This amendment is aimed at providing immunity for members of the legislature in respect of words spoken or written at plenary sessions or committee proceedings.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	prescribed in the second column opposite thereto; and (c) any other matter with respect to which it is empowered to make laws in accordance with the provisions of this Constitution. (8) …… (9) ……			
7	**Local government system** (1) The system of local government by democratically elected local government councils is under this Constitution guaranteed; and accordingly the Government of every State shall, subject to section 8 of this Constitution, ensure their existence under a Law which provides for the establishment, structure, composition, finance and functions of such councils. (2)The person authorised by law to prescribe the area over which a local government council may exercise authority shall— *(a)* define such area as clearly as practicable; and *(b)* ensure, to the extent to which it may be reasonably Justifiable that, in defining such area regard is paid to— *(i)* the common interest of the community in the area; *(ii)* traditional association of the community, and *(iii)* administrative convenience.	**Local government system** (1) The system of Local Government by democratically elected Local Government Councils is under this Constitution guaranteed. (1A) A Local Government Council not democratically elected shall: (a) not be recognized by all authorities and persons and shall not be entitled to any revenue allocation from the Federation Account or the State Government nor exercise any function exercisable by a Local Government Council under this Constitution or any law for the time being in force; and (*b*) shall stand dissolved at the expiration of a period of four years, commencing from the date the members of the council were sworn in. (1B) The democratically elected Local Government Council shall be a tier of government in Nigeria and shall consist of executive and legislative arms. (1C) The House of Assembly of every State shall, subject to section 8 of this	**Local government system** Retained as in Principal Act	The amendments in sections 7 and new sections 7A – 7Z makes local government councils a 3rd tier of government of the Federation. It provides for a democratically elected local government system aimed at guaranteeing effective grassroots democracy at the local government councils. It further guarantees the tenure of elected officials at the local government levels and creates uniformity of tenure across the country.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	(3) It shall be the duty of a local government council within the State to participate in economic planning and development of the area referred to in subsection (2) of this section and to this end an economic planning board shall be established by a Law enacted by the House of Assembly of the State. (4) The Government of a State shall ensure that every person who is entitled to vote or be voted for at an election to a House of Assembly shall have the right to vote or be voted for at an election to a local government council. (5) The functions to be conferred by Law upon local government councils shall include those set out in the Fourth Schedule to this Constitution. (6) Subject to the provisions of this Constitution— *(a)* the National Assembly shall make provisions for statutory allocation of public revenue to local government councils in the Federation; and *(b)* the House of Assembly of a State shall make provisions for statutory allocation of public revenue to local government councils within the State.	Constitution, ensure the existence of democratically elected Local Government Councils under a Law which provides for their funding from the public revenue of the State and the autonomy of the Local Government Councils. (1D) Subject to the provisions of this Constitution with regard to qualifications for election into the Local Government Council, a person shall be qualified for election if he is a member of a political party and is sponsored by that party or he is an independent candidate. (5) In addition to the functions conferred upon Local Government Councils as specified in the Fourth Schedule to this Constitution, a House of Assembly of a State may by law confer other functions on the Local Government Councils.		
7		**Insertion of new sections "7(A) – (Z)" –** **7(A)** There shall be for each Local Government Council a Chairman and a Vice-Chairman. **Qualifications of Chairman.** **7(B)** A person shall be qualified for		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		election to the Office of Chairman if — (a) he is a citizen of Nigeria; (b) he has attained the age of 25 years; and he has been educated up to at (a) least the School Certificate level or its equivalent." **Disqualifications of Chairman** **7(C)** (1) A person shall not be qualified for election to the Office of Chairman if — (*a*) he does any act, acquires any status or suffers any disability which, if he were a member of a House of Assembly, would have disqualified him for membership of that House; and " (b) he has been elected to such Office at two previous elections. (2) A Chairman shall not hold any other executive office or paid employment in any capacity whatsoever during his tenure of office. **Declaration of Assets and Liabilities: Oaths of Chairman.** **7(D)** A person elected to the Office of Chairman shall not begin to perform the functions of that Office until he has declared his assets and liabilities as prescribed in this Constitution and has subsequently taken and subscribed before the Chief Judge of the State or his nominee, the Oath of Allegiance and the Oath of Office as prescribed in the Seventh Schedule to this Constitution. **Election of Chairman.** **7(E)** (1) An election to the Office of Chairman shall be held on a date to be appointed by the Independent		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		National Electoral Commission. (2) An election to the said Office shall be held on a date not earlier than one hundred and fifty days and not later than thirty days before the expiration of the term of Office of the last holder of that Office. (3) Where in an election to the Office of Chairman — (a) at the close of nomination only one candidate has been nominated, the Independent National Electoral Commission shall extend the time for nomination; or " (b) at the close of nomination one of the candidates nominated for the election is the only candidate by reason of the disqualification, withdrawal, incapacitation, disappearance, or death of the other candidates, the Independent National Electoral Commission shall extend the time for nomination, so that where after the extension only one candidate remains validly nominated, there shall be no further extension. (4) A candidate for election to the Office of Chairman shall be deemed to have been duly elected where, being the only candidate nominated for election, he has majority of yes votes cast at the election, but where the only candidate fails to be elected in accordance with this subsection, there shall be fresh nominations. (5) A candidate for an election to the Office of Chairman shall be deemed to have been duly elected where, there being two or more candidates, he has a majority of the valid votes cast at the election.		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		(6) In default of a candidate being duly elected — (a) under subsection (4) of this section, the Independent National Electoral Commission shall, within 30 days of the declaration of results, order another or further nominations and election until the emergence of a candidate as provided for in this section; " (b) under subsection (5) of this section by reason of a tie the Independent National Electoral Commission shall declare as duly elected that candidate who scored the highest number of votes in a majority of wards in the Local Government Area. (7) For the purpose of an election under this section, a Local Government Area shall be regarded as one constituency. **Nomination and election of Vice-Chairman.** **7(F)** (1) In any election to a Local Government Council under this Constitution, a candidate for the Office of Chairman shall not be deemed to have been validly nominated for such Office unless he nominates another candidate as his associate for his running for the Office of Chairman who is to occupy the office of Vice-Chairman and that candidate shall be deemed to have been duly elected to the Office of Vice-Chairman if the candidate who nominated him is duly elected as Chairman in accordance with the provisions of this Constitution." (2) The provisions of this Constitution relating to qualification for election, tenure of Office,		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		disqualification, declaration of assets and liabilities and Oaths of Chairman shall apply in relation to the Office of Vice-Chairman as if references to Chairman were references to Vice-Chairman. **Removal of Chairman or Vice-Chairman.** **7(G)** (1) The Chairman or Vice-Chairman may be removed from Office in accordance with the provisions of this section. (2) Whenever a notice of any allegation in writing signed by not less than one-half of the Members of the Local Government Legislative Council — (*a*) is presented to the Leader of the Local Government Legislative Council; (*b*) stating that the holder of such Office is guilty of gross misconduct in the performance of the functions of his Office, detailed particulars of which shall be specified, the Leader of the Local Government Legislative Council shall, within seven days of the notice, cause a copy thereof to be served on the holder of the Office and on each Member of the Local Government Legislative Council and shall cause any statement made in reply within seven days from the date of service of the allegation by the holder of the Office to be served on each Member of the Local Government Legislative Council. (3) Within 14 days of the presentation of the notice, (whether or not any statement was made by the holder of the Office in reply to the allegation contained in the notice) the Local Government Legislative Council shall resolve by Motion without any debate whether or not the allegation		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		shall be investigated. (4) A Motion of the Local Government Legislative Council that the allegation be investigated shall not be declared as having been passed unless it is supported by the votes of not less than two-thirds majority of all the Members of the Local Government Legislative Council. (5) Within 7 days of the passing of a Motion under this section, the Leader of the Local Government Legislative Council shall inform the Chief Judge of the State who shall appoint a panel of seven persons who, in his opinion, are of unquestionable integrity not being members of any public service, legislative house or political party to investigate the allegation as provided in this section. (6) The holder of an Office whose conduct is being investigated under this section shall have the right to defend himself in person or be represented before the panel by a legal practitioner of his own choice. (7) A panel appointed under this section shall — (*a*) have such powers and exercise its functions in accordance with such procedure as may be prescribed by Law; and " (*b*) within three months of its appointment report its findings to the Local Government Legislative Council. (8) Where the panel reports to the Local Government Legislative Council that the allegation has not been proved, no further proceedings shall be taken in		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		respect of the matter. (9) Where the Report of the panel is that the allegation against the holder of the Office has been proved, then within 14 days of the receipt of the Report, the Local Government Legislative Council shall consider the report and if by a resolution of the Local Government Legislative Council supported by not less than two-thirds majority of all its Members, the Report of the panel is adopted, then the holder of the Office shall stand removed from Office as from the date of the adoption of the Report. (10) In this section, "gross misconduct" means a grave violation of the Oath of Office or breach of the provisions of this Constitution or a misconduct of such nature as amounts, in the opinion of the Local Government Legislative Council, to a gross misconduct. **Permanent incapacity of Chairman and Vice-Chairman.** **7(H)** (1) The Chairman or Vice-Chairman shall cease to hold Office if — (*a*) by a resolution passed by two-thirds majority of all the Members of the Local Government Legislative Council, it is declared that the Chairman or the Vice-Chairman is incapable of discharging the functions of his Office; and" (*b*) the declaration is verified, after such medical examination as may be necessary, by a medical panel established under subsection (4) of this section in its Report to the Leader of the Local Government Legislative Council. (2) Where the medical panel certifies in such Report that in its		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		opinion, the Chairman or Vice-Chairman is suffering from such infirmity of body or mind as renders him permanently incapable of discharging the functions of his Office, a notice thereof signed by the Leader of the Local Government Legislative Council shall be published in a Journal of the Local Government. (3) The Chairman or Vice-Chairman shall cease to hold Office from the date of publication of the notice of the medical report pursuant to subsection (2) of this section. (4) The medical panel to which this section relates shall be appointed by the Leader of the Local Government Legislative Council and shall comprise three medical practitioners in Nigeria — (*a*) one of whom may be a medical practitioner of the choice of the officer concerned; and " (*a*) two other medical practitioners. **Discharge of functions of Chairman.** **7(I)** (1) The Vice-Chairman shall hold the Office of Chairman of the Council if the Office of the Chairman becomes vacant by reason of death, resignation or removal from Office in accordance with the provisions of this Constitution. (2) Where any vacancy occurs in the circumstances mentioned in subsection (1) of this section during a period when the Office of Vice-Chairman is also vacant, the Leader of the Local Government Legislative Council shall hold the Office of Chairman for a period of not more than 3 months, during which there shall be an election of a new Chairman, who shall hold Office in		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		accordance with the provisions of this Constitution. (3) Where the office of Vice-Chairman becomes vacant — (*a*) by reason of death or resignation or removal in accordance with the provisions of this Constitution; (*b*) by his assumption of the Office of Chairman in accordance with subsection (1) of this section; or (*c*) for any other reason, the Chairman shall nominate, and with the approval of the Local Government Legislative Council, appoint a new Vice-Chairman. Establishment of Local Government Executive Council. 7(J) (1) Subject to the provisions of this Constitution, the executive powers of a Local Government Council— (a) shall be vested in the Chairman of that Local Government Council and may, subject as aforesaid to the provisions of any bye-law made by the Local Government Legislative Council, be exercised by him either directly or through the Vice-Chairman or Supervisors of the Local Government Council or officers in the service of the Local Government Council; and (b) shall extend to the execution and maintenance of this Constitution, all bye-laws made by the Local Government Legislative Council and to all matters with respect to which the Local Government Legislative Council has, for the time being, power to make bye-laws; but such executive powers shall be so exercised as not to impede or prejudice the exercise of the executive powers of		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		the Federation or of the State in which the Local Government Area concerned is situated or to endanger assets or investments of the Government of the Federation or of the State in the Local Government Area. (2) The Chairman shall assign to the Vice-Chairman specific responsibilities for any business of the Local Government Council. (3) The Chairman shall, in his discretion, assign to any Supervisor of the Local Government Council responsibility for any business of the Local Government Council, including the administration of any department of the Local Government Council. (4) The Chairman shall hold regular meetings with the Vice-Chairman and all the Supervisors for the purpose of — (a) determining the general direction of the policies of the Local Government Council; (b) coordinating the activities of the Local Government Council; and (c) generally discharging the executive functions of the Local Government Council. (5) Whenever the Chairman is proceeding on vacation or is otherwise unable to discharge the functions of his Office, he shall transmit a written declaration to the Leader of the Local Government Legislative Council to that effect, and until he transmits to the Leader of the Local Government Legislative Council a written declaration to the contrary, the Vice Chairman shall perform the functions of the Chairman as Acting Chairman.		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		(6) In the event that the Chairman is unable or fails to transmit the written declaration mentioned in subsection (5) of this section within 21 days, the Local Government Legislative Council shall, by a resolution made by a simple majority of the vote of its Members, mandate the Vice Chairman to perform the functions of the Office of the Chairman as Acting Chairman, until the Chairman transmits a letter to the Leader of the Local Government Legislative Council that he is now available to resume his functions as Chairman. **Tenure of Office of Chairman.** **7(K)** (1) Subject to the provisions of this Constitution, a person shall hold the Office of Chairman until — (*a*) his successor in Office takes the Oath of that Office; (*b*) he dies while holding such Office; (*c*) the date when his letter of resignation from Office takes effect; (*d*) he otherwise ceases to hold Office in accordance with the provisions of this Constitution; or (*e*) he becomes a member of a secret society. (2) Subject to the provisions of subsection (1) of this section, the Chairman shall vacate his Office at the expiration of a period of four years commencing from the date when — (*a*) he took the Oath of Allegiance and the Oath of Office; and		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		(*b*) the person last elected to that Office took the Oath of Allegiance and the Oath of Office or would, but for his death, have taken such Oaths. **Death of Chairman-Elect before Oath of Office.** **7(L)** If a person duly elected as Chairman dies or withdraws before taking and subscribing to the Oath of Allegiance and the Oath of Office, the person elected with him as Vice-Chairman shall be sworn in as Chairman who shall then nominate, and with the approval of a majority of the Members of the Local Government Legislative Council, appoint a new Vice-Chairman. **Number of Councillors of Local Government Legislative Council.** **7(M)** There shall be elected from every ward in a Local Government Area, one councillor to constitute the Local Government Legislative Council which shall sit for at least 181 days in a year. **Qualification of Councillors.** **7(N)** A person shall be qualified for election as a councillor if he — (*a*) is a citizen of Nigeria; (*b*) has attained the age of 21 years; and (*c*) has been educated up to at least the School Certificate level or its equivalent. **Disqualifications of Councillors.** **7(O)** (1) No person shall be qualified for election as a councillor if — (*a*) he has voluntarily acquired the citizenship of a country other than		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		Nigeria or, except in such cases as may be prescribed by an Act of the National Assembly, has made declaration of allegiance to such a country; (*b*) under any law in force in any part of the Federation, he is adjudged to be a lunatic or otherwise declared to be of unsound mind; (*c*) he is under a sentence of death imposed on him by any court of law in Nigeria or a sentence of imprisonment for an offence involving dishonesty or any electoral offence (by whatever name called) imposed on him by such a court or substituted by a competent authority for any other sentence imposed on him by such a court; (*d*) he has been convicted and sentenced by any court of law or tribunal established by law for an offence involving dishonesty or he has been found guilty of a contravention of the Code of Conduct; (*e*) he is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any part of the Federation; (*f*) he is a person employed in the public service of the Federation, State or Local Government Council; (*g*) he is a member of a secret society. (2) Where in respect of any person who has been adjudged to be a lunatic, declared to be of unsound mind, sentenced to death or imprisonment or adjudged or declared bankrupt, any appeal against the decision is pending in any court of law in accordance with any		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		law in force in Nigeria, subsection (1) of this section shall not apply during a period beginning from the date when such appeal is lodged and ending on the date when the appeal is finally determined or, as the case may be, the appeal lapses or is abandoned, whichever is earlier; and for the purposes of this subsection, an "appeal" includes any application for an injunction or an order of certiorari, mandamus, prohibition or habeas corpus, or any appeal from any such application. **Declaration of Assets and Liabilities: Oaths of Councillors** **7(P)** (1) Every person elected as councillor shall, before taking his seat, declare his assets and liabilities as prescribed in this Constitution and subsequently take and subscribe before the Leader of the Local Government Legislative Council the Oath of Allegiance and the Oath of Membership prescribed in the Seventh Schedule to this Constitution. (2) A Leader and a Deputy Leader of a Local Government Legislative Council shall, before taking their seats, declare their assets and liabilities as prescribed in this Constitution and subsequently take and subscribe before the Clerk of the Local Government Legislative Council, the Oath of Allegiance and the Oath of Office prescribed in the Seventh Schedule to this Constitution. **Supervisors.** **7(Q)** (1) There shall be not less than three and not more than five Offices of Supervisors for each Local Government Council. (2) Any appointment to the Office of		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		Supervisor shall be made by the Chairman within 30 days of taking Office. (3) Any appointment to the Office of Supervisor shall be subject to confirmation by the Local Government Legislative Council. **Tenure of seat of Members.** **7(R)** (1) A member of a Local Government Legislative Council shall vacate his seat in the Council — (*a*) if he becomes a member of another legislative house; (*b*) on the date when his letter of resignation takes effect; (*c*) if he becomes President, Vice-President, Governor, Deputy Governor or a Minister of the Government of the Federation or a Commissioner of the Government of a State or Chairman or Vice Chairman of a Local Government Council; (*d*) being a person whose election was sponsored by one political party, he resigns from that party or becomes a member of another political party before the expiration of the period for which the Local Government Council was elected: Provided that his membership of the latter political party is not as a result of a division in the political party of which he was previously a member or of a merger of two or more political parties or factions by one of which he was previously sponsored; (*e*) if he becomes a member of a secret society; or		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		(*f*) the Leader of the Local Government Legislative Council receives a certificate signed by the Chairman of the Independent National Electoral Commission stating that the provisions of section 7 (s) of this Constitution have been complied with in respect of the recall of that Member. (2) The Leader of the Local Government Legislative Council shall give effect to subsection (1), so however that the Leader shall first present evidence satisfactory to the Local Government Legislative Council that any of the provisions of that subsection has become applicable in respect of that Member. **Recall.** **7(S)** (1) A member of a Local Government Legislative Council may be recalled as such a member if — (a) there is presented to the Chairman of the Independent National Electoral Commission a petition in that behalf signed by more than one half of the persons registered to vote in that Member's constituency alleging their loss of confidence in that Member; and (b) the petition is thereafter approved in a referendum conducted by the Independent National Electoral Commission within 90 days of the date of the receipt of the petition by a simple majority of the votes of the persons registered to vote in that Councillor's constituency. **Presiding Officers of the Local Government Legislative Council.** **7(T)** (1) There shall be a Leader and a Deputy Leader of the Local		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		Government Legislative Council who shall be elected by the Members of the Local Government Legislative Council from among themselves. (2) At any sitting of the Local Government Legislative Council, the Leader shall preside and, in his absence, the Deputy Leader shall preside. (3) The Leader or Deputy Leader shall vacate Office — (a) if he ceases to be a Member of the Local Government Legislative Council otherwise than by reason of a dissolution of the Local Government Legislative Council; or (b) if he is removed from Office by a resolution of the Local Government Legislative Council by votes of not less than two-thirds majority of the Members of that Council. **Quorum.** **7(U)** The quorum of a Local Government Legislative Council shall be one-third of its Members. **Voting.** **7(V)** Except as otherwise provided by this Constitution, any question proposed for decision in the Local Government Legislative Council shall be determined by a simple majority of the Members present and voting, and the person presiding shall have a casting vote whenever necessary to avoid an equality of votes. **Regulation of Procedure.** **7(W)** The Local Government Legislative Council shall have power to regulate its procedure, including the procedure for summoning and recess of the Local Government Legislative		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		Council. **Remuneration.** **7(X)** The Chairman, Vice-Chairman and Members of a Local Government Legislative Council shall receive salary and such other allowances as the Revenue Mobilisation Allocation and Fiscal Commission may determine. **Protection of Pension Rights.** **7(Y)** (1) Subject to the provisions of subsection (2) of this section the right of a person in the service of a Local Government Council to receive pension or gratuity shall be regulated by Law. (2) Any benefit to which a person is entitled in accordance with or under such Law as is referred to in sub-section (1) of this section shall not be withheld or altered to his disadvantage except to such extent as is permissible under any law including the Code of Conduct. (3) Pension in respect of service in the Service of a Local Government Council shall not be taxed **Mode of Exercising Legislative Power of Local Government Council.** **7(Z)** (1) The power of a Local Government Legislative Council to make laws shall be exercised by a Bill passed by the Local Government Legislative Council and, except as otherwise provided by this Constitution, assented to by the Chairman. (2) A Bill shall not become Bye-Law unless it has been duly passed and, subject to subsection (1) of this section, assented to in accordance with the provisions of this section. (3) Where a Bill has been passed by the Local Government Legislative Council		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		it shall be presented to the Chairman for assent. (4) Where a Bill is presented to the Chairman for assent, he shall within 30 days signify that he assents or that he withholds his assent. (5) Where the Chairman withholds assent and the Bill is again passed by the Local Government Legislative Council by two-thirds majority, the Bill shall become law and the assent of the Chairman shall not be required		
8	**New States and boundary adjustment, etc.** (1) An Act of the National Assembly for the purpose of creating a new State shall only be passed if — *(a)* a request, supported by at least two-thirds majority of members (representing the area demanding the creation of the new State) in each of the following, namely — (i) the Senate and the House of Representatives, (ii) the House of Assembly in respect of the area, and (iii) the local government councils in respect of the area, is received by the National Assembly; (b) a proposal for the creation of the State is thereafter approved in a referendum by at least two-thirds majority of the people of the area where the demand for creation of the State originated ; (c) the result of the referendum is then approved by a simple majority of all the States of the Federation supported by a simple majority of members of the	**New States and boundary adjustment, etc.** (1) An Act of the National Assembly for the purpose of creating a new State shall only be passed if — *(a)* a request, supported by at least two-thirds majority of members (representing the area demanding the creation of the new State) in each of the following, namely — (i)… (ii)… (iii)….. (iii) The **democratically elected** Local Government Councils in respect of the area, is received by the National Assembly; (b) a proposal for the creation of the State is thereafter approved in a referendum by at least two-thirds majority of the **registered voters of the Local Government Area voting at the referendum** where the demand for creation of the State originated; (c) the result of the referendum is	**New States and boundary adjustment, etc.** Retained as in Principal Act	The amendment here makes it possible for only democratically elected local government councils to participate in the process of State creation and boundary adjustment. The process of creation of new States is also amended.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	Houses of Assembly; and (d) the proposal is approved by a resolution passed by two-thirds majority of members of each House of the National Assembly.	then approved by a resolution **of the State Houses of Assembly of not less than two-thirds majority of all the States of the Federation.** (d) the **approved** proposal is **passed** by a resolution **of not less than** two-thirds majority of Members of each House of the National Assembly		
9	**Mode of altering the provisions of the Constitution** (1) The National Assembly may, subject to the provision of this section, alter any of the provisions of this Constitution. (2) An Act of the National Assembly for the alteration of this Constitution, not being an Act to which section 8 of this Constitution applies, shall not be passed in either House of the National Assembly unless the proposal is supported by the votes of not less than two-thirds majority of all the members of that House and approved by resolution of the Houses of Assembly of not less than two-thirds of all the States. (3) An Act of the National Assembly for the purpose of altering the provisions of this section, section 8 or Chapter IV of this Constitution shall not be passed by either House of the National Assembly unless the proposal is approved by the votes of not less than four-fifths majority of all the members of each House, and also approved by resolution of the House of Assembly of not less than two-third of all States. (4) For the purposes of section 8 of this Constitution and of subsections (2) and (3) of this section, the number of members of each House of the National Assembly shall, notwithstanding any vacancy, be deemed to be the number of members specified in sections 48 and 49	**Mode of altering the provisions of the Constitution** (1) ……. (2) **A Bill** before the National Assembly for the alteration of this Constitution, not being **a Bill** to which section 8 of this Constitution applies, shall not be passed in either House of the National Assembly, unless **the Bill** is supported by the votes of not less than two-thirds majority of all the Members of that House and approved by a resolution of the Houses of Assembly of not less than two-thirds of all the States. (3) …….. (4) …… **(5) For the purposes of altering the provisions of this Constitution, the assent of the President shall not be required**	**Mode of altering the provisions of the Constitution** **Insertion of new subsections "(3A)" – (3N)" –** (3A) For the purpose of altering the provisions of this Constitution, the assent of the President shall not be required. (3B) The National Assembly may propose a new Constitution for the Federation. (3C) A new Constitution shall come into effect in the manner	The House amended the Constitution to allow for the alteration of the Constitution without the President's assent. The Senate however provided for a new procedure for amending the Constitution entirely different from the current Constitutional provision. Just like the House provision, the assent of the President would not be required.

