

A. LOCAL GOVERNMENT

1. Local Government Financial Autonomy

A Bill

For

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to abrogate the State Joint Local Government Accounts and provide for a special account into which shall be paid all allocations due to Local Government Councils from the Federation Account and from the Government of the State and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as "the Principal Act") is altered as set out in this Bill.</p>	
162	<p style="text-align: center;">Distributable Pool Account</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 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>(3) Any amount standing to the credit of the Federation Account shall be distributed among the Federal and State Governments and the local government councils in each State on such terms and in such manner as may be</p>	<p style="text-align: center;">Clause 2 Alteration of Section 162</p> <p>Section 162 of the Principal Act is altered—</p> <p>(a) in subsection (3), by inserting after the word, “by”, in line 4, the words, “an Act of”;</p>	

<p>prescribed by the National Assembly.</p> <p>(4) Any amount standing to the credit of the States in the Federation Account shall be distributed among the States on such terms and in such manner as may be prescribed by the National Assembly.</p> <p>(5) The amount standing to the credit of local government councils in the Federation Account shall also be allocated to the States for the benefit of their local government councils on such terms and in such manner as may be prescribed by the National Assembly.</p> <p>(6) Each State shall maintain a special account to be called “the State Joint Local Government Account” into which shall be paid all allocations to the local government councils of the State from the Federation Account and from the Government of the State.</p> <p>(7) Each State shall pay to local government councils in its area of jurisdiction such proportion of its total revenue on such terms and in such manner as may be prescribed by the National Assembly.</p> <p>(8) The amount standing to the credit of local government councils of a State shall be distributed among the local government councils of that State on such terms and in such manner as may be prescribed by the House of Assembly of the State.</p>	<p>(b) in subsection (4), by inserting after the word, “States”, in line 1 and 2, the words, “and local government councils”;</p> <p>(c) by deleting subsection (5);</p> <p>(d) by deleting subsection 6 and substituting for it a new subsection “(6)” as follows</p> <p>“(6) Each local government council shall maintain a special account to be called “Local Government Council Allocation Account” into which shall be directly paid allocations to the local government council from the Federation Account and from the Government of the State”;</p> <p>(e) in subsection (7), by –</p> <ul style="list-style-type: none"> (i) inserting after the word, “total”, in line 2, the words, “internally generated”, and (ii) substituting for the words, “National Assembly” the words, “a Law of the House of Assembly of the State”, <p>(f) by substituting for subsections (8), a new subsections “(8)”–</p>	
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	<p>(9) Any amount standing to the credit of the judiciary in the Federation Account shall be paid directly to the National Judicial Council for disbursement to the heads of courts established for the Federation and the States under section 6 of this Constitution.</p> <p>(10) For the purpose of subsection (1) of this section, “revenue” means any income or return accruing to or derived by the Government of the Federation from any source and includes –</p> <ul style="list-style-type: none"> (a) any receipt, however described, arising from the operation of any law; (b) any return, however described, arising from or in respect of any property held by the Government of the Federation; (c) any 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>“(8) The National Assembly shall by law prescribe such portion of the money allocated to the Federal Government from the Federation Account to be used for the purpose of payment of teaching and non-teaching staff of the Universal basic education and such other purposes as it may determine.</p> <ul style="list-style-type: none"> (a) The House of Assembly of each State shall by law prescribe such portion of the money allocated to the State from the Federation Account to be used for the purposes of payment of teaching and non-teaching staff of the Universal basic education and such other purposes as it may determine. (b) The House of Assembly of each State shall by law prescribe such portion of the money of each Local Government of the State from the Federation Account to be used for the purposes of payment of teaching and non-teaching staff of the Universal basic education and such other purposes as it may determine. <p>PROVIDED that such prescribed portion for each Local government shall not be more than the percentage of the portion from the State allocation.</p> <p>For the purpose of sub-section (8);</p> <ul style="list-style-type: none"> (i) Any portion of money so prescribed shall be first-line charge on the Consolidated Revenue fund of the Federal and State government and in the case of a Local Government, from its allocation from the Federation Account. (ii) A body established by an Act of the National Assembly shall coordinate and supervise the implementation of the Universal Basic Education at 	
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		all levels of government.”	
318.	Interpretation, Citation and Commencement	<p style="text-align: center;">Clause 3 Alteration of section 318</p> <p>Section 318 of the Principal Act is altered by inserting, in alphabetical order, the following interpretation –</p> <p>“Chairman” or “Vice-Chairman” when used with reference to a Local Government Council means Chairman or Vice-Chairman of the Local Government Council;</p> <p>“Councillor” means a member of a Local Government Legislative Council;</p>	
Fourth Schedule	<p style="text-align: center;">FOURTH SCHEDULE [Section 7] Functions of a Local Government Council</p> <p>2. The functions of a local government council shall include participation of such council in the Government of a State as respects the following matters –</p> <p>(a) the provision and maintenance of primary, adult and vocational education;</p>	<p style="text-align: center;">Clause 4 Alteration of the Fourth Schedule</p> <p>Paragraph 2 of the Fourth Schedule to the Principal Act is altered by deleting the existing sub-paragraph “(a)” and substituting it with a new subparagraph “(a)” as follows</p> <p>(a) the provision of compulsory, free Universal Basic Education in such manner and to such extent as is provided in this Constitution and an Act of the National Assembly.”</p>	
Fifth schedule	<p style="text-align: center;">Prohibition of foreign accounts</p> <p>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 style="text-align: center;">Clause 5 Alteration of the Fifth Schedule</p> <p>Paragraph 3 of the Fifth Schedule to the Principal Act is altered by inserting, after the word, “States”, in line 4, the words, “Chairman, Vice-Chairman and Councilors of Local Government Councils.”</p>	

		<p style="text-align: center;">Clause 6 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 1, 2022.</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks abrogate the State Joint Local Government Accounts and provide for a special account into which all allocations due to Local Government Councils from the Federation Account and from the Government of the State shall be directly paid and other related matters.</p>	

LOCAL GOVERNMENT

2. Local Government Administrative Autonomy

A Bill For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to establish Local Government Councils as tier of government and guarantee their democratic existence, tenure; and for related matters

Section	Provisions of the Constitution	Provisions of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria –	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
7.	<p style="text-align: center;">Local Government System</p> <p>(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 recognized 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 practicable; and The</p>	<p style="text-align: center;">Clause 2 Alteration of Section 7</p> <p>Section 7 of the Principal Act is altered by substituting for section 7, a new Section “7” -</p> <p style="text-align: center;">“Local Government System</p> <p>7 (1) The local government councils established by this Constitution shall be a tier of government and shall consist of democratically elected members of the executive and legislative arms.</p> <p>(2) A Local Government Council that is not democratically elected shall not –</p> <p>(i) be recognized by any authority <i>or</i> person,</p>	

	<p>Constitution of the Federal Republic of Nigeria Updated with the First, Second , Third and Fourth Alterations 25</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>(251) administrative convenience.</p> <p>(3) It shall be the duty of a local government council within the State to participate in economic planning and development of the area referred to in subsection (2) of this section and to this end an economic planning board shall be established by a Law enacted by the House of Assembly of the State.</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 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 council shall include those set out in the Fourth Schedule to this Constitution. [Fourth Schedule]</p> <p>(6) Subject to the provisions of this Constitution – (a) the National Assembly shall make provisions for statutory allocation of public revenue to local government councils in the Federation; and</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>(ii) be entitled to any revenue allocation from the Federation Account or the State Government, and</p> <p>(iii) perform any function exercisable by a local government council under this Constitution or any law.</p> <p>(3) The membership of a Local Government Council shall come to an end at the expiration of three years, commencing from the date the members of the Council were sworn in.</p> <p>(4) The tenure of an elected member of a Local Government Council shall not be suspended, interfered with or terminated by any person or authority except in the manner provided in this Constitution:</p> <p>Provided that where a person whose election to the office of the Chairman, Deputy Chairman or Councilor of a local government council was sponsored by a political party becomes a member of another political party before the expiration of his tenure, he shall vacate the office for which he was elected if his membership of the latter political party is not as a result of -</p> <p>(a) a division in the political party of which he was previously a member, or</p> <p>(b) a merger of two or more political parties, or a faction by one of which he was previously sponsored.</p> <p>(5) An elected Chairman or Vice-Chairman of a Local Government Council may be removed by the resolution of not less than two thirds of all the members of the</p>	
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		<p>legislative arm of the local government council.</p> <p>(6) The Chairman or Vice-Chairman of a local government council may be removed from office in accordance with the provisions of this section.</p> <p>(7) Whenever a notice of any allegation in writing signed by not less than one-third of the members of the local government legislative council –</p> <p style="padding-left: 40px;">(a) is presented to the Leader of the local government legislative council;</p> <p style="padding-left: 40px;">(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,</p> <p>the Leader of the local government legislative council shall, within seven days of the receipt of the notice, cause a copy of the notice to be served on the holder of the office and on each member of the House of 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 local government legislative council.</p> <p>(8) Within fourteen days of the presentation of the notice to the Leader of the local government legislative council (whether or not any statement was made by the holder of the office in reply to the allegation contained in the notice), the local government legislative council shall resolve by motion, without any debate, whether or not the allegation shall be investigated.</p> <p>(9) A motion of the local government legislative council that the allegation be investigated shall not be declared as</p>	
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		<p>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>(10) Within seven days of the passing of a motion under the foregoing provisions of this section, the Chief judge of the State shall at the request of the Leader of the local government legislative council, 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> <p>(11) 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>(12) A panel appointed under this section shall –</p> <ul style="list-style-type: none">(a) have such powers and exercise its functions in accordance with such procedure as may be prescribed by the local government legislative council; and(b) within three months of its appointment, report its findings to the local government legislative council. <p>(13) 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>(14) 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, the local government legislative council shall consider the report,</p>	
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		<p>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>(15) No proceedings or determination of the panel or of the local government legislative council or any matter relating to such proceedings or determination shall be entertained or questioned in any court.</p> <p>(16) 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 in the local government legislative council to gross misconduct.</p> <p>(17) Each State shall, in prescribing the area over which a local government council may exercise authority—</p> <ul style="list-style-type: none"> (a) define such area as clearly as practicable; and (b) ensure that, in defining such area, regard shall be had to— <ul style="list-style-type: none"> (i) the common interest of the community in the area, (ii) traditional association of the community, and (iii) administrative convenience. <p>(18) The functions to be conferred by Law upon local government council shall include those set out in the Fourth Schedule to this Constitution.</p> <p>(19) Subject to the provisions of this Constitution –</p> <ul style="list-style-type: none"> (a) the National Assembly shall make provisions for 	
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		<p>statutory allocation of 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 from internally generated public revenue to local government councils within the State.</p> <p>(20) It shall be the duty of a local government council within the State to participate in economic planning and development of the area referred to in subsection (6) 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>(21) Every person who is entitled to vote or be voted for at an election to House of Assembly shall have the right to vote or be voted for at an election to a local government council.</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 2, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to establish Local Government Councils as a tier of government and guarantee their democratic existence and tenure.</p>	

LOCAL GOVT.

3. Change of Names of Afikpo North and Afikpo South Local Government Areas (Ebonyi State)

A Bill

For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to change the names of Afikpo North and Afikpo South Local Government Areas; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
	<p style="text-align: center;">First Schedule Part 1 States of the Federation</p> <p style="text-align: center;">Ebonyi</p> <p>Abakaliki, Afikpo North, Afikpo South, Ebonyi, Ezza North, Ezza South, Ikwo, Ishielu, Ivo, Izzi, Ohaozara, Ohaukwu, Onicha</p>	<p style="text-align: center;">Clause 2 Alteration of Part I of the First Schedule</p> <p>The First Schedule to the Principal Act is altered in Part I, by substituting for the words, “Afikpo North” and “Afikpo South”, in paragraph 11, line 1, the words, “Afikpo” and “Edda”;</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 3, 2022.</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to change the names of Afikpo North and Afikpo South Local Government Areas.</p>	

4. Change of Name of Kunchi Local Government Area (Kano State)

A Bill

For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to change the name of Kunchi Local Government Area; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
	<p style="text-align: center;">First Schedule Part 1 States of the Federation</p> <p style="text-align: center;">Kano</p> <p>Ajingi, Albasu, Bagwai, Bebeji, Bichi, Bunkure, Dala, Dambatta, Dawakin Kudu, Dawakin Tofa, Doguwa, Fagge, Gabasawa, Garko, Garum Mallam, Gaya, Gezawa, Gwale, Gwarzo, Kabo, Kano Municipal, Karaye, Kibiya, Kiru, kumbotso, Kunchi, Kura, Madobi, Makoda, Minjibir, Nasarawa, Rano, Rimin Gado, Rogo, Shanono, Sumaila, Takali, Tarauni, Tofa, Tsanyawa, Tudun Wada, Ungogo, Warawa, Wudil</p>	<p style="text-align: center;">Clause 2 Alteration of Part I of the First Schedule</p> <p>The First Schedule to the Principal Act is altered in Part I, by substituting for the word “Kunchi”, the word, “Ghari”</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 4, 2022.</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to change the name of Kunchi Local Government Area.</p>	
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5. Change of Names of Egbado North and Egbado South Local Government Areas (Ogun State)

A Bill

For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to change the names of Egbado North and Egbado South Local Government Areas; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
	<p style="text-align: center;">First Schedule Part 1 States of the Federation</p> <p style="text-align: center;">Ogun</p> <p>Abeokuta North, Abeokuta South, Ado-Odo/Ota, Egbado North, Egbado South, Ewekoro, Ifo, Ijebu East, Ijebu North, Ijebu North East, Ijebu Ode, Ikenne, Imeko-Afon, Ipokia, Obafemi-Owode, Ogun Waterside, Odeda, Odogbolu, Remo North, Shagamu.</p>	<p style="text-align: center;">Clause 2 Alteration of Part I of the First Schedule</p> <p>The First Schedule to the Principal Act is altered in Part I, by substituting for the words, “Egbado North” and “Egbado South”, in paragraph 28, line 2, the words, “Yewa North” and “Yewa South”;</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 5, 2022.</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to change the names of Egbado North and Egbado South Local Government Areas.</p>	

6. Change of Name of Barikin Ladi Local Government Area (Plateau State)

A Bill

For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to change the name of Barikin Ladi Local Government Area; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
	<p style="text-align: center;">First Schedule Part 1 States of the Federation</p> <p style="text-align: center;">Plateau</p> <p>Barikin Ladi, Bassa, Bokkos, Jos East, Jos North, Jos South, Kanam, Kanke, Langtang North, Langtang South, Mangu, Mikang, Pankshin, Qua’an Pan, Riyom, Shendam, Wase.</p>	<p style="text-align: center;">Clause 2 Alteration of Part I of the First Schedule</p> <p>The First Schedule to the Principal Act is altered in Part I, by substituting for the words, “Barikin Ladi”, in paragraph 31, line 1, the word, “Gwol”;</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 6, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to change the name of Barikin Ladi Local Government Area.</p>	

7. Correction of the name of Atigbo Local Government Area (Oyo State)

A Bill

For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to correct the name of Atigbo Local Government Area; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
	<p style="text-align: center;">First Schedule Part 1 States of the Federation</p> <p style="text-align: center;">Oyo</p> <p>Afijio, Akinyele, Atiba, Atigbo, Egbeda, Ibadan Central, Ibadan North, Ibadan North West, Ibadan South East, Ibadan South West, Ibarapa Central, Ibarapa East, Ibarapa North, Ido, Irepo, Iseyin, Itesiwaju, Iwajowa, Kajola, Lagelu Ogbomosho North, Ogbomosho South, Ogo Oluwa, Olorunsogo, Oluyole, Ona-Ara, Orelope, Ori Ire, Oyo East, Oyo West, Saki East, Saki West, Surulere.</p>	<p style="text-align: center;">Clause 2 Alteration of Part I of the First Schedule</p> <p>The First Schedule to the Principal Act is altered in Part I, by substituting for the word, “Atigbo” in paragraph 30, line 1, the word, “Atisbo”;</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 7, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to correct the name of Atigbo Local</p>	

		Government Area.	
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8. Correction of Name of Obia/Akpor Local Government Area (Rivers State)

A Bill

For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to correct the name of Obia/Akpor Local Government Area; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
	<p style="text-align: center;">First Schedule Part 1 States of the Federation</p> <p style="text-align: center;">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 style="text-align: center;">Clause 2 Alteration of Part I of the First Schedule</p> <p>The First Schedule to the Principal Act is altered in Part I, by substituting for the words, " Obia/Akpor" in paragraph 32, line 4, the words, "Obio/Akpor";</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 8, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to correct the name of Obia/Akpor Local Government</p>	

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B. THE LEGISLATURE

9. Financial autonomy of State legislatures and State Judiciary

A Bill

For

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to provide for the financial independence of State Houses of Assembly and State Judiciary; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
121	<p style="text-align: center;">Authorisation of expenditure from Consolidated Revenue Fund</p> <p>(3) Any amount standing to the credit of the – (a) House of Assembly of the State; and (b) Judiciary; in the Consolidated Revenue Fund of the State shall be paid directly to the said bodies respectively; in the case of judiciary, such amount shall be paid directly to the heads of the courts concerned.</p>	<p style="text-align: center;">Clause 2 Alteration of section 121</p> <p>Section 121 of the Principal Act is altered by: (a) substituting for subsection (3), a new subsection “(3) – “(3) Any amount standing to the credit of – (a) a State House of Assembly in the Consolidated Revenue Fund of the State shall be paid directly into the account of the Assembly, and (b) the Judiciary of a State in the Consolidated</p>	

		Revenue Fund of the State shall be paid directly to the heads of the courts concerned.”	
121	<p style="text-align: center;">Authorisation of expenditure from Consolidated Revenue Fund</p> <p>(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>(3) Any amount standing to the credit of the –</p> <p>(a) House of Assembly of the State; and</p> <p>(b) Judiciary;</p> <p>in the Consolidated Revenue Fund of the State shall be paid directly to the said bodies respectively; in the case of judiciary, such amount shall be paid directly to the heads of the courts concerned.</p>	<p style="text-align: center;">Clause 3</p> <p style="text-align: center;">Alteration of section 121</p> <p>Section 121 of the Principal Act is altered by inserting, after subsection (3), new subsections “(4A) – (4H)” –</p> <p>“(4A) For the purpose of subsection (3), there is established for each State of the Federation a Disbursement Committee comprising –</p> <p>(a) the Commissioner of Finance, as Chairman;</p> <p>(b) Accountant-General of the State;</p> <p>(c) a representative of the State Budget Office or Ministry;</p> <p>(d) Chief Registrar of the State High Court</p> <p>(e) Chief Registrar of the State Revenue Court (where applicable)</p> <p>(f) Chief Registrar of Sharia Court of Appeal (where applicable)</p> <p>(g) Chief Registrar of the Customary Court of Appeal (where applicable)</p> <p>(h) the Clerk of the State House of Assembly;</p> <p>(i) Secretary of the House of Assembly Service Commission</p> <p>(j) the Secretary of the State Judicial Service Commission; and.</p> <p>(k) the officer in charge of finance in the State House of Assembly.</p>	

		<p>(4B) All monies due to the House of Assembly and the Judiciary for capital and recurrent expenditure shall be paid by the State Accountant-General into the House of Assembly and Judiciary accounts in monthly installments respectively.</p> <p>(4C) The monies due to the House of Assembly and the Judiciary shall be the amount appropriated in the Appropriation Law of the State for the year.</p> <p>(4D) The monthly installment shall be –</p> <ul style="list-style-type: none"> (a) determined by apportioning the approved budget on figures by twelve equal installments; and (b) adjusted to reflect the ratio of the gross allocation from Federal Accounts Allocation Committee and Internally Generated Revenue on the approved budget for the State. <p>(4E) Where the gross allocation from Federal Accounts Allocation Committee and Internally Generated Revenue in any month is lower than the budget amount for the month, the amount due to the House of Assembly and Judiciary shall be paid on a pro-rata basis.</p> <p>(4F) When there is an increase in the subsequent income</p>	
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		<p>of the State, any previous shortfall shall be paid in arrears to the House of Assembly and the Judiciary.</p> <p>(4G) The Accountant-General of the State shall furnish the Disbursement Committee with gross inflow from Federal Accounts Allocation Committee and Internally Generated Revenue, not later than seven days after the Federal Accounts Allocation Committee meeting for the month.</p> <p>(4H) Pursuant to subsection (4B), the Commissioner responsible for Finance and the Accountant-General of the State shall make full disclosure of all revenues that accrue to the State and release the funds to the House of Assembly and Judiciary, not later than one week after the funds have become due”.</p>	
<p>Part II, 3rd Schedule</p>	<p>STATE EXECUTIVE BODIES Established by Section 197</p>	<p style="text-align: center;">Clause 4 Alteration of Part II of the Third Schedule</p> <p>Part II of the Third Schedule to the Principal Act is altered by–</p> <p>(a) substituting for the existing heading, a new “heading” –</p> <p style="padding-left: 40px;">“STATE BODIES”;</p> <p>(b) inserting a new subheading “AA” –</p>	

		<p>“AA – State House of Assembly Service Commission”; and</p> <p>(c) inserting a new paragraph “IA”-</p> <p>“1A. The composition, tenure, structure, finance, functions, powers, and other proceedings of the Commission shall be as prescribed by a Law of the House of Assembly”.</p>	
		<p style="text-align: center;">Clause 5 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 9, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria 1999 to provide for the financial independence of State Houses of Assembly and State Judiciary.</p>	

10. Enforcement of Legislative Summon

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to compel persons to obey or comply with legislative summon; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
89	<p style="text-align: center;">Power as to matters of evidence</p> <p>(1) For the purposes of any investigation under section 88 of this Constitution and subject to the provisions thereof, the Senate or the House of Representatives or a committee appointed in accordance with section 62 of this Constitution shall have power to -</p> <p>(a)</p> <p>(b).....</p> <p>(c).....</p> <p>..</p> <p>(d) issue a warrant to compel the attendance of any person who, after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the House or the committee in question, and order him to pay all costs which may have</p>	<p style="text-align: center;">Clause 2 Alteration of section 89</p> <p>Section 89 of the Principal Act is altered –</p> <p>(a) in subsection (1), by substituting for paragraph (d), a new paragraph “(d)” –</p> <p style="padding-left: 40px;">“(d) to issue a warrant to compel the attendance of any person who after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the House or the committee in question” and</p> <p>(b) by inserting after subsection (2), a new subsection “(3)” -</p>	

	<p>been occasioned in compelling his attendance or by reason of his failure, refusal or neglect to obey the summons, and also to impose such fine as may be prescribed for any such failure, refusal or neglect; and any fine so imposed shall be recoverable in the same manner as a fine imposed by a court of law.</p>	<p>“(3) Notwithstanding anything to the contrary in this Constitution, any person who after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the House or the committee in question, commits an offence and is liable on conviction to such punishment as shall be prescribed by an Act of the National Assembly”.</p>	
129	<p style="text-align: center;">Power as to matters of evidence</p> <p>(1) For the purposes of any investigation under section 128 of this Constitution, and subject to the provisions thereof, a House of Assembly or a committee appointed in accordance with section 103 of this Constitution shall have power to –</p> <p>(a) procure all such evidence, written or oral, direct or circumstantial, as it may think necessary or desirable, and examine all persons as witnesses whose evidence may be material or relevant to the subject matter;</p> <p>(b)</p> <p>(c)</p> <p>(d) issue a warrant to compel the attendance of any person who, after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the House of Assembly or the committee, and order him to pay all costs which may have been occasioned in compelling his attendance or by reason of his failure, refusal or neglect to obey the summons and also to impose such fine as may be prescribed for any such failure, refusal or neglect; and any fine so imposed shall be recoverable in the same manner as a fine imposed by a court of law.</p>	<p style="text-align: center;">Clause 3 Alteration of section 129</p> <p>Section 129 of the Principal Act is altered –</p> <p>(a) in subsection (1), by substituting for paragraph (d), a new paragraph “(d)” –</p> <p>“(d) to issue a warrant to compel the attendance of any person who after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the House or the committee in question” and</p> <p>(b) by inserting after subsection (2), a new subsection “(3)” -</p> <p>“(3) Notwithstanding anything to the contrary in this Constitution, any person who after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the House or the committee in question, commits an offence and is liable on conviction</p>	

