

HOUSE OF REPRESENTATIVES

**AD-HOC COMMITTEE ON THE REVIEW
OF THE 1999 CONSTITUTION**

| CONSTITUTIONAL PROVISIONS | PROPOSED AMENDMENTS | PROVISIONS AS AMENDED | REMARKS |
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| <p>Local government system.</p> <p>7. (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.</p> <p>(2)The person authorised by law to prescribe the area over which a local government council may exercise authority shall—</p> <p>(a) define such area as clearly as</p> | <p>Section 7 is altered by -</p> <p>(a) substituting for subsection (1), a new subsection “(1)” –</p> <p>“ (1) The system of Local Government by democratically elected Local Government Councils is under this Constitution guaranteed.”</p> <p>(b) inserting new subsections “(1A) – (1D)” –</p> <p>“(1A) A Local Government Council –</p> <p>(a) which is not constituted in accordance with subsection (1) of this</p> | <p>(1) The system of Local Government by democratically elected Local Government Councils is under this Constitution guaranteed.</p> <p>(1A) A Local Government Council –</p> <p>(a) which is not constituted in accordance with subsection (1) of this</p> | <p>To deny appropriation to unelected Local Councils</p> |

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| <p>practicable; and</p> <p>(b) ensure, to the extent to which it may be reasonably Justifiable that, in defining such area regard is paid to—</p> <p>(i) the common interest of the community in the area;</p> <p>(ii) traditional association of the community, and</p> <p>(iii) administrative convenience.</p> <p>(3) It shall be the duty of a local government</p> | <p>section shall not be entitled to any revenue allocation from the Federation Account; and</p> <p>(b) stands dissolved at the expiration of a period of four years, commencing from the date the members of the Council were sworn in.</p> <p>(1B) The democratically elected Local Government Council shall be a tier of government in Nigeria and shall consist of executive and legislative arms.</p> <p>(1C) The House of Assembly of every State shall, subject to section 8 of this 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.</p> | <p>section shall not be entitled to any revenue allocation from the Federation Account; and</p> <p>(b) stands dissolved at the expiration of a period of four years, commencing from the date the members of the council were sworn in.</p> <p>(1B) The democratically elected Local Government Council shall be a tier of government in Nigeria and shall consist of executive and legislative arms.</p> <p>(1C) The House of Assembly of every State shall, subject to section 8 of this Constitution, ensure the existence of democratically Local Government Councils under a Law which provides for their funding from the public revenue from the State and the autonomy of the Local</p> | <p>To create a fixed term for Local Councils across the country</p> |
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| <p>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.</p> <p>(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.</p> <p>(5) The functions to be conferred by Law upon local government councils shall include those set out in the Fourth Schedule to this Constitution.</p> <p>(6) Subject to the provisions of this Constitution—</p> <p>(a) the National Assembly shall make provisions for statutory allocation of</p> | <p>(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; and</p> <p>(c) substituting for sub-section (5), a new section “(5)” –</p> <p>“(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”;</p> <p>(d) deleting sub-section (6); and</p> <p>(e) renumbering the section appropriately.</p> | <p style="text-align: center;">Government Councils.</p> <p>(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.</p> <p>(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.</p> | |
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| <p>public revenue to local government councils in the Federation; and</p> <p>(b) the House of Assembly of a State shall make provisions for statutory allocation of public revenue to local government councils within the State.</p> | | | |
| | <p>Insertion of new sections 7A – 7Z</p> <p>Insert new sections “7A -7Z” –</p> <p>Chairman and Vice-Chairman</p> <p>7A. There shall be for each Local Government Council a Chairman and a Vice-Chairman.</p> <p>Qualifications of Chairman</p> <p>7B. A person shall be qualified for election to the Office of Chairman if-</p> <p>(a) he is a citizen of Nigeria;</p> <p>(b) he has attained the age of 25 years; and</p> <p>(c) he has been educated up to at</p> | | |

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| | <p>least the School Certificate level or its equivalent.</p> <p>Disqualifications of Chairman</p> <p>7C. (1) A person shall not be qualified for election to the office of Chairman if-</p> <p>(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</p> <p>(b) he has been elected to such office at two previous elections.</p> <p>(2) A Chairman shall not hold any other executive office or paid employment in any capacity whatsoever during his tenure of office.</p> <p>Declaration of assets and liabilities: Oaths of Chairman</p> | | |
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| | <p>7D. 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.</p> <p>Election of Chairman</p> <p>7E. (1) An election to the Office of Chairman shall be held on a date to be appointed by the Independent National Electoral Commission.</p> <p>(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.</p> <p>(3) Where in an election to the</p> | | |
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| | <p>Office of Chairman –</p> <p>(a) at the close of nomination only one candidate has been nominated, the Independent National Electoral Commission shall extend the time for nomination; or</p> <p>(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.</p> <p>(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</p> | | |
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| | <p>votes cast at the election, but where the only candidate fails to be elected in accordance with this subsection, there shall be fresh nominations.</p> <p>(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.</p> <p>(6) In default of a candidate being duly elected-</p> <p>(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;</p> <p>(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</p> | | |
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| | <p>Local Government Area.</p> <p>(7) For the purpose of an election under this section, a Local Government Area shall be regarded as one constituency.</p> <p>Nomination and election of Vice-Chairman</p> <p>7F. (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.</p> | | |
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| | <p>(2) The provisions of this Constitution relating to qualification for election, tenure of Office, 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.</p> <p>Removal of Chairman or Vice-Chairman</p> <p>7G. (1) The Chairman or Vice-Chairman may be removed from Office in accordance with the provisions of this section.</p> <p>(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-</p> <p>(a) is presented to the Leader of the Local Government Legislative Council;</p> | | |
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| | <p>(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.</p> <p>(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</p> | | |
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| | <p>Legislative Council shall resolve by Motion without any debate whether or not the allegation shall be investigated.</p> <p>(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.</p> <p>(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.</p> | | |
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| | <p>(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.</p> <p>(7) A panel appointed under this section shall-</p> <p>(a) have such powers and exercise its functions in accordance with such procedure as may be prescribed by Law; and</p> <p>(b) within three months of its appointment report its findings to the Local Government Legislative Council.</p> <p>(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 respect of the matter.</p> <p>(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</p> | | |
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| | <p>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.</p> <p>(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.</p> <p>Permanent incapacity of Chairman and Vice-Chairman</p> <p>7H.(1) The Chairman or Vice-Chairman shall cease to hold Office if-</p> <p>(a) by a resolution passed by two-thirds majority of all</p> | | |
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| | <p>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</p> <p>(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.</p> <p>(2) Where the medical panel certifies in such Report that in its 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.</p> | | |
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| | <p>(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.</p> <p>(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-</p> <p>(a) one of whom may be a medical practitioner of the choice of the officer concerned; and</p> <p>(b) two other medical practitioners.</p> <p>Discharge of functions of Chairman</p> <p>7I. (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</p> | | |
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| | <p>provisions of this Constitution.</p> <p>(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 accordance with the provisions of this Constitution.</p> <p>(3) Where the office of Vice-Chairman becomes vacant-</p> <p>(a) by reason of death or resignation or removal in accordance with the provisions of this Constitution;</p> <p>(b) by his assumption of the Office of Chairman in accordance with subsection (1) of this section; or</p> | | |
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| | <p>(c) for any other reason, the Chairman shall nominate, and with the approval of the Local Government Legislative Council, appoint a new Vice-Chairman.</p> <p>Establishment of Local Government Executive Council</p> <p>7J. (1) Subject to the provisions of this Constitution, the executive powers of a Local Government Council-</p> <p>(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</p> | | |
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| | <p>(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 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.</p> <p>(2) The Chairman shall assign to the Vice-Chairman specific responsibilities for any business of the Local Government Council.</p> <p>(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,</p> | | |
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| | <p>including the administration of any department of the Local Government Council.</p> <p>(4) The Chairman shall hold regular meetings with the Vice-Chairman and all the Supervisors for the purpose of -</p> <ul style="list-style-type: none">(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. <p>(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</p> | | |
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| | <p>the contrary, the Vice Chairman shall perform the functions of the Chairman as Acting Chairman</p> <p>(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.</p> <p>Tenure of Office of Chairman</p> <p>7K. (1) Subject to the provisions of this Constitution, a person shall hold the Office of Chairman until-</p> <p>(a) his successor in Office takes the Oath of that Office;</p> | | |
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| | <p>(b) he dies while holding such Office;</p> <p>(c) the date when his letter of resignation from Office takes effect;</p> <p>(d) he otherwise ceases to hold Office in accordance with the provisions of this Constitution; or</p> <p>(e) he becomes a member of a secret society.</p> <p>(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-</p> <p>(a) he took the Oath of Allegiance and the Oath of Office, and</p> <p>(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.</p> | | |
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Death of Chairman-Elect before Oath of Office

7L. 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

7M. 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**

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| | <p style="text-align: center;">least 181 days in a year.</p> <p>Qualification of Councillors</p> <p>7N. A person shall be qualified for election as a councillor if he –</p> <ul style="list-style-type: none">(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. <p>Disqualifications of Councillors</p> <p>7O. (1) No person shall be qualified for election as a councillor if-</p> <ul style="list-style-type: none">(a) he has voluntarily acquired the citizenship of a country other than 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 | | |
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| | <p>country;</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> | | |
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| | <p>(e) he is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any part of the Federation;</p> <p>(f) he is a person employed in the public service of the Federation, State or Local Government Council;</p> <p>(g) he is a member of a secret society.</p> <p>(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 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,</p> | | |
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| | <p>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.</p> <p>Declaration of assets and liabilities: Oaths of Councillors</p> <p>7P. (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.</p> <p>(2) A Leader or Deputy Leader of a Local Government Legislative Council shall, before taking his seat, declare his</p> | | |
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| | <p>assets and liabilities as prescribed in this Constitution and subsequently take and subscribe before the Chairman of the Local Government Legislative Council, the Oath of Allegiance and the Oath of Office prescribed in the Seventh Schedule to this Constitution.</p> <p>Supervisors</p> <p>7Q. (1) There shall be not less than three and not more than five Offices of Supervisors for each Local Government Council.</p> <p>(2) Any appointment to the Office of Supervisor shall be made by the Chairman within 30 days of taking Office.</p> <p>(3) Any appointment to the Office of Supervisor shall be subject to confirmation by the Local Government Legislative Council.</p> | | |
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Tenure of seat of members