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	of this Constitution.		stipulated under subsections (3D) – (3N) of this section – (3D) There shall be a committee of the Senate and House of Representatives to be set up by the President of the Senate in consultation with the Speaker of the House of Representatives to be known as the Joint Constitution Drafting Committee. (3E) The Joint Constitution Drafting Committee shall consist of – (a) two members from each State of the Federation, one from the Senate and the other from the House of Representatives; and (b) two members representing the Federal Capital Territory, one from the Senate and the other from the House of Representatives. (3F) The President of the Senate shall in consultation with the Speaker of the House of Representatives appoint the Chairman of the Joint Constitution Drafting Committee; (3G) The Joint Constitution Drafting Committee shall produce a draft Constitution which shall be submitted to the President of the Senate and the Speaker of the House of Representatives. (3H) The draft Constitution shall be presented in each House of the National Assembly within 3 months thereafter as a committee report; (3I) If the report of the Joint	

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			Constitution Drafting Committee is approved by two-thirds votes of the members of each House of the National Assembly, the report shall be forwarded to the State Houses of Assembly; (3J) The members of the House of Assembly of each State shall vote for each section of the draft Constitution and any provision of the draft Constitution that receives a simple majority approval of members in two-thirds of the States shall form part of the proposed Constitution; (3K) When returns are received from all State Houses of Assembly addressed to the President of the Senate, the President of the Senate shall direct the Clerk of the National Assembly to check the returns to ensure compliance with subsection (3J); (3L) The Clerk shall thereafter circulate the draft Constitution to each member of the National Assembly and forward copies to the Independent National Electoral Commission; (3M) The Independent National Electoral Commission shall, within 6 months of the receipt of the draft Constitution, cause a referendum to be conducted to approve the draft Constitution. (3N) If the draft Constitution receives a simple majority of votes cast in two-thirds of all States of the Federation, it shall come into force as the Constitution of the Federal Republic of Nigeria.	

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12	**Implementation of treaties** (1) No Treaty between the Federation and any other country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly.	**Implementation of treaties** (1) No Treaty between the Federation and any other country shall have the force of law except to the extent to which any such Treaty has been **ratified and or** enacted into law by the National Assembly	**Implementation of treaties** Retained as in Principal Act	House amendment provides that treaties must be ratified and or enacted into law by the National Assembly before it can have force of law in Nigeria.
Chapter III	**Citizenship**	**Citizenship <u>and Indigeneship</u>**	**Citizenship** Heading retained as in Principal Act	
25	**Citizenship by birth** (1) The following persons are citizens of Nigeria by birth–namely– (a) every person born in Nigeria before the date of independence, either of whose parents or any of whose grandparents belongs or belonged to a community indigenous to Nigeria; Provided that a person shall not become a citizen of Nigeria by virtue of this section if neither of his parents nor any of his grandparents was born in Nigeria. (b) every person born in Nigeria after the date of independence either of whose parents or any of whose grandparents is a citizen of Nigeria; and (c) every person born outside Nigeria either of whose parents is a citizen of Nigeria. (2) In this section, "the date of independence" means the 1st day of October 1960.	**Citizenship by birth** **Insertion of new section "1A" –** (1A) Sub–section (1) (a) of this section shall apply to persons born before or after the date of independence, whose parents or any of whose grandparents were indigenes of a territory or community now forming part of Nigeria. **Insertion of new section "25A" –** (1) A citizen of Nigeria is an indigene of a particular community of a State in Nigeria if — (*a*) he was born in that State; (*b*) his parents or grandparents belong to a community indigenous to that State; (*c*) he has resided in that State continuously for a period of not less than ten years; or (*d*) being a woman, who is married to an indigene of the community of that state, unless she chooses to retain the indigeneship of her paternal community." (2) A person mentioned in subsection (1) of this section shall be	**Citizenship by birth** Retained as in Principal Act	House Amendment includes "Indegeneship" in the Constitution and addresses various indegeneship concerns. This includes that a person who has lived in a community for a period of 10 years and above is entitled to the same rights and privileges as citizens of that community.

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		entitled to all the rights and privileges as an indigene of that State. (3) Nothing in subsection (1) of this section shall entitle a citizen of Nigeria to be an indigene of more than one State		
26	**Citizenship by registration** (2) the provisions of this section shall apply to– (a) any woman who is or has been married to a citizen of Nigeria; or	**Citizenship by registration** Retained as in Principal Act	**Citizenship by registration** (2) the provisions of this section shall apply to– (a) any **person** who is or has been married to a citizen of Nigeria; or	Senate amendment provides that any person – male or female – who is married to a Nigerian citizen can acquire Nigerian citizenship by registration. This means that non-Nigerian men married to Nigerian women would be able to acquire Nigerian citizenship.
33	**Right to life** **33.** (1) Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria. (2) A person shall not be regarded as having been deprived of his life in contravention of this section, if he dies as a result of the use, to such extent and in such circumstances as are permitted by law, of such force as is reasonably necessary – (a) for the defence of any person from unlawful violence or for the defence of property: (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained; or (c) for the purpose of suppressing a riot, insurrection or mutiny.	**Right to life** **Insertion of a new sub-section " 33 (3)"** — (3) For the purpose of sub-section (2) of this section, "such force as is reasonably necessary" means a commensurate, proportionate or equal force	**Right to life** Retained as in Principal Act	House amendment to define the use of "force as is reasonably necessary" in derogation of the right to life.
34	**Right to dignity of human person** (2). for the purposes of subsection (1) (c) of this section, "forced or compulsory	**Right to dignity of human person** (b) any labour required of members	**Right to dignity of human person** Retained as in Principal Act	Amendment to remove the word "Force" from" "Nigeria Police Force." This is aimed at aiding reforms in the Nigerian Police

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	labour" does not include – (b) any labour required of members of the armed forces of the Federation or the Nigeria Police Force in pursuance of their duties as such;	of the armed forces of the Federation or the **Nigerian Police** in pursuance of their duties as such		and to represent the Police as a law enforcement agency in a democratically constituted civilian society.
35	**Right to personal liberty** (7) Nothing in this section shall be construed – (b) as invalidating any law by reason only that it authorises the detention for a period not exceeding three months of a member of the armed forces of the federation or a member of the Nigeria Police Force in execution of a sentence imposed by an officer of the armed forces of the Federation or of the Nigeria Police Force, in respect of an offence punishable by such detention of which he has been found guilty.	**Right to personal liberty** (b) as invalidating any law by reason only that it authorises the detention for a period not exceeding three months of a member of the armed forces of the federation or a member of the Nigerian Police in execution of a sentence imposed by an officer of the armed forces of the Federation or of the **Nigerian Police**, in respect of an offence punishable by such detention of which he has been found guilty	**Right to personal liberty** Retained as in Principal Act	Same as above
39	**Right to freedom of expression and the press** **(3)** Nothing in this section shall invalidate any law that is reasonably justifiable in a democratic society – (b) imposing restrictions upon persons holding office under the Government of the Federation or of a State, members of the armed forces of the Federation or members of the Nigeria Police Force or other Government security services or agencies established by law.	**Right to freedom of expression and the press** (*b*) imposing restrictions upon persons holding office under the Government of the Federation or of a State, members of the armed forces of the Federation or members of the **Nigerian Police** or other Government security services or agencies established by law	**Right to freedom of expression and the press** Retained as in Principal Act	Same as above
42	**Right to Freedom from discrimination** (1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person — (3) Nothing in subsection (1) of this	**Right to Freedom from discrimination** (1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, **disability**, religion or political opinion shall not, by reason only that he is such a person (2)	**Right to Freedom from discrimination** (1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, **disability**, religion or political opinion shall not, by reason only that he is such a person	Senate and House amendments to protect persons with disability from discrimination.

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	section shall invalidate any law by reason only that the law imposes restrictions with respect to the appointment of any person to any office under the State or as a member of the armed forces of the Federation or member of the Nigeria Police Force or to an office in the service of a body, corporate established directly by any law in force in Nigeria.	(3) Nothing in subsection (1) of this section shall invalidate any law by reason only that the law imposes restrictions with respect to the appointment of any person to any office under the State or as a member of the armed forces of the Federation or member of the **Nigerian Police** or to an office in the service of a body, corporate established directly by any law in force in Nigeria		
45		**Insertion of new sections 45A – 45D.** **"Right to Education.** **45A.** Every citizen of Nigeria is entitled to free basic education **Right to Favourable Environment.** **45B.** Every citizen of Nigeria is entitled to a general satisfactory environment favourable to his development **Right to Health.** **45C.** Every citizen of Nigeria is entitled to free primary and maternal health care services **Right to Housing.** **45D.** Every citizen of Nigeria is entitled to basic housing		House amendments to make the listed socio-economic rights justiciable or enforceable as fundamental rights.
50		**Insertion of new Section 50A.** **Establishment of the National Assembly Service Commission.** **50A.** There is established the National Assembly Service Commission whose composition, tenure, structure, finance, functions and powers shall be as prescribed by an Act of the National Assembly		The House by this new provision creates a 'National Assembly Service Commission" and empowers the National Assembly to provide for the powers and structure of this new body by subsequent legislation. This provision aims to institutionalize legislative bureaucracy in the Constitution similar to civil service commissions in the executive and judiciary.

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58	**Mode of exercising federal legislative powers: general** (1) The power of the National Assembly to make laws shall be exercised by bills passed by both the Senate and the House of Representatives and, except as otherwise provided by subsection (5) of this section, assented to by the President. (2) A bill may originate in either the Senate or the House of Representatives and shall not become law unless it has been passed and, except as otherwise provided by this section and section 59 of this Constitution, assented to in accordance with the provisions of this section. (3) Where a bill has been passed by the House in which it originated, it shall be sent to the other House, and it shall be presented to the President for assent when it has been passed by that other House and agreement has been reached between the two Houses on any amendment made on it. (4) Where a bill is presented to the President for assent, he shall within thirty days thereof signify that he assents or that he withholds assent. (5) Where the President withholds his assent and the bill is again passed by each House by two-thirds majority, the bill shall become law and the assent of the President shall not be required.	**Mode of exercising federal legislative powers: general** Retained as in Principal Act	**Mode of exercising federal legislative powers: general** **Insertion of a new subsection "5A"** **"5A"-** Where the President neither signifies that he assents or that he withholds assent, the bill shall at the expiration of thirty days become law. "	The new Senate provision proposes that a bill shall automatically become law at the expiration of 30 days where the President neither signifies that he assents nor withholds assent, which means that bills can become law without presidential assent.
59	**Mode of exercising federal legislative power: money bills** (1) The provisions of this section shall apply to - (a) an appropriation bill or a	**Mode of exercising federal legislative power: money bills** **(4)** Where the President within 30 days after the presentation of the Bill to him, fails to signify his assent or where he withholds his assent, **then within 7**	**Mode of exercising federal legislative power: money bills** Retained as in Principal Act	The House adopted this new provision to facilitate timely passage of the appropriation bill and other money bills, create a time frame where the National Assembly can be re-constituted to consider a money bill, as well as to state who is to chair the

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	supplementary appropriation bill, including any other bill for the payment, issue or withdrawal from the Consolidated Revenue Fund any other public fund of the Federation of any money charged thereon or any alteration in the amount of such a payment, issue or withdrawal; and (b) a bill for the imposition of or increase in any tax, duty or fee or any reduction, withdrawal or cancellation thereof. (2) Where a bill to which this section applies is passed by one of the Houses of the National Assembly but is not passed by the other House within a period of two months from the commencement of a financial year, the President of the Senate shall within fourteen days thereafter arrange for and convene a meeting of the joint finance committee to examine the bill with a view to resolving the differences between the two Houses. (3) Where the joint finance committee fails to resolve such differences, then the bill shall be presented to the National Assembly sitting at a joint meeting, and if the bill is passed at such joint meeting, it shall be presented to the President for assent. (4) Where the President, within thirty days after the presentation of the bill to him, fails to signify his assent or where he withholds assent, then the bill shall again presented to the National Assembly sitting at a joint meeting, and if passed by two-thirds majority of members of both houses at such joint meeting, the bill shall become law and the assent of the President shall not be required.	**days, the President of the Senate shall convene a joint sitting of the National Assembly to reconsider the bill and if passed by two-thirds majority of members of both Houses at such joint sitting,** the Bill shall become law and the assent of the President shall not be required		joint sitting of the National Assembly as the matter is unclear in the Constitution. With this provision, the bill becomes law within 7 days where there is a failure by the President to signify or withhold his assent.