	(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.	to such punishment as shall be prescribed by a law of the State House of Assembly”.	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 10, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>The Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to compel persons to obey or comply with legislative summon.</p>	

11. Inauguration of Members-Elect

A Bill For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to regulate the first session and inauguration of members-elect of the National and State Houses of Assembly; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as "the Principal Act") is altered as set out in this Bill.</p>	
54	<p style="text-align: center;">Quorum</p> <p>(1) The quorum of the Senate or of the House of Representatives shall be one-third of all the members on of the legislative house concerned.</p>	<p style="text-align: center;">Clause 2 Alteration of section 54</p> <p>Section 54 of the Principal Act is altered by inserting after subsection (1), a new subsection "(1A)" –</p> <p>"(1A) For the purpose of the inaugural and first sitting of the Senate or the House of Representatives, the quorum shall be at least two-thirds of all the members–elect of either the Senate or the House of Representatives"</p>	
96	<p style="text-align: center;">Quorum</p> <p>(1) The quorum of a House of Assembly shall be one-third of all the members of the House.</p>	<p style="text-align: center;">Clause 3 Alteration of section 96</p> <p>Section 96 of the Principal Act is altered by inserting</p>	

		after subsection (1), a new subsection “(1A)” – “(1A) For the purpose of the inaugural and first sitting of the House, the quorum shall be at least two-thirds of all the members of the House”.	
311	<p style="text-align: center;">Standing Orders</p> <p>(1)</p> <p>.</p> <p>(2) The Standing Orders of the Senate established under the former Constitution shall apply in relation to the proceedings in the Senate established under this Constitution.</p> <p>(3) The Standing Orders of the House of Representatives established under the former Constitution shall apply in relation to the proceedings in the House of Representatives established under this Constitution.</p> <p>(4) The Standing Orders of a House of Assembly established under the former Constitution shall apply in relation to a House of Assembly of a State established under this Constitution</p> <p>.</p> <p>(5) The Standing Orders of the former legislative houses referred to in subsections (2), (3) and (4) of this section, shall apply in relation to a legislative house with such modifications as may be necessary to bring them into conformity with the provisions of this Constitution.</p> <p>(6) In this section, the “former Constitution” refers to the Constitution of the Federal Republic of Nigeria 1979.</p>	<p style="text-align: center;">Clause 4 Alteration of section 311</p> <p>Section 311 of the Principal Act is altered by –</p> <p>(a) substituting for subsections (2) – (5), new subsections “(2) – (5)”-</p> <p>“(2) The Standing Orders of the Senate in existence before its dissolution under section 64 of this Constitution shall apply in relation to the proceedings of the first session of the Senate convened by the President under section 64 of this Constitution.</p> <p>(3) The Standing Orders of the House of Representatives before its dissolution under section 64 of this Constitution shall apply in relation to the proceedings of the first session of the House of Representatives convened by the President pursuant to his powers under this Constitution.</p> <p>(4) The Standing Orders of the State House of Assembly before its dissolution under section 105 of the Constitution shall apply in relation to the proceedings of the first session of the State House of Assembly convened by the Governor pursuant to his powers under this Constitution.</p>	

		<p>(5) The Standing Orders of a legislative house before its dissolution under Section 64 or 105 of this Constitution may be modified within such a reasonable time after the inauguration and first session of the legislative house to bring them in conformity with the proceedings of the newly inaugurated legislative house”: and</p> <p>(b) deleting subsection (6).</p>	
		<p style="text-align: center;">Clause 5 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 11, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to regulate the first session and inauguration of members-elect of the National and State Houses of Assembly.</p>	

12. The Institutionalization of Legislative Bureaucracy in the Constitution

A Bill

For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to institutionalize legislative bureaucracy in the Constitution; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
51	<p style="text-align: center;">Staff of the National Assembly</p> <p>There shall be a Clerk to the National Assembly and such other staff as may be prescribed by an Act of the National Assembly, and the method of appointment of the Clerk and other staff of the National Assembly shall be as prescribed by that Act</p>	<p style="text-align: center;">Clause 2 Substitution for section 51</p> <p>Substitute for section 51 of the Principal Act, a new section “51”-</p> <p style="text-align: center;">“Staff of the National Assembly</p> <p>51.(1) There shall be a Clerk to the National Assembly, who shall be the Head of the Legislative Service and such other staff as may be prescribed by an Act of the National Assembly.</p> <p>(2) The method of appointment of the Clerk and other staff shall be as prescribed by that Act.</p>	

93	<p style="text-align: center;">Staff of House of Assembly</p> <p>There shall be a Clerk to a House of Assembly and such other staff as may be prescribed by a Law enacted by the House of Assembly, and the method of appointment of the Clerk and other staff of the House shall be as prescribed by that Law.</p>	<p style="text-align: center;">Clause 3 Substitution for section 93</p> <p>Substitute for section 93 of the Principal Act, a new section “93”-</p> <p style="text-align: center;">“Staff of House of Assembly</p> <p>93 (1) There shall be a Clerk to each State House of Assembly who shall be the Head of the Legislative Service for that State and such other staff as may be prescribed by the Law of that State House of Assembly.</p> <p>(2) The method of appointment of the Clerk and other staff shall be as prescribed by that Law.</p>	
153	<p style="text-align: center;">[Seventh Schedule] <i>B - Establishment of certain Federal Executive Bodies</i></p> <p>153. Federal Commissions and Councils, etc. (1) There shall be established for the Federation the following bodies, namely-</p> <ul style="list-style-type: none"> (a) Code of Conduct Bureau; (b) Council of State; (c) Federal Character Commission; (d) Federal Civil Service Commission; (e) Federal Judicial Service Commission; (f) Independent National Electoral Commission; 	<p style="text-align: center;">Clause 4 Alteration of section 153</p> <p>Section 153 of the Principal Act is Altered by-</p> <ul style="list-style-type: none"> (a) deleting the word, “Executive” in the heading; and (b) inserting after paragraph (f), a new paragraph “(g)”- “ (g) National Assembly Service Commission”. 	
157	<p style="text-align: center;">Removal of members</p> <p>(1).....</p> <p>(2) This section applies to the offices of the Chairman and members of the Code of Conduct Bureau, the Federal Civil</p>	<p style="text-align: center;">Clause 5</p> <p>Section 157(2) of the Principal Act is altered by inserting after the words “the Revenue Mobilization Allocation</p>	

	Service Commission, the Independent National Electoral Commission, the National Judicial Service Council, the Federal Judicial Service Commission, the Federal Character Commission, the Nigeria Police Council, the National Population Commission, the Revenue Mobilization Allocation and Fiscal Commission and the Police Service Commission.	Commission” a comma and “the National Assembly Service Commission”	
158	<p style="text-align: center;">Independence of certain bodies</p> <p>(1) In exercising its power to make appointments or to exercise disciplinary control over persons, the Code of Conduct Bureau, the National Judicial Council, the Federal Civil Service Commission, the Federal Judicial Service Commission, the Revenue Mobilisation and Fiscal Commission, the Federal Character Commission, and the Independent National Electoral Commission shall not be subject to the direction or control of any other authority or person.</p> <p>(2).....</p>	<p style="text-align: center;">Clause 6 Alteration of section 158</p> <p>Section 158 of the Principal Act is altered by inserting after the word, “Bureau”, in line 2, the words “the National Assembly Service Commission”</p>	
197	<p style="text-align: center;"><i>B - Establishment of certain State Executive Bodies</i></p> <p>197. State Commissions</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 Independent Electoral Commission; and</p> <p>(c) State Judicial Service Commission.</p>	<p style="text-align: center;">Clause 7 Alteration of section 197</p> <p>Section 197 of the Principal as is Altered by-</p> <p>(a) deleting the word, “Executive” in the heading; and</p> <p>(b) inserting after paragraph (a) a new paragraph “(aa)”;</p> <p>“(aa) State House of Assembly Service Commission”</p>	

201	<p style="text-align: center;">Removal of members</p> <p>(1) Any person holding any of the offices to which this section applies shall only be removed from that office by the Governor of that State acting on an address supported by two-thirds majority of the House of Assembly of the State praying that he be so removed for inability to discharge the functions of the office (whether arising from infirmity of mind or body or any other cause) or for misconduct.</p> <p>(2) This section applies to the offices of the Chairmen and members of the State Civil Service Commission, the State Independent Electoral Commission and the State Judicial Service Commission.</p>	<p style="text-align: center;">Clause 8 Alteration of section 201</p> <p>Section 201 (2) is altered by inserting after the words, “State Civil Service Commission”, the words “the State House of Assembly Service Commission”.</p> <p>“(2) This section applies to the offices of the Chairmen and members of the State Civil Service Commission, the State House of Assembly Service Commission, the State Independent Electoral Commission, the State Judicial Service Commission”.</p>	
202	<p style="text-align: center;">Independence of certain bodies</p> <p>In exercising its power to make appointments or to exercise disciplinary control over persons, the State Civil Service Commission, the State Independent Electoral Commission and the State Judicial Service Commission shall not be subject to the direction and control of any other authority or person.</p>	<p style="text-align: center;">Clause 9 Alteration of section 202</p> <p>Section 202 is altered by inserting after the words, “State Civil Service Commission”, the words “the State House of Assembly Service Commission”.</p>	
Part I, 3 rd Schedule	<p style="text-align: center;">THIRD SCHEDULE PART 1</p> <p>Federal Executive Bodies (established by section 153)</p>	<p style="text-align: center;">Clause 10 Alteration of the Third Schedule</p> <p>Part I of the Third Schedule to the Principal Act is altered by-</p> <p>(a) deleting the word, “Executive”, in the heading; and</p> <p style="padding-left: 40px;">(a) inserting after subheading F, a new subheading</p>	

		<p style="text-align: center;">“FA” – –</p> <p style="text-align: center;">“FA - National Assembly Service Commission.</p> <p style="text-align: center;">National Assembly Service Commission Membership</p> <p>1. (1) The National Assembly Service Commission shall comprise the following members –</p> <p style="padding-left: 40px;">(a) the Chairman; and (b) twelve other members;</p> <p>(2) The President of the Senate shall, in consultation with the Speaker of the House of Representatives, submit to the President of the Federal Republic of Nigeria a proposed list out of which the President of the Federal Republic of Nigeria shall nominate for appointment, a Chairman and members of the Commission subject to confirmation by the Senate.</p> <p>(3) The Commission shall have powers to appoint, promote and exercise disciplinary control over the Clerk to the National Assembly, the Deputy Clerk to the National Assembly, the Clerk of the Senate, the Clerk of the House of Representatives, the Deputy Clerk of the Senate, Deputy Clerk of the House of Representatives, Secretaries to the Directorates and holders of other offices that shall be created by the Commission on the recommendation of the Clerk to the National Assembly.”</p>	
Part II, 3 rd Schedule	PART II State’s Executive Bodies (established by section 197)	Clause 11 Alteration of the Third Schedule Part II of the Third Schedule to the Principal Act is altered by-	

		<p>(a) deleting the word, “Executive” in the heading; and</p> <p>(b) inserting after subheading A, a new subheading “AA” –</p> <p>“AA - House of Assembly Service Commission</p> <p>House of Assembly Service Commission Membership</p> <p>1. (1) The House of Assembly Service Commission shall comprise the following members –</p> <p>(a) a Chairman; and (b) not less than four other members.</p> <p>(2) The Speaker of the House of Assembly of the State shall, in consultation with Principal Officers of the House, submit to the Governor of the State a proposed list out of which the Governor of the State shall nominate for appointment, a Chairman and members of the Commission subject to confirmation by the House of Assembly of the State.</p> <p>2. The Commission shall have powers to:</p> <p>appoint, promote and exercise disciplinary control over the Clerk to the House of Assembly, the Deputy Clerks to the House of Assembly, Directors and holders of other offices that shall be created by the Commission on the recommendation of the Clerk to the House of Assembly.</p>	
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		<p style="text-align: center;">Clause 12 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 12, 2022</p>	
		<p style="text-align: center;">Explanatory Memoranda</p> <p>This Bill seeks to institutionalize legislative bureaucracy in the Constitution.</p>	

13. Procedure for Overriding Presidential Veto in Constitutional Alteration

**A Bill
For**

An Act to provide for the procedure for passing a Constitution Alteration Bill where the President withholds assent; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
9	<p>Mode of altering provisions of the Constitution</p> <p>(1) The National Assembly may, subject to the provisions of this section, alter any of the provisions of this Constitution.</p> <p>(2) An Act of the National Assembly for the alteration of this Constitution, not being an Act to which section 8 of this Constitution applies, shall not be passed in either House of the National Assembly unless the proposal is supported by the votes of not less than two-thirds majority of all the members of that House and approved by resolution of the Houses of Assembly of not less than two-thirds of all the States.</p> <p>(3).....</p>	<p style="text-align: center;">Clause 2 Alteration of section 9</p> <p>Section 9 of the Principal Act is altered -</p> <p>(a) in subsection (2), 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) by substituting for the words, “the proposal” in line 3, the words, “the Bill”</p> <p>(d) by inserting after subsection (3), a new subsection “(3A)” –</p>	

		“(3A) Where the President withholds his assent and the bill is again voted upon by each House of the National Assembly by a four-fifths majority, the bill shall become law”.	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 13, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to provide for the procedure for passing a Constitution Alteration Bill where the President withholds assent.</p>	

14. Procedure for overriding Executive Veto in respect of Money Bills

A Bill
For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide the procedure for overriding executive veto in respect of money Bills; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
59	<p style="text-align: center;">Mode of exercising Federal legislative power: money bills</p>	<p style="text-align: center;">Clause 2 Alteration of section 59</p> <p>Section 59 of the Principal Act is altered by inserting after subsection (4), a new subsection “(4A)”-</p> <p>“(4A) Where the President, at the expiration of thirty days after the presentation of a Bill to him, fails to signify his assent or where he withholds his assent, then –</p> <p style="padding-left: 40px;">(a) the President of the Senate shall, within seven days, convene a joint sitting of the National Assembly to reconsider the Bill; and</p>	

		(b) if approved 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 or his veto shall be deemed overridden by the National Assembly”.	
100	<p>Mode of exercising legislative power of a State</p> <p>1).....</p> <p>(2).....</p> <p>(3).....</p> <p>(4).....</p> <p>(5) Where the Governor withholds assent and the bill is again passed by the House of Assembly by two-thirds majority, the bill shall become law and the assent of the Governor shall not be required.</p>	<p style="text-align: center;">Clause 3 Alteration of section 100</p> <p>Section 100 of the Principal Act is altered by inserting after subsection (4), a new subsection “(4A)”-</p> <p>“(4A) Where the Governor, at the expiration of thirty days after the presentation of a Bill to him, fails to signify his assent or where he withholds his assent, then –</p> <p>(a) the Speaker of the House of Assembly shall, within seven days, convene a sitting of the Assembly to reconsider the Bill; and</p> <p>(b) if approved by two-thirds majority of members of the House at such sitting, the Bill shall become law and the assent of the Governor shall not be required or his veto shall be deemed overridden by the House of Assembly”.</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 14, 2022</p>	
		Explanatory Memorandum	

		This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for the procedure for overriding Executive Veto in respect of money Bills.	
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15. Removal of Presiding Officers

A Bill For

An Act to alter the Constitution, 1999 to provide for the procedure of removing presiding officers of the legislature; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of Nigeria of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
50	<p>President of the Senate and Speaker of the House of Representatives</p> <p>(1) There shall be -</p> <p>(a) a President and a Deputy President of the Senate, who shall be elected by the members of that House from among themselves; and</p> <p>(b) a Speaker and a Deputy Speaker of the House of Representatives, who shall be elected by the members of that House from among themselves.</p> <p>(2) The President or Deputy President of the Senate or the Speaker or Deputy Speaker of the House of Representatives shall vacate his office –</p>	<p style="text-align: center;">Clause 2 Alteration of section 50</p> <p>Section 50 (2) of the Principal Act is altered by inserting in paragraph (c), after the word, “House”, a “proviso” -</p>	

	<p>(a) if he ceases to be a member of the Senate or of the House of Representatives, as the case may be, otherwise than by reason of a dissolution of the Senate or the House of Representatives; or</p> <p>(b) when the House of which he was a member first sits after any dissolution of that House; or</p> <p>(c) if he is removed from office by a resolution of the Senate or of the House of Representatives, as the case may be, by the votes of not less than two-thirds majority of the members of that House.</p>	<p>“Provided that:</p> <p>(i) the President or Deputy President of the Senate, the Speaker and Deputy Speaker of the House of Representatives shall only be removed from office for inability to perform the functions of the office (whether arising from infirmity of mind or body or any other cause) or for misconduct; and</p> <p>(ii) the votes on any resolution for the removal shall be preceded by proceedings which assures fair hearing and is enshrined in the Standing Orders of the House”.</p>	
92	<p style="text-align: center;">Speaker of House of Assembly</p> <p>(1) There shall be a Speaker and a Deputy Speaker of a House of Assembly who shall be elected by the members of the House from among themselves.</p> <p>(2) The Speaker or Deputy Speaker of the House of Assembly shall vacate his office –</p> <p style="padding-left: 40px;">(a) if he ceases to be a member of the House of Assembly, otherwise than by reason of the dissolution of the House;</p> <p style="padding-left: 40px;">(b) when the House first sits after any dissolution of House; or</p> <p>(c) if he is removed from office by a resolution of House of Assembly by the votes of not less than two-third majority of the members of the House.</p>	<p style="text-align: center;">Clause 3 Alteration of section 92</p> <p>Section 92 (2) of the Principal Act is altered by inserting in paragraph (c), after the word, “House”, a “proviso” -</p>	

		<p>“Provided that:</p> <p>(i) the Speaker or Deputy Speaker of the House of Assembly shall only be removed from office for inability to perform the functions of the office (whether arising from infirmity of mind or body or any other cause) or for misconduct; and</p> <p>(ii) the votes on any resolution for the removal shall be preceded by proceedings which assures fair hearing and is enshrined in the Standing Orders of the House”.</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 15, 2022.</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria 1999 to provide for the procedure of removing presiding officers of the legislature.</p>	

16. Pension for Presiding Officers of the Legislature

A Bill
For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide pension for Presiding Officers of the National Assembly and State Houses of Assembly; and for related matters

SECTIONS	PROVISIONS OF THE CONSTITUTION	PROVISION OF THE BILL	REMARKS
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria 1999(in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
84	<p>Remuneration of the President and certain other officers</p> <p>84. (1) There shall be paid to the holders of the offices mentioned in this section such remuneration, salaries and allowances as may be prescribed by the National Assembly, but not exceeding the amount as shall have been determined by the Revenue Mobilisation Allocation and Fiscal Commission.</p> <p>(2)</p> <p>(3)</p> <p>(4).....</p> <p>(5) Any person who has held office as President or Vice-President shall be entitled to pension for life at a rate equivalent to the annual salary of the incumbent President or Vice-President:</p>	<p style="text-align: center;">Clause 2 Alteration of Section 84 of the Principal Act</p> <p>Section 84 of the Principal Act is altered by inserting after subsection (5), a new subsection “(5A)” -</p> <p>“(5A) Any person who has held office as President or Deputy President of the Senate, Speaker or Deputy Speaker of the House of Representatives, shall be entitled to pension for life at a rate equivalent to the annual salary of the incumbent President or Deputy President of the Senate, Speaker or Deputy Speaker of the House of Representatives:</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>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>(6)</p>		
124.	<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>(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 style="text-align: center;">Clause Alteration of Section 124</p> <p>Section 124 of the Principal Act is altered in subsection (5) by inserting, after the words, "Deputy Governor", in line 3, the words, "Speaker or Deputy Speaker."</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 16, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to entitle the President of the Senate,</p>	

		Deputy President of the Senate, Speaker and Deputy Speaker of the House of Representatives and State Houses of Assembly to receive pension.	
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16. Pension for Presiding Officers of the Legislature

A Bill
For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide pension for Presiding Officers of the National Assembly and State Houses of Assembly; and for related matters

SECTIONS	PROVISIONS OF THE CONSTITUTION	PROVISION OF THE BILL	REMARKS
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria 1999(in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
84	<p>Remuneration of the President and certain other officers</p> <p>84. (1) There shall be paid to the holders of the offices mentioned in this section such remuneration, salaries and allowances as may be prescribed by the National Assembly, but not exceeding the amount as shall have been determined by the Revenue Mobilisation Allocation and Fiscal Commission.</p> <p>(2)</p> <p>(3)</p> <p>(4).....</p> <p>(5) Any person who has held office as President or Vice-President shall be entitled to pension for life at a rate equivalent to the annual salary of the incumbent President or Vice-President:</p>	<p style="text-align: center;">Clause 2 Alteration of Section 84 of the Principal Act</p> <p>Section 84 of the Principal Act is altered by inserting after subsection (5), a new subsection “(5A)” -</p> <p>“(5A) Any person who has held office as President or Deputy President of the Senate, Speaker or Deputy Speaker of the House of Representatives, shall be entitled to pension for life at a rate equivalent to the annual salary of the incumbent President or Deputy President of the Senate, Speaker or Deputy Speaker of the House of Representatives:</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>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>(6)</p>		
124.	<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>(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 style="text-align: center;">Clause Alteration of Section 124</p> <p>Section 124 of the Principal Act is altered in subsection (5) by inserting, after the words, "Deputy Governor", in line 3, the words, "Speaker or Deputy Speaker."</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 16, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to entitle the President of the Senate,</p>	

		Deputy President of the Senate, Speaker and Deputy Speaker of the House of Representatives and State Houses of Assembly to receive pension.	
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C. JUDICIAL REFORMS

17. Establishment of the Federal Revenue Court and the Revenue Court of a State

**A Bill
For**

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to establish the Federal Revenue Court and the Revenue Court of a State; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
6	<p style="text-align: center;">Judicial powers</p> <p>(1) The judicial powers of the Federation shall be vested in the courts to which this section relates, being courts established for the Federation.</p> <p>(2).....</p> <p>(3).....</p> <p>(4).....</p> <p>(5) This section relates to-</p> <p>(a) the Supreme Court of Nigeria;</p> <p>(b) the Court of Appeal;</p> <p>(c) the Federal High Court;</p> <p>(cc) the National Industrial Court</p> <p>(d).....</p> <p>(e).....</p>	<p style="text-align: center;">Clause 2 Alteration of Section 6</p> <p>Section 6 (5) of the Principal Act is altered by –</p> <p>(a) inserting after paragraph (cc), a new paragraph “(cd)” –</p> <p>“ (cd)” the Federal Revenue Court”; and</p>	

	<p>(f)..... (g)..... (h)..... (i) a Customary Court of Appeal of a State;</p>	<p>(b) inserting after paragraph (i), a new paragraph “(j)” – “(j)” a Revenue Court of a State”</p>	
46	<p>Special jurisdiction of High Court and legal aid</p> <p>(1) Any person who alleges that any of the provisions of this Chapter has been, is being or likely to be contravened in any State in relation to him, may apply to a High Court in that State for redress.</p> <p>(2) Subject to the provisions of this Constitution, a High Court shall have original jurisdiction to hear and determine any application made to it in pursuance of the provisions of this section and may make such orders, issue such writs and give such directions as it may consider appropriate for the purpose of enforcing or securing the enforcement within that State of any right to which the person who makes the application may be entitled under this Chapter.</p>	<p>Clause 3 Alteration of section 46</p> <p>Section 46 of the Principal Act is altered –</p> <p>(a) in the marginal note, by substituting for the words, “High Court”, the word, “superior court of record”;</p> <p>(b) substituting for subsection (1), new subsection “(1)” – “(1) Any person who alleges that any of the provisions of this Chapter has been, is being or likely to be contravened in any State in relation to him, may apply for redress in that State before a superior court of record-with original subject matter jurisdiction”;</p> <p>(c) in subsection (2), by substituting the words “High Court” with the words “superior court of record”;</p> <p>(d) in subsection (3), by substituting for the words, “a High Court”, the words, “the superior courts of record”; and</p> <p>(e) in subsection (4), by substituting for the words, “a High Court”, the words, “the superior courts of record”</p>	