7R. (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

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| | <p>Council was elected:</p> <p>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;</p> <p>(e) if he becomes a member of a secret society; or</p> <p>(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.</p> <p>(2) The Leader of the Local Government Legislative Council shall give effect to subsection (1), so however</p> | | |
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| | <p>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.</p> <p>Recall</p> <p>7S. (1) A member of a Local Government Legislative Council may be recalled as such a member if-</p> <p>(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</p> <p>(b) the petition is thereafter approved in a referendum conducted by the</p> | | |
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| | <p>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.</p> <p>Presiding Officers of the Local Government Legislative Council</p> <p>7T. (1) There shall be a Leader and a Deputy Leader of the Local Government Legislative Council who shall be elected by the Members of the Local Government Legislative Council from among themselves.</p> <p>(2) At any sitting of the Local Government Legislative Council, the Leader shall preside and, in his absence, the Deputy Leader shall preside.</p> <p>(3) The Leader or Deputy Leader shall vacate Office –</p> <p>(a) if he ceases to be a Member</p> | | |
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| | <p>of the Local Government Legislative Council otherwise than by reason of a dissolution of the Local Government Legislative Council; or</p> <p>(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.</p> <p>Quorum</p> <p>7U. The quorum of a Local Government Legislative Council shall be one-half of its Members.</p> <p>Voting</p> <p>7V. 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</p> | | |
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| | <p>equality of votes.</p> <p>Regulation of procedure</p> <p>7W. The Local Government Legislative Council shall have power to regulate its procedure, including the procedure for summoning and recess of the Local Government Legislative Council.</p> <p>Remuneration</p> <p>7X. 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.</p> <p>Protection of Pension rights</p> <p>7Y. (1) Subject to the provisions of subsection (2) of this section the right of a person</p> | | |
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| | <p>in the service of a Local Government Council to receive pension or gratuity shall be regulated by Law.</p> <p>(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.</p> <p>(3) Pension in respect of service in the Service of a Local Government Council shall not be taxed.</p> <p>Mode of exercising legislative power of Local Government Council</p> <p>7Z. (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</p> | <p>7Z. (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,</p> | |
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| | <p>Constitution, assented to by the Chairman.</p> <p>(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.</p> <p>(3) Where a Bill has been passed by the Local Government Legislative Council it shall be presented to the Chairman for assent.</p> <p>(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.</p> <p>(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</p> | <p>assented to by the Chairman.</p> <p>(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.</p> <p>(3) Where a Bill has been passed by the Local Government Legislative Council it shall be presented to the Chairman for assent.</p> <p>(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.</p> <p>(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.</p> | |
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| | shall not be required. | | |
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| New States and boundary adjustment, etc. | Alteration of section 8 | | |
| <p>8. (1) An Act of the National Assembly for the purpose of creating a new State shall only be passed if —</p> <p>(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 —</p> <p>(i) the Senate and the House of Representatives,</p> <p>(ii) the House of Assembly in respect of the area, and</p> <p>(iii) the local government councils in respect of the area, is received by the National Assembly;</p> <p>(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 ;</p> | <p>Section 8 is altered -</p> <p>(a) in subsection (1) (a) (iii), by inserting before the word “Local”, the words “democratically elected”;</p> <p>(b) by substituting for paragraphs (b) - (d), new paragraphs “(b)” - “(d)” —</p> <p>“ (b) a proposal for the creation of</p> | <p>(1) (a) (iii) the democratically elected Local Government Councils in respect of the area, is received by the National Assembly;</p> <p>(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</p> | <p>Stipulates that only elected Local Government Councils can participate in the creation of a new State</p> <p>Clarifies who can vote in a referendum for the creation of</p> |

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| <p>(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 Houses of Assembly; and</p> <p>(d) the proposal is approved by a resolution passed by two-thirds majority of members of each House of the National Assembly.</p> | <p>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 ;</p> <p>(c) the result of the referendum is 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; and</p> <p>(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”.</p> <p>(c) in subsection (2) (a) (iii), by inserting before the word “Local”, the words “democratically elected”;</p> <p>(d) in subsection (3) (a) (ii), by inserting before the word “Local”,</p> | <p>voting at the referendum where the demand for creation of the State originated ;</p> <p>(c) the result of the referendum is 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.</p> <p>(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.</p> | <p>new states and the majority of votes needed from the States</p> |
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| | <p>the words “democratically elected”; and</p> <p>(e) in subsection (4) (a) (ii), by inserting before the word “Local” the words “democratically elected”.</p> | | |
| <p>Mode of Altering Provisions of the Constitution</p> <p>9. (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 the House and approved by a resolution of the Houses of Assembly of not less than two-thirds of all the States.</p> | <p>Alteration of section 9</p> <p>Section 9 is altered in subsection (2)–</p> <p>(a) by substituting for the words “An Act of ” in line 1, the words “A Bill before”;</p> <p>(b) by substituting for the word “Act” in line 2, the words “a Bill”</p> <p>(c) substituting for the words “the proposal ” in line 3, the words “the Bill”; and</p> <p>(d) by inserting a new subsection “(5)” –</p> <p>“(5) For the purposes of altering the provisions of this Constitution, the assent of the President shall</p> | <p>(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.</p> | <p>Clarifies procedure for alteration of the Constitution and dispenses with the requirement for Presidential assent.</p> |

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| | not be required”. | (5) For the purposes of altering the provisions of this Constitution, the assent of the President shall not be required. | |
| 12.- (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. | Alteration of section 12 Section 12 is altered in sub-section (1) by inserting after the word “been”, in line 2, the words “ratified and”. | 12.- (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 enacted into law by the National Assembly. | |
| CHAPTER III CITIZENSHIP | Alteration of heading of Chapter III The heading of Chapter III is altered by inserting immediately after the word “CITIZENSHIP”, the words “AND INDIGENESHIP.” | CHAPTER III CITIZENSHIP AND INDIGENESHIP | |
| | Insertion of new section 25A Alteration of section 25 Section 25 is altered by inserting a new sub-section “(1A)” – “(1A) Sub-section (1) (a) of this section | (1A) Sub-section (1) (a) of this | Provision for indigeneship created and defined to address the indigene/settler |

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| | <p>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”.</p> <p>Insert immediately after section 25, a new section “25A” -</p> <p>“Indigeneship</p> <p>25A. (1) A citizen of Nigeria is an indigene of a particular community of a State in Nigeria if -</p> <p>(a) he was born in that State;</p> <p>(b) his parents or grandparents belong to a community indigenous to that State;</p> <p>(c) he has resided in that State continuously for a period of not less than ten years; or</p> <p>(d) being a woman, who is</p> | <p>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.</p> <p>“Indigeneship</p> <p>25A. (1) A citizen of Nigeria is an indigene of a particular community of a State in Nigeria if -</p> <p>(a) he was born in that State;</p> <p>(b) his parents or grandparents belong to a community indigenous to that State;</p> <p>(c) he has resided in that State continuously for a period of not less than ten years; or</p> <p>(d) being a woman, who is</p> | <p>divide</p> |
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| | <p>married to an indigene of the community of that state, unless she chooses to retain the indigeneship of her paternal community.</p> <p>(2) A person mentioned in subsection (1) of this section shall be entitled to all the rights and privileges as an indigene of that State.</p> <p>(3) Nothing in subsection (1) of this section shall entitle a citizen of Nigeria to be an indigene of more than one State.</p> | <p>married to an indigene of the community of that state, unless she chooses to retain the indigeneship of her paternal community.</p> <p>(2) A person mentioned in subsection (1) of this section shall be entitled to all the rights and privileges as an indigene of that State.</p> <p>(3) Nothing in subsection (1) of this section shall entitle a citizen of Nigeria to be an indigene of more than one State.</p> | |
| | <p>Alteration of section 33</p> <p>Section 33 is altered by inserting a new sub-section “(3)” –</p> <p>“(3) For the purpose of sub-section (2) of this section, “such force as is reasonably necessary” means a commensurate, proportionate or equal force.”</p> | <p>(3) For the purpose of sub-section (2) of this section, “such force as is reasonably necessary” means a commensurate, proportionate or equal force.</p> | |

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| <p>Right to dignity of human persons.</p> <p>34 (2). for the purposes of subsection (1) (c) of this section, "forced or compulsory labour" does not include -</p> <p>(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;</p> | | <p>(b) any labour required of members of the armed forces of the Federation or the Nigerian Police in pursuance of their duties as such;</p> | |
| <p>Right to personal liberty.</p> <p>35. (7) Nothing in this section shall be construed –</p> <p>(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.</p> | | <p>(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.</p> | |

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| <p>Right to freedom of expression and the press.</p> <p>39. (3) Nothing in this section shall invalidate any law that is reasonably justifiable in a democratic society –</p> <p>(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.</p> | | <p>(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.</p> | |
| <p>Right to freedom from discrimination.</p> <p>42. (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 —</p> <p>(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</p> | <p>Alteration of section 42</p> <p>Section 42 is altered –</p> <p>(a) in subsection (1) by inserting after the word “sex” in line 2, the word “disability”.</p> | <p>42. (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 —</p> <p>(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</p> | |

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| <p>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.</p> | | <p>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.</p> | |
| <p>Restriction on and derogation from fundamental right</p> <p>45.-(1) Nothing in sections 37, 38, 39, 40 and 41 of this Constitution shall invalidate any law that is reasonably justifiable in a democratic society –</p> <p>(a) in the interest of defence, public safety, public order, public morality or public health; or</p> <p>(b) for the purpose of protecting the rights and freedom of other persons.</p> | <p>Alteration of section 45 (1)</p> <p>Section 45 (1) is altered-</p> <p>(a) in subsection (1) by-</p> <p>(i) deleting the word “and” in line 1, and</p> <p>(ii) inserting, after the figure “41”, the expression “and 42”;</p> <p>(b) inserting, after the word “law” in line 2, the word “practical application of any law in force in Nigeria or any executive or administrative action.”; and</p> <p>(c) in paragraph (b), by inserting after the word “protecting”, the word “and promoting”</p> | <p>45.-(1) Nothing in sections 37, 38, 39, 40, 41 and 42 of this Constitution shall invalidate any law, practical application of any law in force in Nigeria or any executive or administrative action that is reasonably justifiable in a democratic society –</p> <p>(a) in the interest of defence, public safety, public order, public morality or public health; or</p> <p>(b) for the purpose of protecting and promoting the rights and freedom of other persons.</p> | |
| | <p>Insertion of new sections 45A – 45D</p> <p>Insert immediately after section 45, new</p> | | <p>Recognizes certain</p> |

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| | <p>sections “45A – 45D” –</p> <p>“Right to education</p> <p>45A Every citizen of Nigeria is entitled to free basic education.</p> <p>Right to favourable environment</p> <p>45B Every citizen of Nigeria is entitled to a general satisfactory environment favourable to his development.</p> <p>Right to health</p> <p>45C Every citizen of Nigeria is entitled to free primary and maternal health care services.</p> <p>Right to housing</p> <p>45D Every citizen of Nigeria is entitled to basic housing.”</p> | | <p>social and economic rights as fundamental rights</p> |
| | <p>Insertion of new section 50A</p> <p>Insert a new section “50A” –</p> <p>“Establishment of the National Assembly Service Commission</p> <p>50A. There is established the National Assembly Service Commission whose composition, tenure,</p> | <p>50A. There is established the National Assembly Service Commission whose composition, tenure,</p> | |

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| | <p>structure, finance, functions and powers shall be as prescribed by an Act of the National Assembly.”</p> | <p>structure, finance, functions and powers shall be as prescribed by an Act of the National Assembly.</p> | |
| <p>Mode of exercising Federal legislative power: money bills.</p> <p>59. – (1) The provisions of this section shall apply to –</p> <p>(a) an appropriation bill or a 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</p> <p>(b) bill for the imposition of or increase in any tax, duty or fee or any reduction, withdrawal or cancellation thereof.</p> <p>(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 finance</p> | <p>Alteration of section 59</p> <p>Section 59 is altered by substituting for sub-section (4), a new sub-section “(4)” –</p> <p>“(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 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.”</p> | | |

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| <p>committee to examine the bill with a view to resolving the differences between the two Houses.</p> <p>(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.</p> <p>(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 become law and the assent of the President shall not be required.</p> <p>(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.</p> | | <p>(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 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.”</p> | |
| <p>Regulation of procedure</p> <p>60. - Subject to the provisions of this Constitution, the Senate or House of</p> | <p>Alteration of section 60</p> <p>Section 60 is altered by –</p> | | <p>Provides immunity for legislators for</p> |