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	(5) In this section, "joint finance committee" refers to the joint committee of the National Assembly on finance established pursuant to section 62(3) of this Constitution.			
65	**Qualifications for election.** (2) A person shall be qualified for election under subsection (1) of this section if — (a) he has been educated up to at least School Certificate level or its equivalent; and (b) he is a member of a political party and is sponsored by that party.	**Qualifications for election.** (b) he is a member of a political party and is sponsored by that party **or he is an independent candidate**	**Qualifications for election.** Retained as in Principal Act	This amendment makes room for independent candidates to stand for elections as long as other qualifications listed in the Electoral Act are met. Its aim to increase political participation, fostering competition among candidates and increasing voter choice.
66	**Disqualifications** (1) No person shall be qualified for election to the Senate or the House of Representatives if – (c) he is under a sentence of death imposed on him by any competent court of law or tribunal in Nigeria or a sentence of imprisonment or fine for an offence involving dishonesty or fraud (by whatever name called) or any other offence imposed on him by such a court or tribunal or substituted by a competent authority any other sentence imposed on him by such a court.	**Disqualifications** (c) he is under a sentence of death imposed on him by any competent court of law or tribunal in Nigeria or a sentence of imprisonment or fine for an offence involving dishonesty **or any electoral offence** or fraud (by whatever name called) or any other offence imposed on him by such a court or tribunal or substituted by a competent authority any other sentence imposed on him by such a court	**Disqualifications** Retained as in Principal Act	The amendment here provides that conviction for an electoral offence is a ground for disqualification for election to the Federal legislature. It is aimed at discouraging electoral fraud.
67	**Right of attendance of President** (1) The President may attend any joint meeting of the National Assembly or any meeting of either House of the National Assembly, either to deliver an address on national affairs including fiscal measures, or to make such statement on the policy of government as he considers to be of national importance.	**Right of attendance of President** **(1) The President shall attend a joint meeting of the National Assembly once every year to deliver an address on any issue(s) in respect of the state of the Nation in a manner prescribed by the National Assembly**	Retained as in Principal Act	This provision seeks to make is mandatory for the President to attend a joint meeting of the National Assembly to deliver a State of the Nation address.

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68.	**Alteration of Section 68** **Tenure of Seat of Members** **(1)** A member of the Senate or of the House of Representatives shall vacate his seat in the House of which he is a member if – (a) (b) (c) (d) (e) Save as otherwise prescribed by this Constitution, he becomes a member of a Commission or other body established by this Constitution or by any other law	**Alteration of Section 68** **Tenure of Seat of Members** **(1)** A member of the Senate or of the House of Representatives shall vacate his seat in the House of which he is a member if – (a) (b) (c) (d) (e) Save as otherwise prescribed by this Constitution, he becomes a member of a Commission or other body established by this Constitution or by any other law, **except by virtue of office.**	Retained as in Principal Act	This amendment is to prevent Senators or members from vacating their seat on appointment to a Commission or a body.
80	**Establishment of Consolidated Revenue Fund** (4) No moneys shall be withdrawn from the Consolidated Revenue Fund or any other public fund of the Federation, except in the manner prescribed by the National Assembly.	**Establishment of Consolidated Revenue Fund** (4) No money, revenue, income or return accruing to or derived by any Fund, entity or department of government of the Federation from any source including any — (a) receipt, however described, arising from the operation of any law. (b) return, however described, arising from or in respect of any property held by the Government of the Federation, (c) return by way of interest on loans and dividends in respect of shares or interest held by the Government of the Federation in any company or statutory body, shall be withdrawn from the Consolidated Revenue Fund or any other public Fund of the Federation, except in	**Establishment of Consolidated Revenue Fund** Retained as in Principal Act	The House reinforced the provision of the Constitution to ensure that any expenditure made by any organ of Government is authorised by the Legislature.

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		the manner prescribed by an Act of the National Assembly"		
81	**Authorisation of expenditure from Consolidated Revenue Fund** (1) The President shall cause to be prepared and laid before each House of the National Assembly at any time in each financial year estimates of the revenues and expenditure of the Federation for the next following financial year. (2) The heads of expenditure contained in the estimates (other than expenditure charged upon the Consolidated Revenue Fund of the Federation by this Constitution) shall be included in a bill, to be known as an Appropriation Bill, providing for the issue from the Consolidated Revenue Fund of the sums necessary to meet that expenditure and the appropriation of those sums for the purposes specified therein.	**Authorisation of expenditure from Consolidated Revenue Fund** (1) The President shall cause to be prepared and laid before each House of the National Assembly **not later than ninety days before the end of the** financial year estimates of the revenues and expenditure of the Federation for the next following financial year. (2) The heads of expenditure contained in the estimates (other than expenditure charged upon the Consolidated Revenue Fund **or other Public Fund** of the Federation **set up for specific purposes** by this Constitution) shall be included in a bill, to be known as an Appropriation Bill, providing for the issue from the Consolidated Revenue Fund of the sums necessary to meet that expenditure and the appropriation of those sums for the purposes specified therein. **Insertion of new subsection (3A).** "(3A) Estimates of revenue and expenditure provided in subsection (1) of this section shall include any — (a) receipt, however described, arising from the operation of any law; (b) return, however described, arising from or in respect of any property held by the Government of the Federation; (c) return by way of interest on loans and dividends in respect of shares or interest held by the Government of the Federation in any company or statutory body	**Authorisation of expenditure from Consolidated Revenue Fund** Retained as in Principal Act	This section was amended by the House to provide a time frame for budget presentation and to ensure its speedy passage. Under this proposal, the President must submit budget estimates to the legislature for approval not later than ninety days before the expiration of the fiscal year.
First	**Authorisation of expenditure from**	**Authorisation of expenditure from**	**Authorisation of expenditure**	The Senate voted to include the

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
Alteration Act Section 6	**Consolidated Revenue Fund** ***Section 81 of the Principal Act*** **6.** Section 81 of the Principal Act is altered by substituting for the existing subsection (3) a new subsection "(3)" – "(3) The amount standing to the credit of the – (a) Independent National Electoral Commission, (b) National Assembly, and (c) Judiciary, in the Consolidated Revenue Fund of the Federation shall be paid directly to the said bodies respectively; in the case of the Judiciary, such amount shall be paid to the National Judicial Council for disbursement to the heads of the courts established for the Federation and the States under section 6 of the Constitution".	**Consolidated Revenue Fund** **Alteration of section 6 of first Alteration Act (Section 81 of the Principal Act)** "(3) The amount standing to the credit of the – (a) ..... (b) ..... (c) ..... **(d) Office of the Attorney-General of the Federation; and** **(e) Office of the Auditor-General of the Federation;** **(f) National Security Agencies;** **(g) Nigerian Police** in the Consolidated Revenue Fund of the Federation shall be paid directly to the said **bodies or Offices** respectively; in the case of the Judiciary, such amount shall be paid to the National Judicial Council for disbursement to the heads of the courts established for the Federation and the States under section 6 of the Constitution	**from Consolidated Revenue Fund** **Alteration of section 6 of first Alteration Act** **6.** Section 81 of the Principal Act (Section 6 of the First Alteration) Act is further altered by substituting for subsection (3)(a) – (c), new subsection "(3)(a) – (g)"– (a) National Assembly, (b) Independent National Electoral Commission, (c) Judiciary **(d) Auditor-General of the Federation,** **(e) Revenue Mobilization, Allocation and Fiscal Commission; and** **(f) National Human Rights Commission** in the Consolidated Revenue Fund of the Federation shall be paid directly to the said bodies respectively; in the case of the Judiciary, such amount shall be paid to the National Judicial Council for disbursement to the heads of the courts established for the Federation and the States under section 6 of the Constitution".	office of the Auditor-General of the Federation, the Revenue Mobilization, Allocation and Fiscal Commission and the National Human Rights Commission as bodies that should be included on the first line charge of the consolidated revenue fund while the House chose to include the Offices of the Attorney General of the Federation and the Auditor General of the Federation, National Security Agencies and Nigerian Police on the first line charge.
82	**Authorisation of expenditure in default of appropriation.**	**Authorisation of expenditure in default of appropriation.**	**Authorisation of expenditure in default of appropriation.**	The House shortened the time frame under which expenditure could be made from the

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	82. If the Appropriation Bill in respect of any financial year has not been passed into law by the beginning of the financial year, the President may authorise the withdrawal of moneys in the Consolidated Revenue Fund of the Federation for the purpose of meeting expenditure necessary to carry on the services of the Government of the Federation for a period not exceeding six months or until the coming into operation of the Appropriation Act, whichever is the earlier: Provided that the withdrawal in respect of any such period shall not exceed the amount authorised to be withdrawn from the Consolidated Revenue Fund of the Federation under the provisions of the Appropriation Act passed by the National Assembly for the corresponding period in the immediately preceding financial year, being an amount proportionate to the total amount so authorised for the immediately preceding financial year.	**82.** If the Appropriation Bill in respect of any financial year has not been passed into law by the beginning of the financial year, the President may authorise the withdrawal of moneys in the Consolidated Revenue Fund of the Federation for the purpose of meeting expenditure necessary to carry on the services of the Government of the Federation for a period not exceeding **three** months: Provided that the withdrawal in respect of any such period shall not exceed the amount authorised to be withdrawn from the Consolidated Revenue Fund of the Federation under the provisions of the Appropriation Act passed by the National Assembly for the corresponding period in the immediately preceding financial year, being an amount proportionate to the total amount so authorised for the immediately preceding financial year	Retained as in Principal Act	consolidated revenue fund where the budget has not been passed from 6 months to 3 months to encourage the swift passage of the National budget.
84	**Remuneration of the President and certain other officers** (5) Any person who has held office as President or Vice-President shall be entitled to pension for life at a rate equivalent to the annual salary of the incumbent President or Vice-President: Provided that such a person was not removed from office by the process of impeachment or for breach of any provisions of this Constitution.	**Remuneration of the President and certain other officers** **(5) Provisions may be made by an Act of the National Assembly for the grant of a pension or gratuity to or in respect of a person who had held Office as President or Vice-President, President of the Senate, Deputy President of the Senate, Speaker or Deputy Speaker of the House of Representatives who shall be entitled to pension for life at a rate equivalent to the annual salary of the incumbent President, Vice-President, President of the Senate, Deputy President of the Senate, Speaker of the House of Representatives or Deputy Speaker of the House of Representatives:** **Provided that such a person was not**	**Remuneration of the President and certain other officers** **Insertion of a new subsection "(5A)" –** **(5A)- Any person who has held office as President or Deputy President of the Senate, Speaker or Deputy Speaker of the House of Representatives, shall be entitled to pension for life at a rate equivalent to the annual salary of the incumbent President or Deputy President of the Senate, Speaker or Deputy, Speaker of the House of Representatives.**	The Senate and House included some of their principal officers on the list of ex-public officers entitled to life pension. The amendment by the House however further includes that a law has to be passed by the National Assembly to give full effect to the provision.

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		removed from office by the process of impeachment or for breach of any of the provisions of this Constitution.		
84		**Insertion of new sections 84A-F** **Appointment of the Accountant General of the Federation.** **84A.** The Accountant General of the Federation shall be — (a) appointed by the President on the recommendation of National Economic Council, subject to confirmation by the Senate; and (b) responsible for the administration and disbursement of allocations from the Federation Account to the tiers of government". **Tenure of Office of the Accountant General of the Federation.** **84B.** The Accountant- General of the Federation shall hold Office for a term of five years and it may be renewed for a further term of five years and no more, from the date he assumed Office until he attains the age of sixty-five years, whichever is earlier". **Removal of the Accountant General of the Federation.** **84C.** The Accountant General of the Federation shall be removed by the President acting on an address supported by two-thirds majority of the Senate praying that he be so removed for inability to discharge the functions of his Office (whether arising from infirmity of mind or body or any other cause) or for misconduct **Appointment of the Accountant General of the Federal Government.** **84D.** The Accountant General of the Federal Government shall — (a) be appointed by the President		The House included new provisions creating and distinguishing between the offices of the Accountant General of the Federation and that of the Federal Government detailing their mode for selection and removal. The aim of separating these two offices is to guarantee the proper administration of resources.

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		subject to the confirmation by the Senate; and" (b) supervise and administer the Federal Government Accounts". **"Tenure of Office of the Accountant General of the Federal Government.** **84E.** The Accountant- General of the Federal Government shall hold office for a term of four years and it may be renewed for a further term of four years and no more, from the date he assumed Office until he attains the age of sixty-five years, whichever is earlier". **"Removal of Accountant General of the Federal Government.** **84F.** The Accountant General of the Federal Government shall be removed by the President acting on an address supported by two-thirds majority of the Senate praying that he be so removed for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misconduct		
89	**Powers as to matters of evidence** (1) For the purposes of any investigation under section 88 of this Constitutional and subject to the provisions thereof, the Senate or the House of Representatives or a Committee appointed in accordance with section 62 of this Constitution shall have power to:- (a) (b) (c) (d) issue a warrant to compel the	**Powers as to matters of evidence** (1) For the purposes of any investigation under section 88 of this Constitutional and subject to the provisions thereof, the Senate or the House of Representatives or a Committee appointed in accordance with section 62 of this Constitution shall have power to:- (a) (b) (c) (d)	**Powers as to matters of evidence** Retained as in Principal Act	The amendment in 89 (1) (e) seeks to empower the National Assembly to make laws for civil or criminal sanctions to penalize a person who fails, refuses or neglects to obey summons or that of its Committees. Note that 89(2) was amended by the House to remove the word "Force" from the Nigerian Police and that the same section was amended to empower the Sergeant-at arms to execute warrants or orders issued to compel attendance of a person summoned by the National

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	attendance of any person who, after having been summoned to attend; fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the House or the Committee in question, and order him to pay all costs which may have been occasioned in compelling his attendance or by reason of his failure to refusal or neglect to obey the summons and also to impose such fine as may be prescribed for any such failure, refused or neglect; and any fine so imposed shall be recoverable in the same manner as a fine imposed by a court of law. (2). A summons or warrant issued under this section may be served or executed by any member of the Nigeria Police Force or by any person authorised in that behalf by the President of the Senate or the Speaker of the House of Representatives, as the case may require.	**(e) The National Assembly may by law further prescribe civil and/or criminal sanctions for any failure, refusal or neglect to obey the summons issued by a legislative House or a Committee thereof.** (2) A summons or warrant issued under this section may be served or executed by any member of the **Nigerian Police <u>or Sergeant-at-Arms of a Legislative House</u>** by any person authorised in that behalf by the President of the Senate or the Speaker of the House of Representatives, as the case may require		Assembly.
92		**Insertion of new section 92A.** **Establishment of House of Assembly of a State Service Commission.** **92A.** There is established a State House of Assembly Service Commission whose composition, tenure, structure, finance, functions and powers shall be as prescribed by a Law of the House of Assembly of the State.		This amendment by the House seeks to institutionalize legislative bureaucracy by providing for a "House of Assembly" for a State Service Commission.
100	**Mode of exercising legislative power of a State** (1) The power of a House of Assembly to make laws shall be exercised by bills passed by the House of Assembly and, except as otherwise provided by this section, assented to by the Governor. (2) A bill shall not become Law unless it	**Mode of exercising legislative power of a State** Retained as in Principal Act	**Mode of exercising legislative power of a State** **Insertion of new subsection "5A" –** "5A"– Where the Governor neither signifies that he assents or that he withholds assent, the bill shall at the expiration of thirty days	The Senate amendment modifies the present Constitutional provision by providing that a bill automatically comes into force as law where a Governor neither consents nor dissents to a Bill after 30 days. It aims to prevent the status of the law being "in limbo"

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	has been duly passed and, subject to subsection (1) of this section, assented to in accordance with the provisions of this section. (3) Where a bill has been passed by the House of Assembly it shall be presented to the Governor for assent. (4) Where a bill is presented to the Governor for assent he shall within thirty days thereof signify that he assents or that he withholds assent. (5) Where the Governor withholds assent and the bill is again passed by the House of Assembly by two-thirds majority, the bill shall become law and the assent of the Governor shall not be required.		become law.	
106	**Qualifications for elections** 106. Subject to the provisions of section 107 of this Constitution, a person shall be qualified for election as a member of a House of Assembly if — (d) he is a member of a political party and is sponsored by that party.	**Qualifications for elections** Subject to the provisions of section 107 of this Constitution, a person shall be qualified for election as a member of a House of Assembly if — (d) he is a member of a political party and is sponsored by that party **or he is an independent candidate**	**Qualifications for elections** Retained as in Principal Act	The amendment by the House provides for independent candidates – at State level – to stand for elections to widen political participation and voter choice.
107	**Disqualifications** (1) No person shall be qualified for election to a House of Assembly if – (d) within a period of less than ten years before the date of an election to the House of Assembly, he has been convicted and sentenced for an offence involving dishonesty or he has been found guilty of a contravention of the Code of Conduct;	**Disqualifications** (d) within a period of less than ten years before the date of an election to the House of Assembly, he has been convicted and sentenced for an offence involving dishonesty **or any electoral offence** or he has been found guilty of a contravention of the Code of Conduct;	**Disqualifications** Retained as in Principal Act	The House included the conviction of a person for an electoral offence as a ground for disqualification for contesting for a seat in a State House of Assembly.
109	**Tenure of Seat of Members** **S.109 (1)** A member of House of	**Tenure of Seat of Members** **S.109 (1)** A member of House of	Retained as in Principal Act	This is to prevent a member of a State House of Assembly from losing their seat when