<p>84</p>	<p>Remuneration, etc. of the President and certain other officers</p> <p>(1).....</p> <p>(2).....</p> <p>(3).....</p> <p>(4) The offices aforesaid are the offices of President, Vice-President, Chief Justice of Nigeria, Justice of the Supreme Court, President of the Court of Appeal, Justice of the Court of Appeal, Chief Judge of the Federal High Court, Judge of the Federal High Court, President of the National Industrial Court, Judge of the National Industrial Court, Chief Judge and Judge of the High Court of the Federal Capital Territory, Abuja, Chief Judge of a State, Judge of the High Court of a State, Grand Kadi and Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja, President and Judge of the Customary Court of Appeal of the Federal Capital Territory, Abuja, Grand Kadi and Kadi of the Sharia Court of Appeal of a State, President and Judge of the Customary Court of Appeal of a State, the Auditor-General for the Federation and the Chairmen and members of the following executive bodies, namely, the Code of Conduct Bureau, the Federal Civil Service Commission, the Independent National Electoral Commission, the National Judicial Council, the Federal Judicial Service Commission, the Judicial Service Committee of the Federal Capital Territory, Abuja, the Federal Character Commission, the Code of Conduct Tribunal, the National Population Commission, the Revenue Mobilisation Allocation and Fiscal Commission, the Nigeria Police Council and the Police Service Commission.</p>	<p style="text-align: center;">Clause 4 Alteration of section 84</p> <p>Section 84(4) of the Principal Act is altered by –</p> <p>(a) inserting after the words, “Judge of the National Industrial Court,” in line 6, the words, “Chief Judge of the Federal Revenue Court, Judge of the Federal Revenue Court.”; and</p> <p>(b) inserting after the words, “Judge of the High Court of a State,” in line 13, the words, “Chief Judge and Judge of the Revenue Court of a State.”</p>	
<p>240</p>	<p style="text-align: center;">Appellate jurisdiction</p> <p>Subject to the provisions of this Constitution, the Court of Appeal shall have jurisdiction, to the exclusion of any other</p>	<p style="text-align: center;">Clause 5 Alteration of section 240</p> <p>Section 240 of the Principal Act is altered by –</p>	

	<p>court of law in Nigeria, to hear and determine appeals from the Federal High Court, National Industrial Court, the High Court of the Federal Capital Territory, Abuja, High Court of a State, Sharia Court of Appeal of the Federal Capital Territory, Abuja, Sharia Court of Appeal of a State, Customary Court of Appeal of the Federal Capital Territory, Abuja, Customary Court of Appeal of a State and from decisions of a court-martial or other tribunals as may be prescribed by an Act of the National Assembly.</p>	<p>(a) inserting after the words, “National Industrial Court”, in line 4, the words, “Federal Revenue Court”; and</p> <p>(b) inserting after the words, “High Court of a State”, in line 8, the words, “the Revenue Court of a State.”</p>	
243	<p style="text-align: center;">Exercise of the right of appeal from the Federal High Court, National Industrial Court or a High Court in civil and criminal matters</p> <p>(1).....</p> <p>(2).....</p> <p>(3).....</p> <p>(4) Without prejudice to the provisions of section 254C(5) of this Act, the decision of the Court of Appeal in respect of any appeal arising from any civil jurisdiction of the National Industrial Court shall be final.</p>	<p style="text-align: center;">Clause 6 Alteration of Section 243</p> <p>Section 243 of the Principal Act is altered –</p> <p>(a) in the marginal note, by inserting after the words, “National Industrial Court”, the words, “the Federal Revenue Court, the Revenue Court of a State”;</p> <p>(b) in subsection (1), by inserting after the words, “National Industrial Court”, in line 2, the words, “the Federal Revenue Court, the Revenue Court of a State”:</p> <p>(c) in paragraph (a), by inserting after the words, “Federal High Court”, in line 2, the words, “National Industrial Court, the Federal Revenue Court, the Revenue Court of a State”; and</p> <p>(d) by inserting after subsection (4), new subsections “(5) – (10)” –</p> <p>“(5) An Appeal shall lie as of right to the Court of Appeal from the final decision of the Federal Revenue Court on the substantive merit of the case.</p>	

		<p>(6) No appeal shall lie against any decision of the Federal Revenue Court in respect of any procedural issue or question.</p> <p>(7) The decision of the Court of Appeal in respect of any appeal arising from any civil or criminal jurisdiction of the Federal Revenue Court shall be final.</p> <p>(8) An Appeal shall lie as of right to the Court of Appeal from the final decision of the Revenue Court of a State on the substantive merit of the case.</p> <p>(9) No appeal shall lie against any decision of the Revenue Court of a State in respect of any procedural issue or question.</p> <p>(10) The decision of the Court of Appeal in respect of any appeal arising from any civil or criminal jurisdiction of the Revenue Court of a State shall be final”.</p>	
251	<p style="text-align: center;">Jurisdiction</p> <p>(1) Notwithstanding anything to the contrary contained in this Constitution and in addition to such other jurisdiction as may be conferred upon it by an Act of the National Assembly, the Federal High Court shall have and exercise jurisdiction to the exclusion of any other court in civil causes and matters –</p> <p>(a) relating to the revenue of the Government of the Federation in which the said Government or any organ thereof or a person suing or being sued on behalf of the said Government is a party;</p>	<p style="text-align: center;">Clause 7 Alteration of Section 251</p> <p>Section 251(1) is altered by deleting paragraphs (a), (b) and (c).</p>	

	<p>(b) connected with or pertaining to the taxation of companies and other bodies established or carrying on business in Nigeria and all other persons subject to Federal taxation;</p> <p>(c) connected with or pertaining to customs and excise duties and export duties, including any claim by or against the Nigeria Customs Service or any member or officer thereof, arising from the performance of any duty imposed under any regulation relating to customs and excise duties and export duties;</p> <p>(d).....</p>		
		<p>Clause 8 Alteration of Chapter VII, Part I</p> <p>Chapter VII, Part 1 of the Principal Act is altered by inserting after section 254F, a new subheading “CD” and sections “254AA – 254AF” -</p>	
254	<p style="text-align: center;">Practice and procedure</p> <p>Subject to the provisions of any Act of the National Assembly, the Chief Judge of the Federal High Court may make rules for regulating the practice and procedure of the Federal High Court.</p>	<p>“CD – The Federal Revenue Court;</p> <p>Establishment and composition of the Federal Revenue Court</p> <p>254AA (1) There shall be a Federal Revenue Court.</p>	

(1) The Federal Revenue Court shall consist of –

- a. Chief Judge of the Federal Revenue Court; and
- b. such number of Judges of the Federal Revenue Court, not less than eighteen, as may be prescribed by an Act of the National Assembly.

Appointment of Chief Judge and Judges of the Federal Revenue Court

254AB (1) The Appointment of a person to the office of the Chief Judge of the Federal Revenue Court shall be made by the President on the recommendation of the National Judicial Council subject to confirmation of such appointment by the Senate.

(2) The appointment of a person to the office of a Judge of the Federal Revenue Court shall be made by the President on the recommendation of the National Judicial Council.

(3) A person shall not be eligible to hold the office of the Chief Judge of the Federal Revenue Court unless the person is qualified to practice as a Legal Practitioner in Nigeria and has been so qualified for a period of not less than fifteen years with considerable knowledge and cognate experience in matters of public revenue, the law and practice of Taxation and tax related matters.

(4) A person shall not be eligible to hold the office of a Judge of the Federal Revenue Court unless the person is qualified to practice as a Legal Practitioner in Nigeria and has been so qualified for a period of not less than twelve years with considerable knowledge and cognate experience in matters of public revenue, the law and practice of Taxation and tax related matters.”

Jurisdiction

254AC (1) Notwithstanding the provisions of section 251, 257, 272, 254C or any other provision contained in this Constitution the Federal Revenue Court shall have and exercise jurisdiction to the exclusion of any other Court or Tribunal in civil and criminal causes and matters –

- a) relating to the revenue of the Government of the Federation in which the said Government or any organ thereof or a person suing or being sued on behalf of the said Government is a party;
- b) connected with or pertaining to the taxation of companies and other bodies established or carrying on business in Nigeria and all other person subject to federal taxation;
- c) connected with or pertaining to customs and excise duties and export duties, including any claim by or against the Nigerian Customs Service or any member or officer thereof, arising from the performance of any duty imposed under any regulation relating to customs and excise duties and export duties;
- d) connected with or pertaining to accruals into and disbursement from the Federation Account including the activities of the Revenue Mobilization Allocation and Fiscal Commission in relation to the Federation Account;
- e) connected or pertaining to any dispute over the interpretation and application of the provisions of

		<p>Chapter IV of this Constitution in relation to any matter within the jurisdiction of the Federal Revenue Court;</p> <p>f) connected with or pertaining to the interpretation and application of the provision of this Constitution in relation to any matter within the jurisdiction of the Federal Revenue Court; and</p> <p>g) any action or proceeding for a declaration or injunction affecting the validity of any executive or administrative action or decision by the Federal Government or any of its agencies in relation to matters within the jurisdiction of the Federal Revenue Court.</p> <p>(2) The Federal Revenue Court shall have and exercise Jurisdiction and powers in criminal causes and matters arising from any cause or matter of which jurisdiction is conferred on the Federal Revenue Court by this section.</p> <p>(3) Notwithstanding subsections (1) and (2) of this section where by law any Tribunal established before the date when this section comes into force is empowered to exercise jurisdiction for the hearing and determination of any of the matters to which subsections (1) and (2) of this section relates, such Tribunal or Court shall as from the date when this section comes into force be restyled “Federal Revenue Court” and shall continue to have all the powers and exercise the jurisdiction conferred upon it by any law.</p> <p>Powers</p>	
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		<p>254AD (1) For the purpose of exercising any jurisdiction conferred upon it by this Constitution or as may be conferred by an Act of National Assembly, the Federal Revenue Court shall have all the powers of a High Court.</p> <p>(2) Notwithstanding subsection (1) of this section, the National Assembly may by law, make provisions conferring upon the Federal Revenue Court, powers additional to those conferred by this section as may appear necessary or desirable for enabling the Court to be more effective in exercising its jurisdiction.</p> <p>Constitution of the Court</p> <p>254AE (1) For the purpose of exercising any jurisdiction conferred upon it by this Constitution or any other law, the Federal Revenue Court shall be duly constituted by a single Judge, or not more than 3 Judges as the Chief Judge of the Federal Revenue Court may decide:</p> <p style="padding-left: 40px;">Provided that where a Judge of the Federal Revenue Court has been appointed to the Court of Appeal, the Judge shall have dispensation to continue to sit as a Judge of the Federal Revenue Court only for the purpose of concluding any part-heard matter pending before him at the time of his appointment and shall conclude within a maximum period of three months.</p> <p>(2) For the purpose of exercising its criminal jurisdiction, the Chief Judge of the Court may hear and determine or assign a single Judge of the Court to hear and determine such matters.</p> <p>(3) For the purpose of exercising any jurisdiction conferred upon it by the Constitution, the Court may, if</p>	
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		<p>it deems it expedient to do so or in a manner prescribed under any enactment, law, or rules of Court, call in the aid of one or more assessors especially qualified to try and hear the cause or matter wholly or partly with the assistance of such assessors.</p> <p>(4) For the purpose of subsection 3 of this section, an assessor shall be a person who is qualified and experienced in his field of specialization and who has been so qualified for a period of not less than ten years.</p> <p>Practice and Procedure</p> <p>254AF (1) Subject to the provisions of any Act of the National Assembly, the Chief Judge of the Federal Revenue Court may make rules for regulating the practice and procedure of the Federal Revenue Court.</p> <p>(2) Any application to be filed before the Federal Revenue Court shall be filed not later than 30 days from the date of the occurrence of the event, decision or action complained of in the suit.</p> <p>(2) Where a preliminary objection or any other interlocutory issue is raised by a party touching on the jurisdiction of the Court or the competence of any process, the Court shall suspend its ruling and deliver it at the stage of final judgment.</p> <p>(3) The Federal Revenue Court shall deliver its judgment in writing within 90 days from the date of filing of the application without regard to any procedural technicalities.</p>	
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		<p>(4) An appeal from any decision of the Federal Revenue Court shall be filed within 14 days from the date of delivery of the decision or judgment appealed against.</p> <p>(5) An appeal from any decision of the Federal Revenue Court shall be heard and determined within 60 days from the date of filing of the appeal.</p> <p>(6) For the purpose of this section, where there is a natural disaster, war or any State or national emergency or any other “<i>force majeure</i>” that prevents the filing of an application, sitting of the court, or any appellate proceeding arising from the application, the period of the natural disaster, war, State or national emergency or any other “<i>force majeure</i>” shall not be reckoned with in the computation of time.”</p>	
274	<p style="text-align: center;">Practice and procedure</p> <p>Subject to the provisions of any law made by the House of Assembly of the State, the President of the Customary Court of Appeal of the State may make rules for regulating the practice and procedure of the Customary Court of Appeal of the State.</p>	<p style="text-align: center;">Clause 9</p> <p style="text-align: center;">Alteration of Part II</p> <p>Insertion of new paragraph AA under Part II and Sections 274A – 274F</p> <p>Chapter VII, Part II of the Principal Act is altered by inserting after section 274, a new subheading “AA” and sections “274A – 274F” -</p> <p>AA. The Revenue Court of a State;</p> <p>Establishment of the Revenue Court of a State</p> <p>274A (1) There shall be for any State that requires it a Revenue Court for that State.</p> <p>(2) The Revenue Court of a State shall consist of:</p>	

		<p>a) a Chief Judge of the Revenue Court; and</p> <p>b) such number of Judges of the Revenue Court as may be prescribed by a Law of the House of Assembly of the State.</p> <p>Appointment of Chief Judge and Judges of the Revenue Court of a State</p> <p>274B (1) The appointment of a person to the office of the Chief Judge of the Revenue Court of a State shall be made by the Governor of the State on the recommendation of the National Judicial Council subject to the confirmation of such appointment by the House of Assembly of the State.</p> <p>(2) The appointment of a person to the office of a Judge of the Revenue Court of a State shall be made by the Governor of the State on the recommendation of the National Judicial Council.</p> <p>(3) A person shall not be eligible to hold the office of the Chief Judge of the Revenue Court of a State unless the person is qualified to practice as a Legal Practitioner in Nigeria and has been so qualified for a period of not less than fifteen years with considerable knowledge and cognate experience in public revenue matters, the law and practice of Taxation and tax related matters.</p> <p>(4) A person shall not be eligible to hold the office of a Judge of the Revenue Court of a State unless the person is qualified to practice as a Legal Practitioner in Nigeria and has been so qualified for a period of not less than twelve years with considerable knowledge and cognate experience in public revenue matters, the law and practice of Taxation and tax related matters.</p> <p>Jurisdiction</p>	
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		<p>274C (1) Notwithstanding the provisions of section 272 and anything contained in this Constitution, the Revenue Court of a State shall have and exercise jurisdiction to the exclusion of any other Court or Tribunal in civil and criminal causes and matters –</p> <ul style="list-style-type: none"> a) relating to the internally generated revenue of the Government of the State in which the said Government or any organ thereof or a person suing or being sued on behalf of the State Government is a party; b) connected with or pertaining to the taxation of businesses and all other persons subject to State Taxation; c) relating to or connected with any dispute over the interpretation and application of the provisions of Chapter IV of this Constitution as it relates to any matter within the jurisdiction of the Revenue Court of a State; d) relating to the interpretation and application of this Constitution in relation to any matter within the jurisdiction of the Revenue Court of a State; and e) any action or proceeding for a declaration or injunction affecting the validity of any executive or administrative action or decision of the State Government or any of its agencies in relation to matters within the jurisdiction of the Revenue Court of a State; <p>(2) The Revenue Court of a State shall have and exercise</p>	
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		<p>Jurisdiction and powers in criminal causes and matters arising from any cause or matter of which jurisdiction is conferred on the Revenue Court of a State by this section or any other law of the House of Assembly of that State.</p> <p>Powers</p> <p>274D</p> <p>(1) For the purpose of exercising any jurisdiction conferred upon it by this Constitution, the Revenue Court of a State shall have all the powers of the High Court.</p> <p>(2) Notwithstanding subsection (1) of this section, the House of Assembly may by law, make provisions conferring upon the Revenue Court of a State, powers additional to those conferred by this section as may appear necessary or desirable for enabling the Court to be more effective in exercising its jurisdiction.</p> <p>Constitution of the Court</p> <p>274E (1) For the purpose of exercising any jurisdiction conferred upon it by this Constitution, the Revenue Court of a State shall be duly constituted by a single Judge, or not more than 3 Judges as the Chief Judge of the State Revenue Court may decide:</p> <p>Provided that where a Judge of the Revenue Court of a State has been appointed to the Court of Appeal, the Judge shall have dispensation to continue to sit as a Judge of the Revenue Court of a State only for the purpose of concluding any part-heard matter pending before him at the time of his appointment and shall</p>	
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conclude within a maximum period of three months.

(2) For the purpose of exercising its criminal jurisdiction, the Chief Judge of the Court may hear and determine or assign a single Judge of the Court to hear and determine such matters.

(3) For the purpose of exercising any jurisdiction conferred upon it by the Constitution, the Court may, if it deems it expedient to do so or in a manner prescribed under any enactment, law, or rules of Court, call in the aid of one or more assessors especially qualified to try and hear the cause or matter wholly or partly with the assistance of such assessors.

(5) For the purpose of subsection 3 of this section, an assessor shall be a person who is qualified and experienced in his field of specialization and who has been so qualified for a period not less than ten years.

Practice and Procedure

274F (1) Subject to the provisions of any Law of the House of Assembly, the Chief Judge of the Revenue Court of a State may make rules for regulating the practice and procedure of the Revenue Court of a State.

(2) Any application or matter to be filed before the Revenue Court of a State shall be filed not later than 30 days from the date of the occurrence of the event, decision or action complained of in the suit.

(3) Where a preliminary objection or any other interlocutory issue is raised by a party touching on the jurisdiction of the court or the competence of any process, the court shall suspend its ruling and deliver it at the stage of final judgment.

		<p>(4) The Revenue Court of a State shall deliver its judgment in writing within 90 days from the date of filing of the suit without regard to any procedural technicalities.</p> <p>(5) An appeal from any decision of the Revenue Court of a State shall be filed within 14 days from the date of delivery of the judgment appealed against.</p> <p>(6) An appeal from any decision of a Revenue Court of a State shall be heard and determined within 60 days from the date of filing of the appeal.</p> <p>(7) For the purpose of this section, where there is a natural disaster, war or any State or national emergency or any other “<i>force majeure</i>” that prevents the filing of an application, sitting of the court, or any appellate proceeding arising from the application, the period of the natural disaster, war, State or national emergency or any other “<i>force majeure</i>” shall not be reckoned with in the computation of time”.</p>	
287	<p style="text-align: center;">Enforcement of decisions</p> <p>(1) The decisions of the Supreme court shall be enforced in any part of the Federation by all authorities and persons, and by courts with subordinate jurisdiction to that of the Supreme Court.</p> <p>(2).....</p> <p>(3) The decisions of the Federal High Court, National Industrial Court, a High Court and of all other courts established by this Constitution shall be enforced in any part of the Federation by all authorities and persons, and by other courts of law with subordinate jurisdiction to that of the Federal High Court, National Industrial Court, a High Court and those other courts, respectively.</p>	<p style="text-align: center;">Clause 11 Alteration of Section 287</p> <p>Section 287 (3) of the Principal Act is altered by –</p> <p>a) inserting after the words, “Federal High Court”, in line 1, the words, “Federal Revenue Court” and;</p> <p>b) inserting after the words, “High Court”, in lines 2 and 4, “the Revenue Court of a State”</p>	

289	<p style="text-align: center;">Disqualification of certain legal practitioners</p> <p>No legal practitioner shall be qualified for appointment as a Justice of the Supreme Court, the Court of Appeal or a Judge of a Federal High Court or Judge of the National Industrial Court or a Judge of a High Court or a Kadi of a Sharia Court of Appeal or a Judge of the Customary Court of Appeal whilst he is a member of the National Judicial Council or the Federal Judicial Service Commission or the Judicial Service Committee of the Federal Capital Territory, Abuja or a State Judicial Service Commission, and he shall remain so disqualified until a period of three years has elapsed since he ceased to be a member.</p>	<p style="text-align: center;">Clause 12 Alteration of Section 289</p> <p>Section 289 of the Principal Act is altered by –</p> <ul style="list-style-type: none"> a) inserting after the words, “a Judge of National Industrial Court of Nigeria”, in line 3, the words, “or a Judge of the Federal Revenue Court”; and b) inserting immediately after the words “a Judge of a High Court” in line 5 the words “or a Judge of the Revenue Court of a State”. 	
292	<p style="text-align: center;">Removal of judicial officers from office</p> <p>(1) A judicial officer shall not be removed from his office or appointment before his age of retirement except in the following circumstances -</p> <ul style="list-style-type: none"> (a) in the case of - <ul style="list-style-type: none"> (i) Chief Justice of Nigeria, President of the Court of Appeal, Chief Judge of the Federal High Court, President of the National Industrial Court, Chief Judge of the High Court of the Federal Capital Territory, Abuja, Grand Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja and President, Customary Court of Appeal of the Federal Capital Territory, Abuja, by the President acting on an address supported by two-thirds majority of the Senate, (ii) Chief Judge of a State, Grand Kadi of a Sharia Court of Appeal or President of a Customary Court of Appeal of a State, by the Governor acting on an address supported by two-thirds majority of the House of 	<p style="text-align: center;">Clause 13 Alteration of Section 292</p> <p>Section 292(1) of the Principal Act is altered –</p> <ul style="list-style-type: none"> a) in paragraph (a) (i), by inserting after the words, “National Industrial Court”, line 3, the words, “Chief Judge of the Federal Revenue Court”; and b) in paragraph(a) (ii), by inserting after the words, “Chief Judge of a State”, in line 2, the words, “Chief Judge of the Revenue Court of a State”. 	