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| <p>Representatives shall have power to regulate its own procedure including the procedure for summoning and recess of the House.</p> | <p>(a) inserting a new subsection “(2)” –</p> <p>“(2) In the performance of his legislative functions, no civil or criminal proceedings shall be instituted against a Member of the National Assembly in respect of words spoken or written before the House or a Committee.”</p> <p>(b) renumbering the section appropriately.</p> | <p>(2) In the performance of his legislative functions, no civil or criminal proceedings shall be instituted against a Member of the National Assembly in respect of words spoken or written before the House or a Committee.</p> | <p>words spoken or written during legislative proceedings</p> |
| <p>Qualifications for election.</p> <p>65. (2) A person shall be qualified for election under subsection (1) of this section if —</p> <p>(a) he has been educated up to at least School Certificate level or its equivalent; and</p> <p>(b) he is a member of a political party and is sponsored by that party.</p> | <p>Alteration of section 65</p> <p>Section 65 (2) (b) is altered by inserting after the word “party” in line 1, the words “or he is an independent candidate”.</p> | <p>(b) he is a member of a political party and is sponsored by that party or he is an independent candidate</p> | <p>Provides for independent candidacy</p> |
| <p>Disqualifications</p> <p>66. (1) No person shall be qualified for</p> | <p>Alteration of section 66</p> <p>Section 66 (1) (c) is altered by inserting</p> | | |

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| <p>election to the Senate or the House of Representatives if –</p> <p>(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.</p> | <p>after the word “dishonesty” in line 3, the words “or any electoral offence”.</p> | <p>(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.</p> | |
| <p>First Alteration Act</p> <p>“(3) The amount standing to the credit of the –</p> <p>(a) Independent National Electoral Commission,</p> <p>(b) National Assembly, and</p> <p>(c) Judiciary,</p> <p>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</p> | <p>First Alteration Act</p> <p>Section 6 is altered by inserting a new sub-section “(3)”–</p> <p>(a) new paragraphs “(d) – (f)” –</p> <p>“(d) Office of the Attorney-General of the Federation;</p> <p>(e) Office of the Auditor-General of the Federation; and</p> <p>(f) Accountant-General of the Federation.</p> <p>(b) after the word “bodies” in line 6, the</p> | <p>(d) Office of the Attorney-General of the Federation; and</p> <p>(e) Office of the Auditor-General of the Federation.</p> <p>(f) Accountant-General of the Federation.</p> <p>in the Consolidated Revenue Fund of the Federation shall be paid directly to the said bodies or Offices respectively;</p> | |

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| <p>the Constitution”.</p> <p><i>E - Powers and Control over Public Funds</i></p> <p>80 (1) All revenues or other moneys raised or received by the Federation (not being revenues or other moneys payable under this Constitution or any Act of the National Assembly into any other public fund of the Federation established for a specific purpose) shall be paid into and form one Consolidated Revenue Fund Federation.</p> <p>(2) No moneys shall be withdrawn from the Consolidated Revenue Fund of the Federation except to meet expenditure that is charged upon the fund by this n or where the issue of those moneys has been authorised by an Appropriation Act, Supplementary Appropriation Act or an Act passed in pursuance section 81 of this Constitution.</p> <p>(3)No moneys shall be withdrawn from any public fund of the Federation, other than the Consolidated Revenue Fund of the Federation, unless the issue of those moneys has been authorised by an Act of the National Assembly.</p> | <p>words “or Offices”.</p> <p>Alteration of Section 80 of the Constitution</p> <p>Section 80 (4) is altered by inserting a new subsection “(4)”</p> <p>-</p> <p>“(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 -</p> <p>(a) receipt, however described, arising from the operation of any law,</p> <p>(b) return, however described, arising from or in respect of any property held by the Government of the Federation,</p> <p>(c) return by way of interest on loans and dividends in respect of</p> | <p>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.</p> | |
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| <p>(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.</p> | <p>shares or interest held by the Government of the Federation in any company or statutory body,</p> <p>shall be withdrawn from the Consolidated Revenue Fund or any other public Fund of the Federation, except in the manner prescribed by an Act of the National Assembly”</p> | | |
| <p>Authorisation of expenditure from Consolidated Revenue Fund.</p> <p>81. (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.</p> <p>(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.</p> | <p>Alteration of section 81</p> <p>Section 81 is altered-</p> <p>(a) in subsection(1), by substituting for the words “at any time in each” in line 2, the words “not later than ninety days before the end of the”;</p> <p>(b) in subsection (2), by inserting after the word-</p> <p>(i) “Fund” in line 2, the words “or other public Fund”, and</p> <p>(ii) “Federation” in line 2, the words “ set up for specific purposes”; and</p> <p>(c) by inserting after subsection (3), a new subsection “(3A)”-</p> | <p>81. (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.</p> <p>(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</p> | <p>Stipulates a time limit for presentation of the annual budget</p> |

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| | <p>“(3A) Estimates of revenue and expenditure provided in subsection (1) of this section shall include any –</p> <p>(a) receipt, however described, arising from the operation of any law;</p> <p>(b) return, however described, arising from or in respect of any property held by the Government of the Federation;</p> <p>(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.”</p> | <p>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.</p> | |
| <p>Authorisation of expenditure in default of appropriation.</p> <p>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</p> | <p>Alteration of section 82</p> <p>Section 82 is altered by –</p> <p>(a) substituting for the word “six” in line 5, the word, “three”; and</p> <p>(b) deleting the words “ or until the coming into operation of the</p> | <p>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</p> | <p>Stipulates the maximum period of expenditure under the previous budget</p> |

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| <p>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:</p> <p>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.</p> | <p>Appropriation Act whichever is the earlier:"</p> | <p>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:</p> <p>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.</p> | <p>and before the passage of the next budget</p> |
| <p>Remuneration of the President and other certain offices</p> <p>84- (5) Any person who has held office as</p> | <p>Substitution for section 84 (5)</p> <p>Substitute for section 84 (5), a new section 84"(5)"-</p> <p>"(5) Provisions may be made by an Act</p> | <p>(5) Provisions may be made by an</p> | |

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| <p>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:</p> <p>Provided that such a person was not removed from office by the process of impeachment or for breach of any provisions of this Constitution.</p> | <p>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:</p> <p>Provided that such a person was not removed from office by the process of impeachment or for breach of any of the provisions of this Constitution.”</p> | <p>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 or Deputy Speaker of the House of Representatives:</p> <p>Provided that such a person was not removed from office by the process of impeachment or for breach of any of the provisions of this Constitution.</p> | |
| | <p>Insertion of new sections 84A – 84F</p> <p>Insert new sections “84A – 84F” –</p> <p>“Appointment of the Accountant General of the Federation</p> <p>84A The Accountant General of the Federation shall be –</p> <p>(a) appointed by the President on</p> | | |

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| | <p>the recommendation of National Economic Council, subject to confirmation by the Senate; and</p> <p>(b) responsible for the administration and disbursement of allocations from the Federation Account to the tiers of government.</p> <p>Tenure of Office of the Accountant General of the Federation</p> <p>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.</p> <p>Removal of the Accountant General of the Federation</p> <p>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</p> | | |
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| | <p>inability to discharge the functions of his Office (whether arising from infirmity of mind or body or any other cause) or for misconduct.</p> <p>Appointment of the Accountant General of the Federal Government</p> <p>84D The Accountant General of the Federal Government shall –</p> <ul style="list-style-type: none">(a) be appointed by the President subject to the confirmation by the Senate; and(b) supervise and administer the Federal Government Accounts. <p>Tenure of Office of the Accountant General of the Federal Government</p> <p>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-</p> | | |
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| | <p>five years, whichever is earlier.</p> <p>Removal of Accountant General of the Federal Government</p> <p>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.</p> | | |
| <p>Power as to matters of evidence</p> <p>89 (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</p> | | <p>(2). A summons or warrant issued under this section may be served or executed by any member of the Nigerian Police or by any person authorised in that behalf by the President of the Senate or the Speaker of the House of</p> | |

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| <p>President of the Senate or the Speaker of the House of Representatives, as the case may require.</p> | | <p>Representatives, as the case may require.</p> | |
| | <p>Insertion of new section 89A</p> <p>Insert immediately after section 89, a new section “89A” –</p> <p>“Power to <i>impound</i> funds appropriated</p> <p>89A For the purposes of any investigation under sections 88 and 89 of this Constitution, where the Senate or the House of Representatives finds any authority, government agency or establishment in breach of any law pursuant to its investigative powers, the National Assembly may, by a resolution passed by both Houses, impound funds appropriated to such government agency or establishment.”</p> | <p>89A For the purposes of any investigation under sections 88 and 89 of this Constitution where the Senate or the House of Representatives finds any authority, government agency or establishment in breach of any law pursuant to its investigative powers, the National Assembly may, by a resolution passed by both Houses, impound funds appropriated to such government agency or establishment.</p> | <p>Institutes new powers of the National Assembly to refuse appropriation or impound the budget of a defaulting agency or person</p> |

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| | <p>Insertion of new section 92A</p> <p>Insert a new section “92A” –</p> <p>“Establishment of House of Assembly of a State Service Commission</p> <p>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.”</p> | <p>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.</p> | |
| <p>Regulation of procedure</p> <p>101 – Subject to the provisions of this Constitution, a House of Assembly shall have power to regulate its own procedure including the procedure for summoning and recess of the House.</p> | <p>Alteration of section 101</p> <p>Section 101 is altered by –</p> <p>(a) inserting a new subsection “(2)” –</p> <p>“(2) In the performance of his legislative functions, no civil or criminal proceedings shall be instituted against a Member of the House of Assembly in respect of words spoken or written before the House or a Committee”; and,</p> <p>(b) renumbering the section</p> | <p>(2) In the performance of his legislative functions, no civil or criminal proceedings shall be instituted against a Member of the House of Assembly in respect of words spoken or written before the House or a Committee.</p> | <p>Confers immunity powers on state legislatures</p> |

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| <p>Qualifications for election.</p> <p>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 —</p> <p>(d) he is a member of a political party and is sponsored by that party.</p> | <p>Alteration of section 106</p> <p>Section 106 (d) is altered by inserting after the last of word “party”, the words “or he is an independent candidate.”</p> | <p>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 —</p> <p>(d) he is a member of a political party and is sponsored by that party or he is an independent candidate.</p> | <p>Independent candidacy at State level</p> |
| <p>Disqualifications</p> <p>107. (1) No person shall be qualified for election to a House of Assembly if –</p> <p>(a) subject to the provisions of Section 28 of this Constitution, he has voluntarily acquired the citizenship of a country other than Nigeria or, except in such cases as may be prescribed by the National Assembly, has made a declaration of allegiance to such a country;</p> <p>(b) under any law in force in any part of Nigeria, he is adjudged to be a lunatic or otherwise declared to be of unsound mind;</p> | <p>Alteration of section 107</p> <p>Section 107 is altered in paragraph (d) by inserting after the word “dishonesty” in line 3, the words “or any electoral offence.”</p> | | |