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	Assembly shall vacate his seat in the House if – (a) (b) (c) (d) (e) Save as otherwise prescribed by this Constitution, he becomes a member of a Commission or other body established by this Constitution or by any other law	Assembly shall vacate his seat in the House if – (a) (b) (c) (d) (e) Save as otherwise prescribed by this Constitution, he becomes a member of a Commission or other body established by this Constitution or by any other law, **except by virtue of office.**		appointed into a Commission or body
120	**Establishment of Consolidated Revenue Fund** (4) No moneys shall be withdrawn from the Consolidated Revenue Fund of the State or any other public fund of the State except in the manner prescribed by the House of Assembly.	**Establishment of Consolidated Revenue Fund** **4) No money, revenue, income or return accruing to or derived by any Fund, entity or department of government of the State from any source including any —** **(a) receipt, however described, arising from the operation of any law,** **(b) return, however described, arising from or in respect of any property held by the Government of the State,** **(c) return by way of interest on loans and dividends in respect of shares or interest held by the Government of the State in any company or statutory body,** **shall be withdrawn from the Consolidated Revenue Fund or any other public Fund of the State, except in the manner prescribed by a law of the House of Assembly**	**Establishment of Consolidated Revenue Fund** Retained as in Principal Act	The House re-inforced the present constitutional position by ensuring that all expenditure by State organs are authorised by its legislature.
121	**Authorisation of expenditure from**	**Authorisation of expenditure from**	**Authorisation of expenditure**	

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	Consolidated Revenue Fund (1) The Governor shall cause to be prepared and laid before the House of Assembly at any time before the commencement of each financial year estimates of the revenues and expenditure of the State for the next following financial year. (2) The heads of expenditure contained in the estimates, other than expenditure charged upon the Consolidated Revenue Fund of the State by this Constitution, shall be included in a bill, to be known as an Appropriation Bill, providing for the issue from the Consolidated Revenue Fund of the State of the sums necessary to meet that expenditure and the appropriation of those sums for the purposes specified therein. (3) Any amount standing to the credit of the judiciary in the Consolidated Revenue Fund of the State shall be paid directly to the heads of the courts concerned. (4) If in respect of any financial year, it is found that – (a) the amount appropriated by the Appropriation Law for any purpose is insufficient; or (b) a need has arisen for expenditure for a purpose for which no amount has been appropriated by the Law, a supplementary estimate showing the sums required shall be laid before the House of Assembly and the heads of any such expenditure shall be included in a Supplementary Appropriation Bill.	**Consolidated Revenue Fund** (1) The Governor shall cause to be prepared and laid before the House of Assembly **not later than ninety days** before the commencement of each financial year estimates of the revenues and expenditure of the State for the next following financial year. (2) The heads of expenditure contained in the estimates, other than expenditure charged upon the Consolidated Revenue Fund **or other public Funds of the State set up for specific purposes** by this Constitution, shall be included in a bill, to be known as an Appropriation Bill, providing for the issue from the Consolidated Revenue Fund of the State of the sums necessary to meet that expenditure and the appropriation of those sums for the purposes specified therein. **(3) Any amount standing to the credit of the House of Assembly, the Judiciary, the office of the Attorney-General or the office of the Auditor-General in the Consolidated Revenue Fund of the State shall be paid directly to —** **(*a*) the House of Assembly of the State;** **(*b*) the heads of the courts concerned;** **(*c*) Office of the Attorney-General; and** **(d) Office of the Auditor-General.** ***Insertion of new subsection "(3A)"***	**from Consolidated Revenue Fund** **(3) Any amount standing to the credit of the-** **(a) State Independent Electoral Commission;** **(b) House of Assembly of the State;** **(c) Auditor-General of the State; and** **(d) Judiciary** **in the Consolidated Revenue Fund of the State shall be paid directly to the heads of the respective bodies for the use of the Institution for which he is head; in the case of the Judiciary the amount shall be paid directly to the Heads of the Court concerned.**	The proposed amendment in section 121(1) gives the Governor a time frame to present the budget to the State House of Assembly to ensure its swift passage while section 121(2) requires all income and expenditure estimates from other public funds of the State be included in the State Appropriation Bill. In subsection (3) both the House and the Senate added more bodies to benefit from the State's first line charge. For Senate: They included the State House of Assembly, office of the State Auditor General and the State Independent Electoral Commission. For the House: The House of the Assembly, and the offices of the Attorney General and Auditor-General of the State respectively. In addition, the House adopted subsection 3A, to further define budget estimates and expenditure that should be appropriated.

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		(3A) Estimates of revenue and expenditure provided in subsection (1) of this section shall include any — **(a) receipt, however described, arising from the operation of any law;** **(b) return, however described, arising from or in respect of any property held by the Government of the State;** **(c) return by way of interest on loans and dividends in respect of shares or interest held by the Government of the State in any company or statutory body**		
122	**Authorisation of expenditure in default of appropriations.** **122.** If the Appropriation Bill in respect of any financial year has not been passed into law by the beginning of the financial year, the Governor may authorise the withdrawal of moneys in the Consolidated Revenue Fund of the State for the purpose of meeting expenditure necessary to carry on the services of the Government for a period not exceeding six months or until the coming into operation of the Law, whichever is the earlier – Provided that the withdrawal in respect of any such period shall not exceed the amount authorised to be withdrawn from the Consolidated Revenue Fund of the State under the provisions of the Law passed by the House of the Assembly for the corresponding period in the immediately preceding financial year, being an amount proportionate to the total amount so authorised for the immediately preceding financial year.	**Authorisation of expenditure in default of appropriations** **122.** If the Appropriation Bill in respect of any financial year has not been passed into law by the beginning of the financial year, the Governor may authorise the withdrawal of moneys in the Consolidated Revenue Fund of the State for the purpose of meeting expenditure necessary to carry on the services of the Government for a period not exceeding **three** months: Provided that the withdrawal in respect of any such period shall not exceed the amount authorised to be withdrawn from the Consolidated Revenue Fund of the State under the provisions of the Law passed by the House of the Assembly for the corresponding period in the immediately preceding financial year, being an amount proportionate to the total amount so authorised for the immediately preceding financial year.	**Authorisation of expenditure in default of appropriations** Retained as in Principal Act	The House of Representatives amended this provision to reduce the time frame under which expenditure may be made from the consolidated revenue fund where the budget has not been passed from 6 months to 3 months to facilitate the timeous passage of the budget. In line with this provision the Governor is required to submit budget estimates to the State legislature at least three months before the end of the fiscal year.
124	**Remuneration etc. of the Governor and certain other officers**	**Remuneration etc. of the Governor and certain other officers**	**Remuneration etc. of the Governor and certain other**	The House voted to include the Speaker and Deputy Speaker of

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	(1) There shall be paid to the holders of the offices mentioned in this section such remuneration and salaries as may be prescribed by a House of Assembly, but not exceeding the amount as shall have been determined by the Revenue Mobilisation Allocation and Fiscal Commission. (2) The remuneration, salaries and allowances payable to the holders of the offices so mentioned shall be charged upon the Consolidated Revenue Fund of the State. (3) The remuneration and salaries payable to the holders of the said offices and their conditions of service, other than allowances, shall not be altered to their disadvantage after their appointment. (4) The offices aforesaid are the offices of Governor, Deputy Governor, Auditor-General for a State and the Chairman and members of the following bodies, that is to say, the State Civil Service Commission, the State Independent Electoral Commission and the State Judicial Service Commission. (5) Provisions may be made by a Law of a House of Assembly for the grant of a pension or gratuity to or in respect of a person who had held office as Governor or Deputy Governor and was not removed from office as a result of impeachment; and any pension granted by virtue of any provisions made in pursuance of this subsection shall be a charge upon the Consolidated Revenue Fund of the State.	(1) There shall be paid to the holders of the offices mentioned in this section such remuneration and salaries as may be prescribed by a House of Assembly, but not exceeding the amount as shall have been determined by the Revenue Mobilisation Allocation and Fiscal Commission. (2)..... (3)..... (4) The offices aforesaid are the offices of Governor, Deputy Governor, Auditor-General for a State, **Auditor-General of the Local Government Councils** and the Chairman and members of the following bodies, that is to say, the State Civil Service Commission, the State Judicial Service Commission**, the State Local Government Service Commission and the State Council of Chiefs**. (5) Provisions may be made by a Law of a House of Assembly for the grant of a pension or gratuity to or in respect of a person who had held office as Governor or Deputy Governor, **Speaker or Deputy Speaker** and was not removed from office as a result of impeachment; and any pension granted by virtue of any provisions made in pursuance of this subsection shall be a charge upon the Consolidated Revenue Fund of the State	**officers** Retained as in Principal Act	the State House of Assembly on the list of officers entitled to life pension or gratuity. However, while the Senate supported this at the Federal level, it did not adopt a similar provision at the State level. Also, the House made consequential amendment provisions entitling (newly created) offices of the Auditor-General of Local Government Council, members of the State Local Government Service Commission and State Council of Chiefs to remuneration.
125		**Insertion of new section 125A.** **Audit of Public Accounts of Local**		New section 125A establishes the office of the Auditor-

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		Government Councils. **125A**. (1) There shall be an Auditor-General for the Local Government Councils of a State who shall be appointed in accordance with the provisions of section 126 of this Constitution." (2) Public accounts of a Local Government Council and of all offices of the Local Government Council shall be audited by the Auditor-General of the Local Government Councils of the State who shall submit his report to the House of Assembly of the State concerned; and for that purpose, the Auditor-General or any person authorised by him in that behalf shall have access to all books, records, returns and other documents relating to the Local Government Council. (3) The Auditor-General of the Local Government Councils of a State shall, within 90 days of receipt of the Accountant-General's Financial Statement and annual Accounts of the Local Government Councils, submit his Reports to the House of Assembly of the State and the House shall cause the Reports to be considered by a Committee of the House responsible for public accounts. (4) In the exercise of his functions under this Constitution, the Auditor-General of the Local Government Councils of a State shall not be subject to the direction or control of any other authority or person		General for the Local Government Councils and provides for the audit of their accounts.
126	**Appointment of Auditor General** (1) The Auditor-General for a State shall be appointed by the Governor of the State on the recommendation of the State Civil Service Commission subject to	**Appointment of Auditor General** (1) The Auditor-General for a State **and Auditor-General of Local Government Councils** of a State shall be appointed by the Governor of the State	**Appointment of Auditor General** Retained as in Principal Act	This House amendment provides for the mode of appointment of the Auditor-General of Local Government Councils.

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	confirmation by the House of Assembly of the State. (2) The power to appoint persons to act in the office of the Auditor-General for a State shall vest in the Governor. (3) Except with the sanction of a resolution of the House of Assembly of a State, no person shall act in the office of the Auditor-General for a State for a period exceeding six months	on the recommendation of the State Civil Service Commission subject to confirmation by the House of Assembly of the State. (2) The power to appoint persons to act in the Offices of the Auditor-General for a State **and Auditor-General of Local Government Councils of a State** shall vest in the Governor. (3) Except with the sanction of a resolution of the House of Assembly of a State, no person shall act in the Office of the Auditor-General for a State **or Auditor-General of Local Government Councils of a State** for a period exceeding six months		This is an aspect of checks and balances on the finances of the local government administration in the light of the financial autonomy granted them by the Houses' wide ranging amendments to local government councils.
129	**Power as to matters of evidence** 1) For the purposes of any investigation under section 128 of this Constitution, and subject to the provisions thereof, a House of Assembly or a Committee appointed in accordance with section 103 of this Constitution shall have power to - (a) procure all such evidence, written or oral, direct or circumstantial, as it may think necessary or desirable, and examine all persons as witnesses whose evidence may be material or relevant to the subject matter; (b) require such evidence to be given on oath; (c) summon any person in Nigeria to give evidence at any place or produce any document or other things in his possession or under his control, and examine him as a witness and require him to produce any document or other	**Power as to matters of evidence** **(1)** …….. **(a)**… **(b)**… **(c)**… **(d)**… **(e) The House of Assembly of a State may by law further prescribe civil and/or criminal sanctions for any failure, refusal or neglect to obey the summons issued by the legislative House.**	**Power as to matters of evidence** Retained as in Principal Act	The proposal in section 129 (1) (e) seeks to empower the House of Assembly of a State to provide for civil and/or criminal sanctions for the failure, neglect or refusal of any person to honour the summons of a Legislative House or any of its Committees. The provision in section 129(2) Constitutionally empowers the Sergeant-at-arms to execute orders. However, there should be a subsequent law by the State House of Assembly to allow the Sergeant-at-arms to effectively carry out this function. The amendment in 129 (1) (e) seeks to empower a State House of Assembly Assembly to make laws for civil or criminal sanctions to penalize a person who fails, refuses or neglects to

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	thing in his possession or under his control, subject to tall just exceptions; and (d) issue a warrant to compel the attendance of any person who, after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the House of Assembly or the committee, and order him to pay all costs which may have been occasioned in compelling his attendance or by reason of his failure, refusal or neglect to obey the summons and also to impose such fine as may be prescribed for any such failure, refusal or neglect; and any fine so imposed shall be recoverable in the same manner as a fine imposed by a court of law. (2). A summons or warrant issued under this section may be served or executed by any member of the Nigeria Police Force or by any person authorised in that behalf by the Speaker of the House of Assembly of the State.	(2) A summons or warrant issued under this section may be served or executed by any member of the **Nigerian Police <u>or Sergeant-at-Arms of a Legislative House</u>** by any person authorised in that behalf by the Speaker of the House of Assembly of the State		obey summons or that of its Committees. Note that 129(2) was amended by the House to remove the word "Force" from the Nigerian Police and that the same section was amended to empower the Sergeant-at arms to execute warrants or orders issued to compel attendance of a person summoned by the National Assembly.
131	**Qualification for election as President** **131.** A person shall be qualified for election to the office of the President if – (a) he is a citizen of Nigeria by birth; (b) he has attained the age of forty years; (c) he is a member of a political party and is sponsored by that political party; and (d) he has been educated up to at least School Certificate level or its equivalent.	**Qualification for election as President** (*c*) he is a member of a political party and is sponsored by that political party **or he is an independent candidate**	**Qualification for election as President** Retained as in Principal Act	This amendment allows independent candidates to contest for Presidential elections provided that other qualifications stated in the Electoral Act are met This provision is aimed at widening political participation among electoral candidates and voters.
150	**Attorney-General of the Federation** (1) There shall be an Attorney-General of	**Minister of Justice** **(1) There shall be a Minister of**	**Attorney-General of the Federation**	The House amended this provision by separating the Office of the Minister of Justice

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	the Federation who shall be the Chief Law Officer and a Minister of the Government of the Federation (2) A person shall not be qualified to hold or perform the functions of the office of the Attorney-General of the Federation unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for not less than ten years.	**Justice who shall be a Minister of the Government of the Federation.** **(2) A person shall not be qualified to hold or perform the functions of the office of Minister of Justice of the Federation unless he is qualified to practise as a legal practitioner in Nigeria and has been so qualified for not less than ten years.**	Retained as in Principal Act	from that of the Attorney General and re-defined the role of the Attorney General as being mainly prosecutorial while vesting matters pertaining to the administrative and legal concerns of the government to the Minister of Justice. The section proposes a fixed tenure, increases the age of qualification for appointment and makes the process of appointment of the Attorney General more independent.
153	*B - Establishment of Certain Federal Executive Bodies* (1) There shall be established for the Federation the following bodies, namely: (a) Code of Conduct Bureau; (b) Council of State; (c) Federal Character Commission; (d) Federal Civil Service Commission; (e) Federal Judicial Service Commission; (f) Independent National Electoral Commission; (g) National Defence Council; (h) National Economic Council; (i) National Judicial Council; (j) National Population Commission; (k) National Security Council; (l) Nigeria Police Council; (m) Police Service Commission; and (n) Revenue Mobilisation Allocation and Fiscal Commission.	***B — Establishment of Certain Federal Bodies*** **Insertion of new paragraph (1) "C"** (1) There shall be established for the Federation the following bodies, namely: **(c) Electoral Offences Commission**	*B - Establishment of Certain Federal Executive Bodies* Retained as in Principal Act	In this section, the House creates an Electoral Offences Commission to prosecute electoral offences. This is line with recommendations from various quarters to unbundle INEC.
155	**Tenure of office of members** (1) A person who is a member of any of the bodies established as aforesaid shall, subject to the provisions of this part, remain a member thereof — (b) in the case of a person who is a	**Tenure of office of members** (1) A person who is a member of any of the bodies established as aforesaid shall, subject to the provisions of this part, remain a member thereof — **(b) in the case of a person who is**	**Tenure of office of members** Retained as in Principal Act	The House amended this section by providing for the renewal of membership of members of the National Judicial Council.