	<p>Assembly of the State, praying that he be so removed for his inability to discharge the functions of his office or appointment (whether arising from infirmity of mind or of body) or for misconduct or contravention of the Code of Conduct;</p>		
294	<p style="text-align: center;">Determination of causes and matters</p> <p>(1)..... (2)..... (3)..... (4) For the purpose of delivering its decision under this section, the Supreme Court, or the Court of Appeal or the National Industrial Court, shall be deemed to be duly constituted if at least one member of that court sits for that purpose. (5)..... (6).....</p>	<p style="text-align: center;">Clause 14 Alteration of Section 294</p> <p>Section 294(4) of the Principal Act is altered by inserting after the word, “National Industrial Court”, in line 3, the words, “Federal Revenue Court”.</p>	
295	<p style="text-align: center;">Reference of questions of law</p> <p>(1) Where any question as to the interpretation or application of this Constitution arises in any proceedings in any court of law in any part of Nigeria (other than in the Supreme Court, the Court of Appeal, the Federal High Court or the National Industrial Court or a High Court) and the court is of the opinion that the question involves a substantial question of law, the court may, and shall if any of the parties to the proceedings so requests, refer the question to the Federal High Court or the National Industrial Court or a High Court having jurisdiction in that part of Nigeria and the Federal High Court or the National Industrial Court or the High Court shall - (a) if it is of opinion that the question involves a</p>	<p style="text-align: center;">Clause 15 Alteration of Section 295</p> <p>Section 295 of the Principal Act is altered –</p> <p>(a) in the opening paragraph of subsection (1), by inserting –</p> <p>(i) after the words, “or the National Industrial Court”, in line 3, the words, “ or the Federal Revenue Court”, and</p> <p>(ii) after the words, “or a High Court”, in lines 5, 8 – 9 and 10, the words, “or the Revenue Court of a State”; and</p>	

	<p>substantial question of law, refer the question to the Court of Appeal; or</p> <p>(b) if it is of opinion that the question does not involve a substantial question of law, remit the question to the court that made the reference to be disposed of in accordance with such directions as the Federal High Court or the National Industrial Court or the High Court may think fit to give.</p> <p>(2) Where any question as to the interpretation or application of this Constitution arises in any proceedings in the Federal High Court or the National Industrial Court or a High Court, and the court is of opinion that the question involves a substantial question of law, the court may, and shall if any party to the proceedings so requests, refer the question to the Court of Appeal; and where any question is referred in pursuance of this subsection, the court shall give its decision upon the question and the court in which the question arose shall dispose of the case in accordance with that decision.</p> <p>(3).....</p>	<p>(b) in paragraph (b), by inserting –</p> <p>(i) after the words, “or the National Industrial Court”, in lines 4 and 5, the words, “or the Federal Revenue Court”, and</p> <p>(ii) after the words, “or a High Court”, in line 4, the words, “or the Revenue Court of a State”;</p> <p>(c) in subsection (2), by inserting –</p> <p>(i) after the words, “or the National Industrial Court”, in line 3, the words, “or the Federal Revenue Court”; and</p> <p>(d) (ii) after the words, “or a High Court”, in line 3, the words, “or the Revenue Court of a State”.</p>	
318	<p style="text-align: center;">PART IV <i>Interpretation, citation and commencement</i></p> <p>318. Interpretation</p> <p>(1) In this constitution, unless it is otherwise expressly provided, or the context otherwise requires-</p> <p>“judicial office” means the office of Chief Justice of Nigeria or a Justice of the Supreme Court, the President or Justice of the Court of Appeal, the office of the Chief Judge or a Judge of the Federal High Court, the office of the President or Judge of the National Industrial Court, the office of the Chief Judge or Judge of the High Court of the Federal</p>	<p style="text-align: center;">Clause 16 Alteration of Section 318</p> <p>Section 318 of the Principal Act is altered by inserting –</p> <p>a) under the interpretation of judicial office, after the words, “the office of the President or Judge of the National Industrial Court”, in line 4, the words, “the office of the Chief Judge or Judge of the Federal Revenue Court”; and</p> <p>b) under the interpretation of Public Service of the</p>	

	<p>Capital Territory, Abuja, the office of the Chief Judge of a State and Judge of the High Court of a State, a Grand Kadi or Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja, a President or Judge of the Customary Court of Appeal of the Federal Capital Territory, Abuja, a Grand Kadi or Kadi of the Sharia Court of Appeal of a State, or President or a Judge of the Customary Court of Appeal of a State; and a reference to a “judicial officer” is a reference to the holder of any such office;</p> <p>“public service of the Federation” means the service of the Federation in any capacity in respect of the Government of the Federation, and includes service as-</p> <p>(a) Clerk or other staff of the National Assembly or of each House of the National Assembly;</p> <p>(b) member of staff of the Supreme Court, the Court of Appeal, the Federal High Court, the National Industrial Court, the High Court of the Federal Capital Territory, Abuja, the Sharia Court of Appeal of the Federal Capital Territory, Abuja, the Customary Court of Appeal of the Federal Capital Territory, Abuja; or other courts established for the Federation by this Constitution and by an Act of the National Assembly;</p>	<p>Federation”, after the words, “the National Industrial Court”, in paragraph (b), line 4, the words, “the Federal Revenue Court” immediately after the words “National Industrial Court” in paragraph (b) line 2.</p>	
<p>3rd schedule</p>	<p style="text-align: center;">THIRD SCHEDULE PART I <i>Federal Executive Bodies (established by section 153)</i></p> <p style="text-align: center;"><i>E - Federal Judicial Service Commission</i></p> <p>12. Federal Judicial Service Commission The Federal Judicial Service Commission shall comprise the following members –</p> <p>(a);</p> <p>(b);</p> <p>(c)</p>	<p style="text-align: center;">Clause 17 Alteration of the Third Schedule</p> <p>The Third Schedule to the Principal Act is altered –</p> <p>a) in paragraph 12, by inserting after subparagraph “(dd)”, a new subparagraph “(ddd)” –</p> <p>“(ddd) the Chief Judge of the Federal Revenue Court”;</p>	

	<p>(d);</p> <p>(dd) the President of the National Industrial Court;</p> <p>(e); and</p> <p>(f) two other persons, not being legal practitioners, who in the opinion of the President are of unquestionable integrity.</p> <p>13. The Commission shall have power to –</p> <p>(a) advise the National Judicial Council in nominating persons for appointment, as respects appointments to the office of –</p> <p>(vib) a Judge of the National Industrial Court, and</p> <p>(c) appoint, dismiss and exercise disciplinary control over the Chief Registrars and Deputy Chief Registrars of the Supreme Court, the Court of Appeal, the Federal High Court, the National Industrial Court and all other members of the staff of the judicial service of the Federation not otherwise specified in this Constitution and of the Federal Judicial Service Commission.</p> <p>20 (ee) the President of the National Industrial Court;</p> <p>21. The National Judicial Council shall have power to –</p> <p>(a) recommend to the President from among the list of persons submitted to it by –</p> <p>(i) the Federal Judicial Service Commission, persons for appointment to the offices of the Chief Justice of</p>	<p>b) in paragraph 13 -</p> <p>(i) subparagraph (a) (vib), by deleting the word, “and”;</p> <p>and</p> <p>(ii) inserting after subparagraph, (vib), new subparagraphs “vic” and “vid” –</p> <p>“(vic) the Chief Judge of the Federal Revenue Court,</p> <p>(vid) a Judge of the Federal Revenue Court”;</p> <p>c) in paragraph 13 (c), by inserting immediately after the words, “National Industrial Court”, in line 4, the words, “Federal Revenue Court” ;</p> <p>d) in paragraph 20, by inserting after subparagraph (ee), a new subparagraph “(eee)” –</p> <p>“(eee)” the Chief Judge of the Federal Revenue Court”;</p>	
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	<p>Nigeria, the Justices of the Supreme Court, the President and Justices of the Court of Appeal, the Chief Judge and Judges of the Federal High Court, the President and Judges of the National Industrial Court, and.....</p> <p>(c) recommend to the Governors from among the list of persons submitted to it by the State Judicial Service Commissions persons for appointments to the offices of Chief Judges of the States and Judges of the High Courts of the States, the Grand Kadis and Kadis of the Sharia Courts of Appeal of the States and the Presidents and Judges of the Customary Courts of Appeal of the States;</p>	<p>e) in paragraph 21(a) (i), by inserting immediately after the words, “National Industrial Court,” in line 6, the words, “Chief Judge and Judges of the “Federal Revenue Court””; and</p> <p>f) in paragraph 21(a) (c), by inserting after the words, “Judges of the High Courts of the States”, the words, the words, “Chief Judge and Judges of the Revenue Court of a State”.</p>	
<p>7th Schedule</p>	<p style="text-align: center;"><i>Judicial Oath</i></p> <p>I, do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as Chief Justice of Nigeria/Justice of the Supreme Court/President/Justice of the Court of Appeal/Chief Judge/Judge of the Federal High Court/ President/Judge of the National Industrial Court/Chief Judge/ Judge of the High Court of the Federal Capital Territory, Abuja/ Chief Judge of State/Judge of the High Court of State/ Grand Kadi/Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja/ Grand Kadi/Kadi of the Sharia Court of Appeal of State/President/Judge of the Customary Court of Appeal of the Federal Capital Territory, Abuja/President/Judge of the Customary Court of Appeal of State, I will discharge my duties, and perform my functions honestly, to the best of my ability and faithfully in accordance with the Constitution of the Federal Republic of Nigeria and the law; that I will abide by the Code of Conduct</p>	<p style="text-align: center;">Clause 18 Alteration of Seventh Schedule</p> <p>The Seventh Schedule to the Principal Act is altered, under “Judicial Oath”, by –</p> <p>a) inserting after the words, “National Industrial Court”, in line 5, the words, “Chief Judge/Judges of the Federal Revenue Court”; and</p> <p>b) inserting after the words, “Chief Judge of.../Judge of the High Court of.....State/”, in line 12, the words, “Chief of/Judge of the</p> <p>c) Revenue Court of.....State”</p>	

	<p>contained in the Fifth Schedule to 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 preserve, protect and defend the Constitution of the Federal Republic of Nigeria.</p>		
		<p style="text-align: center;">Clause 19 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 17, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution to establish the Federal Revenue Court and the Revenue Court of a State for States that require it to exercise expedited exclusive jurisdiction over Federal and State Revenue matters.</p>	

18. Judicial Reforms (General)

A Bill For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to further strengthen the judiciary for timely dispensation of justice; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		Clause 1	
		The Constitution of the Federal Republic of Nigeria, 1999 (in this Act referred to as “the Principal Act”) is amended as set out in this Bill.	
6	Judicial powers	Clause 2 Alteration of section 6	
		The Constitution is altered in section 6(5), by inserting – (a) after paragraph (cc), new paragraphs “(cd)” and “(ce)”- (i) “(cd) Federal Revenue Court; and (ii) “(ce) Code of Conduct Tribunal.”; and (b) after paragraph (e), a new paragraph “(ee)”- “(ee) Revenue Court of the State.”	
84	Remuneration of the President and certain other officers 84(3) The remuneration and salaries payable to the holders of the said offices and their conditions of service, other than allowances, shall not be altered to their disadvantage after their	Clause 3 Alteration of section 84	
		Section 84 (3) of the Principal Act is altered by deleting the words, “other than allowances”, in line 2.	

	appointment.		
230	<p>Establishment of the Supreme Court of Nigeria</p> <p>230(1) There shall be a Supreme Court of Nigeria.</p> <p>(2) The Supreme Court of Nigeria shall consist of –</p> <p>(a) the Chief Justice of Nigeria; and</p>	<p>Clause 4</p> <p>Alteration of section 230</p> <p>Section 230 (2) of the Principal Act is altered in paragraph (b), by inserting after the word, “Nigeria”, in line 1, the words, “who shall be the head of the Judiciary of the Federation”;</p>	
231	<p>Appointment of Chief Justice of Nigeria and Justices of the Supreme Court</p> <p>231(3) A person shall not be qualified to hold the office of Chief Justice of Nigeria or a Justice of the Supreme Court, unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for a period of not less than fifteen years.</p>	<p>Clause 5</p> <p>Alteration of section 231</p> <p>Section 231 of the Principal Act is altered by substituting subsection (3), a new subsection “(3)” –</p> <p>“(3) A person shall not be qualified to hold the office of a Chief Justice of Nigeria or a Justice of the Supreme Court unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for a period of not less than twenty-five years and twenty years, respectively.”</p>	
Section 233	<p><i>A - The Supreme Court of Nigeria</i></p> <p>233. (1) The Supreme Court shall have jurisdiction, to the exclusion of any other court of law in Nigeria, to hear and determine appeals from the Court of Appeal.</p> <p>(2) An appeal shall lie from decisions of the Court of Appeal to the Supreme Court as of right in the following cases -</p>	<p>Clause 6</p> <p>Alteration of section 233</p> <p>Substitute for section 233 of the Principal Act a new section “233”-</p> <p><i>“Appellate jurisdiction</i></p> <p>233. (1) The Supreme Court shall have jurisdiction, to the exclusion of any other court of law in Nigeria, to hear and determine appeals from the Court of Appeal.</p> <p>(2) An appeal shall lie from decisions of the Court of Appeal to the Supreme Court as of right in the following cases -</p>	

	<p>(a) where the ground of appeal involves questions of law alone, decisions in any civil or criminal proceedings before the Court of Appeal;</p> <p>(b) decisions in any civil or criminal proceedings on questions as to the interpretation or application of this constitution,</p> <p>(c) 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>(d) decisions in any criminal proceedings in which any person has been sentenced to death by the Court of Appeal or in which the Court of Appeal has affirmed a sentence of death imposed by any other court;</p> <p>(e) decisions on any question -</p> <p>(i) whether any person has been validly elected to the office of President or Vice-President under this Constitution,</p> <p>(ii) whether the term of office of office of President or Vice-President has ceased,</p> <p>(iii) whether the office of President or Vice-President has become vacant;</p> <p>(iv) whether any person has been validly elected to the office of Governor or Deputy Governor under this Constitution,</p> <p>(v) whether the term of office of Governor or Deputy Governor has ceased,</p> <p>(vi) whether the term of office of Governor or Deputy Governor has become vacant; and</p> <p>(f) such other cases as may be described by an Act of the National Assembly.</p>	<p>(a) decisions in any civil or criminal proceedings on questions as to the interpretation or application of this constitution;</p> <p>(b) 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>(c) decisions in any criminal proceedings in which any person has been sentenced to death by the Court of Appeal or in which the Court of Appeal has affirmed a sentence of death imposed by any other court;</p> <p>(d) decisions on any question -</p> <p>(i) whether any person has been validly elected to the office of President or Vice-President under this Constitution, and</p> <p>(ii) whether the term of office of President or Vice-President has ceased,</p> <p>(iii) whether the office of President or Vice-President has become vacant;</p> <p>(iv) whether any person has been validly elected to the office of Governor or Deputy Governor under this Constitution,</p> <p>(v) whether the term of office of Governor or Deputy Governor has ceased,</p> <p>(vi) whether the term of office of Governor or Deputy Governor has become vacant; and</p> <p>(e) such other cases as may be prescribed by an Act of the National Assembly.</p> <p>(3) Subject to the provisions of subsection (2) of this section, an appeal shall lie from the decisions of the Court of Appeal to the Supreme Court with the leave of the Court of Appeal or the Supreme Court.</p> <p>(4) Three Justices of the Supreme Court sitting in Chambers may</p>	
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		<p>dispose of any application for leave to appeal from any decision after consideration of the record of proceedings if the Justices are of the opinion that the interest of Justice does not require an oral hearing of the application and such decision shall be final.</p> <p>(5) Any right of appeal to the Supreme Court from the decisions of the Court of Appeal conferred by this section shall be exercisable in the case of civil proceedings at the instance of a party thereto, or with the leave of the Court of Appeal or the Supreme Court at the instance of any person having an interest in the matter, and in the case of criminal proceedings at the instance of an accused person, or subject to the provisions of this Constitution and any powers conferred upon the Attorney-General of the Federation or the Attorney-General of a state to take over and continue or to discontinue such proceedings, at the instance of such other authorities or persons as may be prescribed.</p> <p>(6) Any right of appeal to the Supreme Court from the decisions of the Court of Appeal conferred by this section shall, subject to section 236 of this Constitution, be exercised in accordance with any Act of the National Assembly and rules of court for the time being in force regulating the powers, practice and procedure of the Supreme Court.”</p>	
237	<p style="text-align: center;">B- The Court of Appeal</p> <p>237. (1) There shall be a Court of Appeal. (2) The Court of Appeal shall consist of - (a) a President of the Court of Appeal; and (b) such number of Justices of the Court of Appeal, not less than forty-nine of which not less than three shall be learned in Islamic personal law, and not less than three shall be learned in Customary law, as may be prescribed by an Act of the National Assembly.</p>	<p style="text-align: center;">Clause 7 Alteration of section 237</p> <p>Section 237 (2) of the Principal Act is altered by substituting for paragraph (b), a new subparagraph “(b)”-</p> <p>“(b) such number of Justices of the Court of Appeal, not less than one hundred of which at least twelve shall be learned in the law and practice of industrial relations and employment conditions, not less than three learned in Islamic Personal Law, and not less than three learned in Customary Law, as may be prescribed by an Act of the</p>	

		National Assembly.”	
238	<p>Appointment of President and Justice of the Court of Appeal</p> <p>(1).....</p> <p>(2).....</p> <p>(3) A person shall not be qualified to hold office of a Justice of the Court of Appeal unless he is qualified as a legal Practitioner in Nigeria and has been so qualified for a period of not less than twelve years.</p> <p>(4).....</p> <p>(5).....</p>	<p style="text-align: center;">Clause 8 Alteration of section 238</p> <p>Section 238 of the Principal Act is altered by substituting subsection (3), a new subsection “(3)” –</p> <p>“(3) A person shall not be qualified to hold the office of the President of the Court of Appeal or a Justice of the Court of Appeal unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for a period of not less than twenty years and fifteen years, respectively.”</p>	
Insertion 241	<p>Appeal as of right from the federal High Court or a High Court</p> <p>241. (1)</p> <p>(2) Nothing in this section shall confer any 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, has 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 Appeal, from a decision of the Federal High Court High Court made with the consent of the parties or as to costs only.</p>	<p style="text-align: center;">Clause 9 Alteration of section 241</p> <p>Section 241 of the Principal Act is altered by inserting, after subsection (1), a new subsection “(1A)” –</p> <p>“(1A) A court or tribunal shall not stay any proceedings on account of interlocutory appeal except on the issue of subject matter jurisdiction.”</p>	
242	<p style="text-align: center;">Appeals with leave</p> <p>(1) Subject to the provisions of section 241 of this Constitution, an appeal shall lie from decisions of the Federal High Court or a High Court to the Court of Appeal with the leave of the Federal High Court or that High Court or the Court of Appeal.</p>	<p style="text-align: center;">Clause 10 Alteration of section 242</p> <p>Section 242 of the principal is altered by –</p> <p>Substituting subsection “(2)”, with a new subsection “(2)” -</p>	

	<p>(2) The Court of Appeal may dispose of any application for leave to appeal from any decision of the Federal High Court or a High Court in respect of any civil or criminal proceedings in which an appeal has been brought to the Federal High Court or a High Court from any other court after consideration of the record of the proceedings, if the Court of Appeal is of the opinion that the interests of justice do not require an oral hearing of the application.</p>	<p>"(2) Three Justices of the Court of Appeal sitting in Chambers may dispose of any application for leave to appeal from any decision after consideration of the record of proceedings if the Justices are of the opinion that the interest of justice does not require an oral hearing of the application"</p>	
Section 243	<p>243(1) Any right of appeal to the Court of Appeal from the decisions of the Federal High Court or a High Court conferred by this Constitution shall be -</p> <p>(a).....</p> <p>(b)</p> <p>(2)</p> <p>(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>Provided that where an Act or Law prescribes that an appeal shall lie from the decisions of the National Industrial Court to the Court of Appeal, such appeal shall be with the leave of the Court of Appeal.</p>	<p style="text-align: center;">Clause 11 Alteration of section 243</p> <p>Section 243 of the Principal Act is altered by substituting for subsection (3), a new subsection “(3)” –</p> <p>“(3) An appeal shall lie from the decision of the National Industrial Court to the Court of Appeal only with leave of the Court of Appeal and such decision shall be final”.</p>	
249	<p>Establishment and composition of the Federal High Court</p> <p>249 (2) The Federal High Court shall consist of –</p> <p>(a) a Chief Judge of the Federal High Court; and</p> <p>(b) such number of Judges of the Federal High Court, as may be prescribed by an Act of the National Assembly</p>	<p style="text-align: center;">Clause 12 Alteration of section 249</p> <p>Section 249 (2) of the Principal Act is altered by substituting for paragraph (b) a new paragraph “(b)” -</p> <p>“(b) not less than one hundred Judges of the Federal High Court, provided that no act done by the court shall be invalidated by reason of the number of judges falling below 100 at the time of</p>	

		the act.”	
250	<p>Appointment of Chief Judge and Judges of the Federal High Court</p> <p>(3) A person shall not be qualified to hold the office of Chief Judge of the Federal High Court unless he is qualified to practise as a legal practitioner in Nigeria and has been so qualified for a period of not less than ten years.</p>	<p style="text-align: center;">Clause 13 Alteration of section 250</p> <p>Section 250 of the Principal Act is altered by substituting subsection (3), with a new subsection “(3)” –</p> <p>“(3) A person shall not be qualified to hold the office of Chief Judge or a Judge of the Federal High Court unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for a period of not less than fifteen years and twelve years, respectively.”</p>	
Section 253	<p>The Federal High Court shall be duly constituted if it consists of at least one Judge of that Court</p>	<p style="text-align: center;">Clause 14 Alteration of section 253</p> <p>Section 253 of the Principal Act is altered by inserting after the word, “Court”, a new “proviso” –</p> <p>“Provided that where a Judge of the Federal High Court has been appointed to the Court of Appeal, he shall have dispensation to continue to sit as a Judge of the Federal High Court only for the purpose of concluding any part-heard criminal matter which is at the address stage pending before him at the time of his appointment and shall conclude within a maximum period of three months.”</p>	
Section 254	<p>254B (3) A person shall not be eligible to hold the office of a President of the National Industrial Court unless the person is qualified to practice as a legal practitioner in Nigeria and has been so qualified for a period of not less than ten years and has considerable knowledge and experience in the law and practice of industrial relations and employment conditions in Nigeria.</p> <p>(4) A person shall not be eligible to hold the office of a Judge</p>	<p style="text-align: center;">Clause 15 Alteration of section 254B</p> <p>Section 254B of the Principal Act is altered –</p> <p>(a) in subsection (3), by substituting for the word, “ten”, in line 4, the word, “fifteen”;</p>	

	<p>of the National Industrial Court unless the person is a legal practitioner in Nigeria and has been so qualified for a period of not less than ten years and has considerable knowledge and experience in law and practice of industrial relations and employment conditions in Nigeria.</p> <p>254E (4) For the purpose of subsection (3) of this section, an assessor shall be a person who is qualified and experienced in his field of specialization and who has been so qualified for a period of not less than ten years</p>	<p>(b) in subsection (4), by substituting for the word, “ten”, in line 3, the word, “twelve”.</p> <p>(c) by inserting a “proviso” to subsection (4) –</p> <p>“Provided that where a Judge of the National Industrial Court has been appointed to the Court of Appeal, he shall have dispensation to continue to sit as a Judge of the National Industrial Court only for the purpose of concluding any part-heard criminal matter which is at the address stage pending before him at the time of his appointment and shall conclude within a maximum period of three months.”</p>	
256	<p>Appointment of Chief Judge and Judges of High Court of the Federal Capital Territory, Abuja</p> <p>256 (3) A person shall not be qualified to hold the office of a Chief Judge or a Judge of the High Court of the Federation Capital Territory, Abuja unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for a period of not less than ten years.</p>	<p style="text-align: center;">Clause 16 Alteration of section 256</p> <p>Section 256 of the Principal Act is altered by substituting subsection (3), a new subsection “(3)” –</p> <p>“(3) A person shall not be qualified to hold the office of a Chief Judge or a Judge of the High Court of the Federation Capital Territory, Abuja unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for a period of not less than fifteen years and twelve years, respectively.”</p>	
Section 258	<p>The High Court of the Federal Capital Territory, Abuja shall be duly constituted if it consists of at least one Judge of that Court.</p>	<p style="text-align: center;">Clause 17 Alteration of Section 258</p> <p>Section 258 of the Principal Act is altered by inserting after the word, “Court”, a new “proviso”-</p> <p>“Provided that where a Judge of the High Court of the Federal Capital Territory, Abuja has been appointed to the Court of Appeal, he shall have dispensation to continue to sit as a Judge of the Federal Capital Territory High Court only for the purpose of concluding any</p>	

		part-heard criminal matter which is at the address stage pending before him at the time of his appointment and shall conclude within a maximum period of three months.”	
261	<p>261 (3) A person shall not be qualified to hold office as Grand Kadi or Kadi of the Sharia Court of Appeal unless –</p> <p>(a) he is a legal practitioner in Nigeria and has so qualified for a period of not less than ten years and has obtained a recognised qualification in Islamic law from an institution acceptable to the National Judicial Council; or</p>	<p style="text-align: center;">Clause 18 Alteration of section 261</p> <p>Section 261(3) of the Principal Act is altered by substituting for paragraph (a), a new paragraph “(a)” –</p> <p>“(a) he is a legal practitioner in Nigeria and has been so qualified for a period of not less than fifteen years in the case of the Grand Kadi and not less than twelve years in the case of a Kadi and, in the opinion of the National Judicial Council, he has obtained a recognised qualification in Islamic law from an institution acceptable to the National Judicial Council; or ”.</p>	
266	<p>Appointment of President and Judges of the Customary Court of Appeal</p> <p>(3) Apart from such other qualification as may be prescribed by an Act of the National Assembly, a person shall not be qualified to hold the office of President or a Judge of the Customary Court of Appeal of the Federal Capital Territory, Abuja, unless –</p> <p>(a) he is a legal practitioner in Nigeria and has been so qualified for a period of not less than ten years and, in the opinion of the National Judicial Council he has considerable knowledge and experience in the</p>	<p style="text-align: center;">Clause 19 Alteration of section 266</p> <p>Section 266 (3) of the Principal Act is altered by substituting for paragraph (a), a new paragraph “(a)” –</p> <p>“(a) he is a legal practitioner in Nigeria and has been so qualified for a period of not less than fifteen years in the case of the President and not less than twelve years in the case of a Judge and, in the opinion of the National Judicial Council, he has considerable knowledge and experience in the practice of Customary law; or ”.</p>	