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| <p>(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 substituted by a competent authority for any other sentence imposed on him by such a court or tribunal;</p> <p>(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;</p> <p>(e) he is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any part of Nigeria;</p> <p>(f) he is a person employed in the public service of the Federation or of any State and he has not resigned, withdrawn or retired from such employment thirty days before the date of election;</p> <p>(g) he is a member of any secret society;</p> <p>(h) he has been indicted for embezzlement or fraud by a Judicial Commission of Inquiry or an Administrative Panel of Inquiry or a Tribunal set up under the Tribunals of Inquiry Act, a Tribunals of Inquiry Law or any other</p> | | <p>(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;</p> | |
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| <p>law by the Federal and State Government which indictment has been accepted by the Federal or State Government, respectively; or</p> <p>(i) he has presented a forged certificate to the Independent National Electoral Commission.</p> <p>(2) Where in respect of any person who has been -</p> <p>(a) adjudged to be a lunatic;</p> <p>(b) declared to be of unsound mind;</p> <p>(c) sentenced to death or imprisonment; or</p> <p>(d) adjudged or declared bankrupt,</p> <p>any appeal against the decision is pending in any court of law in accordance with any 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.</p> <p>(3) For the purposes of subsection (2) of this section, an "appeal" includes any application for an injunction or an order of certiorari,</p> <p><i>E - Powers and Control over Public Funds</i></p> <p>120. (1) All revenues or other moneys raised or received by a State (not being revenues or other moneys payable under this Constitution or any Law of a House of Assembly into any other public fund of the State established for a specific purpose) shall be paid into and form one Consolidated Revenue Fund of the State.</p> | <p style="text-align: center;">Alteration of section 120</p> <p>Section 120 is altered by substituting for subsection (4), a new subsection “(4)” -</p> | | |
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| <p>(2) No moneys shall be withdrawn from the Consolidated Revenue Fund of the State except to meet expenditure that is charged upon the Fund by this Constitution or where the issue of those moneys has been authorised by an Appropriation Law, Supplementary Appropriation Law or Law passed in pursuance of section 121 of this Constitution.</p> <p>(3) No moneys shall be withdrawn from any public fund of the State, other than the Consolidated Revenue Fund of the State, unless the issue of those moneys has been authorised by a Law of the House of Assembly of the State.</p> <p>(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.</p> | <p>“(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 -</p> <ul style="list-style-type: none"> (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 | | |
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| | <p>loans and dividends in respect of shares or interest held by the Government of the State in any company or statutory body,</p> <p>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”</p> | | |
| <p>Authorisation of expenditure from Consolidated Revenue Fund.</p> <p>121. (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.</p> <p>(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.</p> | <p>Alteration of section 121</p> <p>Section 121 is altered –</p> <p>(a) in subsection (1), by substituting for the words “at any time” in line 2, the words “not later than ninety days”;</p> <p>(b) in subsection (2), by inserting after the word-</p> <p>(i) “Fund” in line 2, the words “or other public Fund”, and</p> <p>(ii) “State” in line 2, the words “ set up for specific purposes”;</p> | <p>121. (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.</p> <p>(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</p> | <p>Time limit for presentation of budget at State level</p> |

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| <p>(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.</p> | <p>(c) by substituting for subsection (3), a new subsection “(3)” -</p> <p>“(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 -</p> <p>(a) the House of Assembly of the State;</p> <p>(b) the heads of the courts concerned;</p> <p>(c) Office of the Attorney-General; and</p> <p>(d) Office of the Auditor-General”; and</p> <p>(c) by inserting after subsection (3), a new subsection “(3A)”-</p> <p>“(3A) Estimates of revenue and</p> | <p>those sums for the purposes specified therein.</p> <p>(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 -</p> <p>(a) the House of Assembly of the State;</p> <p>(b) the heads of the courts concerned;</p> <p>(c) Office of the Attorney-General; and</p> <p>(d) Office of the Auditor-General.</p> | |
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| | <p>expenditure provided in subsection (1) of this section shall include any –</p> <p>(a) receipt, however described, arising from the operation of any law;</p> <p>(b) return, however described, arising from or in respect of any property held by the Government of the State;</p> <p>(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.”</p> | | |
| <p>Authorisation of expenditure in default of appropriations.</p> <p>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</p> | <p>Alteration of section 122</p> <p>Section 122 is altered by –</p> <p>(a) substituting for the word “six” in line 5, the word, ”three”; and</p> <p>(b) deleting the words “ or until the coming into operation of the Law whichever is the earlier:”</p> | <p>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</p> | <p>Time limit for expenditure of budget into next financial year at State level</p> |

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| <p>six months or until the coming into operation of the Law, whichever is the earlier -</p> <p>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.</p> | | <p>not exceeding three months.</p> <p>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.</p> | |
| <p>Remuneration etc. of the Governor and certain other officers</p> <p>124. (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.</p> | <p>Alteration of section 124</p> <p>Section 124 is altered by –</p> <p>(a) deleting the words “State Independent Electoral Commission and” in line 4;</p> <p>(b) in subsection (4), by –</p> <p>(i) inserting immediately after the words “Auditor-General of a State in line 2, the words, “ Auditor-General of the Local Government Councils”,</p> <p>(ii) inserting immediately after</p> | <p>(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</p> | |

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| <p>(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.</p> | <p>the words “the State Judicial Service Commission” in line 3, the words “the State Local Government Service Commission and State Council of Chiefs”; and</p> <p>(c) in subsection (5), by inserting after the words “Deputy Governor” in line 3, the words “Speaker or Deputy Speaker.”</p> | <p>the State Council of Chiefs.</p> <p>(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.</p> | |
| | <p>Insertion of a new Section 125A</p> <p>The Principal Act is altered by inserting immediately after the existing section 125, a new section 125A</p> <p>“Audit of Public Accounts of Local Government Councils</p> <p>125A. (1) There shall be an Auditor-General for the Local Government Councils of a State</p> | | |

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| | <p>who shall be appointed in accordance with the provisions of section 126 of this Constitution.</p> <p>(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.</p> <p>(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.</p> <p>(4) In the exercise of his</p> | | |
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| | <p>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.”</p> | | |
| <p>Appointment of Auditor General</p> <p>126. (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 confirmation by the House of Assembly of the State.</p> <p>(2) The power to appoint persons to act in the office of the Auditor-General for a State shall vest in the Governor.</p> <p>(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.</p> | <p>Alteration of Section 126</p> <p>Section 126 is altered -</p> <p>(a) in subsection (1), by inserting immediately after the words “State” in line 1, the words , “and Auditor-General of Local Government Councils of a State”;</p> <p>(b) in subsection (2) line 2, by inserting immediately after the word “State”, the words “and Auditor-General of the Local Government Councils of a State ” ; and,</p> <p>(c) in subsection (3) line 2, by inserting immediately after the words “Auditor-General of a State” the words “or Auditor-General of Local Government Councils of a State”</p> | <p>(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 on the recommendation of the State Civil Service Commission subject to confirmation by the House of Assembly of the State.</p> <p>(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.</p> <p>(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</p> | |

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| | | period exceeding six months. | |
| | <p>Insertion of new section 129A</p> <p>Insert immediately after section 129, a new section “129A” –</p> <p>“Power to <i>impound</i> funds appropriated</p> <p>129A. For the purposes of any investigation under sections 128 and 129 of this Constitution where <i>a</i> House of Assembly finds any authority, government agency or establishment in breach of any law pursuant to its investigative powers, the House of Assembly may, by a resolution passed by the House, impound funds appropriated to such government agency or establishment.”</p> | <p>129A. For the purposes of any investigation under sections 128 and 129 of this Constitution where a House of Assembly finds any <i>authority</i>, government agency or establishment in breach of any law pursuant to its investigative powers, the House of Assembly may, by a resolution passed by the House, <i>impound</i> funds appropriated to such government agency or establishment.</p> | <p>Institutes new powers of the House of Assembly to refuse appropriation or impound the budget of a defaulting agency or person</p> |
| Power as to matters of evidence. | | | |

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| <p>129 (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.</p> | | <p>(2). A summons or warrant issued under this section may be served or executed by any member of the Nigerian Police or by any person authorised in that behalf by the Speaker of the House of Assembly of the State.</p> | |
| <p>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.</p> | <p>Alteration of section 131 Section 131 is altered in paragraph (c), by inserting after the last of the word “party” in line 2, the words “or he is an independent candidate.”</p> | <p>(c) he is a member of a political party and is sponsored by that political party or he is an independent candidate.</p> | |
| <p>Tenure of office of President</p> <p>135. (1) Subject to the provisions of this Constitution, a person shall hold the office of President 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 Constitution.</p> | <p>Alteration of section 135 Section 135 (1) is altered by inserting a new paragraph “(e)” – “(e) when he is convicted of any criminal offence.”</p> | <p>(e) when he is convicted of any criminal offence.</p> | |
| <p>Removal of President from office</p> | <p>Substitution for section 143 Substitute for section 143, a new section</p> | | |

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| <p>143. - (1) The President or Vice-President may be removed from office in accordance with the provisions of this section.</p> <p>(2) Whenever a notice of any allegation in writing signed by not less than one-third of the members of the National Assembly:-</p> <p>(a) is presented to the President of the Senate;</p> <p>(b) stating that the holder of the office of President or Vice-President is guilty of gross misconduct in the performance of the functions of his office, detailed particulars of which shall be specified,</p> <p>the President of the Senate shall within seven days of the receipt of the notice cause a copy thereof to be served on the holder of the office and on each member of the National Assembly, and shall also cause any statement made in reply to the allegation by the holder of the office to be served on each member of the National Assembly.</p> | <p>“(143)” –</p> <p>“Removal of President from Office</p> <p>143. - (1) The President or Vice-President shall be removed from Office on allegation of gross misconduct in accordance with the provisions of this section.</p> <p>(2) Whenever a notice of any allegation in writing signed by not less than one-third of the members of the House of Representatives -</p> <p>(a) is presented to the Speaker of the House of Representatives; and</p> <p>(b) stating that the holder of the Office of President or Vice-President is guilty of gross misconduct in the performance of the functions of his Office, detailed particulars of which shall be specified,</p> <p>the Speaker of the House of Representatives shall, within seven days of the receipt of the notice, cause a copy thereof to be served on the holder of the Office and on each Member of the House of Representatives, and shall also cause any statement made in reply to the allegation by the holder of the Office to be served on each Member of the</p> | <p>Removal of President from Office</p> <p>143. - (1) The President or Vice-President shall be removed from Office on allegation of gross misconduct in accordance with the provisions of this section.</p> <p>(2) Whenever a notice of any allegation in writing signed by not less than one-third of the members of the House of Representatives -</p> <p>(a) is presented to the Speaker of the House of Representatives; and</p> <p>(b) stating that the holder of the Office of President or Vice-President is guilty of gross misconduct in the performance of the functions of his Office, detailed particulars of which shall be specified,</p> <p>the Speaker of the House of Representatives shall, within seven days of the receipt of the notice, cause a copy thereof to be served on the holder of the Office and on each Member of the House of</p> | |
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| <p>(3) Within fourteen days of the presentation of the notice to the President of the Senate (whether or not any statement was made by the holder of the office in reply to the allegation contained in the notice) each House of the National Assembly shall resolve by motion without any debate whether or not the allegation shall be investigated.</p> <p>(4) A motion of the National Assembly 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 each House of the National Assembly.</p> <p>(5) Within seven days of the passing of a motion under the foregoing provisions, the Chief Justice of Nigeria shall at the request of the President of the Senate appoint a Panel of seven persons who in his opinion are of</p> | <p>House of Representatives.</p> <p>(3) Within fourteen days of the presentation of the notice to the Speaker of the House of Representatives (whether or not any statement was made by the holder of the Office in reply to the allegation contained in the notice) the House of Representatives shall resolve by Motion without any debate whether or not the allegation shall be investigated.</p> <p>(4) The House of Representatives shall consider and vote on each allegation of gross misconduct in accordance with the rules and procedure of the House of Representatives.</p> <p>(5) If any allegation of gross misconduct so considered by the House of Representatives is</p> | <p>Representatives, and shall also cause any statement made in reply to the allegation by the holder of the Office to be served on each Member of the House of Representatives.</p> <p>(3) Within fourteen days of the presentation of the notice to the Speaker of the House of Representatives (whether or not any statement was made by the holder of the Office in reply to the allegation contained in the notice) the House of Representatives shall resolve by Motion without any debate whether or not the allegation shall be investigated.</p> <p>(4) The House of Representatives shall consider and vote on each allegation of gross misconduct in accordance with the rules and procedure of the House of Representatives.</p> <p>(5) If any allegation of gross misconduct so considered by the House of Representatives</p> | |
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| <p>unquestionable integrity, not being members of any public service, legislative house or political party, to investigate the allegation as provide in this section.</p> <p>(6) The holder of an office whose conduct is being investigated under this section shall have the right to defend himself in person and be represented before the Panel by legal practitioners of his own choice.</p> <p>(7) A Panel appointed under this section shall -</p> <p>(a) have such powers and exercise its functions in accordance with such procedure as may be prescribed by the National Assembly;</p> <p>and</p> <p>(b) within three months of its appointment report its findings to each House of the National Assembly.</p> <p>(8) Where the Panel reports to each House of the National Assembly that the allegation has not been proved, no further proceedings shall be taken in respect of the matter.</p> | <p>approved or passed by a simple majority vote of Members being present and voting, the President or Vice-President shall stand impeached.</p> <p>(6) Upon the impeachment of the holder of the Office by the House of Representatives, the Speaker shall, within seven days, transmit the House Resolution to the Senate for trial of the impeached Office holder.</p> <p>(7) The President of the Senate shall cause to be served on the impeached Office holder a notice of the Resolution of the House of Representatives and he shall have the right to defend himself in person or be represented before the Senate by a legal practitioner of his choice.</p> <p>(8) The Senate shall, within seven days after the trial, consider, in a closed session, the proceedings of the trial and vote in plenary to</p> | <p>is approved or passed by a simple majority of all Members being present and voting, the President or Vice-President shall stand impeached.</p> <p>(6) Upon the impeachment of the holder of the Office by the House of Representatives, the Speaker shall, within seven days, transmit the House Resolution to the Senate for trial of the impeached Office holder.</p> <p>(7) The President of the Senate shall cause to be served on the impeached Office holder a notice of the Resolution of the House of Representatives and he shall have the right to defend himself in person or be represented before the Senate by a legal practitioner of his choice.</p> <p>(8) The Senate shall, within seven days after the trial, consider, in a closed session,</p> | |
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| <p>(9) Where the report of the Panel is that the allegation against the holder of the office has been proved, then within fourteen days of the receipt of the report at the House the National Assembly shall consider the report, and if by a resolution of each House of the National Assembly 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.</p> <p>(10) No proceedings or determination of the Panel or of the National Assembly or any matter relating thereto shall be entertained or questioned in any court.</p> <p>(11) In this section - "gross misconduct" means a grave violation or breach of the provisions of this Constitution or a misconduct of such nature as amounts in the opinion of the National Assembly to gross misconduct.</p> | <p>reach a verdict.</p> <p>(9) Where the verdict of the trial by the Senate results in a conviction by two-thirds of all the Senators on any of the charges in the Resolution of the House of Representatives served on him by the Senate, the holder of the Office shall stand removed from that Office.</p> <p>(10) Notwithstanding the removal of the Office holder from Office under subsection (9) of this section, the Senate may, by simple majority, vote to prohibit the person so removed from holding any position of trust or public Office in the future.</p> <p>(11) No proceedings or determination of the National Assembly or any matter relating thereto under this section shall be entertained or questioned in any court.</p> <p>(12) In this section -</p> | <p>the proceedings of the trial and vote in plenary to reach a verdict.</p> <p>(9) Where the verdict of the trial by the Senate results in a conviction by two-thirds of all the Senators on any of the charges in the Resolution of the House of Representatives served on him by the Senate, the holder of the Office shall stand removed from that Office.</p> <p>(10) Notwithstanding the removal of the Office holder from Office under subsection (9) of this section, the Senate may, by simple majority, vote to prohibit the person so removed from holding any position of trust or public Office in the future.</p> <p>(10) No proceedings or determination of the National Assembly or any matter relating thereto shall be entertained or questioned in any court.</p> | |
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| | <p>(a) “gross misconduct” means a grave violation or breach of the provisions of this Constitution or a misconduct of such nature as amounts, in the opinion of the National Assembly, to gross misconduct; and</p> <p>(b) “service” means personal or substituted service by publication in print or electronic media.</p> | <p>(12) In this section -</p> <p>(a) “gross misconduct” means a grave violation or breach of the provisions of this Constitution or a misconduct of such nature as amounts, in the opinion of the National Assembly, to gross misconduct; and</p> <p>(b) “service” means personal or substituted service by publication in print or electronic media.</p> | |
| <p>Attorney-General of the Federation</p> <p>150. (1) There shall be an Attorney-General of the Federation who shall be the Chief Law Officer and a Minister of the Government of the Federation</p> <p>(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</p> | <p>Substitution for section 150</p> <p>Substitute for section 150, a new section “150” –</p> <p>“Minister of Justice</p> <p>150(1) There shall be a Minister of Justice who shall be a Minister of the Government of the Federation.</p> | <p>(1) There shall be a Minister of Justice who shall be a Minister of the Government of the</p> | <p>Separates the powers and functions of the Attorney-General of the Federation from that of the Minister of Justice</p> |