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	member by virtue of his having previously held an office, for the duration of his life; and	**a member by virtue of his having previously held an office, for the duration of his life but, where the person is a member of the National Judicial Council, the duration shall be for a period of three years which may be renewed for another period of three years and no more**		
162	**Distributable Pool Account.** (1) The Federation shall maintain a special account to be called "the Federation Account" into which shall be paid all revenues collected by the Government of the Federation, except the proceeds from the personal income tax of the personnel of the armed forces of the Federation, the Nigeria Police Force, the Ministry or department of government charged with responsibility for Foreign Affairs and the residents of the Federal Capital Territory, Abuja. (2) The President, upon the receipt of advice from the Revenue Mobilisation Allocation and Fiscal Commission, shall table before the National Assembly proposals for revenue allocation from the Federation Account, and in determining the formula, the National Assembly shall take into account, the allocation principles especially those of population, equality of States, internal revenue generation, land mass, terrain as well as population density; Provided that the principle of derivation shall be constantly reflected in any approved formula as being not less than thirteen per cent of the revenue accruing to the Federation Account directly from any natural resources. (3) ..... (4) ..... (5) The amount standing to the credit of	**Distributable Pool Account.** (1) The Federation shall maintain a special account to be called "the Federation Account" into which shall be paid all revenues collected by the Government of the Federation, except the proceeds from the personal income tax of the personnel of the armed forces of the Federation, the **Nigerian Police**, the Ministry or department of government charged with responsibility for Foreign Affairs and the residents of the Federal Capital Territory, Abuja (2) **The Revenue Mobilisation Allocation and Fiscal Commission** shall table before the National Assembly proposals for revenue allocation from the Federation Account. In determining the formula, the National Assembly shall take into account, the allocation principles especially those of population, equality of States, internal revenue generation, land mass, terrain as well as population density (3) ..... (4) ..... **(5) The Office of the Accountant General of the Federation shall be funded from the Federation Account pursuant to an Act of the National Assembly** **(6) Each Local Government Council shall maintain a special account to be called "Local**	**Distributable Pool Account.** Retained as in Principal Act	The House amended subsection (2) to provide that the Revenue Mobilisation Allocation and Fiscal Commission table revenue allocation proposals directly to the National Assembly, and not by the President as currently exists. The amendment in section 162(5) is aimed at ensuring the financial independence of the office of the Accountant General of the Federation. In section 162(6), the House voted to abrogate the "State Joint Local Government Accounts" and empower each Local Government Council to maintain its own special account to be called "Local Government Council Allocation Account" into which shall be paid directly allocations due to the Local Government Council by the Federal Government from the Federation Account and from the Government of the State. In Section 162(7) a House of Assembly may make laws for the remittance of internally generated revenue to a local government council.

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	Local Government Councils in the Federation Account shall also be allocated to the State for the benefit of their Local Government Councils on such terms and in such manner as may be prescribed by the National Assembly. (6) Each State shall maintain a special account to be called "State Joint Local Government Account" into which shall be paid all allocations to the Local Government Councils of the State from the Federation Account and from the Government of the State. (7) Each State shall pay to Local Government Councils in its area of jurisdiction such proportion of its total revenue on such terms and in such manner as may be prescribed by the National Assembly. (8) The amount standing to the credit of Local Government Councils of a State shall be distributed among the Local Government Councils of that State on such terms and in such manner as may be prescribed by the House of Assembly of the State. (9) Any amount standing to the credit of the judiciary in the Federation Account shall be paid directly to the National Judicial Councils for disbursement to the heads of courts established for the Federation and the States under section 6 of this Constitution.	**Government Council Allocation Account" into which shall be paid directly such allocations to the Local Government Council from the Federation Account and from the Government of the State:** **Provided that there shall be no disbursement of any fund of the local government except by a bye-law passed by the Local Government Legislative Council.** (7) Each State shall pay to Local Government Councils in its area of jurisdiction such proportion of its **internally generated revenue** on such terms and in such manner as may be prescribed by the **House of Assembly.**		
174	**Public prosecutions** (1) The Attorney-General of the Federation shall have power – (a) to institute and undertake	**Attorney-General of the Federation** **(1) There shall be an Attorney-General of the Federation.** **(2) A person shall not be**	**Public prosecutions** Retained as in Principal Act	The House distinguished between the office of the Minister of Justice from that of the Attorney General in this section by creating two separate

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	criminal proceedings against any person before any court of law in Nigeria, other than a court-martial, in respect of any offence created by or under any Act of the National Assembly; (b) to take over and continue any such criminal proceedings that may have been instituted by any other authority or person; and (c) to discontinue at any stage before judgement is delivered any such criminal proceedings instituted or undertaken by him or any other authority or person. (2) The powers conferred upon the Attorney-General of the Federation under subsection (1) of this section may be exercised by him in person or through officers of his department. (3) In exercising his powers under this section the Attorney-General shall have regard to the public interest, the interest of justice and the need to prevent abuse of legal process.	**qualified to hold or perform the functions of the office of the Attorney-General of the Federation unless he is—** **(a) qualified to practise as a legal practitioner in Nigeria and has been so qualified for not less than fifteen years;"** **(b) a distinguished member of the legal profession with knowledge of the working of the criminal justice system;** **(c) a person of integrity and is not a member of any political party.**		offices and by re-defining the role of the Attorney General as being prosecutorial The role of the Minister of Justice is centered on the administrative and legal issues of government.
		Insertion of new sections 174A – 174H **"Appointment of the Attorney-General of the Federation** **174A.** The President shall appoint the Attorney-General of the Federation upon recommendation by the National Judicial Council and subject to confirmation by the Senate. **Independence of the Attorney-General of the Federation.** **174B.** The Attorney-General of the Federation shall, in the discharge of his functions under this Constitution, be independent and not be subject to the direction or control of any other person or authority. **Public prosecutions.** **174C.** (1) Subject to the provisions of this Constitution, the Attorney-		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		General of the Federation shall have power to — (*a*) institute and undertake criminal proceedings against any person before any court of law in Nigeria, other than a court-martial, in respect of any offence created by or under an Act of the National Assembly; (*b*) take over and continue any such criminal proceedings that may have been instituted by any other person or authority; (*c*) discontinue at any stage before judgement is delivered any such criminal proceedings instituted or undertaken by him or any other person or authority; and (*d*) supervise, monitor, control and ensure that all government agencies with investigative and prosecutorial powers carry out their functions in accordance with the law establishing them. (*e*) carry out such other functions as may be conferred upon the Office by the National Assembly. (2) The powers conferred upon the Attorney-General of the Federation under subsection (1) of this section may be exercised by him in person or through officers of his department. (3) In exercising his powers under this section the Attorney-General of the Federation shall have regard to the public interest, the interest of justice and the need to prevent abuse of legal process. (4) The question whether the Attorney-General of the Federation has exercised his powers in accordance with		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		subsection (3) of this section, shall be subject to the determination of the court. **Tenure of Office.** **174D.** The Attorney- General of the Federation shall hold Office for a term of five years and it may be renewed for a further term of five years and no more, from the date he assumed Office until he attains the age of sixty-five years, whichever is earlier. **Declaration of Assets and Oaths of Office.** **174E.** (1) A person appointed to the Office of the Attorney-General of the Federation shall not begin to perform the functions of that Office until he has declared his assets and liabilities as prescribed in this Constitution and has been sworn in. (2) The Oath referred to under subsection (1) of this section shall be administered by the Chief Justice of Nigeria or the person for the time being appointed to exercise the functions of that Office. **Removal.** **174F.** The Attorney-General of the Federation may be removed from Office by the President acting on a resolution supported by two-thirds majority of the Senate praying that he be so removed for inability to discharge the functions of his Office (whether arising from infirmity of mind or body or any other cause) or for misconduct, negligence of duty or incompetence. **Records of Accounts and Audit.** **174G.** The Attorney-General of the Federation shall cause to be kept, proper records of the accounts of his Office in respect of each year and shall cause the		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		accounts of his Office to be audited within six months from the end of each financial year by auditors appointed from the list approved from time to time by the Auditor-General for the Federation. **Annual Returns.** **174H.** The Attorney-General of the Federation shall prepare and submit to the National Assembly, not later than six months after the end of each financial year, a report on the activities of his Office for the preceding year and include therein the audited account of his Office for the year under review with the auditor's report thereon		
177	**Qualification for Election as Governor** A person shall be qualified for election to the office of Governor of a State if (a) he is a citizen of Nigeria by birth; (b) he has attained the age of thirty-five years; and (c) he has been educated up to at least School Certificate level or its equivalent. (d) he is a member of a political party and is sponsored by that party.	**Qualification for Election as Governor** A person shall be qualified for election to the Office of Governor of a State if — (*d*) he is a member of a political party and is sponsored by that party **or he is an independent candidate**	**Qualification for Election as Governor** Retained as in Principal Act	This amendment allows for independent candidacy in state governorship elections as long as other criteria stipulated in the Electoral Act have been met. Its aim is to increase political participation among candidates and electorates alike.
180	**Tenure of office of Governor** (1) Subject to the provisions of this Constitution, a person shall hold the office of Governor until - (a) when his successor in office takes the oath of that office; (b) he dies whilst holding such office; or (c) the date when his resignation from office takes effect; or (d) he otherwise ceases to hold office in accordance with the provisions of this	**Tenure of office of Governor** (1) Subject to the provisions of this Constitution, a person shall hold the Office of Governor of a State until — **(*e*) when he is convicted of any criminal offence.**	**Tenure of office of Governor** Retained as in Principal Act	Following the amendment to section 308 by the House to remove criminal immunity protection, the House amended this section to provide that a Governor who is convicted of a criminal offence shall vacate office.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	Constitution.			
195	**Attorney-General of the State** (1) There shall be an Attorney-General for each State who shall be the Chief Law Officer and Commissioner for Justice of the Government of that State. (2) A person shall not be qualified to hold or perform the functions of the office of the Attorney-General of a State unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for not less than ten years.	**Commissioner for Justice** **(1) There shall be a Commissioner for Justice of the Government of a State.** **(2) A person shall not be qualified to hold or perform the functions of the office of Commissioner for Justice of the Government of a State unless he is qualified to practise as a legal practitioner in Nigeria and has been so qualified for not less than ten years**	Retained as in Principal Act	In this section, The House separated the Office of the Commissioner of Justice from that of the Office of the Attorney General of a State by re-defining the role of the Attorney General while concentrating administrative and legal matters in the hands of the Commissioner for Justice.
197	*B - Establishment of Certain State Executive Bodies* 197. (1) There shall be established for each State of the Federation the following bodies, namely – (a) State Civil Service Commission; (b) State Independent Electoral Commission; and (c) State Judicial Service Commission.	*B — Establishment of **Certain State Bodies*** (1) There shall be established for each State of the Federation the following bodies, namely — (a) State Civil Service Commission; **(b) State Local Government Service Commission;** (c) State Judicial Service Commission; **(d) State Council of Chiefs**	*B - Establishment of Certain State Executive Bodies* Retained as in Principal Act	The State Local Service Commission and State Council of Chiefs are established under this provision while the State Independent Electoral Commission are deleted in consideration of the huge public support advocating that local government elections should be conducted by INEC and not SIECS.
201	**Removal of members** (2) This section applies to the Offices of the Chairman and members of the State Civil Service Commission, the State Independent Electoral Commission and the State Judicial Service Commission.	**Removal of members** (2) This section applies to the offices of the Chairman and members of the State Civil Service Commission, the State Judicial Service Commission, **the State Local Government Service Commission and the State Council of Chiefs**	**Removal of members** Retained as in Principal Act	Consequential amendment to include the State Local Government Service Commission and the State Council of Chiefs, and to exclude the State Independent Electoral Commission (SIEC).
202	**Independence of certain bodies** In exercising its power to make appointments or to exercise disciplinary control over persons the State Civil Service Commission, the State Independent Electoral Commission and the State Judicial Service Commission shall not be subject to the direction and control of any other authority or person.	**Independence of certain bodies** In exercising its power to make appointments or to exercise disciplinary control over persons the State Civil Service Commission, the State Judicial Service Commission, **and the State Local Government Service Commission** shall not be subject to the direction and control of any other authority or person	**Independence of certain bodies** Retained as in Principal Act	Consequential amendment to include the State Local Government Service Commission in this provision.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
211		**Insertion of new sections 211A – 211H –** **Appointment of Attorney-General of a State.** **211A.** The Governor shall appoint the Attorney-General of a State upon recommendation by the State Judicial Service Commission and subject to confirmation by the House of Assembly. **Independence of the Attorney-General of a State.** **211B.** The Attorney-General of a State shall, in the discharge of his functions under this Constitution, be independent and not be subject to the direction or control of any other person or authority. **Public Prosecutions.** **211C.** (1) Subject to this Constitution, the Attorney-General of a State shall have power to — (*a*) institute and undertake criminal proceedings against any person before any court of law in the State other than a court-martial, in respect of any offence created by or under a Law of the House of Assembly; (*b*) take over and continue any such criminal proceedings that may have been instituted by any other person or authority; (*c*) discontinue at any stage before judgement is delivered any such criminal proceedings instituted or undertaken by him or any other person or authority; and (*d*) supervise, monitor, control and ensure that all government agencies with investigative and prosecutorial powers carry out their functions in accordance		The House voted in favour of separating the Office of the Commissioner for Justice from that of the Attorney General of a State. The effect of this amendment is that the Attorney General is more independent from partisan politics allowing him to focus on his prosecutorial role. This redefined role also stipulates a fixed term in office, increases the age of qualification for appointment and provides for a more independent process of appointment.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		with the law establishing them (*e*) carry out such other functions as may be conferred upon the office by the House of Assembly. (2) The powers conferred upon the Attorney-General of the State under subsection (1) of this section may be exercised by him in person or through officers of his department. (3) In exercising his powers under this section, the Attorney-General of a State shall have regard to the public interest, the interest of justice and the need to prevent abuse of legal process. (4) The question whether the Attorney-General of a State has exercised his powers in accordance with subsection (3) of this section, shall be subject to the determination of the court. **Tenure of Office.** **211D.** The Attorney- General of a State shall hold Office for a term of five years and it may be renewed for a further term of five years and no more, from the date he assumed Office until he attains the age of sixty-five years, whichever is earlier. **Declaration of Assets and Liabilities and Oaths of Office.** **211E.** (1) A person appointed to the Office of the Attorney-General of a State shall not begin to perform the functions of that Office until he has declared his assets and liabilities as prescribed in this Constitution and has been sworn in. (2) The Oaths referred to under subsection (1) of this section shall be administered by the Chief Judge of the State or the person for the time being		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		appointed to exercise the functions of that Office. **Removal.** **211F.** The Attorney-General of a State may be removed from Office by the Governor acting on a resolution supported by two-thirds majority of Members of the House of Assembly praying that he be so removed for inability to discharge the functions of his Office (whether arising from infirmity of mind or body or any other cause) or for misconduct, negligence of duty or incompetence. **Records of Accounts and Audit.** **211G.** The Attorney-General of a State shall cause to be kept, proper records of the accounts of his Office in respect of each year and shall cause the accounts of his Office to be audited within six months from the end of each financial year by auditors appointed from the list approved from time to time by the Auditor-General of the State. **Annual Returns.** **211H.** The Attorney-General of a State shall prepare and submit to the House of Assembly of the State, not later than six months after the end of each financial year, a report on the activities of his Office for the preceding year and include therein the audited account of his Office for the year under review with the auditor's report thereon.		
214	**Establishment of Nigeria Police Force.** **214**. (1) There shall be a police force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provisions of this section no other police force shall be established for the Federation or any part thereof.	**Establishment of Nigeria Police Force.** **214.** (1) There shall be a Police for Nigeria, which shall be known as the **Nigerian Police**, and subject to the provisions of this section no other Police shall be established for the Federation or any part thereof.	**Establishment of Nigeria Police Force.** Retained as in Principal Act	This provision was amended by the House to remove "Force" from the "Nigerian Police Force" and anywhere it appears in the Constitution to restore the image of the Police as a law enforcement agency in a "democratic" society, and also to

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	(2) Subject to the provisions of this Constitution – (a) the Nigeria Police Force shall be organised and administered in accordance with such provisions as may be prescribed by an act of the National Assembly; (b) the members of the Nigeria Police shall have such powers and duties as maybe conferred upon them by law; (c) the National Assembly may make provisions for branches of the Nigeria Police Force forming part of the armed forces of the Federation or for the protection of harbours, waterways, railways and air fields.	(2) Subject to the provisions of this Constitution — (*a*) the **Nigerian Police** shall be organised and administered in accordance with such provisions as may be prescribed by an act of the National Assembly; (*b*) the members of the **Nigerian Police** shall have such powers and duties as maybe conferred upon them by law; (*c*) the National Assembly may make provisions for branches of the **Nigerian Police** forming part of the armed forces of the Federation or for the protection of harbours, waterways, railways and air fields.		aid the reform in the Nigerian Police.
215	**Appointment of Inspector-General and control of Nigeria Police Force** (1) There shall be – (a) an Inspector-General of Police who, subject to section 216 (2) of this Constitution shall be appointed by the President on the advice of the Nigeria Police Council from among serving members of the Nigeria Police Force; (2) The Nigeria Police Force shall be under the command of the Inspector-General of Police and contingents of the Nigeria Police Force stationed in a state shall, subject to the authority of the Inspector-General of Police, be under the command of the Commissioner of Police of that state.	**Alteration of Section 215. Appointment of Inspector General and Control of Nigerian Police.** (1) There shall be — (*a*) an Inspector-General of Police who, subject to section 216 (2) of this Constitution shall be appointed by the President on the advice of the Nigeria Police Council from among serving members of the **Nigerian Police**; (2) The **Nigerian Police** shall be under the command of the Inspector-General of Police and contingents of the **Nigerian Police** stationed in a state shall, subject to the authority of the Inspector-General of Police, be under the command of the Commissioner of Police of that state.	**Appointment of Inspector-General and control of Nigeria Police Force**	This is a consequential amendment from section 214 to remove "Force" from Nigerian Police Force.
216	**Delegation of Powers to the Inspector-General of Police** (1) Subject to the provisions of this constitution, the Nigeria Police Council	**Delegation of Powers to the Inspector General of Police.** (1) Subject to the provisions of this constitution, the Nigerian Police Council	**Delegation of Powers to the Inspector-General of Police**	This is a consequential amendment by the House to delete "Force" from "Nigerian Police Force" in section 214.