	<p>practice of Customary law; or</p> <p>(b) in the opinion of the National Judicial Council he has considerable knowledge of and experience in the practice of Customary law</p>		
270	<p>Establishment of a High Court for each State</p> <p>270 (1) There shall be a High Court for each State of the Federation.</p> <p>(2) The High Court of a State shall consist of – (a) a Chief Judge of the State; and (b) such number of Judges of the High Court as may be prescribed by a Law of the House of Assembly of the State.</p>	<p>Clause 20 Alteration of section 270</p> <p>Section 270 of the Principal Act is altered by inserting after subsection (2), a new subsection “(3)” – “(3) The Chief Judge of the State shall be the head of the judiciary of the State”.</p>	
271	<p>Appointment of Chief Judge and Judges of the High Court of a State</p> <p>271 (3) A person shall not be qualified to hold office of a Judge of a High Court of a State unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for a period of not less than ten years.</p>	<p>Clause 21 Alteration of section 271</p> <p>Section 271 of the Principal Act is altered by substituting for subsection (3), a new subsection “(3)” - “(3) A person shall not be qualified to hold office of a Chief Judge or Judge of a High Court of a State unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for a period of not less than fifteen years and twelve years, respectively”.</p>	
Section 273	<p>For the purpose of exercising any jurisdiction conferred upon</p>	<p>Clause 22 Alteration of Section 273</p>	

	it under this Constitution or any law, a High Court of a State shall be duly constituted if it consists of at least one Judge of that Court.	Section 273 of the Principal Act is altered by inserting after the word, “Court”, a new “proviso”- “Provided that where a Judge of the High Court of a State has been appointed to the Court of Appeal, he shall have dispensation to continue to sit as a Judge of the High Court only for the purpose of concluding any part-heard criminal matter which is at the address stage pending before him at the time of his appointment and shall conclude within a maximum period of three months.”	
276	<p>Appointment of Grand Kadi and Kadis</p> <p>276 (3) A person shall not be qualified to hold office as a Kadi of the Sharia Court of Appeal of a State unless -</p> <p>(a) he is a legal practitioner in Nigeria and has been so qualified for a period of not less than ten years and has obtained a recognised qualification in Islamic law from an institution acceptable to the National Judicial Council; or</p> <p>(b) he has attended and has obtained a recognised qualification in Islamic law from an institution approved by the National Judicial council and has held the qualification for a period of not less than ten years; and</p> <p>(i) he either has considerable experience in the practice of Islamic law, or</p> <p>(ii) he is a distinguished scholar of Islamic law</p>	<p style="text-align: center;">Clause 23 Alteration of Section 276</p> <p>Section 276 (3) of the Principal Act is altered by substituting for paragraph (a), a new paragraph “(a)” –</p> <p>“(a) he is a legal practitioner in Nigeria and has been so qualified for a period of not less than fifteen years in the case of the Grand Kadi and not less than twelve years in the case of a Kadi and, in the opinion of the National Judicial Council, he has obtained a recognised qualification in Islamic law from an institution acceptable to the National Judicial Council; or ”.</p>	
281	<p>Appointment of President and Judges of Customary Court of Appeal of a State</p> <p>281 (1)</p>	<p style="text-align: center;">Clause 24 Alteration of section 281</p> <p>Section 281 (3) of the Principal Act is altered by substituting for</p>	

	<p>(2)</p> <p>(3) Apart from such other qualification as may be prescribed by a law of the House of Assembly of the State, a person shall not be qualified to hold office of a president or of a Judge of a Customary Court of Appeal of a State unless -</p> <p>(a) he is a legal practitioner in Nigeria and he has been so qualified for a period of not less than ten years and in the opinion of the National Judicial Council he has considerable knowledge and experience in the practice of Customary law; or</p> <p>(b) in the opinion of the National Judicial Council he has considerable knowledge of and experience in the practice of Customary law.</p>	<p>paragraph (a), a new paragraph “(a)” –</p> <p>“(a) he is a legal practitioner in Nigeria and has been so qualified for a period of not less than fifteen years in the case of the President and not less than twelve years in the case of a Judge and, in the opinion of the National Judicial Council, he has considerable knowledge and experience in the practice of Customary law; or ”.</p>	
318	Interpretation, Citation and Commencement	<p>Clause 25 Alteration of section 318</p> <p>The Constitution is altered in section 13, by inserting, after the word, “Court”, the words, “Chairman and members of the Code of Conduct Tribunal”.</p>	
Part III, 3 rd Schedule	Federal Capital Territory Abuja Executive Body	<p>Clause 26 Alteration of Part III of the Third Schedule</p> <p>Part III of the Third Schedule to the Principal Act is altered–</p> <p>(a) by deleting the word, “EXECUTIVE” in the heading;</p> <p>(b) by substituting for subparagraph (b), a new subparagraph “(b)” –</p> <p>“(b) the next most senior Head of Court who shall be the deputy</p>	

		<p>Chairman";</p> <p>(c) in paragraph 2, by substituting for subparagraph (c), a new subparagraph "(c)" -</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, if any, magistrates, Area Court Judges, Customary Court Judges, and all other members of 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>3rd Schedule Part I</p>	<p>Federal Judicial Service Commission</p> <p>12. The Federal Judicial Service Commission shall comprise the following members -</p> <p>(a) the Chief Justice of Nigeria, who shall be the Chairman;</p> <p>(b) the President of the Court of Appeal;</p> <p>(c) the Attorney-General of the Federation;</p> <p>(d) the Chief Judge of the Federal High Court;</p> <p>(e) two persons, each of whom has been qualified to practice as a legal practitioner in Nigeria for a period of not less than fifteen years, from a list of not less than four persons so qualified and recommended by the Nigerian Bar Association; and</p> <p>(f) two other persons, not being legal practitioners, who in the opinion of the President are of unquestionable integrity.</p> <p>Federal Judicial Service Commission</p> <p>13. The Commission shall have power to -</p>	<p>Clause 27</p> <p>Alteration of the Third Schedule</p> <p>Part I of the Third Schedule to the Principal Act is altered –</p> <p>(a) in paragraph 12 -</p> <p>subparagraph (b), by inserting, after the word, "Appeal", the words, "who shall be the Deputy Chairman", and</p> <p>by substituting for subparagraph (c), a new subparagraph "(c)" –</p> <p>"(c) Minister of Justice";</p> <p>(b) in paragraph 13, by substituting for subparagraph (c), a new subparagraph "(c)" -</p>	

<p>Paragraph 13, 3rd Schedule</p>	<p>(a) advise the National Judicial Council in nominating persons for appointment, as respects appointments to the office of -</p> <ul style="list-style-type: none"> (i) the Chief Justice of Nigeria; (ii) a Justice of the Supreme Court; (iii) the President of the Court of Appeal; (iv) a Justice of the Court of Appeal; (v) the Chief Judge of the Federal High Court; (vi) a Judge of the Federal High Court; and (iv) the Chairman and members of the Code of Conduct Tribunal. <p>(b) recommend to the National Judicial Council, the removal from office of the judicial officers specified in sub-paragraph (a) of this paragraph; and</p> <p>(c) appoint, dismiss and exercise disciplinary control over the Chief Registrars and Deputy Chief Registrars of the Supreme Court, the Court of Appeal, the Federal High Court and all other members of the staff of the judicial service of the Federation not otherwise specified in this Constitution and of the Federal Judicial Service Commission.</p>	<p>"(c) appoint, promote and exercise disciplinary control over the Chief Registrars and Deputy Chief Registrars of the Supreme Court, the Court of Appeal, Federal High Court, the National Industrial Court, Code of Conduct Tribunal and all other members of staff of the judicial service of the Federation not otherwise specified in this Constitution and of the Federal Judicial Service Commission."; and</p>	
<p>Paragraph 20, 3rd Schedule</p>	<p style="text-align: center;">National Judicial Council</p> <p>20. The National Judicial Council shall comprise the following members -</p> <ul style="list-style-type: none"> (a) the Chief Justice of Nigeria who shall be the Chairman (b) the next most senior Justice of the Supreme Court who shall be the Deputy Chairman; (c) the President of the Court of Appeal; (d) five retired Justices selected by the Chief Justice of Nigeria from the Supreme Court or Court of Appeal; (e) the Chief Judge of the Federal High Court; (f) five Chief Judges of States to be appointed by the Chief Justice of Nigeria from among the Chief Judges of the States and of the High Court of the Federal Capital Territory, Abuja 	<p>(c) by substituting for paragraph 20, a new paragraph "20" -</p> <p>"20. -(1) The National Judicial Council shall comprise the following members —</p> <ul style="list-style-type: none"> (a) the Chief Justice of Nigeria, who shall be the Chairman; (b) the next most senior Justice of the Supreme Court, who shall be the Deputy Chairman; (c) the President of the Court of Appeal; 	

	<p>in rotation to serve for two years;</p> <p>(g) one Grand Kadi to be appointed by the Chief Justice of Nigeria from among Grand Kadis of the Sharia Courts of Appeal to serve in rotation for two years;</p> <p>(h) one President of the Customary Court of Appeal to be appointed by the Chief Justice of Nigeria from among the Presidents of the Customary Courts of Appeal to serve in rotation for two years;</p> <p>(i) five members of the Nigerian Bar Association who have been qualified to practice for a period of not less than fifteen years, at least one of whom shall be a Senior Advocate of Nigeria, appointed by the Chief Justice of Nigeria on the recommendation of the National Executive Committee of the Nigerian Bar Association to serve for two years and subject to re-appointment.</p> <p>Provided that the five members shall sit in the Council only for the purposes of considering the names of persons for appointment to the superior courts of record; and</p> <p>(j) two persons not being legal practitioners, who in the opinion of the Chief Justice of Nigeria, are of unquestionable integrity.</p>	<p>(d) three retired Justices of the Supreme Court, to serve for a period of three years only;</p> <p>(e) two retired Justices of the Court of Appeal, to serve for a period of three years only;</p> <p>(f) the Chief Judge of the Federal High Court;</p> <p>(g) the President of the National Industrial Court;</p> <p>(h) six Chief Judges representing the six geo-political zones to serve in rotation for two years;</p> <p>(i) one retired Chief Judge of the Federal High Court, one retired President of the National Industrial Court and one retired Chief Judge of a State High Court to serve for a period of three years only;</p> <p>(j) one Grand Kadi of a Sharia Court of Appeal to be appointed from among the Grand Kadis of the Sharia Courts of Appeal to serve in rotation for two years only;</p> <p>(k) one President of a Customary Court of Appeal to be appointed from among the Presidents of the Customary Courts of Appeal to serve in rotation for two years only;</p> <p>(l) the President of the Nigerian Bar Association to serve for a period of two years <i>only</i>;</p> <p>(m) four senior members of the Nigerian Bar Association who have been qualified to practice for a period of not less than ten years, nominated by the National Executive Committee of the</p>	
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	<p style="text-align: center;">Power of the National Judicial Council</p> <p>Paragraph 21 of Part I of the Third Schedule</p> <p>1. The National Judicial Council shall have power to –</p> <p>(a).....</p> <p>....</p> <p>(b).....</p> <p>(c).....</p>	<p>Nigerian Bar Association to serve for a period of two years only; and</p> <p>(n) two persons not being legal practitioners, who in the opinion of the Chief Justice of Nigeria, are of unquestionable integrity.</p> <p>(2)The Chief Justice of Nigeria shall, in exercising his power of appointment of members under subparagraph (1) of this paragraph, consult other Justices of the Supreme Court”; and</p> <p>(d) in paragraph 21, by substituting for subparagraph (a), a new subparagraph "(a)":</p> <p>"(a) recommend to the President from among the list of persons submitted to it by the Federal Judicial Service Commission, persons for appointment to the offices of Chief Justice of Nigeria, the Justices of the Supreme Court, the President and Justices of the Court of Appeal, the Chief judge and Judges of the Federal High Court, the President and Judges of the National Industrial Court, the Chief judge and Judges of the High Court of the Federal Capital Territory, Abuja, <i>Chairman and Members of the Code of Conduct Tribunal</i>, the Grand Kadi and Kadis of the Sharia Court of Appeal of the Federal Capital Territory, Abuja and the President and Judges of the Customary Court of Appeal of the Federal Capital Territory, Abuja".</p> <p>(e) in paragraph 21, by inserting a new subparagraph “(gg)” –</p> <p>“(gg) fix and review, not later than every four years, in consultation with the Salaries, Incomes and Wages Commission, salaries and other emoluments of judicial officers and judiciary staff”; and</p>	
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	<p>.....</p> <p>(d).....</p> <p>...</p> <p>(e).....</p> <p>.....</p> <p>(f).....</p> <p>.....</p> <p>(g) appoint, dismiss and exercise disciplinary control over members and staff of the Council;</p> <p>(h).....</p> <p>.....</p> <p>(i).....</p> <p>.....</p> <p>(j) deal with all other matters relating to broad issues of policy and administration.</p>	<p>(f) in subparagraph (i), by inserting after the word, “administration”, in line 2, the words, “of the judiciary”.</p>	
<p>Part II, 3rd Schedule, Paragraph 5</p>	<p style="text-align: center;">State Judicial Service Commission</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)</p> <p>(d)</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)</p>	<p style="text-align: center;">Clause 28</p> <p style="text-align: center;">Alteration of Part II of the Third Schedule</p> <p>Part II of the Third Schedule to the Principal Act is altered in paragraph 5, by –</p> <p>(a) inserting after subparagraph (a), a new subparagraph “(aa)” – “(aa) the next most senior Head of Court who shall be the Deputy Chairman”; and</p> <p>(b) substituting for subparagraph (b), a new subparagraph “(b)”- “(b) Commissioner for Justice”.</p>	
<p>Part III, 3rd Schedule, Paragraph</p>	<p style="text-align: center;">Judicial Service Commission of the Federal Capital Territory, Abuja.</p>	<p style="text-align: center;">Clause 29</p> <p style="text-align: center;">Alteration of Part III of the Third Schedule</p> <p>Part III of the Third Schedule to the Principal Act is altered–</p>	

I	<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>(a) by deleting the word, “EXECUTIVE” in the heading;</p> <p>(b) by substituting for subparagraph (b), a new subparagraph “(b)” –</p> <p>"(b) the next most senior Head of Court who shall be the deputy Chairman";</p> <p>(c) in subparagraph (e), by substituting for the words, “one person who is a legal practitioner”, in line 1, the words, “two members who are legal practitioners”, and</p> <p>(d) in subparagraph (f), by substituting for -</p> <p>(i) the words, “one other person, not being a legal practitioner”, in line 1, the words, “two other persons, not being legal practitioners”, and</p> <p>(ii) the word, “is”, in line 2, the word, “are”.</p> <p>(e) in paragraph 2, by substituting for subparagraph (c), a new subparagraph “(c)” –</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, if any, magistrates, Area Court Judges, Customary Court Judges, and all other members of 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>	
Part I, 5 th Schedule,	Code of Conduct Tribunal	Clause 30 Alteration of Part I of the Fifth Schedule	

<p>paragraph 15</p>	<p>15. (1) There shall be established a tribunal to be known as Code of Conduct Tribunal which shall consist of a Chairman and two other persons.</p> <p>(2)</p> <p>(3) (3) The Chairman and members of the Code of Conduct Tribunal shall be appointed by the President in accordance with the recommendation of the National Judicial Council.</p> <p>(4)</p>	<p>Paragraph 15 of the Fifth Schedule to the Principal Act is altered –</p> <p>(a) in subparagraph (1), by substituting for the words, “a Chairman and two other persons”, in line 2, the expression-</p> <p style="padding-left: 40px;">“(a) a Chairman of the Code of Conduct Tribunal; and</p> <p style="padding-left: 40px;">(b) such number of members of the Code of Conduct Tribunal not less than twenty-four as may be prescribed by an Act of the National Assembly”;</p> <p>(b) by substituting for subparagraph (3), a new subparagraph “(3)”-</p> <p>“(3) The Code of Conduct Tribunal shall be duly constituted if it consists of at least three members of the tribunal”; and</p> <p>(c) by inserting, after subparagraph (3), new subparagraphs “(3A)”- “(3C)”-</p> <p style="padding-left: 40px;">“(3A) A person shall not be qualified to hold or perform the functions of the office of the Chairman or member of the Code of Conduct Tribunal unless he is qualified to practise as a legal practitioner in Nigeria and has been so qualified for a period of not less than ten years.</p> <p style="padding-left: 40px;">(3B) If the office of the Chairman of the Code of Conduct Tribunal is vacant or the person holding such office is, for any reason, unable to perform the functions of the office, then until a person has been appointed to and has assumed the functions of that office, or until the person holding the office has resumed those functions, the President shall appoint the most senior member of the Code of Conduct Tribunal to perform those functions.</p>	
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		(3C) Except on the recommendation of the National Judicial Council, an appointment made under sub-paragraph (3B) of this paragraph shall cease to have effect after the expiration of three months from the date of such appointment, and the president shall not re-appoint a person whose appointment has lapsed.”	
		<p style="text-align: center;">Clause 31 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, (Fourth Alteration) Bill No. 18, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to further strengthen the judiciary for speedy dispensation of justice.</p>	

19. Timelines for the determination of civil and criminal causes

A Bill

For

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to provide the timelines within which civil and criminal causes are heard and determined at trial and appellate courts in order to eliminate unnecessary delay in justice administration and delivery; and for related matters

Sections	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
287	Enforcement of Decision	<p style="text-align: center;">Clause 2 Insertion of new section 287A</p> <p>Insert after section 287 of the Principal Act, a new section “287A” –</p> <p>“Time for delivery of judgment</p> <p>287A (1) In any civil or criminal matter except in election petition –</p> <p style="padding-left: 40px;">(a) a trial superior court of record shall deliver its judgment in writing within two hundred and seventy days from the date of the filing of the civil or criminal</p>	

		<p>matter; and</p> <p>(b) a trial inferior court of record or tribunal shall deliver its judgment in writing within two hundred and ten days from the date of the filing of the civil or criminal matter.</p> <p>(2) Notwithstanding the provisions of subsections (1) of this section –</p> <p>(a) a trial superior court of record may deliver its judgment in writing within three hundred and thirty or more days having regard to the circumstances of the matter and, in particular, to the complexity of the matter, number of parties, witnesses, documents or other exceptional circumstances;</p> <p>(b) a trial inferior court of record may deliver its judgment in writing within two hundred and seventy or more days having regard to the circumstances of the matter and in particular to the complexity of the matter, number of parties, witnesses, documents or other exceptional circumstances.</p> <p>(3) An Appeal arising from a civil or criminal matter, except in election petition, shall be heard and judgment delivered in writing by an appellate court within one hundred and eighty days from the date of the filing of the appeal, or such number of days not exceeding two hundred and seventy days, having regard to the circumstances of the appeal and, in particular, to the complexity of the appeal, calling of fresh evidence or other</p>	
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		<p>exceptional circumstances.</p> <p>(4) A judgment of a court shall not be a nullity for the reason that it was not delivered within the time set by this section.</p> <p>(5) Where a court delivers a judgment beyond the time set by this section relying on exceptional circumstances, the judicial or presiding officer of the court shall, before the beginning of a new legal year, send a report on any such matter to the National Judicial Council and state the exceptional circumstances.</p> <p>(6) The National Judicial Council shall, upon the receipt of the report mentioned in subsection (5) of this Constitution, consider and determine whether the reasons stated therein amount to exceptional circumstances and shall sanction such judicial or presiding officer where appropriate.</p> <p>(7) The time limits set by this section shall not affect matters pending in court at the time of coming into effect of the provisions of this section.</p> <p>(8) The National Judicial Council may make rules for the purpose of bringing into full effect the provisions of this section and in particular as they relate to –</p> <ul style="list-style-type: none"> (a) specifying non-contentious or less complex matters commenced by way of originating summons or motions and summary trial, and limit time within which such matters may be disposed of within the time limits set by this section; and (b) exceptional circumstances that may justify the time limits set by this section. <p>(9) In this section –</p>	
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		<p>“trial superior court of record” –</p> <ul style="list-style-type: none"> (a) means the courts established in this Constitution as superior courts of record where evidence is first received and considered; and (b) includes any appellate court established in this Constitution sitting as a court of first instance over a matter; <p>“trial inferior court of record” means any court other than the courts established by this Constitution as superior court of records where evidence is first received and considered and presided by a person qualified as legal practitioner and applying, wholly or substantially, the rules and principles of the Evidence Act in force;</p> <p>“tribunal” means any administrative or judicial tribunal established by this Constitution, the National Assembly or the House of Assembly of a State and presided by a person qualified as legal practitioner and applying, whole or substantially, the rules and principles of Evidence in force, except election petition tribunal;</p> <p>“appellate court” means any court established by this Constitution, the National Assembly or the House of Assembly with power and authority to review decisions of any court or tribunal and includes an inferior court sitting as appellate court.”</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 19, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p>	

		This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide the timelines within which civil and criminal causes are heard and determined at trial and appellate courts.	
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20. Uniform Retirement Age for Judicial Officers and pension rights

A Bill

For

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to ensure uniformity in the retirement age and pension rights of judicial officers of superior courts of record: and for related matters

Sections	Provisions of the Constitution	Provisions of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
291	<p style="text-align: center;">Tenure of office and pension rights of judicial officers</p> <p>(1)A judicial officer appointed to the Supreme Court or the Court of Appeal may retire when he attains the age of sixty-five years and he shall cease to hold office when he attains the age of seventy years.</p> <p>(2)</p>	<p style="text-align: center;">Clause 2 Alteration of Section 291</p> <p>Section 291 of the Principal Act is altered by –</p> <p>(a) substituting for subsections “(1)” and “(3)” –</p> <p style="padding-left: 40px;">“(1) A judicial officer appointed to any of the superior courts of record specified in section 6 (5) of this Constitution may retire when he attains the age of sixty-five years and he shall cease to hold office when he attains the age of seventy years.</p> <p>(3) Any person who has held office as a judicial officer of a</p>	

	<p>(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>(b) for a period of less than fifteen years shall, if he retires at or after the age of sixty-five years or sixty years, as the case may be, be entitled to pension for life at a rate as in paragraph (a) of this subsection pro rata the number of years he served as a judicial officer in relation to the period of fifteen years, and all his allowances in addition to other retirement benefits to which he may be entitled under his terms and conditions of service; and</p> <p>(c) in any case, shall be entitled to such pension and other retirement benefits as may be regulated by an Act of the</p>	<p>superior court of record –</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, be entitled to pension for life at a rate equivalent to his last annual salary and all allowances in addition to any other retirement benefit to which he may be entitled;</p> <p>(b) for a period of less than ten years shall, if he retires at or after the age of sixty-five years, be entitled for pension for life at a rate as in paragraph (a) of this subsection pro-rata the number of years he served as a judicial officer in relation to the period of ten years, and all allowances in addition to other retirement benefits to which he may be entitled under his terms and conditions of service; and</p> <p>(c) in any other case, shall be entitled to such pension and other retirement benefits as may be regulated by an Act of National Assembly”;</p> <p>(b) deleting subsection (2); and</p> <p>(c) inserting after subsection (3), a new subsection “(4) – (5)” –</p> <p>“(4) All pensions, allowances and other retirement benefits to which a judicial officer may be entitled, shall be a charge upon the Consolidated Revenue Fund of the Federation and</p>	
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	<p>National Assembly or by a law of a House of Assembly of a State.</p> <p>(4) Nothing in this section or elsewhere in this Constitution shall preclude the application of the provisions of any other law that provides for pensions, gratuities and other retirement benefits for persons in the public service of the Federation or a State.</p>	<p>shall be paid directly by the National Judicial Council.</p> <p>(5) Subject to the provisions of this section of the Constitution, the provisions of any other law that provides for pensions, gratuities and other retirement benefits for persons in the Public Service of the Federation or of a State shall apply”.</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, (Fifth Alteration) Bill No. 20, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to ensure uniformity in the retirement age and pension rights of judicial officers of superior courts of record.</p>	

21. Deletion of reference in the Constitution to the provisions of the Criminal Code, Penal Code, Criminal Procedure Act, Criminal Procedure Code or Evidence Act.