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| <p>in Nigeria and has been so qualified for not less than ten years.</p> | <p>(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.</p> | <p>Federation.</p> <p>(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.</p> | |
| | <p>Alteration of section 153</p> <p><i>B – Establishment of Certain Federal Executive Bodies</i></p> <p>Section 153 is altered –</p> <p>(a) in heading B, by deleting the word “executive”; and</p> <p>(b) in sub-section (1) by inserting a new paragraph “(ba)” –</p> <p style="padding-left: 40px;">“(ba) Electoral Offences Commission”</p> | <p>B – Establishment of Certain Federal Bodies</p> <p>(ba) Electoral Offences Commission</p> | |
| <p>Tenure of office of members</p> <p>155. (1) A person who is a member of any of</p> | <p>Alteration of section 155</p> <p>Section 155 is altered in subsection (1),</p> | <p>155. (1) A person who is a member of</p> | <p>Independence of the</p> |

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| <p>the bodies established as aforesaid shall, subject to the provisions of this part, remain a member thereof —</p> <p>(b) in the case of a person who is a member by virtue of his having previously held an office, for the duration of his life; and</p> | <p>by substituting for paragraph (b), a new paragraph “(b)”-</p> <p>“(b) in the case of a person who is 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.”</p> | <p>any of the bodies established as aforesaid shall, subject to the provisions of this part, remain a member thereof —</p> <p>(b) in the case of a person who is 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.</p> | <p>judiciary and NJC</p> |
| <p>Distributable pool account.</p> <p>162. (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.</p> <p>(2)The President, upon the receipt of advice from the Revenue Mobilisation Allocation</p> | <p>Alteration of section 162</p> <p>Section 162 is altered –</p> <p>(a) in subsection (2) line 1, by deleting the words “President, upon the receipt of advice from the”;</p> <p>(b) by substituting for subsections (5) and (6), new subsections “(5)” and “(6)” –</p> | <p>(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.</p> <p>(2) The Revenue Mobilisation</p> | <p>RMAFC empowered to submit proposals on revenue allocation to NASS rather than the president</p> |

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| <p>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:</p> <p>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.</p> <p>(6) Each State shall maintain a special account to be called "State Joint Local Government Account" into which shall be paid such allocations to the local government councils of the State from the Federation Account and from the Government of the State.</p> | <p>“(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.</p> <p>(6) Each Local Government Council shall maintain a special account to be called “Local 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:</p> | <p>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.</p> <p>(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.</p> <p>(6) Each Local Government Council shall maintain a special account to be called “Local 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:</p> | <p>State joint LG account abolished. Local governments now required to set up independent allocation account</p> |
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| <p>(7) Each State shall pay to Local Government Councils in its area of jurisdiction such proportion of its revenue on such terms and in such manner as may be prescribed by the National Assembly.</p> | <p>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”;</p> <p>(c) by deleting sub-section (8); and</p> <p>(d)in sub-section (7), by –</p> <p>(i) inserting after the word “its” in line 2, the words “internally generated revenue”, and</p> <p>(ii) substituting for the words “National Assembly” in line 3, the words “House of Assembly.”</p> | <p>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.</p> <p>(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.</p> | |
| <p>Public prosecutions</p> <p>174. (1) The Attorney-General of the Federation shall have power –</p> <p>(a) to 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</p> | <p>Substitution for section 174</p> <p>Substitute for section 174, a new section “174” –</p> <p>“ Attorney-General of the Federation</p> <p>174 (1) There shall be an Attorney-General of the Federation.</p> | <p>Attorney-General of the Federation</p> <p>174 (1) There shall be an Attorney-General of the Federation</p> <p>(2) A person shall not be qualified to hold or perform</p> | <p>Establishes the functions and structure of the office of the Attorney-General of the Federation</p> |

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| <p>or under any Act of the National Assembly;</p> <p>(b) to take over and continue any such criminal proceedings that may have been instituted by any other authority or person; and</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> | <p>(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 –</p> <p>(a) qualified to practise as a legal practitioner in Nigeria and has been so qualified for not less than fifteen years;</p> <p>(b) a distinguished member of the legal profession with knowledge of the working of the criminal justice system;</p> <p>(c) a person of integrity and is not a member of any political party.”</p> | <p>the functions of the office of the Attorney-General of the Federation unless he is –</p> <p>(a) qualified to practise as a legal practitioner in Nigeria and has been so qualified for not less than fifteen years;</p> <p>(b) a distinguished member of the legal profession with knowledge of the working of the criminal justice system;</p> <p>(c) a person of integrity and is not a member of any political party.</p> | |
| <p>174</p> | <p>Insertion of new sections 174A-174L</p> <p>Insert immediately after section 174, new sections “174A-174L</p> | | |

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-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 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 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

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| | <p>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.</p> | | |
| | <p>Alteration of section 177</p> <p>Section 177 is altered by inserting a new paragraph “(d)” –</p> <p style="padding-left: 40px;">“(d) he is a member of a political party and is sponsored by that party or he is an independent candidate.”</p> | <p>(d) he is a member of a political party and is sponsored by that party or he is an independent candidate.</p> | |
| <p>Tenure of office of Governor</p> <p>180. (1) Subject to the provisions of this Constitution, a person shall hold the office of Governor until -</p> <p>(a) when his successor in office takes the oath of that office;</p> <p>(b) he dies whilst holding such office; or</p> | <p>Alteration of section 180</p> <p>Section 180 (1) is altered by inserting a new paragraph “(e)” –</p> <p style="padding-left: 40px;">“(e) when he is convicted of any criminal offence.”</p> | <p>(e) when he is convicted of any</p> | |

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| <p>(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 Constitution.</p> | | <p>criminal offence.</p> | |
| <p>Attorney-General of the State</p> <p>195. (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.</p> <p>(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.</p> | <p>Substitution for section 195</p> <p>Substitute for section 195, a new section “195” –</p> <p>“Commissioner for Justice</p> <p>195(1) There shall be a Commissioner for Justice of the Government of a State.”</p> <p>(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.</p> | <p>(1)There shall be a Commissioner for Justice of the Government of a State.</p> <p>(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.</p> | <p>Distinction is also created as between Commissioner for Justice and Attorney- General of the State at the State level</p> |
| <p><i>B - Establishment of Certain State Executive</i></p> | <p>Alteration of Section 197</p> <p>Section 197 is altered –</p> | <p><i>B - Establishment of Certain State</i></p> | |

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| <p><i>Bodies</i></p> <p>197. (1) There shall be established for each State of the Federation the following bodies, namely –</p> <p>(a) State Civil Service Commission;</p> <p>(b) State Independent Electoral Commission; and</p> <p>(c) State Judicial Service Commission.</p> | <p>(a) in heading B, by deleting the word “executive”;</p> <p>(b) in subsection (1) by substituting the existing paragraph (b) with a new paragraph (b) as follows -</p> <p style="padding-left: 40px;">“(b) State Local Government Service Commission”</p> <p>(c) by inserting a new paragraph “(d) – State Council of Chiefs”</p> | <p><i>Bodies</i></p> <p>(1) There shall be established for each State of the Federation the following bodies, namely -</p> <p>(a) State Civil Service Commission;</p> <p>(b) State Local Government Service Commission;</p> <p>(c) State Judicial Service Commission;</p> <p>(d) State Council of Chiefs</p> | |
| <p>Removal of members</p> <p>201. (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.</p> | <p>Alteration of Section 201</p> <p>Section 201 is altered in subsection (2) –</p> <p>(a) by deleting the words “ the State Independent Electoral Commission and” in line 2; and</p> <p>(b) inserting immediately after the words “the State Judicial Service Commission”, the words “the State Local Government Service Commission and the State Council of Chiefs.”</p> | <p>(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.</p> | |
| <p>Independence of certain bodies</p> <p>202. In exercising its power to make appointments or to exercise disciplinary</p> | <p>Alteration of Section 202</p> <p>Section 202 is altered by –</p> | <p>202. In exercising its power to make appointments or to exercise disciplinary</p> | |