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	may, with the approval of the President and subject to such conditions as it may think fit, delegate any of the powers conferred upon it by this Constitution to any of its members or to the Inspector-General of Police or any other member of the Nigeria Police Force.	may, with the approval of the President and subject to such conditions as it may think fit, delegate any of the powers conferred upon it by this Constitution to any of its members or to the Inspector-General of Police or any other member of the **Nigerian Police**		
228	**Powers of the National Assembly with respect to political parties** **228.** The National Assembly may by law provide – (a) for…… (b) for ……. (c) for …….; and (d) for the conferment on the Commission of other powers as may appear to the National Assembly to be necessary or desirable for the purpose of enabling the Commission more effectively to ensure that political parties observe the provisions of this part of this chapter.	**Powers of the National Assembly with respect to political parties** **Insertion of new paragraph "(e)"** The National Assembly may by law provide— **(e) for procedures, guidelines and qualifications for access to the ballot by political parties and independent candidates.**	**Powers of the National Assembly with respect to political parties** Retained as in Principal Act	This amendment is aimed at improving efficiency in electoral administration by empowering the National Assembly to make a law to regulate access to ballot by political parties and independent candidates.
Second Alteration Act Section 6	**Appellate Jurisdiction** **(Section 233 of the Principal Act)** **6.** Section 233 of the Constitution and section 24 of the First Alteration Act are substituted for the following new section – (1) …… (2) An appeal shall lie form decisions of the Court of Appeal to the Supreme Court as of right in the following cases – (a) where the ground of appeal involves questions of law alone, decisions in any civil or criminal proceedings before the Court of Appeal; (b) …….. (c) …… (d) decisions in any criminal proceedings	**Appellate Jurisdiction** Retained as in Second Alteration Act	**Appellate Jurisdiction** **Alteration of Section 6 of the Second Alteration Act (Section 233 of the Principal Act):** Section 6 of the Second Alteration Act is further altered by– (a) deleting paragraph 6(2) (a); and (b) inserting a new subsection "(3)"– **6.** (1) …… (2) An appeal shall lie form decisions of the Court of Appeal to the Supreme Court as of right in the following cases – (**a) deleted** (b) Retained as in Second Alteration Act	An amendment by the Senate to encourage speedy dispensation of justice.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	in which any person has been sentenced to death by the Court of Appeal or in which the Court of Appeal has affirmed a sentence of death imposed by any other court; (e) decisions on any question – (i)…… (ii) …. (iii) ….. (iv)…… (v)….. (vi)…… (f) such other cases as may be prescribed by an Act of the National Assembly.		(c) ‘’ (d) ‘’ (e) ‘’ (f) ‘’ **(3) Three Justices of the Supreme Court sitting in Chambers may dispose of any application for leave to appeal from any decision after consideration of the record of proceedings if the Justices are of the opinion that the interest of justice does not require an oral hearing of the application.**	
241	**Appeals as of right from the Federal High Court or a High Court.** **241.** (1) An appeal shall lie from decisions of the Federal High Court or a High Court to the Court of Appeal as of right in the following cases – (a)…. (b)…. (c)… (d)… (e)…. (f)…. (2) Nothing in this section shall confer any right of appeal – (a) …… (b) ……. (c) ……..	**Appeals as of right from the Federal High Court or a High Court.** **Insertion of a new subsection “3” –** **(3) A court or tribunal shall not stay any proceeding on account of an interlocutory appeal.**	**Appeals as of right from the Federal High Court or a High Court.** Retained as in Principal Act	An amendment by the House to encourage speedy dispensation of justice.
Second Alteration Act Section 9	**Establishment of election tribunals and time for determination of election petitions** ***(Section 285 of the Constitution, Section 29 of the First Alteration Act, Section 9 Second Alteration Act)***	**Establishment of election tribunals and time for determination of election petitions** **Second Alteration Act.** **Alteration of Section 9**	**<u>Time for Determination of Pre-Election Matters</u>,** **Establishment of Election Tribunals and Time for Determination of Election Petitions**	The House inserted new subsections 2A & 2B establishing Local Government Election Tribunals. The Senate amended this section to provide for *“Time for determination of Pre-election*

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	9. – (1) There shall be established for each State of the Federation and the Federal Capital Territory, one or more election tribunals to be known as the National and State Houses of Assembly Election Tribunals which shall, to the exclusion of any Court or tribunal, have original jurisdiction to hear and determine petitions as to whether – (a) any person has been validly elected as a member of the National Assembly; or (b) any person has been validly elected as a member of the House of Assembly of a State. (2) There shall be established in each State of the Federation an election tribunal to be known as the Governorship election Tribunal which shall, to the exclusion of any court or tribunal, have original jurisdiction to hear and determine petitions as to whether any person ahs been validly elected to the office of Governor or Deputy Governor of a State. (3) The composition of the National and States Houses of Assembly Election Tribunal and the Governorship Election Tribunal, respectively, shall be as set out in the Sixth Schedule to this Constitution (4) The quorum of an election tribunal established under this section shall be the Chairman and one other member (5) An election petition shall be files within 21 days after the date of the declaration of results of the election (6) An election tribunal shall deliver its judgment in writing within 180 days from the date of the filing of the petition	**9.** (1) …… (2) …… **(2A) There shall also be established for each State one or more election tribunals to be known as Local Government Election Tribunals which shall, to the exclusion of any court or tribunal, have original jurisdiction to hear and determine petitions as to whether any person has been validly elected to the office of Chairman, Vice Chairman or Councillor of a Local Government** **(2B) Appeals from a Local Government Election Tribunal shall lie to the Court of Appeal who shall exercise final jurisdiction in the matter.** (3) The composition of the National and State Houses of Assembly Election Tribunals and Local Government Election Tribunals respectively shall be as set out in the Sixth Schedule to this Constitution. (4) The quorum of an election tribunal established under this section shall be the Chairman and one other member (5) An election petition shall be files within 21 days after the date of the declaration of results of the election (6) An election tribunal shall deliver its judgment in writing within 180 days from the date of the filing of the petition;	Section 9 is further altered by – (a) Substituting the heading; "Time for Determination of Pre-Election Matters, Establishment of Election Tribunals and Time for Determination of Election Petitions"; and, (b) Inserting new sub-sections " IA (i –v)" – **1A (i) Notwithstanding anything to the contrary in this Constitution, every Pre-election matter shall be filed not later than 7 days from the date of the occurrence of the event, decision or action complained of in the suit;** **(ii) A Court in every pre-election matter shall deliver its judgment in writing within 180 days from the date of filing of the suit;** **(iii) An appeal from a decision in a pre-election matter shall be filed within 14 days from the date of delivery of the judgment appealed against; and** **(iv) An appeal from a decision of a Court in a pre-election matter shall be heard and disposed of within 60 days from the date of filing of the appeal.** **(v) "pre-election matter means" –** **(a) any suit by an aspirant who complains that any of the provisions of the Electoral Act**	*matters".* Subsections (6) & (7) and (8) were further amended by the House in January 2014. Most of the amendments in this section are aimed at dealing with issues of time/timeliness in election petitions.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	(7) An appeal from a decision of an election tribunal or *Court of Appeal in an election matter* shall be heard and disposed of within 60 days from the date of the delivery of judgment of the tribunal or *Court of Appeal* (8) The court, in all final appeals from an election tribunal or court may adopt the practice of first giving its decision and reserving the reasons therefore to a later date.	**Provided that where a force majeure occurs that makes it impracticable for the tribunal to sit, the period of the said force majeure shall not be counted in the computation of the 180 days period prescribed in the sub-section (6)** (7) An appeal from a decision of an election tribunal or *Court of Appeal in an election matter* shall be heard and disposed of within 60 days from the date of the delivery of judgment of the tribunal or *Court of Appeal* **Provided that where a force majeure occurs that makes it impracticable for the court to sit, the period of the said force majeure shall not be counted in the computation of the 60 days period prescribed in subsection 7** **(8) Where a preliminary objection or any other interlocutory issue touching on the jurisdiction of the tribunal or court or on the competence of the petition itself is raised by a party, the tribunal or court shall suspend ruling thereon and deliver same at the stage of final judgment.**	**or any Act of the National Assembly regulating the conduct of primaries of political parties and the provisions of the guidelines of a political party for conduct of party primaries has not been complied with by a political party in respect of the selection or nomination of candidates for an election;** **(b) any suit by an aspirant challenging the actions, decisions or activities of the Independent National Electoral Commission in respect of his participation in an election or who complains that the provisions of the Electoral Act or any Act of the National Assembly regulating elections in Nigeria has not been complied with by the Independent National Electoral Commission in respect of the selection or nomination of candidates and participation in an election.** **(c) any suit by a political party challenging the actions, decisions or activities of the Independent National Electoral Commission disqualifying its candidate from participating in an election or a complaint that the provisions of the Electoral Act or any other applicable law has not been complied with by the Independent National Electoral Commission in respect of the nomination of candidates of political parties for an election, timetable for an election, registration of voters and other activities of the Commission in respect of**	

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			preparation for an election.	
291	**Tenure of office and pension rights of judicial officers** (3) Any person who has held office as a judicial officer – (a) for a period of not less than fifteen years shall, if he retires at or after the age of sixty-five years in the case of the Chief Justice of Nigeria, a Justice of the Supreme Court, the President of the court of Appeal or a Justice of the Court of Appeal or at or after the age of sixty years in any other case, be entitled to pension for life at a rate equivalent to his last annual salary and all his allowances in addition to any other retirement benefits to which he may be entitled;	**Tenure of office and pension rights of judicial officers** (3) Any person who has held office as a judicial officer — (*a*) for a period of not less than **ten** years shall, if he retires at or after the age of sixty-five years in the case of the Chief Justice of Nigeria, a Justice of the Supreme Court, the President of the court of Appeal or a Justice of the Court of Appeal or at or after the age of sixty years in any other case, be entitled to pension for life at a rate equivalent to the **annual salary of incumbent holder of any of such judicial offices as specified in this subsection** and all his allowances in addition to any other retirement benefits to which he may be entitled	**Tenure of office and pension rights of judicial officers** Retained as in Principal Act	The House voted to improve the pension rights of judicial officers.
Third Alteration Act Section 9	**Removal of judicial officers from office** **(Section 9 Third Alteration Act, 292 of the Principal Act)** (1) A judicial officer shall not be removed from his office or appointment before his age of retirement except in the following circumstances – (a) in the case of – (i) Chief Justice of Nigeria, President of the Court of Appeal, Chief Judge of the Federal High Court, President of the National Industrial Court, Chief Judge of the High Court of the Federal Capital Territory, Abuja, Grand Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja and President, Customary Court of Appeal of the Federal Capital Territory, Abuja, by the President acting on an address supported by two-thirds majority of the	**Removal of judicial officers from office** **Alteration of section 9, Third Alteration Act** (1) A judicial officer shall not be removed from his office or appointment before his age of retirement except in the following circumstances — (*a*) in the case of — (i) …… (ii) Chief Judge of a State, Grand Kadi of a Sharia Court of Appeal or President of a Customary Court of Appeal of a State, by the Governor acting on an address supported by two-thirds majority of the House of Assembly of the State, praying that he be so removed for his inability to discharge the functions of his office or appointment (whether arising from infirmity of mind or of body) or for misconduct or contravention of the Code	**Removal of judicial officers from office** Retained as in Third Alteration Act	The amendment in subsection (1) (a) (ii) by the House is aimed at assuring fair hearing for judicial officers while subsections (3) & (4), seek to clarify the powers of the National Judicial Council over the suspension and reinstatement of judicial officers as well as stipulate the period for their suspension.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	Senate. (ii) Chief Judge of a State, Grand Kadi of a Sharia Court of Appeal or President of a Customary Court of Appeal of a State, by the Governor acting on an address supported by two-thirds majority of the House of Assembly of the State, praying that he be so removed for his inability to discharge the functions of his office or appointment (whether arising from infirmity of mind or of body) or for misconduct or contravention of the Code of Conduct; (b) in any case, other than those to which paragraph (a) of this subsection applies, by the President or, as the case may be, the Governor acting on the recommendation of the National Judicial Council that the judicial officer be so removed for his inability to discharge the functions of his office or appointment (whether arising from infirmity of mind or of body) or for misconduct or contravention of the Code of Conduct. (2) Any person who has held office as a judicial officer shall not on ceasing to be a judicial officer for any reason whatsoever thereafter appear to act as a legal practitioner before any court of law or tribunal in Nigeria.	of Conduct: **Provided that the address from the Senate or House of Representatives, as the case may be, required under paragraph (a) of this subsection shall be accompanied with a memorandum from the National Judicial Council certifying that the judicial officer was accorded the right to fair hearing with respect to the issue in question and that, in the opinion of the National Judicial Council, a prima facie case for the removal of the judicial officer has been established against him** (b)…….. (2)…… **(3) It shall be the sole responsibility of the National Judicial Council to suspend, reinstate or exercise any form of disciplinary power over Judicial Officers in Nigeria.** **Provided that in all cases of suspension or disciplinary control, the suspension shall be once and not exceed a cumulative period of more than 90 days.** **(4) Whenever the decision of the National Judicial Council on disciplinary actions of judicial officers borders on removal of a Judicial Officer from office, such removal shall be subject to the provisions of section 292 (1)(a)(i)(ii) and (b)**		
306	**Resignation** (1) Save as otherwise provided in this section, any person who is appointed,	**Resignation** **Insertion of new subsections (8) (9) and (10) –**	**Resignation** Retained as in Principal Act	This is a consequential amendment that governs the procedure of the resignation of

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	elected or otherwise selected to any office established by this Constitution may resign from that office by writing under his hand addressed to the authority or person by whom he was appointed, elected or selected. (2) The resignation of any person from any office established by this Constitution shall take effect when the writing signifying the resignation is received by the authority or person to whom it is addressed or by any person authorised by that authority or person to receive it. (3) …… (4)……. (5)…… (6)….. (7)…..	(8) The notice of resignation of the Chairman and of the Vice-Chairman of a Local Government Council shall respectively be addressed to the Leader of the Local Government Legislative Council. (9) The notice of resignation of a Councillor shall be addressed to the Leader of the Local Government Legislative Council. (10) The notice of resignation of the Leader and Deputy Leader of a Local Government Legislative Council shall be addressed to the Clerk of the Local Government Legislative Council		Local Government Council members.
308	**Restriction on legal proceedings** (1) Notwithstanding anything to the contrary in this Constitution, but subject to subsection (2) of this section — (a) no civil or criminal proceedings shall be instituted or continued against a person to whom this section applies during his period of office; (b) a person to whom this section applies shall not be arrested or imprisoned during that period either in pursuance of the process of any court or otherwise; and (c) no process of any court requiring or compelling the appearance of a person to whom this section applies, shall be applied for or issued: Provided that in ascertaining whether any period of limitation has expired for the purposes of any proceedings against a person to whom this section applies, no account shall be taken of his period of office. (2) The provisions of subsection (1) of this section shall not apply to civil	**Restriction on legal proceedings** (1) Notwithstanding anything to the contrary in this Constitution, but subject to subsection (2) of this section – **(a) no civil proceedings** shall be instituted or continued against a person to whom this section applies during his period of office	**Restriction on legal proceedings** Retained as in Principal Act	Following the clamor the public and various groups, the House removed criminal immunity for persons occupying executive positions such as the President, Vice President, Governor and Deputy Governor.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	proceedings against a person to whom this section applies in his official capacity or to civil or criminal proceedings in which such a person is only a nominal party. (3) This section applies to a person holding the office of President or Vice-President, Governor or Deputy Governor; and the reference in this section to "period of office" is a reference to the period during which the person holding such office is required to perform the functions of the office.			
315	**Existing law** (1) Subject to the provisions of this Constitution, an existing law shall have effect with such modifications as may be necessary to bring it into conformity with the provisions of this Constitution and shall be deemed to be— (a) an Act of the National Assembly to the extent that it is a law with respect to any matter on which the National Assembly is empowered by this Constitution to make laws; and (b) a Law made by a House of Assembly to the extent that it is a law with respect to any matter on which a House of Assembly is empowered by this Constitution to make laws. (2) The appropriate authority may at any time by order make such modifications in the text of any existing law as the appropriate authority considers necessary or expedient to bring that law into conformity with the provisions of this Constitution. (3) Nothing in this Constitution shall be construed as affecting the power of a court of law or any tribunal established by law to declare invalid any provision of an existing law on the ground of inconsistency with the provision of any	**Existing law** Section 315 is altered by— (*a*) (*i*) deleting subsection (2) — "The appropriate authority may at any time by order make such modifications in the text of any existing law as the appropriate authority, considers necessary or expedient to bring that law into conformity with the provisions of this Constitution"; and (*ii*) deleting subsection (4) (*i*), (*ii*) and (*iii*)— (4) (*i*) In this section, the following expressions have the meaning assigned to them, respectively, (*b*) "appropriate authority" means — (*i*) the President, in relation to the provision of any of the Federation; (*ii*) the Governor of a State, in relation to the provisions of any existing law deemed to be a law made by the House of Assembly of that State; (*iii*) any person appointed by law to	**Existing law** Retained as in Principal Act	This amendment was inserted to ensure that the Constitution is in conformation with good democratic process and reiterates the lawmaking power of the National Assembly.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	other law, that is to say— (a) any other existing law; (b) a Law of a House of Assembly; (c) an Act of the National Assembly; or (d) any provision of this Constitution. (4) In this section, the following expressions have the meanings assigned to them, respectively— (a) "appropriate authority" means — (i) the President, in relation to the provisions of any law of the Federation, (ii) the Governor of a State, in relation to the provisions of any existing law deemed to be a Law made by the House of Assembly of that State, or (iii) any person appointed by any law to revise or rewrite the laws of the Federation or of a State; (b) "existing law" means any law and includes any rule of law or any enactment or instrument whatsoever which is in force immediately before the date when this section comes into force or which having been passed or made before that date comes into force after that date; and (c) "modification" includes addition, alteration, omission or repeal. (5) Nothing in this Constitution shall invalidate the following enactments, that is to say— (a) the National Youth Service Corps Decree 1993; (b) the Public Complaints Commission Act; (c) the National Security Agencies Act; (d) the Land Use Act, and the provisions of those enactments shall continue to apply and have full effect in accordance with their tenor and to the like extent as any other provisions forming part of this Constitution and	revise or rewrite the law of the Federation or of a State; Section 315 is further altered by deleting subsection (*c*) — (*c*) "modification" includes addition, alteration, commission or repeal		

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	shall not be altered or repealed except in accordance with the provisions of section 9 (2) of this Constitution. (6) Without prejudice to subsection (5) of this section, the enactments mentioned in the said subsection shall hereafter continue to have effect as Federal enactments and as if they related to matters included in the Exclusive Legislative List set out in Part I of the Second Schedule to this Constitution.			
318	**Interpretation**	**Interpretation** "Bye-law" means enactment of a Local Government Council ***whose source is a State Law***; "Chairman" or "Vice-Chairman" when used with reference to a Local Government Council means Chairman or Vice-Chairman of the Local Government Council; "Councillor" means a member of a Local Government Legislative Council; "Member" when used with reference to any Commission or other bodies established by this Constitution includes the Chairman of that Commission or body and when used with reference to a Local Government Council includes the Chairman and Vice-Chairman of the Local Government Council; **"National Security Agencies" mean the Agencies provided in Section I of the National Security Agencies Act, Cap 278, Laws of the Federation of Nigeria, 2004";** "Public Fund of the Federation" includes any Fund, entity, department or agency of government set up for a specific	**Interpretation**	This provision was amended by the House to include interpretation of terms that had been introduced as a consequence of the amendments on Local Government Councils.