A Bill
For

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to delete the reference to the provisions of the Criminal Code, Penal Code, Criminal Procedure Act, Criminal Procedure Code or Evidence Act; and for related matters

Sections	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		Clause 1 Alteration of the Constitution The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.	
254	Practice and procedure (1) Subject to the provisions of any Act of the National Assembly, the President of the National Industrial Court may make rules for regulating the practice and procedure of the National Industrial Court. (2) For the purpose of exercising its criminal jurisdiction, the provisions of the Criminal Code, Penal Code, Criminal Procedure Act, Criminal Procedure Code or Evidence Act shall apply.	Clause 2 Alteration of section 254F Section 254F of the Principal Act is altered by deleting subsection (2).	
		Clause 3 Citation This Bill may be cited as the Constitution of the Federal	

		Republic of Nigeria (Fifth Alteration) Bill, No. 21, 2022	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to delete the reference to the provisions of the Criminal Code, Penal Code, Criminal Procedure Act, Criminal Procedure Code or Evidence Act in the Constitution</p>	

22. Provision for Intervening Events in the Computation of Time for the Determination of Pre-Election Petitions, Election Petitions and Appeals therefrom

A Bill

For

An Act to alter the provision of the Constitution of the Federal Republic of Nigeria, 1999 to exclude the period of intervening events in the computation of time for determining pre-election petitions, election petitions and appeals therefrom; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
285	<p style="text-align: center;">Time for determination of pre-election matters, establishment of Election Tribunals and time for determination of election petitions</p> <p>(1).....</p> <p>(2).....</p> <p>(3).....</p> <p>(4).....</p> <p>(5).....</p> <p>(6).....</p> <p>(7).....</p> <p>(8).....</p> <p>(9) Notwithstanding anything to the contrary in this</p>	<p style="text-align: center;">Clause 2 Alteration of section 285</p> <p>Section 285 of the Principal Act is altered by inserting after subsection (13), a new subsection “(13A)” –</p> <p>“(13A) For the purpose of this section, where there is a natural disaster, war or any State or national emergency <i>or any other “force majeure”</i> that prevents the filing of a pre-election matter, election petition, sitting of a court over a pre-election matter or the sitting of an election petition tribunal or appellate court, the period of the natural</p>	

	<p>Constitution, every pre-election matter shall be filed not later than 14 days from the date of the occurrence of the event, decision or action complained of in the suit.</p>	<p>disaster, war, State or national emergency <i>or any other "force majeure"</i> shall not be reckoned with in the computation of time under subsections (5), (6), (7), (9), (10), (11) and (12) of this section".</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 22, 2022</p>	
		<p style="text-align: center;">Explanatory Memoranda</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria 1999 to exclude the period of intervening events in the computation of time for determining pre-election petitions, election petitions and appeals therefrom.</p>	

23. Virtual/Remote Court Hearings

**A Bill
For**

An Act to alter the Constitution of the Federal Republic of Nigeria 1999, to allow Court or Tribunal proceedings to be conducted remotely, virtually, online or through any media platform or technological innovation; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
36	<p style="text-align: center;">Right to fair hearing</p> <p>(3) The proceedings of a court or the proceedings of any tribunal relating to the matters mentioned in subsection (1) of this section (including the announcement of the decisions of the court or tribunal) shall be held in public.</p> <p>(4) whenever any person is charged with a criminal offence, he shall, unless the charge is withdrawn, be entitled to a fair hearing in public within a reasonable time by a court or tribunal:</p>	<p style="text-align: center;">Clause 2 Alteration of Section 36</p> <p>Section 36 of the Principal Act is altered –</p> <p>(a) in subsection (3), by inserting after the word, “public”, in line 3, a new “proviso” –</p> <p>“Provided that nothing in this Constitution or any other law shall invalidate the proceedings of a court or tribunal relating to matters mentioned in subsection (1) of this section by reason only that the proceedings were held or conducted through the internet using remote hearing, virtual hearing or any online platform, or such other cyber or electronic means on any communication network, either wholly or in part, or as may be directed by the court or tribunal”; and</p>	

		<p>(b) in subsection (4), by inserting after paragraph (b) a new paragraph (c) -</p> <p>“(c) nothing in this Constitution or any other law shall invalidate the proceedings of a court or tribunal relating to matters mentioned in subsection (1) of this section by reason only that the proceedings were held or conducted through the internet using remote hearing, virtual hearing or any online platform, or such other cyber or electronic means on any communication network, either wholly or in part, or as may be directed by the court or tribunal”.</p>	
318	<p style="text-align: center;">PART IV</p> <p style="text-align: center;">Interpretation, citation and commencement</p> <p>318. Interpretation</p>	<p style="text-align: center;">Clause 3</p> <p style="text-align: center;">Alteration of Section 318</p> <p>Section 318 of the Constitution is altered by inserting the following interpretation –</p> <p>“remote hearing, virtual hearing or online platform” includes a proceeding or hearing held or conducted, either wholly or in part, by a court or tribunal through the internet platform or any other cyber or electronic media platform, equipment, device and such other technology–related innovation developed from time to time”</p>	
		<p style="text-align: center;">Clause 4</p> <p style="text-align: center;">Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 23, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution to allow court or tribunal proceedings to be conducted, either wholly or in part, through the use of internet or such other virtual platforms or tools or any other technology–driven innovation.</p>	

24. Expansion of the Interpretation of Judicial Office

A Bill

For

An Act to alter the Constitution of the Federal Republic of Nigeria 1999, to expand the interpretation of judicial office to include courts or tribunals created by an Act of the National Assembly or a State House of Assembly; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
318	<p style="text-align: center;">PART IV</p> <p style="text-align: center;">Interpretation, citation and commencement</p> <p style="text-align: center;">318. Interpretation</p>	<p style="text-align: center;">Clause 2 Alteration of Section 318</p> <p>Section 318 of the Constitution is altered by inserting in the interpretation of “judicial office”, after the word “State”, the words “or office or member of such other court or tribunal as may be created by an Act of the National Assembly or a Law of the House of Assembly of a State pursuant to the provisions of section 6 (5) (j) and (k) of this Constitution”.</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 24, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution to expand the interpretation of Judicial Office to include courts or tribunals created by an Act of the National Assembly or a State House of Assembly.</p>	

25. Appointment of Secretary of the National Judicial Council

A Bill For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for the post call qualification of the Secretary of the National Judicial Council; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
Part I, 3 rd Schedule	<p>Appointment of Secretary by the National Judicial Council</p> <p>22. The Secretary of the Council shall be appointed by the National Judicial Council on the recommendation of the Federal Judicial Service Commission and shall be a legal practitioner.</p>	<p style="text-align: center;">Clause 2 Alteration of the Third Schedule</p> <p>Substitute for paragraph 22 of Part 1 of the Third Schedule to the Principal Act, a new paragraph “22” –</p> <p>“22 The Secretary of the Council shall be appointed by the National Judicial Council on the recommendation of the Federal Judicial Service Commission and shall be a legal practitioner of at least fifteen years post call experience.”</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal</p>	

		Republic of Nigeria (Fifth Alteration) Bill No. 25, 2022	
		Explanatory Memorandum The Bill seeks to provide for the post call qualification of the Secretary of the National Judicial Council.	

26. Code of Conduct

**A Bill
For**

An Act to alter the Constitution of the Federal Republic of Nigeria 1999 to permit public servants to engage in healthcare education, production and services beyond farming; and for related matters

Sections	Provisions of The Constitution	Provisions of The Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
<p>Fifth Schedule Part I</p>	<p>Without prejudice to the generality of the foregoing paragraph, a public officer shall not</p> <p>(a) receive or be paid the emoluments of any public office at the same time as he receives or is paid the emoluments of any other public office; or</p> <p>(b) except where he is not employed on full time basis, engage or participate in the management or running of any private business, profession or trade but nothing in this sub-paragraph shall prevent a public officer from engaging in farming.</p>	<p style="text-align: center;">Clause 2 Alteration of Fifth Schedule Part 1</p> <p>Part 1 of the Fifth Schedule, to the Principal Act is altered –</p> <p>(a) in paragraph (2) (b), by –</p> <p>(i) inserting after the word, “in”, in line 4, the dash “—”; and</p> <p>(ii) substituting for the word, “farming”, in line 4, the expression –</p> <p style="padding-left: 40px;">“(a) agricultural production and services”</p> <p style="padding-left: 40px;">(b) healthcare education, production and services”.</p>	

		Clause 3 Citation	
		This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 26, 2022	
		Explanatory Memorandum	
		This Bill seeks to alter the Fifth Schedule Part 1, to the Constitution Federal Republic of Nigeria 1999 to permit public servants to engage in healthcare education, production and services beyond farming; and for related matters	

27. Fair Hearing in the process of recommending removal of Judicial Officers

A Bill

For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999, to impose the requirement of fair hearing in the process of recommendation of removal of judicial officers by the State Judicial Service Commission; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
Third Schedule	6(b) subject to the provisions of this Constitution, to recommend to the National Judicial Council the removal from the office of the judicial officers specified in sub-paragraph (a) of this paragraph;	<p style="text-align: center;">Clause 2 Alteration of Third Schedule</p> <p style="text-align: center;">Part II</p> <p>Part II of the Third Schedule to the Principal Act is altered –</p> <p>in paragraph 6(b), by inserting after the word, “paragraph”, in line 3, the words, “provided that the judicial officer has been afforded the opportunity of being heard and a <i>prima facie</i> case has been established against him”</p>	

	and		
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 27, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>The Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to impose the requirement of fair hearing in the process of recommendation of removal of judicial officers by the State Judicial Service Commission</p>	

28. Inclusion of Judges of the National Industrial Court in the composition of Election Tribunals

A Bill

For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to include Judges of the National Industrial Court in the composition of Election tribunals; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
285	<p style="text-align: center;">SIXTH SCHEDULE [Section 285] Election Tribunals</p> <p style="text-align: center;">A-National and State Houses of Assembly Election Tribunal</p> <p>1. (1) A National and State Houses of Assembly 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 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 other members of the judiciary not below the rank of a Chief Magistrate.</p>	<p style="text-align: center;">Clause 2 Alteration of Sixth Schedule</p> <p>The Sixth Schedule of the Principal Act is altered –</p> <p>(a) in paragraph 1, by substituting for subparagraphs (2) and (3), new subparagraphs “(2)” and “(3)” -</p> <p>“(2) The Chairman shall be a Judge of a High Court or a Judge of the National Industrial Court and two other members who shall be appointed from among Judges of a High Court, Judges of the National Industrial Court, Kadis of a Sharia Court of Appeal, Judges of a Customary Court of Appeal or other members of the judiciary not below the rank of a Chief</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 style="text-align: center;">B - Governorship Election Tribunal</p> <p>2. (1) A Governorship 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 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>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 President of the National Industrial Court, 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.”; and</p> <p>(b) in paragraph 2, by substituting for subparagraphs (2) and (3), new subparagraphs “(2)” and “(3)” -</p> <p>(2) The Chairman shall be a Judge of a High Court or a Judge of the National Industrial Court and two other members who shall be appointed from among Judges of a High Court, Judges of the National Industrial 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 President of the National Industrial Court, 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>Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 28, 2022</p>	
		<p>Explanatory Memorandum</p> <p>The Bill seeks to alter the provisions of the sixth schedule to the</p>	

		Constitution of the Federal Republic of Nigeria, 1999 to include Judges of the National Industrial Court in the composition of Election Tribunals	
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D. DEVOLUTION OF POWERS

29. Devolution of Powers (Airports)

A Bill
For

An Act to alter the provision of the Constitution of the Federal Republic of Nigeria, 1999 to move airports from the Exclusive Legislative List to the Concurrent Legislative List; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
	<p style="text-align: center;">SECOND SCHEDULES (Section 4) Legislative Powers PART I Exclusive Legislative List</p> <p>Item</p> <p>3. Aviation, including airports, safety of aircraft and carriage of passengers and goods by air.</p>	<p style="text-align: center;">Clause 2 Alteration of Second Schedule PART I</p> <p>The Second Schedule to the Principal Act is altered in item 3, by deleting the word, “airports”.</p>	
	PART II	Clause 3	

	<p>(Section 4) Concurrent Legislative List Extent of Federal and State Legislative powers</p> <p>Item</p> <p>3. Aviation, including airports, safety of aircraft and carriage of passengers and goods by air.</p>	<p>Alteration of Second Schedule PART II</p> <p>The Second Schedule to the Principal Act is altered by –</p> <p>(a) inserting before paragraph 1 a new paragraph “1” -</p> <p>“Airports</p> <p>(1) The National Assembly may make laws for the Federation with respect to establishment, operation, maintenance and regulation of airports.</p> <p>(2) Nothing in the foregoing paragraph hereof shall preclude a House of Assembly from making laws with respect to the establishment, operation and maintenance of airports within the State in addition to but not inconsistent with any law made by the National Assembly.”; and</p> <p>(b) by renumbering the other items appropriately.</p>	
		<p>Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 29, 2022.</p>	
		<p>Explanatory Memorandum</p> <p>This Bill seeks to move the item “airports” from the Exclusive Legislative List to the Concurrent Legislative List</p>	

30. Devolution of Powers (Fingerprints, identification and criminal records)

**A Bill
For**

An Act to alter the provision of the Constitution of the Federal Republic of Nigeria, 1999 to move Fingerprints, identification and criminal records from the Exclusive Legislative List to the Concurrent Legislative List; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
	<p style="text-align: center;">SECOND SCHEDULES (Section 4)</p> <p style="text-align: center;">Legislative Powers PART I Exclusive Legislative List</p> <p>Item 28. Fingerprints, identification and criminal records.</p>	<p style="text-align: center;">Clause 2 Alteration of Second Schedule PART I</p> <p>The Second Schedule to the Principal Act is altered in item 28, by deleting the words “Fingerprints, identification and criminal records”.</p>	
	<p style="text-align: center;">PART II (Section 4) Concurrent Legislative List Extent of Federal and State Legislative powers</p> <p>Item 28. Fingerprints, identification and criminal records.</p>	<p style="text-align: center;">Clause 3 Alteration of Second Schedule PART II</p> <p>The Second Schedule to the Principal Act is altered by inserting after paragraph 16, a new paragraph “(16A)”-</p> <p>“(16A) Fingerprints, identification and criminal records</p> <p>(1) The National Assembly may make laws for the Federation with respect to fingerprints, identification and criminal records</p> <p>(2) Nothing in the foregoing paragraph shall preclude a House of Assembly from making laws for that State with respect to fingerprints, identification and criminal records in addition to but not inconsistent</p>	

		with any law made by the National Assembly”.	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill, No. 30, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to move the item “Fingerprints, identification and criminal records” from the Exclusive Legislative List to the Concurrent Legislative List</p>	

31. Devolution of Powers (Correctional Services)

A Bill
For

An Act to alter the provision of the Constitution of the Federal Republic of Nigeria, 1999 to delete prisons in the Exclusive Legislative List and redesignate it as Correctional Services in the Concurrent Legislative List; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
Item 48. Prisons.	<p style="text-align: center;">SECOND SCHEDULES (Section 4) Legislative Powers PART I Exclusive Legislative List</p>	<p style="text-align: center;">Clause 2 Alteration of Second Schedule PART I</p> <p>The Second Schedule to the Principal Act is altered in item 48, by deleting the word “Prisons.”</p>	
	<p style="text-align: center;">PART II (Section 4) Concurrent Legislative List Extent of Federal and State Legislative powers</p>	<p style="text-align: center;">Clause 3 Alteration of Second Schedule PART II</p>	

Item 48. Prisons.		<p>The Second Schedule to the Principal Act is altered by inserting after paragraph 10, a new paragraph “10A” -</p> <p>“Correctional Services</p> <p>10A (1) The National Assembly may make laws for the Federation or any part thereof with respect to -</p> <p>(a) correctional service and the establishment in any part of the Federation of correctional centres and custodial facilities; and</p> <p>(b) the establishment of any authority for the management of federal correctional centres and custodial facilities in any part of the Federation.</p> <p>(2) A House of Assembly may make laws for the State with respect to -</p> <p>(a) correctional service and the establishment in that State of correctional centres and custodial facilities; and</p> <p>(b) the establishment in that State of any authority for the management of State correctional centres and custodial facilities in any part of that State”.</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 31, 2022.</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to delete the item “Prisons” in the Exclusive</p>	

		Legislative List and redesignate it as "Correctional Services" in the Concurrent Legislative List.	
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32. Devolution of Powers (Railways)

**A Bill
For**

An Act to alter the provision of the Constitution of the Federal Republic of Nigeria, 1999 to move railways from the Exclusive Legislative List to the Concurrent Legislative List; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
Item 55. Railways	<p style="text-align: center;">SECOND SCHEDULES (Section 4) Legislative Powers PART I Exclusive Legislative List</p>	<p style="text-align: center;">Clause 2 Alteration of Second Schedule PART I</p> <p>The Second Schedule to the Principal Act is altered in item 55, by deleting the word “Railways”.</p>	
	<p style="text-align: center;">PART II (Section 4) Concurrent Legislative List Extent of Federal and State Legislative powers</p>	<p style="text-align: center;">Clause 3 Alteration of Second Schedule PART II</p> <p>The Second Schedule to the Principal Act is altered by inserting a</p>	

<p>Item</p> <p>55. Railways</p>	<p>new paragraph 20A -</p> <p>“Railways</p> <p>20B (1) The National Assembly may make laws for the Federation or any part thereof with respect to -</p> <p>(a) construction and maintenance of inter-state railway tracks and infrastructures;</p> <p>(b) establishment of a national railway agency for the regulation of railway operations throughout the Federation; and</p> <p>(c) establishment and maintenance of a national railway carrier for inter-state transportation throughout the Federation.</p> <p>(2) A House of Assembly of a State may make laws for the State with respect to the establishment, operation and maintenance of a State railway carrier within the State including the construction and maintenance of railway tracks and infrastructures within the State”.</p>		
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill, No. 32, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to transfer the item “Railways” from the Exclusive Legislative List to the Concurrent Legislative List</p>	
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33. Devolution of Powers (National Grid System)

A Bill

For

An Act to alter the provision of the Constitution of the Federal Republic of Nigeria, 1999 to allow States generate, transmit and distribute electricity in areas covered by the national grid; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
	<p style="text-align: center;">SECOND SCHEDULES</p> <p style="text-align: center;">PART II (Section 4) Concurrent Legislative List Extent of Federal and State Legislative powers</p> <p>14(b) the generation, transmission and distribution of electricity to areas not covered by a national grid system within that State</p>	<p style="text-align: center;">Clause 2 Alteration of Second Schedule</p> <p>The Second Schedule to the Principal Act is altered in Part II,- paragraph 14 (b), by deleting after the word, “areas”, the words, “<i>not covered by a national grid system</i>”,</p>	
		<p style="text-align: center;">Clause 3 Citation</p>	

		This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill, No. 33, 2022	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to delete after the word, “areas”, the words, “not covered by a national grid system” in the Concurrent Legislative List</p>	

34. Inclusion of Value Added Tax on the Exclusive Legislative List

**A Bill
For**

An Act to alter Part I of the Second Schedule to the Constitution of the Federal Republic of Nigeria, 1999 to include Value Added Tax on the Exclusive Legislative List.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
2 nd Schedule Part I	“58. Stamp duties”	<p style="text-align: center;">Clause 2 Alteration of the Second Schedule Part 1</p> <p>Second Schedule to the Principal Act is altered in item 58, by inserting after the word “duties”, the words, “and value added tax”.</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No.34, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Second Schedule to the Constitution of the Federal Republic of Nigeria, 1999 to include value added tax in the Exclusive Legislative List.</p>	

E. WOMEN AND VULNERABLE GROUPS

35. Special Seats for Women

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for special seats for women in the National and State Houses of Assembly; and for related matters

Sections	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
48	<p style="text-align: center;">Composition of the Senate</p> <p>The Senate shall consist of three Senators from each State and one from the Federal Capital Territory, Abuja.</p>	<p style="text-align: center;">Clause 2 Substitution for section 48</p> <p>The Principal Act is altered by substituting for section 48, a new section “48” –</p> <p>“Composition of the Senate</p> <p>48 (1) The Senate shall consist of –</p> <p style="margin-left: 40px;">(a) three Senators from each State and one from the Federal Capital Territory; and</p> <p style="margin-left: 40px;">(b) one additional Senator for each State and the Federal</p>	

		<p>Capital Territory, who shall be a woman.</p> <p>(2) Notwithstanding the provisions of subsection (1) of this section, nothing shall prevent a woman from contesting for any of the Senatorial seats under subsection (1) (a).</p> <p>(3) The provisions of subsection (1) (b) shall commence after the life of the current National and State Houses of Assembly and shall be reviewed sixteen years after its commencement”.</p>	
<p>49</p>	<p>Composition of the House of Representatives</p> <p>Subject to the provisions of this Constitution, the House of Representatives shall consist of three hundred and sixty members representing constituencies of nearly equal population as far as possible, provided that no constituency shall fall within more than one State.</p>	<p style="text-align: center;">Clause 3 Substitution for section 49</p> <p>Substitute for section 49 of the Principal Act, a new section “49” –</p> <p style="text-align: center;">“Composition of the House of Representatives</p> <p>“49 (1) Subject to the provisions of this Constitution, the House of Representatives shall consist of –</p> <ul style="list-style-type: none"> (a) three hundred- and sixty-members representing constituencies of nearly equal population as far as possible, provided that no constituency falls within more than one State; and (b) two additional members for each State and the Federal Capital Territory, who shall be women. <p>(2) Notwithstanding the provisions of subsection (1) of this section, nothing shall prevent a woman from contesting for any of the seats in the Federal constituencies referred to under subsection (1) (a).</p> <p>(3) The provisions of subsection (1) (b) shall commence after the life of the current National and State Houses of Assembly</p>	

		and shall be reviewed sixteen years after its commencement”.	
71	<p>Senatorial districts and Federal constituencies</p> <p>Subject to the provisions of section 72 of this Constitution, the Independent National Electoral Commission shall –</p> <p>(a) divide each State of the Federation into three Senatorial districts for purposes of elections to the Senate; and</p> <p>(b) subject to the provisions of section 49 of this Constitution, divide the Federation into three hundred and sixty Federal constituencies for purposes of elections to the House of Representatives.</p>	<p>Clause 4 Alteration of section 71</p> <p>Section 71 of the Principal Act is altered by –</p> <p>(a) inserting a new subsection “(2)” –</p> <p>“ (2) For the purpose of –</p> <p>(a) section 48 of this Constitution, there shall be established an additional Senatorial seat to be occupied by a woman; and</p> <p>(b) section 49 of this Constitution, the Independent National Electoral Commission shall divide each State of the Federation into two Federal Constituencies to be occupied by women.”; and</p> <p>(b) renumbering the section appropriately.</p>	
77	<p>Direct election and franchise</p> <p>(1) Subject to the provisions of this Constitution, every Senatorial district or Federal constituency established in accordance with the provisions of this Part of this Chapter shall return one member who shall be directly elected to the Senate or the House of Representatives in such manner as may be prescribed by an Act of the National Assembly.</p>	<p>Clause 5 Alteration of section 77</p> <p>Section 77 of the Principal Act is altered –</p> <p>(a) in subsection (1), by inserting after the word, “constituency”, in line 2, the words, “and the additional seats”; and</p> <p>(b) by inserting after the word, “Assembly”, in line 5, a new “proviso” –</p> <p>“Provided that a House of Assembly of a State shall consist of at least twenty-four and not more than forty-three members”.</p>	

<p>91</p>	<p style="text-align: center;">Composition of the House of Assembly</p> <p>Subject to the provisions of this Constitution, a House of Assembly of a State shall consist of three or four times the number of seats which that State has in the House of Representatives divided in a way to reflect, as far as possible, nearly equal population:</p> <p>Provided that a House of Assembly of a State shall consist of not less than twenty-four and not more than forty members.</p>	<p style="text-align: center;">Clause 6 Substitution for section 91</p> <p>Substitute for section 91 of the Principal Act, a new section “91” –</p> <p style="text-align: center;">“Composition of the House of Assembly</p> <p>91 (1) Subject to the provisions of this Constitution, a House of Assembly of a State shall consist of –</p> <p style="padding-left: 40px;">(a) three or four times the number of seats, which that State has in the House of Representatives divided in a way to reflect, as far as possible, nearly equal population; and</p> <p style="padding-left: 40px;">(b) one additional member from each of the three Senatorial districts in the State under section 48 (1) (a) of this Constitution, who shall be a woman.</p> <p>(2) Notwithstanding the provision of subsection (1) of this section, nothing shall prevent a woman from contesting for any of the seats in the Federal constituencies referred to in subsection (1) (a).</p> <p>(3) The provisions of subsection (1) (b) shall commence after the life of the current State Houses of Assembly and be reviewed sixteen years after its commencement”.</p>	
<p>117</p>	<p style="text-align: center;">Direct election and franchise</p> <p>(1) Subject to the provisions of this Constitution, every State constituency established in accordance with the provisions of this part of this Chapter shall return one member who shall be directly elected to a House of Assembly in such manner as may be</p>	<p style="text-align: center;">Clause 7 Alteration of Section 117</p> <p>Section 117 (1) of the Principal Act is altered by inserting after the word, “constituency”, in line 2, the words, “and the additional seats”</p>	

	prescribed by an Act of the National Assembly. (2).....		
		Clause 8 Citation	
		The Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 35, 2022	
		Explanatory Memorandum	
		This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to provide for special seats for women in the National and State Houses of Assembly.	