Policy and Legal Advocacy Centre (PLAC)

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| <p>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.</p> | <p>(a) deleting the words “ the State Independent Electoral Commission” in line 3; and</p> <p>(b) inserting immediately after the words “the State Judicial Service Commission” in line 2, the words “ and the State Local Government Service Commission.”</p> | <p>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.</p> | |
| <p>211</p> | <p>Insertion of new sections 211A - 211L</p> <p>Insert immediately after section 211, new sections “211A - 211L -</p> <p>Appointment of Attorney-General of a State</p> <p>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.</p> <p>Independence of the Attorney-General of a State</p> <p>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.</p> <p>Public prosecutions</p> | | |

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| | <p>211C (1) Subject to this Constitution, the Attorney-General of a State shall have power to–</p> <p>(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;</p> <p>(b) take over and continue any such criminal proceedings that may have been instituted by any other person or authority;</p> <p>(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</p> <p>(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.</p> <p>(e) carry out such other functions as may be conferred upon the office by the House of Assembly.</p> | | |
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(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 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

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| | <p>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.</p> <p>Annual Returns</p> <p>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.</p> | | |
| <p>Establishment of Nigeria Police Force.</p> <p>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.</p> | <p>Alteration of Section 214</p> <p>Section 214 is altered –</p> <p>(a) in heading B by substituting for the words “Nigeria Police Force”, the words “Nigerian Police”; and</p> | <p>Establishment of Nigerian Police.</p> <p>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.</p> | |

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| <p>(2) Subject to the provisions of this Constitution -</p> <p>(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;</p> <p>(b) the members of the Nigeria Police Force shall have such powers and duties as maybe conferred upon them by law;</p> <p>(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.</p> | <p>(b) in subsections (1) and (2) by substituting for the words “Nigeria Police Force” and wherever it appears in this Constitution, the words “Nigerian Police”.</p> | <p>(2) Subject to the provisions of this Constitution -</p> <p>(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;</p> <p>(b) the members of the Nigerian Police shall have such powers and duties as maybe conferred upon them by law;</p> <p>(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.</p> | |
| <p>Appointment of Inspector-General and control of Nigeria Police Force</p> <p>215. (1) There shall be -</p> <p>(a) an Inspector-General of Police who, subject to section 216 (2) of this Constitution</p> | | <p>(a) an Inspector-General of Police who,</p> | |

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| <p>shall be appointed by the President on the advice of the Nigeria Police Council from among serving members of the Nigeria Police Force;</p> <p>(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.</p> | | <p>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;</p> <p>(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.</p> | |
| <p>Delegation of powers to the Inspector-General of Police</p> <p>216. (1) Subject to the provisions of this constitution, the Nigeria Police Council 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.</p> | | <p>(1) Subject to the provisions of this constitution, the Nigeria Police Council 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.</p> | |
| <p>Powers of the National Assembly with respect to political parties</p> <p>228. The National Assembly may by law</p> | <p>Alteration of section 228</p> <p>Section 228 is altered by inserting a new paragraph “(e)” –</p> | <p>(e) for procedures, guidelines and</p> | |

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| <p>provide -</p> <p>(a) for the punishment of any person involved in the management or control of any political party found after due inquiry to have contravened any of the provisions of sections 221, 225(3) and 227 of this Constitution;</p> <p>(b) for the disqualification of any persons from holding public office on the ground that he knowingly aids or abets a political party in contravening section 225(3) of this Constitution;</p> <p>(c) for an annual grant to the Independent National Electoral Commission for disbursement to political parties on a fair and equitable basis to assist them in the discharge of their functions; and</p> <p>(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.</p> | <p>“(e) for procedures, guidelines and qualifications for access to the ballot by political parties and independent candidates”</p> | <p>qualifications for access to the ballot by political parties and independent candidates.</p> | |
| <p>Appeals as of right from the Federal High Court or a High Court.</p> <p>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 -</p> <p>(a) final decisions in any civil or criminal proceedings before the Federal High Court or a High Court sitting at first instance;</p> | <p>Alteration of section 241</p> <p>Section 241 is altered by inserting a new subsection “(3)” -</p> <p>“(3) A court or tribunal shall not stay any proceeding on account of an interlocutory appeal.”</p> | <p>(3) A court or tribunal shall not stay any proceeding on account of an interlocutory appeal.</p> | |

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| <p>(b) where the ground of appeal involves questions of law alone, decisions in any civil or criminal proceedings;</p> <p>(c) decisions in any civil or criminal proceedings on questions as to the interpretation or application of this Constitution;</p> <p>(d) decisions in any civil or criminal proceedings on questions as to whether any of the provisions of Chapter IV of this Constitution has been, is being or is likely to be, contravened in relation to any person;</p> <p>(e) decisions in any criminal proceedings in which the Federal High Court or a High Court has imposed a sentence of death;</p> <p>(f) decisions made or given by the Federal High Court or a High Court –</p> <p style="padding-left: 20px;">(a) where the liberty of a person or the custody of an infant is concerned,</p> <p style="padding-left: 20px;">(ii) where an injunction or the appointment of a receiver is granted or refused,</p> <p style="padding-left: 20px;">(iii) in the case of a decision determining the case of a creditor or the liability of a contributory or other officer under any enactment relating to companies in respect of misfeasance or otherwise,</p> | | | |
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| <p>(iv) in the case of a decree <i>nisi</i> in a matrimonial cause or a decision in an Admiralty action determining liability, and</p> <p>(v) in such other cases as may be prescribed by an Act of the National Assembly.</p> <p>(2) Nothing in this section shall confer any right of appeal –</p> <p>(a) from a decision of the Federal High Court or any High Court granting unconditional leave to defend an action;</p> <p>(b) from an order absolute for the dissolution or nullity of marriage in favour of any party who, having had time and opportunity to appeal from the decree <i>nisi</i> on which the order was founded, had not appealed from that decree <i>nisi</i>; and</p> <p>(c) without the leave of the Federal High Court or a High Court or of the Court of Appeal from a decision of the Federal High Court or High Court made with the consent of the parties or as to costs only.</p> | | | |
| <p>First Alteration Act</p> <p>Section 29 (e)</p> | <p>First Alteration Act</p> <p>Alteration of section 29</p> | | |

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| <p>(7) An appeal from a decision of an election tribunal or court shall be heard and disposed of within 60 days from the date of the delivery of judgement of the tribunal.</p> | <p>Section 29 is altered in paragraph (e), by substituting for sub-section (7), a new sub-section “(7)” –</p> <p>“(7) 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 judgement.”</p> | <p>(7) 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 judgement.</p> | |
| <p>Second Alteration Act</p> <p>Establishment of election tribunals and time for determination of election petitions</p> <p>285. (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 has been validly elected to the office of Governor or Deputy Governor of a State.</p> | <p>Second Alteration Act</p> <p>Alteration of Section 9</p> <p>Section 9 is further altered –</p> <p>(a) by inserting immediately after sub-section (2), a new subsection (2A)-</p> <p>“(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</p> | <p>(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</p> | |

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| <p>(3) The composition of the National and State Houses of Assembly Election Tribunals, respectively, shall be as set out in the Sixth Schedule to this Constitution.</p> | <p>to whether any person has been validly elected to the office of Chairman, Vice Chairman or Councillor of a Local Government.</p> <p>(b) by inserting a new sub-section 2B as follows – “(2B). Appeals from a Local Government Election Tribunal shall lie to the Court of Appeal who shall exercise final jurisdiction in the matter”; and,</p> <p>(c) in sub-section (3), by inserting immediately after the words “National and State Houses of Assembly Election Tribunals” in line 2, the words and Local Government Election Tribunals.</p> | <p>has been validly elected to the office of Chairman, Vice Chairman or Councillor of a Local Government</p> <p>(2B). Appeals from a Local Government Election Tribunal shall lie to the Court of Appeal who shall exercise final jurisdiction in the matter.</p> <p>(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.</p> | |
| <p>Removal of judicial officers from office</p> <p>292. (1) A judicial officer shall not be removed from his office or appointment before his age of retirement except in the following circumstances –</p> <p>(a) in the case of -</p> <p>(i) Chief Justice of Nigeria, President of the Court of Appeal, Chief Judge of the</p> | <p>Third Alteration Act</p> <p>Alteration of section 9</p> <p>Section 9 of the Third Alteration Act is further altered by inserting immediately after subsection 1 (a) (ii), the proviso –</p> | <p>292. (1) A judicial officer shall not be removed from his office or appointment before his age of retirement except in the following circumstances –</p> <p>(a) in the case of -</p> <p>(i) Chief Justice of Nigeria, President of the Court of Appeal, Chief Judge of the Federal High Court, President of the</p> | |

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| <p>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 Senate.</p> <p>(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,</p> <p>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;</p> | <p>“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</p> | <p>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 Senate.</p> <p>(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,</p> <p>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:</p> <p>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</p> | |
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Policy and Legal Advocacy Centre (PLAC)

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| | <p>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."</p> | <p>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.</p> | |
| | <p>Insertion of new section 285A</p> <p>Insert after section 285, a new section "285A" –</p> <p>“285A (1) There shall be established for each State of the Federation and the Federal Capital Territory one or more Electoral Offences Tribunals which shall to the exclusion of any court or tribunal, have original jurisdiction to try any person alleged to have committed electoral offences under the Electoral Act or any other legislation.</p> <p>(2) The appointment, composition and quorum of the tribunal shall be as provided for in the Sixth Schedule of the 1999</p> | | |

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| <p>Tenure of office and pension right of Judicial Officers</p> <p>291- (3) Any person who has held office as a judicial officer -</p> <p>(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;</p> | <p>Alteration of section 291</p> <p>Section 291 is altered -</p> <p>(a) by substituting for the word “fifteen” in line 1, the word “ten”; and</p> <p>(b) in subsection (3), by substituting for the words “his last annual salary” in line 5, the words “the annual salary of incumbent holder of any of such judicial offices as specified in this subsection.”</p> | <p>291- (3) Any person who has held office as a judicial officer -</p> <p>(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;</p> | |
| <p>Resignation</p> <p>306. (1) Save as otherwise provided in this section, any person who is appointed, 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.</p> | <p>Alteration of Section 306</p> <p>Section 306 is altered by inserting immediately after subsection (7), new subsections (8) (9) and (10) –</p> <p>“(8) the notice of resignation of the Chairman and of the Vice-Chairman of a local government council shall respectively be</p> | | |

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| <p>(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.</p> <p>(3) The notice of resignation of the President and of the Vice-President shall respectively be addressed to the president of the Senate and to the President.</p> <p>(4) On the resignation of the President, the President of the Senate shall forthwith give notice of the resignation to the Speaker of the House of Representatives.</p> <p>(5) The notice of resignation of the Governor and of the Deputy Governor of a State shall respectively be addressed to the Speaker of the House of Assembly and the Governor of the State.</p> <p>(6) The notice of resignation of the President of the Senate and of the Speaker of the House of Representatives shall in each case be addressed to the Clerk of the National Assembly, and the notice of resignation of the Speaker of a House of Assembly shall be addressed to the Clerk of the House of Assembly of the State.</p> <p>(7) The notice of resignation of a member of a legislative house shall be addressed to the</p> | <p>addressed to the Leader of the local government legislative council.</p> <p>(9) the notice of resignation of a councillor shall be addressed to the Leader of the local government legislative council.</p> <p>(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.”</p> | <p>(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.</p> <p>(9) The notice of resignation of a Councillor shall be addressed to the Leader of the local government legislative council</p> <p>(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.</p> | |
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| <p>President of the Senate or, as the case may require, to the Speaker of the legislative house in question.</p> | | | |
| <p>Restrictions on legal proceedings.</p> <p>308. — (1) Notwithstanding anything to the contrary in this Constitution, but subject to subsection (2) of this section —</p> <ul style="list-style-type: none"> (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: <p>Provided that in ascertaining whether any period of limitation has expired for the purposes of any proceedings against a person to whom this section</p> | <p>Alteration of section 308</p> <p>Section 308 is altered –</p> <ul style="list-style-type: none"> (a) in subsection (1) (a), by deleting the words “or criminal” in line 1; (b) deleting sub-sections (1) (b) and (c) and (2); and (c) renumbering the section appropriately | <p>308. — (1) Notwithstanding anything to the contrary in this Constitution, but subject to subsection (2) of this section no civil proceedings shall be instituted or continued against a person to whom this section applies during his period of office.</p> | |