Section	Provisions of the Constitution/ Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		purpose; "Public Fund of a State" includes any Fund, entity, department or agency of government set up for a specific purpose; "Supervisor" means a Member of a Local Government Council who holds an executive portfolio in the Council		

FIRST SCHEDULE

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
First Schedule Part I	**States of the Federation (*Section 3*)** Ebonyi Abakaliki, Afikpo North, Afikpo South, Ebonyi, Ezza North, Ezza South, Ikwo, Ishielu, Ivo, Izzi, Ohaozara, Ohaukwu, Onicha. Ogun Abeokuta North, Abeokuta South, Ado-Odo/Ota, Egbado North, Egbado South, Ewekoro, Ifo, Ijebu East, Ijebu North, Ijebu North East, Ijebu Ode, Ikenne, Imeko-Afon, Ipokia, Obafemi-Owode, Ogun Waterside, Odeda, Odogbolu, Remo North, Shagamu. Rivers Abua/Odual, Ahoada East, Ahoada West, Akuku Toru, Andoni, Asari-Toru, Bonny, Degema, Emohua, Eleme, Etche, Gokana, Ikwerre, Khana, Obia/Akpor, Ogba/Egbema/Ndoni, Ogu/Bolo, Okrika, Omumma, Opobo/Nkoro, Oyigbo, Port-Harcourt, Tai.	**States of the Federation (*Section 3*)** Ogun Abeokuta North, Abeokuta South, Ado-Odo/Ota, **Yewa North, Yewa South**, Ewekoro, Ifo, Ijebu East, Ijebu North, Ijebu North East, Ijebu Ode, Ikenne, Imeko-Afon, Ipokia, Obafemi-Owode, Ogun Waterside, Odeda, Odogbolu, Remo North, Shagamu. Rivers Abua/Odual, Ahoada East, Ahoada West, Akuku Toru, Andoni, Asari-Toru, Bonny, Degema, Emohua, Eleme, Etche, Gokana, Ikwerre, Khana, **Obio/Akpor,** Ogba/Egbema/Ndoni, Ogu/Bolo, Okrika, Omumma, Opobo/Nkoro, Oyigbo, Port-Harcourt, Tai.	**States of the Federation (*Section 3*)** Ebonyi Abakaliki, **Afikpo**, **Edda**, Ebonyi, Ezza North, Ezza South, Ikwo, Ishielu, Ivo, Izzi, Ohaozara, Ohaukwu, Onicha. Ogun Abeokuta North, Abeokuta South, Ado-Odo/Ota, **Yewa North, Yewa South**, Ewekoro, Ifo, Ijebu East, Ijebu North, Ijebu North East, Ijebu Ode, Ikenne, Imeko-Afon, Ipokia, Obafemi-Owode, Ogun Waterside, Odeda, Odogbolu, Remo North, Shagamu.	Amendment to change the names of certain local government councils or correct their spellings.

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
First Schedule Part II	**Part II** **Definition of Federal Capital Territory, Abuja.** **(sections 3 and 297)** The definition of the boundaries of the Federal Capital Territory, Abuja referred to under Chapters 1 and VIII of this Constitution is as follows: Starting from the village called Izom on 7oE Longitude and 9o 15 Latitude, project a straight line westward to a point just north of Lehu on the Kemi River, then project a line along 6 o 47 ½ ' E southward passing close to the villages called Semasu, Zui and Bassa down to a place a little west of Abaji town; thence project a line along parallel 8o 27 ½ 'N Latitude to Ahinza village 7o 6" on Kanama River); thence a straight line to Buga Village on 8o 30 'N Latitude and 7" 20'E Longitude; thence draw a line northwards joining the villages of Odu, Karshi and Karu. From Karu the line shall proceed along the boundary between the Niger and Plateau States as far as Kawu; thence the line shall proceed along the boundary between Kaduna and Niger States up to a point just north of Bwari village, hence the line goes straight to Zuba village and thence straight to Izom.	**Part II** **Definition of Federal Capital Territory, Abuja.** **(Sections 3 and 297)** Part II of the First Schedule is altered in line 11, by substituting for the word "Plateau" the word "Nasarawa" The definition of the boundaries of the Federal Capital Territory, Abuja referred to under Chapters 1 and VIII of this Constitution is as follows: Starting from the village called Izom …….. From Karu the line shall proceed along the boundary between the Niger and **Nasarawa** States as far as Kawu; thence the line shall proceed along the boundary between Kaduna and Niger States up to a point just north of Bwari village, hence the line goes straight to Zuba village and thence straight to Izom.	**Part II** **Definition of Federal Capital Territory, Abuja.** **(Sections 3 and 297)** Retained as in Principal Act	Amendment to edit the boundary definitions of Abuja. Particularly to substitute Plateau for Nasarawa.

SECOND SCHEDULE

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
Second Schedule Part I	**Legislative Powers** **Part I** ***Exclusive Legislative List***	**Legislative Powers** **Part I** ***Exclusive Legislative List*** Retained as in Principal Act	**Legislative Powers** **Part I** ***Exclusive Legislative List*** Insertion of new item "40A", immediately after item 40 "National Security"; Substituting for item 46, a new item "46"- "46 Post and Telecommunications"; Deletion of items: 34. Labour 44. Pensions 55. Railways 58. Stamp duties	These are amendments made by the Senate to the exclusive legislative list.
Second Schedule Part II	**CONCURRENT LEGISLATIVE LIST** ***Extent of Federal and State Legislative Powers*** 12. Nothing in paragraph II hereof shall preclude a House of Assembly from making laws with respect to election to a local government council in addition to but not in consistent with any law made by the National Assembly.	**CONCURRENT LEGISLATIVE LIST** ***Extent of Federal and State Legislative Powers*** (i) Deletion of all the words in item 12. (ii) Insertion in alphabetical order, the following new items: A. "Health" B. "Housing" C. "Railways"	**CONCURRENT LEGISLATIVE LIST** ***Extent of Federal and State Legislative Powers*** Insertion of the following items- i. Arbitration ii. Agriculture iii. Environment iv. Healthcare; v. Labour vi. Pensions	These are amendments by the Senate and House to the concurrent legislative list.

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		Health The National Assembly may make laws for the Federation or any part thereof with respect to the provision of health care services. A House of Assembly may make laws for the State with respect to the provision of health care services **Housing** The National Assembly may make laws for the Federation or any part thereof with respect to housing. A House of Assembly may make laws for the State with respect to any matter relating to the provision of housing **Railways** The National Assembly may make laws for the Federation or any part thereof with respect to construction, rehabilitation or administration of railways. A House of Assembly may make laws for the State with respect to any matter or development relating to railways	vii. Railways; viii. Road safety; ix. Stamp duties; x. Youths **Arbitration** 1. The National Assembly may make laws for the federation or any part thereof with respect to: (i) Inter-State arbitration (involving parties resident in different states of the federation or where the arbitration is conducted in -a state other than where the parties reside, carry on business or the subject matter of the arbitration is located). (ii) International arbitration including arbitration or commercial transactions of an international nature or involving foreigners or persons not resident in Nigeria. (iii) Industrial arbitration and other forms of arbitration relating to labour, employment and trade disputes matters. (iv) Arbitration on items over	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			which the National Assembly has exclusive legislative powers.	
		14. A House of Assembly may make laws for the State with respect to –	2. A House of Assembly may make laws for the State with respect to:	
		(b) the generation, transmission and distribution of electricity within that State or in collaboration with any other State.	(i) Intra-State arbitration involving parties resident or carrying on business within the state or where the arbitration is conducted in the same state where the subject matter of the arbitration is located.	
			(ii) Arbitration in relation to items over which the State Assembly has residual legislative powers under the Constitution.	
	F —Electric power **14.** A House of Assembly may make laws for the State with respect to – (a) electricity and the establishment in that State of electric power stations; (b) the generation, transmission and distribution of electricity to areas not covered by a national grid system within that State.		**Agriculture** 1. The National Assembly may make laws: (i) on Agricultural policies for the federation and implementation of international standards in relation to bio-diversity; (ii) for the management and regulation of lands for Agricultural purposes in the Federal Capital Territory; 2. A House of Assembly may make	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			laws relating to Agricultural Policies, management and regulation of lands for Agricultural purposes within the State. **Environment** 1. The National Assembly may make laws for the federation or any part thereof with respect to: (i) Environmental issues affecting more than one state or transcending the boundaries of more than one state i.e. inter-state environmental issues. (ii) Environmental issues relating to coastal management and relating to the Exclusive Economic Zone of the Federation and other areas recognized under international law as territories belonging to Nigeria. (iii) Environmental issues relating to, arising from, pertaining to and connected with oil and gas exploration, mining activities and other forms of energy exploitation, extraction, transportation and processing. (iv) Environmental issues relating to freshwater bodies, ecosystem management, groundwater and other naturally occurring resources the extent of which	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			transcends the boundaries of more than one state. (v) Management of fisheries and freshwater aquatic animals within the federation's coastal regions and Exclusive Economic Zone, wildlife, national reserves and parks as may be designated by the National Assembly to be of national interest and affecting more than one state. 2. The House of Assembly may subject to paragraph 1 hereto make laws relating to: (i) Environmental issues relating to matters within the state's territorial limit. (ii) Issues relating to sanitation, environmental management and protection of the environment of a state. (iii) Establishment and management of game reserves, parks, wildlife management and forestry within the state. (iv) Urban development, housing and infrastructural planning within the state.	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			Healthcare (1) The National Assembly shall have powers to make Laws. for the· Federation or any part thereof with respect to: (i) Establishment of a National Health System, including the setting of minimum standards in relation to healthcare practice, healthcare provision, services and general access to healthcare throughout the federation. (ii) Establishment of a National Health Insurance Scheme for the advancement of health of all persons within the federation. (iii) Regulation of professional bodies in the healthcare sector throughout the federation, including the conditions for entrance and admissions of persons entitled to practice as health professionals in Nigeria (iv) Establishment and regulation of tertiary health institutions and institutions for professional health education and health research. (v) Regulation of public health and primary health care.	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			(2.) A House of Assembly may make Laws for the state with respect to the: (i) Establishment within the State of tertiary, Secondary and Primary Healthcare institutions for the provision of health services within the State. (ii) Nothing in the foregoing paragraphs shall be construed so as to limit the powers of the House of Assembly to make laws for the State with respect to the regulation of public health, primary and secondary healthcare, including institutions for the pursuit of the objectives of such laws. (3) Nothing in the foregoing paragraphs shall be construed to limit the role of local government councils in the participation of such council in the Government of a State in the provision and maintenance of primary healthcare. **Labour** 1. The National Assembly may make laws for the federation or' any part' thereof with respect to:	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			(i) Labour and employment matters including the registration of, trade unions and other industrial associations and the settlement of trade disputes. (ii) Prescribing a national minimum wage for federal government employees including rninimum wage for all categories of workers in federal establishments and agencies. (iii) Establishment of a body for the regulation, supervision and enforcement of compliance with minimum wage for the federal government. 2. The House of Assembly may subject to paragraph 1 hereto make laws relating to- (i) Employment of persons m the civil service of the state; (ii) making laws on issues relating to payment of wages and other emoluments for staff of the civil service of the State, institutions, bodies and agencies established and managed by, the Government of the state including staff of local government, councils and local government service commissions.	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			Pensions 1. The National Assembly may make laws for the federation or any part thereof with respect to: (i) The regulation of matters relating to pension and gratuity of federal employees, persons in the public service of the federation, employees of federal statutory institutions and parastatals and other persons subject to federal regulation including employees of incorporated companies regulated by federal enactments. (ii) Setting of standards for management of pension matters throughout the federation in respect of workers whether in private or public employment. (iii) Make laws for regulation of pension matters in relation to persons in military service, the police force and other paramilitary and security agencies in the federation. 2. The House of Assembly may subject to paragraph 1 hereto make laws relating to the regulation of matters relating to pension and gratuity of state employees, persons in the civil service of the state, employees of	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			state institutions and parastatals, employees of local governments within the state and other persons subject to state regulation including employees of business enterprises resident within the state and subject to state regulation. **Railways** 1. The National Assembly may make laws for the federation or any part thereof with respect to: (i) Construction and maintenance of inter-state railway tracks and infrastructures. (ii) Inter-state railway regulation and establishment of a national railway agency for regulation and management of railway operations throughout the federation. (iii) Maintenance of a national railway carrier for inter-state, transportation throughout the federation. 2. A House of Assembly may make laws for the State with respect to the:	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			(i) Establishment and maintenance of agencies for railway transportation within the state. (ii) Establishment of a state railway carrier and regulation of activities related to and connected with railway systems within the state including the construction and maintenance of railway tracks and infrastructures within the state. **Road safety** 1. The National Assembly may make laws for the federation or any part thereof with respect to: (i) Safety of road and road users within federal highways and other roads subject to federal regulations including inter-state roads. (ii) Establishment and control of an agency for the safety, control, regulation and maintenance of federal and inter-state roads and roads subject to federal regulation. 2. A House of Assembly may make laws for the State with respect to the: (i) Safety of road and road users	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			within the state. (ii) Establishment of an agency for the safety, control, regulation and maintenance of road safety on trunk roads within the state and other roads subject to state regulation. **Pensions** 1. The National Assembly may make laws for the federation or any part thereof with respect to: (i) The regulation of matters relating to pension and gratuity of federal employees, persons in the public service of the federation, employees of federal statutory institutions and parastatals and other persons subject to federal regulation including employees of incorporated companies regulated by federal enactments. (ii) Setting of standards for management of pension matters throughout the federation in respect of workers whether in private or public employment. (iii) Make laws for regulation of pension matters in relation to persons in military service, the police force and other paramilitary and security agencies in the	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			federation. 2. The House of Assembly may subject to paragraph 1 hereto make laws relating to the regulation of matters relating to pension and gratuity of state employees, persons in the civil service of the state, employees of state institutions and parastatals, employees of local governments within the state and other persons subject to state regulation including employees of business enterprises resident within the state and subject to state regulation. **Stamp Duties** 1. The National Assembly may make laws for the federation or any part thereof with respect to: (i) Payment of stamp duties by incorporated companies and other activities or transactions over which the National Assembly have powers to legislate on. (ii) Payment of stamp duties by persons/individuals/businesses subject to federal taxation. 2. A House of Assembly may make laws for the State with respect to	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			the: (i) Payment of stamp duties by persons/individuals/businesses resident within the state or subject to state taxation. (ii) Payment of stamp duties on transactions or activities over which the State House of Assembly has powers to legislate on. **Youth** 1. The National Assembly may make laws for the federation or any part thereof with respect to: (i) The administration and regulation of welfare and activities of children and young persons within the FCT and activities of federal bodies and institutions, including Federal educational institutions, sports bodies and other federal recreational or correctional centres, as it relates to children, juveniles and young persons. (ii) Youth and sport activities involving foreign competitions and participation in international events programmes and other inter-state sport competitions. 2. A House of Assembly may make	

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
			laws for the State with respect to: (i) The administration and regulation of welfare and activities of children and young persons within the state and activities of, state bodies and institutions, including state educational institutions, sports bodies and other state recreational or correctional centres, as it relates to children, juveniles and young persons resident in the state. (ii) Youth and sport activities within the state and regulation of participation of persons resident in the state in inter-state youth and sports activities.	

THIRD SCHEDULE

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
Third Schedule Part I	**Part I** **Federal Executive Bodies** **5.** The Council of State shall comprise the following persons: (a) ……. (b) ……. (c) ……. (d) ……. (e) …… (f) ……. (g) …. (h) the Attorney-General of the Federation.	**Part I** **Federal Executive Bodies** **5.** The Council of State shall comprise the following persons: (a) ……. (b) ……. (c) ……. (d) ……. (e) …… (f) ……. (g) …. **(h) the Minister of Justice** **(i) six traditional rulers reflecting the federal character of Nigeria.**	**Part I** **Federal Executive Bodies** Retained as in Principal Act	These are consequential amendments made by the House. They include: **Paragraph 5:** Following the separation of the office of the attorney-general (AG) from the minister of justice, the later would now be a member of the council of state as against the AG as currently exists. Also, six traditional rulers are now included in the Council of States to address the demand of the people from

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		Insertion of new paragraphs 6A and 6B **Electoral Offences Commission.** **6A.** (1) The Electoral Offences Commission shall comprise of the following members — (a) a Chairman who shall be the Chief Executive Officer of the Commission; (b) six persons reflecting the federal character of Nigeria; (*c*) a representative of the Attorney-General of the Federation not below the rank of Director; and (d) a retired security personnel not below the rank of a Commissioner of Police or its equivalent in any of the security services; (2) The Chairman and Members shall be persons of integrity and shall not belong to any political party; and (3) The Chairman and Members of the Commission other than *ex-officio* Members shall be appointed by the President subject to confirmation by the Senate. **Powers of the Commission.** **6B.** The Commission shall have powers to — (a) enforce the provisions of any Act of the National Assembly relating to electoral offences and in accordance with the provisions of any other law relating to electoral offences		the Peoples' Public Sessions that traditional rulers be given a participatory role at the Federal level. **New paragraphs 6A & 6B:** This provision defines the composition of the Electoral Offences Commission with power to try electoral offences.