36. Expansion of the Scope of Citizenship by Registration

**A Bill
For**

An Act to alter the provision of the Constitution of the Federal Republic of Nigeria, 1999 to expand the scope of citizenship by registration and; for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
26	<p style="text-align: center;">Citizenship by registration</p> <p>(1)</p> <p>(2) The provisions of this section shall apply to- (a) any woman who is or has been married to a citizen of Nigeria; or</p>	<p style="text-align: center;">Clause 2 Alteration of Section 26</p> <p>Section 26 (2) of the Principal Act is altered by substituting for the existing “(a)”, a new subparagraph “(a)” - “(a) any non-Nigerian woman who is married to a Nigerian man or any non-Nigerian man who is married to a Nigerian woman.”</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 36, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution to provide for citizenship by registration for foreign spouses of Nigerian women.</p>	

37. Affirmative Action for Women in Political Party Administration

**A Bill
For**

An Act to alter the provision of the Constitution of the Federal Republic of Nigeria, 1999 to provide for affirmative action for women in political party administration and; for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
223	<p style="text-align: center;">Constitution and rules of political parties</p> <p>(1)</p> <p>(b) ensure that the members of the executive committee or other governing body of the political party reflect the federal character of Nigeria.</p>	<p style="text-align: center;">Clause 2 Alteration of Section 223</p> <p>Section 223 of the Principal Act is altered –</p> <p style="padding-left: 40px;">(a) by inserting after paragraph (b), a new paragraph “(c)” –</p> <p style="padding-left: 40px;">(c) at least thirty-five percent of the members of the executive committee at all levels shall be women.”</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 37, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution to provide for affirmative action for women in political party administration.</p>	

38. Indigeneship Rights

A Bill For

An act to alter the Constitution of the Federal Republic of Nigeria, 1999 to provide criteria for qualification to become an indigene of a state in Nigeria; and for related matters.

Sections	Provisions of the Constitution	Provisions of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
31	<p>Persons deemed to be Nigerian Citizens</p> <p>For the purposes of this Chapter, a parent or grandparent of a person shall be deemed to be a citizen of Nigeria if at the time of the birth of that person such parent or grandparent would have possessed that status by birth if he had been alive on the date of independence; and in this section, "the date of independence" has the meaning assigned to it in section 25 (2) of this Constitution.</p>	<p style="text-align: center;">Clause 2 Alteration of Section 31</p> <p>Section 31 of the Principal Act is altered by inserting new subsections “(2) – (5)” –</p> <p>“(2) A citizen of Nigeria is an indigene of a State if he –</p> <ul style="list-style-type: none"> (a) was born in that State; (b) has lived in that State for a continuous period for at least ten years; (c) can show evidence of residency in a Local Government Area of that State for a continuous period for at least ten years; or (d) has evidence of tax payment returns issued in that State for at least ten years. <p>(3) A person under subsection (2) of this section is entitled to</p>	

		<p>apply to the Local Government Chairman for a certificate of indigeneship of a State.</p> <p>(4) A woman who is married to an indigene of a State different from her State of origin for at least five years becomes an indigene of that State and is entitled to all rights and privileges of an indigene of that State in cases of employment, appointment or election into any political or public office.</p> <p>(5) In the case of divorce or death of a spouse, a woman remains an indigene if –</p> <p style="padding-left: 40px;">(a) there were children born of the marriage or not; or</p> <p style="padding-left: 40px;">(b) she elects to remain an indigene of that State”.</p>	
318	Interpretation	<p style="text-align: center;">Clause 3 Alteration of Section 318</p> <p>Section 318 (1) is altered by substituting the interpretation of “belong to” with -</p> <p>“belong to” or its grammatical expression when used with reference to a person in a State refers to a person either of whose parents or any one of whose grandparents was a member of a community indigenous to that State or the wife or husband of such a person and such husband or wife shall continue to belong to that State upon dissolution of marriage or death of spouse;</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 38, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to provide criteria for qualification to become an indigene of a state in Nigeria.</p>	
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F. INSTITUTION STRENGTHENING

39. Power to enforce compliance of remittance of Accruals into the Federation Account and Review of Revenue Allocation Formula

**A Bill
For**

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to empower the Revenue Mobilization, Allocation, and Fiscal Commission to enforce compliance with remittance of accruals into and disbursement of revenue from the Federation Account and streamline the procedure for reviewing the revenue allocation formula; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
162	<p style="text-align: center;">Distributable Pool Account</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 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 and Fiscal Commission, shall table before</p>	<p style="text-align: center;">Clause 3 Alteration of Section 162</p> <p>Section 162 of the Principal Act is altered by inserting a new subsection “(2A)” –</p> <p>“(2A) where the President fails to transmit the report after sixty days, the Revenue Mobilization Allocation and Fiscal Commission shall submit the report to the National Assembly for approval”.</p> <p style="text-align: center;">--+</p>	

	<p>the National Assembly proposals for revenue allocation from the Federation Account, and in determining the formula, the National Assembly shall take into account, the allocation principles especially those of population, equality of States, internal revenue generation, land mass, terrain as well as population density:</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>Part I, 3rd Schedule</p>	<p>Revenue Mobilisation Allocation and Fiscal Commission</p> <p>32. The Commission shall have power to –</p> <ul style="list-style-type: none"> (a) monitor the accruals to an disbursement of revenue from the Federation Account; (b) review, from time to time, the revenue allocation formulae and principles in operation to ensure conformity with changing realities; <p>Provided that any revenue formulae which has been accepted by an Act of the National Assembly shall remain in force for a period of not less than five years from the date of commencement of the Act</p> <ul style="list-style-type: none"> (c) advice the Federal and State Governments on fiscal efficiency and methods by which their revenue can be increased (d) determine the remuneration appropriate for political office holders, including the President, Vice-President, Governors, Deputy Governor, Ministers, Commissioners, Special Advisers, legislators and the holders of the offices mentioned in sections 84 and 124 of this Constitution; and (e) 	<p style="text-align: center;">Clause 4 Alteration of the Third Schedule</p> <p>Paragraph 32 of Part I of the Third Schedule to the Principal Act is altered by -</p> <ul style="list-style-type: none"> (a) inserting after paragraph (a), a new paragraph “(aa)”: <p>“(aa) enforce compliance of remittance of accruals into and disbursement of revenue from the Federation Account, and sanction any default or non-compliance by any person or group of persons or authority”; and</p> <ul style="list-style-type: none"> (b) inserting after paragraph (d), a new paragraph “(da)”: <p>“(da) demand and obtain from any government agency or any person or company information, data, books, documents or returns pertaining to the remittance of accruals into or disbursement of revenue from the Federation Account”.</p>	

		<p style="text-align: center;">Clause 5 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 39, 2022.</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to empower the Revenue Mobilization, Allocation, and Fiscal Commission to enforce compliance with remittance of accruals into and disbursement of revenue from the Federation Account and streamline the procedure for reviewing the revenue allocation formula.</p>	

40. Independence of Certain bodies

A Bill

For

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to enhance the independence of certain bodies; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
158	158. Independence of certain bodies (1) In exercising its power to make appointments or to exercise disciplinary control over persons, the Code of Conduct Bureau, the National Judicial Council, the Federal Civil Service Commission, the Federal Judicial Service Commission, the Revenue Mobilisation and Fiscal Commission, the Federal Character Commission, and the Independent National Electoral Commission shall not be subject to the direction or control of any other authority or person.	<p style="text-align: center;">Clause 2 Alteration of Section 158</p> <p>Section 158 of the Principal Act is altered by inserting after subsection (1), a new subsection “(1A)” -</p> <p>“(1A) In exercising its powers or performing its functions under this Constitution or any Act of the National Assembly, the National Judicial Council, the Federal Civil Service Commission, the Federal Judicial Service Commission, National Assembly Service Commission and the Independent National Electoral Commission, shall not be subject to the direction or control of any other authority or person”.</p>	
202	<p style="text-align: center;">Independence of certain bodies</p> <p>In exercising its power to make appointments or to exercise disciplinary control over persons, the State Civil Service</p>	<p style="text-align: center;">Clause 3 Substitution for Section 202</p> <p>Substitute for Section 202 of the Principal Act a new section “202” -</p>	

	<p>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 style="text-align: center;">“Independence of certain bodies</p> <p>202. In exercising its powers or performing its functions under this Constitution or any law of the House of Assembly of a State, the State Civil Service Commission, the State Assembly Service Commission, the State Independent Electoral Commission and the State Judicial Service Commission, shall not be subject to the direction or control of any other authority or person”.</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 40, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution to enhance the independence of certain regulatory and oversight institutions created by the Constitution.</p>	

G. GOOD GOVERNANCE

41. Removal of Transitional Law-making Powers of the Executive

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to remove transitional law-making powers from the Executive Arm of Government; and for related matters.

Sections	Provisions of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
Section 315	<p style="text-align: center;">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 shall be deemed to be – (a) an Act of the National Assembly to the extent that it is a law with respect to any matter on which the National Assembly is empowered by this Constitution to make laws; and (b) a Law made by a House of Assembly to the extent that it is a law with respect to any matter on which a House of Assembly is empowered by this Constitution to make laws.</p> <p>(2) The appropriate authority may at any time by order make such</p>	<p style="text-align: center;">Clause 2 Alteration of Section 315</p> <p>Section 315 of the Principal Act is altered by deleting -</p> <p>(a) subsection (2); and</p>	

	<p>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>(4) In this section, the following expressions have the meanings assigned to them, respectively –</p> <p>(a) “appropriate authority” means –</p> <p style="padding-left: 40px;">(i) the President, in relation to the provisions of any law of the Federation,</p> <p style="padding-left: 40px;">(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 style="padding-left: 40px;">(iii) any person appointed by any law to revise or rewrite the laws of the Federation or of a State;</p> <p>(c) “modification” includes addition, alteration, omission or repeal.</p> <p>(5)</p> <p>(6)</p>	<p>(b) subsection (4) (a) (i) – (iii) and (c).</p>	
		<p>Clause 3 Citation</p> <p>This Bill may be cited as Constitution of the Federal Republic of Nigeria (Alteration) Bill, No. 41, 2022</p>	
		<p>Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to remove transitional law-making powers from the Executive Arm of Government.</p>	

42. Expansion Immunity to the legislative and Judicial Arms of Government

A Bill

For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to expand immunity to the legislative and judicial arms of government; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
308	<p style="text-align: center;">Restrictions on legal proceedings</p> <p>(1).....</p> <p>(2).....</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 `a reference to the period during which the person holding such office is required to perform the functions of the office.</p>	<p style="text-align: center;">Clause 2 Alteration of Section 308</p> <p>Section 308 of the Principal Act is altered by substituting for subsection (3), a new subsection “(3)” –</p> <p>“(3) This section applies to a person holding the office of President or Vice-President, Governor or Deputy Governor; the President of the Senate, Speaker of the House of Representatives, Deputy President of the Senate, Deputy Speaker of the House of Representatives, Speaker and Deputy Speaker of the House of Assembly of a State and Chief Justice of Nigeria, and the reference to the period in this section is `a reference to the period during which the person holding such office is required to perform the functions of the office”.</p>	

		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 42, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to expand immunity to the legislative and judicial arms of government.</p>	

43. Domestication of Treaties

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria 1999, to specify the time within which the Executive shall present to the National Assembly any treaty between the Federation and any other country for enactment; and for related matters

Sections	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
12	<p style="text-align: center;">Implementation of treaties</p> <p>(1)</p> <p>(2)</p> <p>(3) A bill for an Act of the National Assembly passed pursuant to the provisions of subsection (2) of this section shall not be presented to the President for assent, and shall not be enacted unless it is ratified by a majority of all the House of Assembly in the Federation.</p>	<p style="text-align: center;">Clause 2 Alteration of section 12</p> <p>Section 12(1) of the Principal Act is altered by inserting –</p> <p>(a) a colon after the word, “Assembly”; and</p> <p>(b) a proviso -</p> <p>“Provided that any such treaty shall be presented to the National Assembly for enactment not later than 180 days thereafter.”</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 43, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to specify the time within which the Executive shall present to the National Assembly any treaty between the Federation and any other country for enactment.</p>	
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44. Timeline for the Presentation of Appropriation Bills

A Bill For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to specify the period within which the President or the Governor of a State shall present the Appropriation Bill before the National Assembly or House of Assembly; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
81	<p style="text-align: center;">Authorisation of expenditure from Consolidated Revenue Fund</p> <p>(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 style="text-align: center;">Clause 2 Alteration of section 81</p> <p>Section 81 of the Principal Act is altered –</p> <p>(a) by substituting for subsection (1), a new subsection “(1)” –</p> <p style="padding-left: 40px;">“(1) The President shall cause to be prepared and laid before each House of the National Assembly, not later than ninety days before 31st of December of every year, estimates of the revenues and expenditure of the Federation for the next financial year”; and</p> <p>(b) inserting after subsection (1), a new subsection “(1A)”-</p> <p style="padding-left: 40px;">“(1A) The National Assembly shall pass the Appropriation Bill before the 31st of December of every year for the next financial</p>	

		year”.	
121	<p>Authorisation of expenditure from Consolidated Revenue Fund</p> <p>(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>Clause 3 Alteration of section 121</p> <p>Section 121 of the Principal Act is altered by substituting for subsection (1), a new subsection “(1)” –</p> <p>(a) by substituting for subsection (1), a new subsection “(1)” –</p> <p>“(1) The Governor shall cause to be prepared and laid before the House of Assembly, not later than ninety days to the end of a financial year, estimates of the revenues and expenditure of the State for the next following financial year”; and</p> <p>(b) inserting after subsection (1), a new subsection “(1A)”</p> <p>“(1A) The House of Assembly shall pass the Appropriation Bill before the commencement of the next financial year”.</p>	
		<p>Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 44, 2022.</p>	
		<p>Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide a timeframe within which the President or a Governor shall lay the Appropriation Bill before the National Assembly or House of Assembly.</p>	

45. Timeframe for the Submission of the Names of Ministerial or Commissioner Nominees

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to require the President and Governors to submit the names of persons nominated as Ministers or Commissioners within thirty days of taking the oath of office for confirmation by the Senate or State House of Assembly, provide reserved quota for women; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
147	<p style="text-align: center;">Ministers of Federal Government</p> <p>(1) There shall be such offices of Ministers of the Government of the Federation as may be established by the President.</p> <p>(2) Any appointment to the office of Minister of the Government of the Federation shall, if the nomination of any person to such office is confirmed by the Senate, be made by the President.</p> <p>(3).....</p> <p>(4).....</p> <p>(5).....</p> <p>(6).....</p>	<p style="text-align: center;">Clause 2 Amendment for Section 147</p> <p>Section 147 of the Constitution is altered –</p> <p>(a) in subsection (2), by inserting after the word "President", in line 3, a new “proviso” –</p> <p>"Provided that no Ministerial nominee shall be confirmed by the Senate unless evidence of declaration of assets and liabilities of the nominee as prescribed in this Constitution is presented”; and</p> <p>(c) by inserting after subsection (6), a new subsection “(7)”-</p> <p>“(7)” Notwithstanding the provision of subsection (2) of this section</p>	

		<p>and Section (42) of this Constitution–</p> <p>(a) the nomination of any person to the office of a Minister for confirmation by the Senate shall be done within sixty days after the date the President has taken the oath of office;</p> <p>(b) not less than ten percent of persons appointed as Ministers shall be women:</p> <p>Provided that the President may appoint a Minister at any other time during his tenure and such appointment shall be subject to confirmation by the Senate”.</p>	
192	<p style="text-align: center;">Commissioners of State Government</p> <p>(1) There shall be such offices of Commissioners of the Government of a State as may be established by the Governor of the State.</p> <p>(2) Any appointment to the office of Commissioner of the Government of a State shall, if the nomination of any person to such office is confirmed by the House of Assembly of the State, be made by the Governor of that State and in making any such appointment the Governor shall conform with the provisions of section 14(4) of this Constitution.</p>	<p style="text-align: center;">Clause 3 Amendment for Section 192</p> <p>Section 192 of the principal Act is altered –</p> <p>(a) in subsection (2), by inserting after the word, "Constitution", in line 6, the words, a new “proviso” –</p> <p>"Provided that no Commissioner nominee shall be confirmed by the House of Assembly of the State unless evidence of declaration of assets and liabilities of the nominee as prescribed in this Constitution is presented”; and</p> <p>(b) by inserting after subsection (5), a new subsection “(6)” –</p> <p>“(6) Notwithstanding the provision of subsection (2) of this section and Section (42) of this Constitution-</p> <p>(c) the nomination of any person to the office of a</p>	

		<p>Commissioner for confirmation by the House of Assembly shall be done within sixty days after the date the Governor has taken the oath of office; and</p> <p>(d) not less than ten percent of persons appointed as Commissioners shall be women:</p> <p>Provided that the Governor may appoint a Commissioner at any other time during his tenure and such appointment shall be subject to confirmation by the House of Assembly”.</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 45, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution to provide a timeframe within which the President or a Governor shall forward to the Senate or State House of Assembly names of nominees for confirmation as Ministers or Commissioners and provide for ten percent affirmative action for women.</p>	

46. Membership of the National Security Council to include Presiding Officers of the National Assembly

A Bill

For

An Act to alter the Third Schedule of the Constitution of the Federal Republic of Nigeria, 1999 to include presiding officers of the National Assembly in the membership of the National Security Council; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
3 rd Schedule	<p style="text-align: center;">National Security Council</p> <p>(a) the President who shall be the Chairman; (b) the Vice-President who shall be the Deputy Chairman; (c) (d)</p>	<p style="text-align: center;">Clause 2 Alteration of the Third Schedule</p> <p>Item 25, Part 1 of the Third Schedule to the Principal Act is altered by inserting after paragraph (b), new paragraphs “(ba)” and “(bb)” –</p> <p>“(ba) the President of the Senate; and (bb) the Speaker of the House of Representatives”</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 46, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Third Schedule to the Constitution of the Federal Republic of Nigeria, 1999 to include the President of the Senate and Speaker of the House of Representatives in the membership of the National Security Council.</p>	
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47. Establishment of State Security Council

A Bill

For

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to establish State Security Council; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
197	<p>State Commissions</p> <p>(1) There shall be established for each State of the Federation the following bodies, namely -</p> <ul style="list-style-type: none"> (a) State Civil Service Commission; (b) State Independent Electoral Commission; and (c) State Judicial Service Commission. <p>(2) The composition and powers of each body established by subsection (1) of this section are as set out in Part II of the Third Schedule to this Constitution.</p> <p style="text-align: center;">[Part II Third Schedule]</p> <p>(3) In appointing Chairmen and members of boards and governing bodies of statutory corporations and companies in which the Government of the State has controlling shares or interests and councils of Universities, Colleges and other institutions of higher learning, the Governor shall conform with the provisions of</p>	<p style="text-align: center;">Clause 2 Alteration of Section 197</p> <p>Section 197 (1) of the Principal Act is altered –</p> <ul style="list-style-type: none"> (a) in paragraph (b), by deleting the word, “and”; and (b) by inserting after paragraph (c), a new paragraph “(d)” – <p style="text-align: center;">“(d) State Security Council”.</p>	

	section 14(4) of this Constitution.		
3 rd Schedule	<p style="text-align: center;">National Security Council</p> <p>(a) the President who shall be the Chairman; (b) the Vice-President who shall be the Deputy Chairman; (c) (d)</p>	<p style="text-align: center;">Clause 3 Alteration of Part II of the Third Schedule</p> <p>Part II of the Third Schedule to the Principal Act is altered by -</p> <p>(a) inserting a new sub heading “CC” –</p> <p style="padding-left: 40px;">“CC- State Security Council” ; and</p> <p>(b) inserting after paragraph 6 (c), a new paragraph “6A” –</p> <p>“State Security Council</p> <p>6A. (1) The State Security Council shall comprise the following members –</p> <p style="padding-left: 20px;">(a) the Governor who shall be the Chairman; (b) the Deputy Governor who shall be the Deputy Chairman; (c) the Speaker of the House of Assembly of the State; (d) the Commissioner of the Government of the State charged with the responsibility for State internal affairs; (e) the Commissioner of the Government of the State charged with the responsibility for security; (f) the Commissioner of Police; (g) the Chairman of the State Council of Traditional Rulers; and (h) such other persons as the Governor may in his discretion appoint.</p> <p>(2) The Council shall have power to advise the Governor on matters relating to public security including matters relating to any organisation or agency established by law for ensuring the security of the State”.</p>	

		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 47, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Third Schedule to the Constitution of the Federal Republic of Nigeria, 1999 to establish State Security Council to advise the Governor on matters relating to public security.</p>	