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| <p>applies, no account shall be taken of his period of office.</p> <p>(2) The provisions of subsection (1) of this section shall not apply to civil 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.</p> <p>(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.</p> | | | |
| <p>Existing Law.</p> <p>315. (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</p> | <p>Alteration of section 315</p> <p>Section 315 is altered by –</p> <p>(a) deleting subsections (2) and (4) (a) and (c); and</p> <p>(b) renumbering the section appropriately.</p> | <p>315. (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</p> | <p>Deletes president's powers to modify existing laws</p> |

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| <p>shall be deemed to be—</p> <p>(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</p> <p>(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.</p> <p>(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.</p> <p>(3) Nothing in this Constitution shall be construed as affecting the power of</p> | | <p>deemed to be—</p> <p>(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</p> <p>(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.</p> <p>(2) 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 other law, that is to say—</p> <p>(a) any other existing law;</p> <p>(b) a Law of a House of Assembly;</p> <p>(c) an Act of the National</p> | |
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| <p>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 other law, that is to say—</p> <p>(a) any other existing law;</p> <p>(b) a Law of a House of Assembly;</p> <p>(c) an Act of the National Assembly; or</p> <p>(d) any provision of this Constitution.</p> <p>(4) In this section, the following expressions have the meanings assigned to them, respectively—</p> <p>(a) "appropriate authority" means —</p> | | <p>Assembly; or</p> <p>(d) any provision of this Constitution.</p> <p>(3) In this section, "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.</p> <p>(4) Nothing in this Constitution shall invalidate the following enactments, that is to say—</p> <p>(a) the National Youth Service Corps Decree 1993;</p> <p>(b) the Public Complaints Commission Act;</p> <p>(c) the National Security Agencies Act;</p> <p>(d) the Land Use Act,</p> <p>and the provisions of those enactments shall continue to apply and have full</p> |
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| <p>(i) the President, in relation to the provisions of any law of the Federation,</p> <p>(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</p> <p>(iii) any person appointed by any law to revise or rewrite the laws of the Federation or of a State;</p> <p>(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</p> <p>(c) "modification" includes addition, alteration, omission or repeal.</p> <p>(5) Nothing in this Constitution shall invalidate the following enactments, that is to say—</p> | | <p>effect in accordance with their tenor and to the like extent as any other provisions forming part of this Constitution and shall not be altered or repealed except in accordance with the provisions of section 9 (2) of this Constitution.</p> <p>(5) Without prejudice to subsection (1) 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.</p> | |
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| <p>(a) the National Youth Service Corps Decree 1993;</p> <p>(b) the Public Complaints Commission Act;</p> <p>(c) the National Security Agencies Act;</p> <p>(d) the Land Use Act,</p> <p>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 shall not be altered or repealed except in accordance with the provisions of section 9 (2) of this Constitution.</p> <p>(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</p> | | | |
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| Schedule to this Constitution. | | | |
| | <p>Alteration of section 318</p> <p>Section 318 is altered by inserting the following in alphabetical order:</p> <p style="padding-left: 40px;">”bye-law” means enactment of a Local Government Council whose source is a State Law</p> <p style="padding-left: 40px;">“Chairman” or “Vice-Chairman” when used with reference to a Local Government means Chairman or Vice-Chairman of the Local Government Council;</p> <p style="padding-left: 40px;">”Councillor” means a member of a Local Government Legislative Council;</p> <p style="padding-left: 40px;">“Public Fund of the Federation” includes any Fund, entity, department or agency of government set up for a specific purpose;</p> <p style="padding-left: 40px;">“Public Fund of the State” includes any Fund, entity, department or agency of government set up for a specific purpose;</p> | | |

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| | <p>”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; and</p> <p>“Supervisor” means a member of a Local Government Council who holds an executive portfolio in the Council.”</p> | | |
| <p>Third Alteration Act</p> <p>5. - (3) An appeal shall only lie from the decision of the National Industrial Court to the Court of Appeal as may be prescribed by an Act of the National Assembly</p> | <p>Third Alteration Act</p> <p>Section 5 of the of the Third Alteration Act, is altered, in new subsection (3), line 1, by deleting the word “only”</p> | <p>(3) An appeal shall lie from the decision of the National Industrial Court to the Court of Appeal as may be prescribed by an Act of the National Assembly</p> | |
| <p>FIRST SCHEDULE PART I States of the Federation (Section 3)</p> <p>Ogun</p> <p>Abeokuta North, Abeokuta South, Ado-Odo/Ota,</p> | <p>Alteration of the First Schedule</p> <p>Part I</p> <p>Part I of the First Schedule is altered by</p> | <p>Ogun</p> <p>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,</p> | |

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| <p>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.</p> <p>Rivers</p> <p>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.</p> <p>1. Definition of Federal Capital Territory Abuja. 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.</p> | <p>substituting for -</p> <p>(a) the words “Obia/Akpor” in Rivers State, the words “Obio/Akpor”; and</p> <p>(b) the words “Egbado North, Egbado South” in Ogun State, the words “Yewa North, Yewa South”</p> <p style="text-align: center;">Part II</p> <p>Part I of the First Schedule is altered in line 11, by substituting for the word “Plateau” the word “Nasarawa”</p> | <p>Ipokia, Obafemi-Owode, Ogun Waterside, Odeda, Odogbolu, Remo North, Shagamu.</p> <p>Rivers</p> <p>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.</p> <p>Definition of Federal Capital Territory Abuja. 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</p> | |
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| <p>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.</p> | | <p>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 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.</p> | |
| <p style="text-align: center;">SECOND SCHEDULE</p> <p style="text-align: center;"><i>Section 4</i></p> <p style="text-align: center;">LEGISLATIVE POWERS</p> <p style="text-align: center;">PART I</p> <p style="text-align: center;">EXCLUSIVE LEGISLATIVE LIST</p> <p><i>Item</i></p> <p>55. Railway.</p> | <p>Alteration of Second Schedule</p> <p>The Second Schedule is altered -</p> <p>(a) in Part I, by deleting item 55; and</p> | | |
| <p style="text-align: center;">PART II</p> <p style="text-align: center;">CONCURRENT LEGISLATIVE LIST</p> <p style="text-align: right;"><i>Section 4</i></p> <p><i>Extent of Federal and State Legislative</i></p> | <p>(b) in Part II-</p> <p>(i) by inserting, in alphabetical order, the following new items:</p> | <p style="text-align: center;">Part II</p> <p style="text-align: center;">CONCURRENT LEGISLATIVE LIST</p> <p style="text-align: center;"><i>Section 4</i></p> <p><i>Extent of Federal and State Legislative</i></p> | |

| <i>Powers</i> | | <i>Powers</i> | |
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| <p>Item</p> <p>F —Electric power</p> <p>14. A House of Assembly may make laws for</p> | <p>“Health”</p> <p>“Housing”</p> <p>“Railways”,</p> <p>(ii) in paragraph 14 (b), by substituting for the existing paragraph (b) a new paragraph “(b) as follows -</p> <p>“(b) the generation, transmission and distribution of electricity within that State or in collaboration with any other State.”</p> | <p>Item</p> <p>H – Health</p> <p>The National Assembly may make laws for the Federation or any part thereof with respect to the provision of health care services.</p> <p>A House of Assembly may make laws for the State with respect to the provision of health care services.</p> <p>H - Housing</p> <p>The National Assembly may make laws for the Federation or any part thereof with respect to housing.</p> <p>A House of Assembly may make laws for the State with respect to any matter relating to the provision of housing.</p> <p>R —Railways</p> <p>The National Assembly may make laws for the Federation or any part thereof with respect to construction, rehabilitation or administration of</p> | |

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| <p>the State with respect to –</p> <p>(a) electricity and the establishment in that State of electric power stations;</p> <p>(b) the generation, transmission and distribution of electricity to areas not covered by a national grid system within that State.</p> | | <p>railways.</p> <p>A House of Assembly may make laws for the State with respect to any matter or development relating to railways.</p> <p>(b) the generation, transmission and distribution of electricity within that State or in collaboration with any other State.</p> | |
| <p style="text-align: center;">Third Schedule Part I Federal Executive Bodies (Established by Section 153)</p> <p><i>B - Council of State</i></p> <p>5. The Council of State shall comprise the following persons:</p> <p>(a) the President, who shall be the Chairman;</p> <p>(b) the Vice-President, who shall be the Deputy Chairman;</p> <p>(c) all former Presidents of the Federation and all former Heads of the Government of the Federation;</p> <p>(d) all former Chief Justices of Nigeria;</p> | <p style="text-align: center;">Alteration of the Third Schedule Part I</p> <p>The Third Schedule is altered –</p> <p>(a) in paragraph 5, by substituting for sub-paragraph (h), a new sub-paragraph “(h)” –</p> <p style="text-align: center;">“(h) the Minister of Justice”;</p> <p>(b) by inserting a new sub-paragraph “(i)” -</p> <p style="text-align: center;">“(i) six traditional rulers reflecting the federal character of Nigeria.”</p> | <p>(h) the Minister of Justice</p> <p>(i) six traditional rulers reflecting the federal character of Nigeria.</p> | |