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	C – Federal Character Commission **8.** (1) In giving effect to the provisions of section 14(3) and (4) of this Constitution, the Commission shall have the power to – (a) work out an equitable formula subject to the approval of the National Assembly for the distribution of all cadres of posts in the public service of the Federation and of the States, the armed forces of the Federation, the Nigeria Police Force and other government security agencies, government owned companies and parastatals of the States; **F – Independent National Electoral Commission** **15.** The Commission shall have power to – (a) organise, undertake and supervise all elections to the offices of the President and Vice-President, the Governor and Deputy Governor of a State, and to the membership of the Senate, the House of Representatives and the House of Assembly of each State of the Federation;	**C — Federal Character Commission.** **8.** (1) In giving effect to the provisions of section 14 (3) and (4) of this Constitution, the Commission shall have the power to — (*a*) work out an equitable formula subject to the approval of the National Assembly for the distribution of all cadres of posts in the public service of the Federation and of the States, the armed forces of the Federation, the **Nigerian Police** and other government security agencies, government owned companies and parastatals of the States **F — Independent National Electoral Commission.** **15.** The Commission shall have power to — (*a*) organise, undertake and supervise all elections to the offices of the President and Vice-President, the Governor and Deputy Governor of a State, and to the membership of the Senate, the House of Representatives, the House of Assembly of each State of the Federation, and Chairmen, Vice Chairmen **and Councilors of Local Government Councils of the States** **I – National Judicial Council** **21.** The National Judicial Council shall have power to – (g) appoint, dismiss and exercise disciplinary control over members and staff of the Council; **Provided that in the case of Judicial**		**Paragraph 8:** This provision deletes the word "Force" from the "Nigerian Police Force" in line with the amended section 214. **Paragraph 15:** This amendment empowers INEC to organize Local government elections following the scrapping of State Independent Electoral commission (SIEC) by the House. **Paragraph 21:** The amendment proposal in 21(g) seeks to empower the National Judicial Council to discipline, punish and reinstate judges without any interference from the

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	I – National Judicial Council **21.** The National Judicial Council shall have power to – (g) appoint, dismiss and exercise disciplinary control over members and staff of the Council; **L- Nigeria Police Council** **28.** The functions of the Nigeria Police Council shall include – (a) the organisation and administration of the Nigeria Police Force and all other matters relating thereto (not being matters relating to the use and operational control of the Force or the appointment, disciplinary control and dismissal of members of the Force); (b) the general supervision of the Nigeria Police Force; and **M - Police Service Commission** **30.** The Commission shall have power to –	**Officers who are members of the Council, such appointment, dismissal or disciplinary control shall be subject to section 292** **L— Nigeria Police Council.** **28.** The functions of the Nigerian Police Council shall include — (a) the organisation and administration of the **Nigerian Police** and all other matters relating thereto (not being matters relating to the use and operational control of the **Police** or the appointment, disciplinary control and dismissal of members of the **Police**); (b) the general supervision of the **Nigerian Police**; and **M—Police Service Commission.** **30.** The Commission shall have power to — (a) appoint persons to offices (other than office of the Inspector-General of Police) in the **Nigerian Police**; and **N—Revenue Mobilisation Allocation and Fiscal Commission.** **32.** The Commission shall have power to — (c) advise the **Federal, State and Local Governments** on fiscal efficiency and methods by which their revenue can be increased; (d) determine the remuneration		executive arm. **Paragraphs 28 and 30:** This amendment deletes the word "Force" from Nigerian Police Force. **Paragraph 32:** This provision gives power to the Revenue Mobilisation Allocation and Fiscal Commission to fix the salaries of local government council members in the light of the new amendments.

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	(a) appoint persons to offices (other than office of the Inspector-General of Police) in the Nigeria Police Force; and **N – Revenue Mobilisation Allocation and Fiscal Commission** **32.** The Commission shall have power to- (c) advise the Federal and State Governments on fiscal efficiency and methods by which their revenue can be increased; (d) determine the remuneration appropriate for political office holders, including the President, Vice-President, Governors, Deputy Governors, Ministers, Commissioners, Special Advisers, Legislators, and the holders of the offices mentioned in sections 84 and 124 of this Constitution	appropriate for political office holders, including the President, Vice-President, Governors, Deputy Governors, Ministers, Commissioners, Special Advisers, Legislators, **Chairmen, Vice-Chairmen and Councillors of Local Government Councils**, and the holders of the offices mentioned in sections 84 and 124 of this Constitution;		
Third Schedule Part II	**State Executive Bodies** **B — State Independent Electoral Commission** **3.** A State Independent Electoral Commission shall comprise the following members —	**State Executive Bodies** **Deletion of item B in the Principal Act and Insertion of a new item B —** **Local Government Service Commission.** **3.** (1) The Local Government Service Commission shall comprise the Chairman and not less than 2 and not more than 4 members who shall, in the	**State Executive Bodies** **B — State Independent Electoral Commission** Retained as in Principal Act	**Paragraph 3:** The House amended the Constitution by removing the State Independent Electoral

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	(*a*) a Chairman; and	opinion of the Governor, be persons of unquestionable integrity and sound political judgment.		Commissions to address claims of partisanship by the institution.
	(*b*) not less than five but not more than seven other persons.	(2) The Commission shall have the functions ascribed to it by the existing law on the Civil Service as applicable to Local Governments.		Further amendments define the composition of the Local Government Service Commission.
	4. The Commission shall have power —	(3) The Commission shall, in particular —		
	(*a*) to organise, undertake and supervise all elections to Local Government Councils within the State	(*a*) set up general and uniform guidelines for appointments, promotion and discipline		
	(b) to render such advice as it may consider necessary to the Independent National Electoral Commission on the compilation of the register of voters in so far as that register is applicable to Local Government elections in the State.	(*b*) monitor the activities of each Local Government to ensure that the guidelines are strictly and uniformly adhered to; and		
		(*c*) serve as a review body for all petitions from Local Governments in respect of appointments, promotions and discipline		
		Insertion of new item C — State Council of Chiefs.		
		4. (1) A Council of Chiefs shall comprise a Chairman and such number of persons as may be prescribed by Law.		

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		(2) The Council shall have power to advise the Governor on any matter relating to customary law or cultural affairs, inter-communal relations and chieftaincy matters. (3) The Council shall also have power to advise the Governor whenever requested to do so on — (*a*) the maintenance of public order within the State or any part thereof; and (b) such other matters as the Governor may direct. **Substitution of paragraph 5 (b)** ***C – State Judicial Service Commission*** **5.** A State Judicial Service Commission shall comprise the following members – (a) ……..		**Paragraph 4:** The House voted to create State Council of Chiefs to ensure representation of traditional rulers at State level.

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	C – State Judicial Service Commission **5.** A State Judicial Service Commission shall comprise the following members – (a) …….. (b) the Attorney General of the State;	(b) the Commissioner for Justice;		**Paragraph 5:** Following the separation of the office of the Attorney General (AG) of the State from the Commissioner for Justice, the later has been included as a member of the State Judicial Service Commission as against the AG as currently exists.
Third Schedule Part III	**Part III** **Federal Capital Territory, Abuja Executive Body** *Judicial Service Committee of the Federal Capital Territory, Abuja* **1.** The Judicial Service Committee of the Federal Capital Territory, Abuja shall comprise the following members – (a) …… (b) the Attorney-General of the Federation; (c) …… (d) …. (e) one person who is a legal practitioner and who has been qualified to practice as a legal practitioner in Nigeria for a period of not less than twelve years; and (f) one other person, not being practitioner, who in the opinion of	**Part III** **Federal Capital Territory, Abuja Executive Body** *Judicial Service Committee of the Federal Capital Territory, Abuja* **1.** The Judicial Service Committee of the Federal Capital Territory, Abuja shall comprise the following members – (a) … (b) **the Minister of Justice** (c) … (d) … (e) **two persons who are legal practitioners and who have been qualified to practice as a legal practitioners in Nigeria for a period of not less than ten years; and** (f) **two other persons, not being legal practitioners, who, in the opinion of the President, are of unquestionable**	**Part III** **Federal Capital Territory, Abuja Executive Body** *Judicial Service Committee of the Federal Capital Territory, Abuja* Retained as in Principal Act	This amendment seeks to re-structure the membership of the FCT Judicial Service Committee by the inclusion of the Minister of Justice rather than the Attorney General of the Federation and by increasing the number of legal practitioners and non-legal practitioners in the composition of the Committee. The amendment also includes magistrates, judges, members of the Customary Court and 36 district and area courts of the FCT as within the disciplinary ambit of the Committee in addition to its power of appointment and promotion of the aforementioned.

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
	the President is of unquestionable integrity. **2.** The Committee shall have power – (c) to appoint, promote and exercise disciplinary control over the Chief Registrar and Deputy Chief Registrars of the High Court, the Sharia Court of Appeal and the Customary Court of Appeal of the Federal Capital Territory, Abuja, magistrates, the judges and members of the District and Area Courts of the Federal Capital Territory, Abuja, if any, and all other members of the staff of the judicial service of the Federal Capital Territory, Abuja not otherwise specified in this Constitution and of the Judicial Service Committee of the Federal Capital Territory, Abuja.	**integrity;** **2.** The Committee shall have power – (*c*) to appoint, promote and exercise disciplinary control over the Chief Registrar and Deputy Chief Registrars of the High Court, the Sharia Court of Appeal and the Customary Court of Appeal of the Federal Capital Territory, Abuja, magistrates, the judges and members of the **Customary Court, 36 District and Area Courts** of the Federal Capital Territory, Abuja, if any, and all other members of the staff of the judicial service of the Federal Capital Territory, Abuja not otherwise specified in this Constitution and of the Judicial Service Committee of the Federal Capital Territory, Abuja		

FOURTH SCHEDULE

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
Fourth Schedule Part II		**Insertion of new PART II —** **Functions of State Council of Chiefs.** **1.** The functions of State Council of Chiefs shall consist of — (*a*) giving general advice to the State or any Local Government Council in		New provision to define the functions of the State Council of Chiefs. Their role is advisory and not that of lawmaking.

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		the State; (*b*) advising the State or any Local Government Council on proposed development plans; (*c*) assisting in the collection of taxes as may be required; (*d*) advising on religious matters where appropriate; (*e*) promoting and advising on arts and culture; (*f*) subject to the Law of the State, dealing with and advising on chieftaincy matters and traditional titles and offices; (*g*) deliberating and expressing opinions to any organisation on any matter which it deems to be of importance to the area as a whole or which may be referred to it by the overnment or other organisation; (h) assisting in the mobilisation of human and material resources towards self-reliance, community development and welfare within the area; and (i) such other functions as the House of Assembly of a State or any		

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		Local Government Council may, from time to time, refer to it. **2.** Nothing in this Schedule shall be construed as conferring any executive, legislative or judicial powers on State Council of Chiefs.		

FIFTH SCHEDULE

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
Fifth Schedule Part I	**Part I** **Code of Conduct for Public Officers** *Prohibition of foreign accounts* **3.** The President, Vice –President, Governor, Deputy Governor, Ministers of the Government of the Federation and Commissioners of the Governments of the States, members of the National Assembly and of the Houses of Assembly of the States, and such other public officers or persons as the National Assembly may by law prescribe shall not maintain or operate a bank account in any country outside Nigeria.	**Part I** **Code of Conduct for Public Officers** **3.** The President, Vice –President, Governor, Deputy Governor, Ministers of the Government of the Federation and Commissioners of the Governments of the States, members of the National Assembly and of the Houses of Assembly of the States, **Chairmen, Vice-Chairmen and Councillors of Local Government Councils** and such other public officers or persons as the National Assembly may by law prescribe shall not maintain or operate a bank account in any country outside Nigeria	**Part I** **Code of Conduct for Public Officers** Retained as in Principal Act	This amendment lists local government council members among public officers barred from operating foreign bank accounts.
Fifth Schedule	**Part II** **Public Officers for the Purposes**	**Part II** **Public Officers for the Purposes of the**	**Part II** **Public Officers for the Purposes**	This amendment deletes the word "Force" from "Nigerian

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
Part II	**of the Code of Conduct** **9.** Inspector-General of Police, Deputy Inspector-General of Police and all members of the Nigeria Police Force and other government security agencies established by law.	**Code of Conduct** **9.** Inspector-General of Police, Deputy Inspector-General of Police and all members of the **Nigerian Police** and other government security agencies established by law	**of the Code of Conduct** Retained as in Principal Act	Police Force"

SIXTH SCHEDULE

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
Sixth Schedule (Second Alteration Act Section 10)	**Election Tribunals**	**Election Tribunals** **Insertion of new items C and D, paragraphs 3 and 4** **Section 10 Second Alteration Act (Sixth Schedule of Principal Act)** **C— Local Government Council Election Tribunals.** **3.** (1) A Local Government Council Election Tribunal shall consist of a Chairman and two other members.	**Election Tribunals**	This provision defines the structure and composition of the Local Government Council Election Tribunals as well as the Election Offences Tribunals that have been designated by the House to deal with electoral matters.

Section	**Provisions of the Constitution/Principal Act**	**House of Reps Bill as Passed**	**Senate Bill as Passed**	**Notes**
		(2) The Chairman shall be a Judge of a High Court and the two other members shall be appointed from among Judges of a High Court, Kadis of a Sharia Court of Appeal, Judges of a Customary Court of Appeal or members of the judiciary not below the rank of a Chief Magistrate. (3) The Chairman and other members shall be appointed by the President of the Court of Appeal in consultation with the Chief Judge of the Federal High Court, Chief Judge of the High Court of the Federal Capital Territory, Chief Judge of the State, the Grand Kadi of the Sharia Court of Appeal of the State or the President of the Customary Court of Appeal of the State, as the case may be **D — Electoral Offences Tribunal.** **4.** (1) An Electoral Offences Tribunal shall consist of a Chairman and two other members. (2) The Chairman shall be a Judge of a High Court and the two other members shall be appointed from among Judges of a High Court, Kadis of a Sharia Court of Appeal, Judges of a Customary Court of Appeal or members of the judiciary not below the rank of a Chief Magistrate.		

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		(3) The Chairman and other members shall be appointed by the President of the Court of Appeal in consultation with the Chief Judge of the State, the Grand Kadi of the Sharia Court of Appeal of the State or the President of the Customary Court of Appeal of the State, as the case may be		

SEVENTH SCHEDULE

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
Seventh Schedule	**Oaths**	**Oaths** **OATH OF OFFICE OF GOVERNOR OF A STATE <u>AND CHAIRMAN</u>** **<u>OF A LOCAL GOVERNMENT COUNCIL</u>** I, ... do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the Governor of ..... State/Chairman of ..... **Local Government Council**, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of	**Oaths** Retained as in Principal Act	The format for oaths in the oath section now includes members of local government councils.

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		Nigeria; that I will exercise the authority vested in me as Governor/**Chairman** so as not to impede or prejudice the authority lawfully vested in the President of the Federal Republic of Nigeria and so as not to endanger the continuance of Federal Government in Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will do the best of my ability, preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection of ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to be as Governor of ..... State/**Chairman of** ..... **Local Governor Council**, except as may be required for the due discharge of my duties as Governor/**Chairman**; and that I will devote myself to the service and well-being of the people of Nigeria. So help me God **OATH OF OFFICE OF VICE-PRESIDENT, DEPUTY GOVERNOR, MINISTER,** **COMMISSIONER, SPECIAL ADVISER OR <u>VICE-CHAIRMAN</u>** **<u>OF A LOCAL GOVERNMENT COUNCIL</u>** I, ... do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the Vice-President of the Federal Republic of Nigeria/Deputy Governor of ..... State/Minister of the Government of the Federation/Commissioner of the Government of ..... State/Special Adviser to ...../**Vice-Chairman of .....Local Government Council**, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in		

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will do the best of my ability, preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as Vice-President of the Federal Republic of Nigeria/Deputy Governor of ..... State/Minister of the Government of the Federation/Commissioner of..... State/Special Adviser to ...../**Vice-Chairman of ..... Local Government Council,** except as may be required for the due discharge of my duties as Vice-President/Deputy Governor of.....State/Minister/Commissioner/Special Adviser/**Vice Chairman of** ..... **Local Government Council**. So help me God **OATH OF A MEMBER OF THE NATIONAL ASSEMBLY OR OF A HOUSE OF** **ASSEMBLY OR OF A <u>MEMBER OF A LOCAL GOVERNMENT</u>** **<u>LEGISLATIVE COUNCIL</u>** I, ... do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as a Member of the Senate/House of Representatives/ ..... House of Assembly/ ..... **Local Government**		

Section	Provisions of the Constitution/Principal Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
		Council, I will perform my functions honestly to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and the rules of the Senate/House of Representatives/..... House of Assembly/**Local Government Council** and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directives Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; and that I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria; and that I will abide by the Code of Conduct contained in the Fifth Schedule of the Constitution of the Federal Republic of Nigeria. So help me God		

NATIONAL YOUTH SERVICE CORPS ACT

Section	Provisions of the Act	House of Reps Bill as Passed	Senate Bill as Passed	Notes
19	**Protection of members, etc.** The Public Officers Protection Act shall apply to every member of the Service Corps and to any other person employed under any undertaking or project for the duration of his service in the Service Corps. [Cap. P41.]	**Protection of members, etc.** **(1) The service corps shall insure every corp member against loss of life or serious injury incurred or occasioned while performing official duty or while traveling, seven days preceding the date of commencement of the service period or seven days after the end of the service period, from the place of residence or mobilization to the place of deployment and vice visa.** **(2)** The Public Officers Protection Act shall	Retained as in Principal Act	This provision amends the NYSC Act to require that all youth corp members be provided with life insurance.

		apply to every member of the Service Corps and to any other person employed under any undertaking or project for the duration of his service in the Service Corps.		

NOTE: Further Amendments by the House of Representatives in January 2014

The House of Representatives further amended the provisions indicated hereunder (and also contained in the table above) in January 2014. All other amendments were passed in July 2013.

1. *Section 4*
2. *Section 67 (1)*
3. *Section 68 (1) (e)*
4. *81 (3) (f) and (g) (Section 6, First Alteration Act)*
5. *Section 89 (1) (e) & (2)*
6. *Section109 (1) (e)*
7. *Section 129 (1) (e) & (2)*
8. *Section 285 (6) (7) & (8) (Section 9, Second Alteration Act)*
9. *Section 292 (3) & (4) (Section 9, Third Alteration Act)*
10. *Section 318 (Definition of National Security Agencies)*
11. *Third Schedule, Paragraph 21 (g)*
12. *Section 19, NYSC Act*