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| <p>(e) the President of the Senate;</p> <p>(f) the Speaker of the House of Representatives;</p> <p>(g) all the Governors of the states of the Federation; and</p> <p>(h) the Attorney-General of the Federation.</p> | <p>(c) by inserting after paragraph 6, new paragraphs “6A” and “6B” –</p> <p style="text-align: center;">“Electoral Offences Commission</p> <p>6A (1) The Electoral Offences Commission shall comprise of the following members –</p> <p>(a) a Chairman who shall be the Chief Executive Officer of the Commission;</p> <p>(b) six persons reflecting the federal character of Nigeria;</p> <p>;</p> <p>(c) a representative of the Attorney-General of the Federation not below the rank of Director; and</p> <p>(d) a retired security personnel not below the rank of a Commissioner of Police or its equivalent in any of the security services;</p> <p>(2) The Chairman and Members</p> | <p>6A The Electoral Offences Commission shall comprise of the following members –</p> <p>(a) a Chairman who shall be the Chief Executive Officer of the Commission;</p> <p>(b) six persons reflecting the federal character of Nigeria;</p> <p>(c) a representative of the Attorney-General of the Federation not below the rank of Director; and</p> <p>(d) a retired security personnel not below the rank of a Commissioner of Police or its equivalent in any of the security services;</p> <p>(2) The Chairman and Members shall be persons of integrity and</p> | |
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| | <p>shall be persons of integrity and shall not belong to any political party; and</p> <p>(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.</p> <p>Powers of the Commission</p> <p>6B. The Commission shall have powers to –</p> <p>(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;</p> <p>(d) in paragraph 15 (a), line 4, by inserting immediately after the word “Federation”, the words “ and Local Government Councils of the States;”</p> <p>(e) in paragraph 32 (c) line 1, by substituting the words “Federal and State Governments” with the words “Federal,</p> | <p>shall not belong to any political party; and</p> <p>(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.</p> <p>6B. The Commission shall have powers to –</p> <p>(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;</p> <p>8. (1) In giving effect to the provisions of section 14(3) and (4) of this</p> | |
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| <p>C – Federal Character Commission</p> <p>8. (1) In giving effect to the provisions of section 14(3) and (4) of this Constitution, the Commission shall have the power to –</p> <p>(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;</p> <p>F - Independent National Electoral Commission</p> <p>15. The Commission shall have power to -</p> <p>(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;</p> | <p>State and Local Governments”; and</p> <p>(f) in paragraph 32 (d), line 3, by inserting immediately after the word “legislators”, the words “Chairmen, Vice-Chairmen and Councillors of Local Government Councils,”</p> | <p>Constitution, the Commission shall have the power to –</p> <p>(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;</p> <p>15. The Commission shall have power to -</p> <p>(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 Local Government Councils of the States;</p> <p>28. The functions of the Nigeria Police Council shall include –</p> <p>(a) the organisation and administration of the Nigerian Police and all other</p> | |
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| <p>L- Nigeria Police Council</p> <p>28. The functions of the Nigeria Police Council shall include –</p> <p>(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);</p> <p>(b) the general supervision of the Nigeria Police Force; and</p> <p>M - Police Service Commission</p> <p>30. The Commission shall have power to -</p> <p>(a) appoint persons to offices (other than office of the Inspector-General of Police) in the Nigeria Police Force; and</p> <p>N – Revenue Mobilisation Allocation and Fiscal Commission</p> <p>32. The Commission shall have power to-</p> <p>(c) advise the Federal and State Governments on fiscal efficiency and methods by which</p> | | <p>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);</p> <p>(b) the general supervision of the Nigerian Police; and</p> <p>30. The Commission shall have power to -</p> <p>(a) appoint persons to offices (other than office of the Inspector-General of Police) in the Nigeria Police ; and</p> <p>32. The Commission shall have power to-</p> <p>(c) advise the Federal, State and Local Governments on fiscal efficiency and methods by which their revenue can be increased;</p> <p>(d) determine the remuneration appropriate for political office holders, including the President, Vice-President,</p> | |
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| <p>their revenue can be increased;</p> <p>(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;</p> | | <p>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;</p> | |
| <p>Third Schedule Part II States Executives Bodies <i>(Established by Section 197)</i></p> | <p>Part II</p> <p>Part II is altered by–</p> <p>(a) deleting paragraphs 3 and 4 and its heading and substituting same with new paragraphs 3 and 4 and a new heading.</p> <p>“B – Local Government Service Commission</p> <p>“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 opinion of the Governor, be persons of unquestionable integrity and sound political judgement.</p> <p>(2) The Commission shall have the functions ascribed to it by</p> | | |

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| <p><i>C - State Judicial Service Commission</i></p> <p>5. A State Judicial Service Commission shall comprise the following members -</p> <p>(a) the Chief Judge of the State, who shall be the Chairman;</p> <p>(b) the Attorney General of the State;</p> <p>(c) the Grand Kadi of the Sharia Court of Appeal of the State, if any;</p> <p>(d) the President of the Customary Court of Appeal of the State, if any;</p> <p>(e) two members, who are legal practitioners, and who have been qualified to practice as legal practitioners in Nigeria for not less than ten years; and</p> <p>(f) two other persons, not being legal</p> | <p>the existing law on the Civil Service as applicable to Local Governments.</p> <p>(2) The Commission shall, in particular -</p> <p>(a) set up general and uniform guidelines for appointments, promotion and discipline;</p> <p>(b) monitor the activities of each Local Government to ensure that the guidelines are strictly and uniformly adhered to; and,</p> <p>(c) serve as a review body for all petitions from Local Governments in respect of appointments, promotions and discipline”.</p> <p>C - State Council of Chiefs</p> <p>4 (1) A Council of Chiefs shall comprise a Chairman and such number of persons as may be prescribed by Law.</p> <p>(2) The Council shall have power to advise the Governor on any</p> | <p>(b) the Commissioner for Justice</p> | |
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| <p>practitioners, who in the opinion of the Governor are of unquestionable integrity.</p> | <p>matter relating to customary law or cultural affairs, inter-communal relations and chieftaincy matters.</p> <p>(3) The Council shall also have power to advise the Governor whenever requested to do so on-</p> <p style="padding-left: 40px;">(a) the maintenance of public order within the State or any part thereof; and</p> <p style="padding-left: 40px;">(b) such other matters as the Governor may direct.”</p> <p>(b) in paragraph 5, by substituting for sub - paragraph (b), a new sub - paragraph “(b)” –</p> <p style="padding-left: 40px;">“(b) the Commissioner for Justice”; and,</p> <p>(c) renumbering the headings appropriately</p> | | |
| <p style="text-align: center;">Third Schedule Part III Federal Capital Territory Abuja, Executive Body <i>(Established Under Section 304)</i></p> <p><i>Judicial Service Committee of the Federal Capital Territory, Abuja</i></p> | <p style="text-align: center;">PART III</p> <p>Part III is altered by –</p> <p style="padding-left: 40px;">(a) in paragraph 1, by substituting for sub- paragraph (b), a new sub- paragraph “(b)” –</p> | | |

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| <p>1. The Judicial Service Committee of the Federal Capital Territory, Abuja shall comprise the following members –</p> <p>(a) the Chief Judge of the Federal Capital Territory, Abuja who shall be the Chairman.</p> <p>(b) the Attorney-General of the Federation;</p> <p>(c) the Grand Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja;</p> <p>(d) the President of the Customary Court of Appeal of the Federal Capital Territory, Abuja;</p> <p>(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</p> <p>(f) one other person, not being practitioner, who in the opinion of the President is of unquestionable integrity.</p> <p>2. The Committee shall have power –</p> <p>(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</p> | <p>“(b) the Minister of Justice”; and</p> <p>(b) by substituting for subparagraphs (e)-(f), new subparagraphs “(e)-(f)”-</p> <p>“(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</p> <p>(f) two other persons, not being legal practitioners, who, in the opinion of the President, are of unquestionable integrity”</p> <p>in paragraph 2(c), line 4, by inserting, before the word “District”, the words “Customary Court,”;</p> | <p>(b) the Minister of Justice</p> <p>(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</p> <p>(f) two other persons, not being legal practitioners, who, in the opinion of the President, are of unquestionable integrity.</p> <p>(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</p> | |
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| <p>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.</p> | | <p>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.</p> | |
| | <p style="text-align: center;">Alteration of Fourth Schedule The Fourth Schedule is altered by – (a) inserting a new “Part II”</p> <p style="text-align: center;">“PART II</p> <p style="text-align: center;">FUNCTIONS OF STATE COUNCIL OF CHIEFS</p> <p style="text-align: center;">FOURTH SCHEDULE</p> <p>Functions of State Council of Chiefs</p> <p>1. The functions of State Council of Chiefs shall consist of-</p> <p style="padding-left: 40px;">(a) giving general advice to the State or any Local Government Council in the State;</p> <p style="padding-left: 40px;">(b) advising the State or any Local Government</p> | | |

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| | <p>Council on proposed development plans;</p> <p>(c) assisting in the collection of taxes as may be required;</p> <p>(d) advising on religious matters where appropriate;</p> <p>(e) promoting and advising on arts and culture;</p> <p>(f) subject to the Law of the State, dealing with and advising on chieftaincy matters and traditional titles and offices;</p> <p>(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 government or other organisation;</p> <p>(h) assisting in the mobilisation of human and</p> | | |
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| | <p>material resources towards self-reliance, community development and welfare within the area; and</p> <p>(i) such other functions as the State House of Assembly or any Local Government Council may, from time to time, refer to it.</p> <p>2. Nothing in this Schedule shall be construed as conferring any executive, legislative or judicial powers on State Council of Chiefs”; and</p> <p>(b) renumbering the Schedule appropriately.</p> | | |
| <p>Fifth Schedule Part I Code of Conduct for Public Officers</p> <p>Prohibition of foreign accounts</p> | <p>Alteration of the Fifth Schedule Part 1</p> <p>Part I is altered in Paragraph 3 by</p> | <p>3. The President, Vice -President,</p> | |

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| <p>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.</p> | <p>inserting immediately after the words “Houses of Assembly of the States” in line 4, the words “Chairmen, Vice-Chairmen and Councillors of Local Government Councils/ Areas”</p> | <p>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 Council Areas 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.</p> | |
| <p style="text-align: center;">Fifth Schedule Part II Public Officers for the Purposes of the Code of Conduct</p> <p>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.</p> | | <p>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.</p> | |
| | <p style="text-align: center;">Second Alteration Act</p> <p style="text-align: center;">SIXTH SCHEDULE</p> <p>Alteration of section 10</p> | | |

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| | <p>Section 10 is further altered by inserting immediately after paragraph 2, new paragraphs 3 and 4 –</p> <p>“C- Local Government Council Election Tribunals</p> <p>3.-(1) A Local Government Council Election Tribunal shall consist of a Chairman and two other members.</p> <p>(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.</p> <p>(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.</p> <p>D-Electoral Offences Tribunal</p> | | |
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| | <p>4. (1) An Electoral Offences Tribunal shall consist of a Chairman and two other members.</p> <p>(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.</p> <p>(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.</p> | | |
| <p>SEVENTH SCHEDULE</p> <p>OATH OF OFFICE OF GOVERNOR OF A STATE</p> | <p>Alteration of Seventh Schedule The Seventh Schedule is altered by substituting for the Oath of Office of governor of a State; oath of office of vice president, deputy governor, minister, commissioner or special adviser; and, oath of a member of the National Assembly or of a House of Assembly,</p> | | |

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| <p>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, 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 Nigeria; that I will exercise the authority vested in me as Governor 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</p> | <p>new “oaths” –</p> <p style="text-align: center;">“ OATH OF OFFICE OF GOVERNOR OF A STATE <u>AND</u> <u>CHAIRMAN OF A LOCAL GOVERNMENT COUNCIL</u></p> <p>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 Nigeria; that I will exercise the authority vested in me as Governor/Chairman so as not to impede or prejudice the authority lawfully vested</p> | | |
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| <p>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, except as may be required for the due discharge of my duties as Governor; and that I will devote myself to the service and well-being of the people of Nigeria.</p> <p>So help me God.</p> | <p>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.</p> <p>So help me God.</p> | | |
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| <p>OATH OF OFFICE OF VICE-PRESIDENT, DEPUTY GOVERNOR, MINISTER, COMMISSIONER OR SPECIAL ADVISER</p> <p>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 ofLocal 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 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</p> | <p>OATH OF OFFICE OF VICE-PRESIDENT, DEPUTY GOVERNOR, MINISTER, COMMISSIONER, SPECIAL ADVISER <u>OR VICE-CHAIRMAN OF A LOCAL GOVERNMENT COUNCIL</u></p> <p>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 ofLocal 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</p> | | |
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| <p>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 the Government 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.</p> <p>So help me God.</p> | <p>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</p> | | |
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| <p>OATH OF A MEMBER OF THE NATIONAL ASSEMBLY OR OF A HOUSE OF ASSEMBLY</p> <p>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, 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 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 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</p> | <p>/Special Adviser/Vice Chairman of Local Government Council.</p> <p>So help me God.</p> <p>OATH OF A MEMBER OF THE NATIONAL ASSEMBLY OR OF A HOUSE OF ASSEMBLY OR OF A MEMBER OF A LOCAL GOVERNMENT COUNCIL</p> <p>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 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</p> | | |
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| <p>the Fifth Schedule of the Constitution of the Federal Republic of Nigeria.</p> <p>So help me God.</p> | <p>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.</p> <p>So help me God”</p> | | |
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