48. Power to summon the President and Governors

A Bill

For

An Act to alter the Second Schedule to the Constitution of the Federal Republic of Nigeria, 1999 to empower the National Assembly and State Houses of Assembly powers to summon the President of the Federal Republic of Nigeria and Governors of States to answer questions on issues on which the National and State Houses of Assembly have powers to make laws; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
67	<p style="text-align: center;">Right of attendance of President</p> <p>(1) The President may attend any joint meetings of the National Assembly or any meeting of either House of the National Assembly, either to deliver an address on national affairs including fiscal measures, or to make such statement on the policy of government as he considers to be of national importance.</p> <p>(2)</p> <p>(3) Nothing in this section shall enable any person who is not a member of the Senate or of the House of Representatives to vote in that House or in any of its committees.</p>	<p style="text-align: center;">Clause 2 Alteration of section 67</p> <p>Section 67 of the Principal Act is altered by inserting after subsection (3), a new subsection “(4)” –</p> <p>(4) Nothing in this section shall preclude the National Assembly from summoning the President of the Federal Republic of Nigeria to attend a joint session of the National Assembly to answer questions on national security or any issue whatsoever, over which the National Assembly has powers to make laws”.</p>	

108	<p style="text-align: center;">Right of attendance of Governor</p> <p>(1) The Governor of a State may attend a meeting of a House of Assembly of the State either to deliver an address on State affairs or to make such statement on the policy of government as he may consider to be of importance to the State.</p> <p>(2) A Commissioner of the Government of a State shall attend the House of Assembly of the State if invited to explain to the House of Assembly the conduct of his Ministry, and in particular when the affairs of that Ministry are under discussion.</p> <p>(3) Nothing in this section shall enable any person who is not a member of a House of Assembly to vote in that House or in any of its committees.</p>	<p style="text-align: center;">Clause 3 Alteration of section 108</p> <p>Section 108 of the Principal Act is altered by inserting after subsection (3), a new subsection “(4)” –</p> <p>(4) Nothing in this section shall preclude the House of Assembly of the State from summoning the Governor of the State to attend a sitting of the House of Assembly to answer questions on security or on any issue whatsoever, over which the House of Assembly has powers to make laws”</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, (Fifth Alteration) Bill, No.48, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 in order to grant the two chambers of the National Assembly and States' Houses of Assembly powers to summon the President of the Federal Republic of Nigeria and Governors of States respectively, to answer questions on issues of national security or any matter whatsoever, over which the National Assembly and States' Houses of Assembly, have power to make laws.</p>	

49. Authorization of Expenditure

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to reduce the period within which the President or the Governor of a State may authorise the withdrawal of monies from the Consolidated Revenue Fund in the absence of an Appropriation Act from six months to three months; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
82	<p style="text-align: center;">Authorisation of expenditure in default appropriations</p> <p>If the Appropriation Bill in respect of any financial year has not been passed into law by the beginning of the financial year, the President may authorise the withdrawal of moneys in the Consolidated Revenue Fund of the Federation for the purpose of meeting expenditure necessary to carry on the services of the Government of the Federation for a period not exceeding six months or until the coming into operation of the Appropriation Act, whichever is the earlier:</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</p>	<p style="text-align: center;">Clause 2 Alteration of section 82</p> <p>2. Section 82 of the Principal Act is altered by –</p> <p>(a) substituting for the word, “six” in line 5, the word, ”three”;</p> <p>and</p> <p>(b) deleting, in lines 5 and 6, the words, “or until the coming into operation of the Appropriation Act whichever is earlier:”</p>	

	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.		
122	<p>Authorisation of expenditure in default of appropriations</p> <p>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 from the Consolidated Revenue Fund of the State for the purpose of meeting expenditure necessary to carry on the services of the Government for a period not exceeding six months or until the coming into operation of the law, whichever is the earlier:</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 Appropriation Law passed by the House of 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 style="text-align: center;">Clause 3 Alteration of section 122</p> <p>Section 122 of the Principal Act is altered by –</p> <p>(a) substituting for the word, “six” in line 5, the word, ‘three’; and</p> <p>(b) deleting, in lines 5 and 6, the words, “or until the coming into operation of the Appropriation Act whichever is earlier:”</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill, No. 49, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to reduce the period within which the President or a Governor may authorise the withdrawal of monies from the Consolidated Revenue Fund in the absence of an Appropriation Act from six months to three months.</p>	

50. Replacement of the Consolidated Revenue Fund of the Federation with the Consolidated Revenue Fund of the Federal Government

**A Bill
For**

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to replace the Consolidated Revenue Fund of the Federation with the Consolidated Revenue Fund of the Federal Government; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
80	<p style="text-align: center;">Establishment of Consolidated Revenue Fund</p> <p>(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 of the 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 Constitution or where the issue of those moneys has been authorised by an Appropriation Act, Supplementary Appropriation Act or an Act passed in pursuance of section 81 of this Constitution.</p>	<p style="text-align: center;">Clause 2 Alteration of sections 80 - 83</p> <p>Sections 80, 81, 82 and 83 of the Principal Act are altered by substituting for the word, “Federation”, wherever it appears in the sections, the words, “Federal Government”.</p>	

81	<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>(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 style="text-align: center;">Authorisation of expenditure from Consolidated Revenue Fund</p> <p>(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>(3) The amount standing to the credit of the –</p> <ul style="list-style-type: none"> (a) Independent National Electoral Commission, (b) National Assembly, and (c) Judiciary, <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 this Constitution.</p> <p>(4) If in respect of any financial year it is found that -</p> <ul style="list-style-type: none"> (a) the amount appropriated by the Appropriation Act for any 		
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	<p>purpose is insufficient; or (b) a need has arisen for expenditure for a purpose for which no amount has been appropriated by the Act, a supplementary estimate showing the sums required shall be laid before each House of the National Assembly and the heads of any such expenditure shall be included in a Supplementary Appropriation Bill.</p> <p>82. Authorisation of expenditure in default appropriations</p> <p>If the Appropriation Bill in respect of any financial year has not been passed into law by the beginning of the financial year, the President may authorise the withdrawal of moneys in the Consolidated Revenue Fund of the Federation for the purpose of meeting expenditure necessary to carry on the services of the Government of the Federation for a period not exceeding six months or until the coming into operation of the Appropriation Act, whichever is the earlier:</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>83. Contingencies Fund</p> <p>(1) The National Assembly may by law make provisions for the establishment of a Contingencies Fund for the Federation and for authorising the President, if satisfied that there has arisen an urgent and unforeseen need for expenditure for which no other provision exists, to make advances from the Fund to meet the</p>		
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	<p>need.</p> <p>(2) Where any advance is made in accordance with the provisions of this section, a supplementary estimate shall be presented and a Supplementary Appropriation Bill shall be introduced as soon as possible for the purpose of replacing the amount so advanced.</p>		
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No.50, 2022.</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution to replace the Consolidated Revenue Fund of the Federation with the Consolidated Revenue Fund of the Federal Government</p>	

51. Creation of the Office of Accountant-General of the Federal Government

**A Bill
For**

An Act to establish the office of the Accountant-General of the Federal Government separate from the office of the Accountant-General of the Federation; and for related matters

Sections	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria 1999 (in this Bill referred to as “Constitution”) is altered as set out in this Bill.</p>	
84.		<p style="text-align: center;">Clause 2 Insertion of sections 84A – 84F</p> <p>Insert, after section 84 of the Principal Act, new sections “84A – 84F” –</p> <p>“Appointment of Accountant-General of the Federation</p> <p>84A. There shall be an Accountant-General of the Federation who shall be –</p> <p>(a) appointed by the President, subject to confirmation by the Senate;</p> <p>(b) a certified Accountant and has been so qualified for a minimum of fifteen years; and.</p>	

(c) responsible for the administration and disbursement of allocations from the Federation Account to the tiers of government and to such other entities as may be prescribed by an Act of the National Assembly.

Power of the Accountant-General of the Federation

84B. The Accountant-General of the Federation shall have power to supervise and administer the Federation Account.

Tenure of office of Accountant-General of the Federation

84C. (1) The Accountant-General of the Federation shall hold office for a term of four years which may be renewed for a further term of four years.

(2) The Accountant-General shall remain in office until he attains the age of sixty years or thirty-five years of public service, whichever is earlier.

Removal of Accountant-General of the Federation

84D. The Accountant-General of the Federation shall be removed 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 or incompetence.

Appointment of Accountant-General of the Federal Government

		<p>84E. There shall be an Accountant-General of the Federal Government who shall-</p> <ul style="list-style-type: none"> (a) be appointed by the President; (b) supervise and administer the Federal Government Account; and (c) be a certified accountant and has been so qualified for a minimum of ten years. <p>Tenure of office of Accountant-General of the Federal Government</p> <p>84F. (1) The Accountant-General of the Federal Government shall hold office for a term of four years which may be renewed for a further term of four years.</p> <p>(2) The Accountant-General of the Federal Government shall remain in office until he attains the age of sixty years or thirty-five years of public service, whichever is earlier.</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 51, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to establish the office of the Accountant-General of the Federal Government distinct from office of the Accountant-General of the Federation.</p>	

52. Timeframe for the Conduct of Population Census

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to specify the timeframe for the conduct of population census; and For Related Matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
213	<p style="text-align: center;">PART III SUPPLEMENTAL <i>A-National Population Commission</i></p> <p>213. (1) Any report of the National Population Commission containing the population census after every census shall be delivered to the President by the Chairman of the commission. (2) (3) (4) (5) Where the Council of State advises the president to reject upon the ground- (a) that the population census contained in the report is inaccurate; or (b) that the report is perverse, the President shall reject the report accordingly and no reliance</p>	<p style="text-align: center;">Clause 2 Alteration of Section 213</p> <p>Section 213 of the Principal Act is altered by inserting after subsection (5), a new subsection “(5A)”: “(5A) There shall be a population census every ten years after publication by the President of a population census report in the official gazette of the government of the Federation.”</p>	

	shall be placed upon any such report by any authority or person or for any purpose whatsoever.		
3 rd Schedule Part I	<p style="text-align: center;">THIRD SCHEDULE PART I ITEM-J <i>J-National Population Commission</i></p> <p>24. The Commission shall have power to - (a) undertake periodical enumeration of population through sample surveys, censuses or otherwise; (b); (c); (d); and (e)</p>	<p style="text-align: center;">Clause 3 Alteration of Third Schedule</p> <p>Third Schedule, Part I, item-J of the principal Act is altered by substituting the existing subparagraph (a), with a new subparagraph “(a)”- “(a) undertake enumeration of the population every ten years through sample survey census or otherwise.”</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as Constitution of the Federal Republic of Nigeria, (Fifth Alteration) Bill No. 52, 2022.</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to provide for the conduct of population census every ten years after publication by the President of a population census report</p>	

53. Separation of the office of the Attorney-General of the Federation and of the State from the office of the Minister or Commissioner for Justice

A Bill

For

An Act to establish the office of the Attorney-General of the Federation and of the State separate from the office of the Minister of Justice, or Commissioner for, Justice of the State in order to make the offices of the Attorneys-General independent and insulated from partisanship; and for related matters.

Section	Provisions of the Constitution	Provisions of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
150	<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 practise as a legal practitioner in Nigeria and has been so qualified for not less than ten years”.</p>	<p style="text-align: center;">Clause 2 Substitution for section 150</p> <p>Substitute for section 150, a new section “150” –</p> <p style="text-align: center;">“Appointment of Minister of Justice</p> <p>150 (1) There shall be a Minister of Justice who shall be a Minister and the Chief Law Officer 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 Minister of Justice of the Government of the Federation unless he is qualified to practise as a legal practitioner in Nigeria and has been so qualified for not less than</p>	

		fifteen years”.	
174	<p style="text-align: center;">Public Prosecutions</p> <p>(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 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 judgment 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 of the Federation shall have regard to the public interest, the interest of justice and the need to prevent abuse of legal process.</p>	<p style="text-align: center;">Clause 3 Substitution for section 174</p> <p>Substitute for section 174 of the Principal Act, a new section “174” –</p> <p>“Appointment of Attorney-General of the Federation</p> <p>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</p> <p>(2) A person shall not be qualified to hold or perform the functions and powers of the office of the Attorney-General of the Federation unless he is –</p> <p style="padding-left: 40px;">(a) qualified to practise as a legal practitioner in Nigeria and has been so qualified for not less than fifteen years; and</p> <p>a person of integrity and is not a member of any political party”</p>	
174	<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 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</p>	<p style="text-align: center;">Clause 4 Insertion of new sections 174A – 174G</p> <p>Insert, after section 174 of the Principal Act, new sections “174A-174G –</p> <p>“Independence of Attorney-General of the Federation</p> <p>174A. 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.</p>	

	<p>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 of the Federation shall have regard to the public interest, the interest of justice and the need to prevent abuse of legal process.</p>	<p>Powers of Attorney-General of the Federation</p> <p>174B (1) Subject to the provisions of this Constitution, the Attorney-General of the Federation shall have power to –</p> <ul style="list-style-type: none"> (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 judgment is delivered, any such criminal proceedings instituted or undertaken by him or any other person or authority; (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; and (e) perform such other functions as may be conferred upon him by an Act of the National Assembly. <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 or any other person or persons authorised by him.</p> <p>(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.</p>	
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		<p>(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.</p> <p>Tenure of office</p> <p>174C The Attorney-General of the Federation shall hold office for a term of five years and may be reappointed for a further term of five years and no more, or he attains the age of sixty-five years, whichever is earlier.</p> <p>Declaration of assets and oaths of office</p> <p>174D (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.</p> <p>(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 perform the functions of that office.</p> <p>Removal</p> <p>174E The Attorney-General of the Federation shall 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 perform 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.</p> <p>Records of accounts and audit</p> <p>174F The Attorney-General of the Federation shall cause to be kept proper records of the accounts of his office in respect of</p>	
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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 for the Federation.</p> <p style="text-align: center;">Annual returns</p> <p>174G The Attorney-General of the Federation shall prepare and submit to the National Assembly, not later than six months after the end of each financial year, a report on the activities of his office for the preceding year and shall include therein the audited account of his office for the year under review with the auditor’s report thereon”.</p>	
195	<p style="text-align: center;">Attorney General of a State</p> <p>(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 style="text-align: center;">Clause 5 Substitution for section 195</p> <p>Substitute for section 195 of the Principal Act, a new section “195” –</p> <p style="padding-left: 40px;">“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 fifteen years”.</p>	
211	<p>211. (1) The Attorney General of a state 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 or under any</p>	<p style="text-align: center;">Clause 6 Insertion of sections 211A – 211H</p> <p>Insert, after section 211 of the Principal Act, new sections “211A</p>	

	<p>law of the House of 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 a state under subsection 1 of this section may be exercised b him in person or through officers of his department.</p> <p>(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</p>	<p>– 211H” –</p> <p>“Appointment of Attorney-General of a State</p> <p>211A. The Governor shall appoint the Attorney-General of the State upon recommendation by the State Judicial Service Commission, and subject to confirmation by the State House of Assembly.</p> <p>Independence of Attorney-General of a State</p> <p>211B.The Attorney-General of a State shall, in the performance 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>Qualification</p> <p>211C. 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-</p> <p>(a) qualified to practise as a legal practitioner in Nigeria and has been so qualified for not less than ten years; and</p> <p>(b) a person of integrity and is not a member of any political party.</p> <p>Powers of the Attorney-General of a State</p> <p>211D. (1) Subject to the provisions of 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</p>	
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		<p>by or under a Law of the House of Assembly;</p> <p>(b) take over and continue any such criminal proceeding that may have been instituted by any other person or authority;</p> <p>(c) discontinue, at any stage before judgment is delivered, any such criminal proceeding instituted or undertaken by him or any other person or authority; and</p> <p>(d) supervise, monitor, control and ensure that all State government agencies with investigative and prosecutorial powers perform their functions in accordance with the law establishing them; and</p> <p>(e) perform such other functions as may be conferred upon him by a Law of the House of Assembly.</p> <p>(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 or any person or persons authorised by him.</p> <p>(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.</p> <p>(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.</p> <p style="text-align: center;">Tenure of office</p> <p>211E. The Attorney-General of the State shall hold office for a</p>	
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		<p>term of five years and it may be renewed for a further term of five years and no more, or he attains the age of sixty-five years, whichever is earlier</p> <p>Declaration of assets and liabilities and oath of office</p> <p>211F. (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.</p> <p>(2) The oaths referred to under subsection (1) of this section shall be administered by the Chief Judge of a State or the person for the time being appointed to exercise the functions of that office.</p> <p>Removal</p> <p>211G. The Attorney-General of a State shall be removed or suspended from office by the Governor acting on a resolution supported by two-thirds majority of Members of the State House of Assembly praying that he be so removed for inability to perform 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.</p> <p>Records of accounts and audit</p> <p>211H. The Attorney-General of a State shall cause to be kept proper records of the accounts of his office in respect of each year and shall cause the accounts of his office to be audited within six months from the end of each financial year by auditors appointed from the list approved from time to time by the Auditor-General of the State.</p> <p>Annual returns</p>	
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		211I. 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 shall include therein the audited account of his office for the year under review with the auditor’s report thereon”.	
318	Interpretation, Citation and Commencement	<p style="text-align: center;">Clause 7 Alteration of Section 318</p> <p>Section 318 of the Principal Act is altered by inserting, in alphabetical order, the following definitions—</p> <p>“Chief Law Officer of the Federation” means a person appointed as the Minister of Justice under section 150(1) of this Constitution who shall be the chief legal adviser in all legal matters of the Federal Government other than the duties assigned to the Attorney-General under section 174(b) of this Constitution.</p> <p>“Chief Law Officer of the State” means a person appointed as the Commissioner for Justice under section 211D of this Constitution who shall be the chief legal adviser in all legal matters of the State other than the duties assigned to the Attorney-General of the State under section 211A of this Constitution.”</p>	
3rd Schedule to the Const.	<p style="text-align: center;">Third Schedule</p> <p>Part III – Federal Capital Territory, Abuja Executive Body</p> <p>(c) the Attorney-General of the Federation;</p>	<p style="text-align: center;">Clause 8 Alteration of the Third Schedule</p> <p>The Third Schedule to the Principal Act is altered –</p> <p>(a) in Part 1, paragraph 12, by substituting for subparagraph (c), a new subparagraph “(c)” –</p> <p style="text-align: center;">“(c) the Minister of Justice”;</p>	

	<p>(b) the Attorney-General of the Federation.</p> <p>1. Judicial Service Committee of the Federal Capital Territory, Abuja</p> <p>(b) the Attorney-General of the Federation;</p>	<p>(b) in Part II, paragraph 5, by substituting for subparagraph (b), a new subparagraph “(b)” –</p> <p>“(b) the Commissioner for Justice”; and</p> <p>(c) in Part III, paragraph 1, by substituting for subparagraph (b), a new subparagraph “(b)” –</p> <p>“(b) the Minister of Justice”.</p>	
		<p style="text-align: center;">Clause 9 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 53, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to establish the office of the Attorney-General of the Federation and of the State separate from the office of the Minister of Justice, or Commissioner for, Justice in order to make the office of the Attorney-General independent and insulated from partisanship.</p>	

54. State of the Nation and State of the State Address

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for a State of the Nation and State of the State Address by the President and Governor; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
67	<p style="text-align: center;">Right of attendance of President</p> <p>(1) The President may attend any joint meetings of the National Assembly or any meeting of either House of the National Assembly, either to deliver an address on national affairs including fiscal measures, or to make such statement on the policy of government as he considers to be of national importance.</p>	<p style="text-align: center;">Clause 2 Alteration of section 67</p> <p>Section 67 of the Principal Act is altered by inserting after subsection (1), a new subsection “(1A)”-</p> <p>“(1A) The President shall attend a Joint Session of the National Assembly on any legislative day between the 1st of April and 30th of June of every year to deliver an address in respect of the state of the nation.”</p>	
108	<p style="text-align: center;">Right of attendance of Governor</p> <p>(1) The Governor of a State may attend a meeting of a House of Assembly of the State either to deliver an address on State affairs or to make such statement on the policy of government as he may</p>	<p style="text-align: center;">Clause 3 Alteration of section 108</p> <p>Section 108 of the Principal Act is altered by inserting after subsection (1), a new subsection “(1A)”-</p>	

	consider to be of importance to the State.	“(1A) The Governor shall attend a meeting of a House of Assembly of a State on any legislative day between the 1 st of April and 30 th of June of every year to deliver an address in respect of the state of the State.”	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill, No. 54, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for a state of the nation and State of the State address by the President and Governor respectively.</p>	

55. Composition of Members of the Council of State

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to include former heads of the National Assembly in the Council of State; and for related matters

Sections	Provisions of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
Third Schedule of the Constitution	<p style="text-align: center;">THIRD SCHEDULE Part I FEDERAL EXECUTIVE BODIES (ESTABLISHED BY SECTION 153) B – Council of State</p> <p>5. The Council of State shall comprise the following persons: (a) the President, who shall be the Chairman; (b) the Vice-President, who shall be the Deputy Chairman; (c) all former Presidents of the Federation and all former Heads of the Government of the Federation; (d) all former Chief Justices of Nigeria; (e) the President of the Senate; (f) the Speaker of the House of Representatives; (g) all the Governors of the states of the Federation; and (h) the Attorney-General of the Federation.</p>	<p style="text-align: center;">Clause 2 Alteration of Third Schedule</p> <p>Part I of the Third Schedule is altered in paragraph 5, by substituting for subparagraphs (e) and (f), new subparagraphs “(e)” and “(f)” –</p> <p style="padding-left: 40px;">“(e) the President of the Senate and all former Presidents of the Senate:</p> <p style="padding-left: 40px;">Provided that such a person was not removed from office by the process of impeachment</p> <p>“(f) the Speaker of the House of Representatives; and all former Speakers of the House of Representatives:</p>	

		Provided that such a person was not removed from office by the process of impeachment.	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill No. 55, 2022.</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Third Schedule to the Constitution to include former Presidents of the Senate and former Speakers of the House of Representatives as members of the Council of State. This is to ensure that the three arms of government are fairly represented in the Council.</p>	

56. Termination of Tenure on Account of Change of Political Party (Cross-carpeting)

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for the termination of tenure of certain elected officials on account of a change of political party; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
180	<p>Tenure of office of Governor (2) Subject to the provisions of subsection (1) of this section, the Governor shall vacate his office at the expiration of a period of four years commencing from the date when - (a) in the case of a person first elected as Governor under this Constitution, he took the Oath of Allegiance and oath of office; and (b) the person last elected to that office took the Oath of Allegiance and oath of office or would, but for his death, have taken such oaths.</p>	<p style="text-align: center;">Clause 2 Alteration of section 180</p> <p>Section 180 (2) is altered by inserting after the word, “oath” in paragraph (b), a new “proviso” –</p> <p>“Provided that where a person whose election to the office of the Governor or Deputy Governor was sponsored by a political party becomes a member of another political party before the expiration of his tenure, he shall vacate the office for which he was elected if his membership of the latter political party is not as a result of -</p> <p>(i) a division in the political party of which he was previously a member; or (ii) a merger of two or more political parties or a faction by one of which he was previously sponsored”.</p>	

		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria 1999 (Fifth Alteration) Bill No. 56, 2022</p>	
		<p style="text-align: center;">Explanatory Memoranda</p> <p>This Bill seeks to provide for the termination of tenure of certain elected officials on account of a change of political party</p>	

57. Restriction on Formation of Political Parties

**A Bill
For**

An Act to alter the provision of the Constitution of the Federal Republic of Nigeria, 1999 to enhance existing provisions on the formation of political Parties; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
222	<p style="text-align: center;">Restrictions on Formation of Political Parties</p> <p>(a).....</p> <p>(b).....</p> <p>(c).....</p> <p>(d).....</p> <p>(e)the name of the association, its symbol or logo does not contain any ethnic or religious connotation or give the appearance that the activities of the association are confined to a part only of the geographical area of Nigeria; and</p> <p>(f) the headquarters of the association is situated in the Federal Capital Territory, Abuja</p>	<p style="text-align: center;">Clause 2 Alteration of section 222</p> <p>Section 222 of the Principal Act is altered by inserting after paragraph (f), new paragraphs “(g) – (j)” –</p> <p>“(g) it has verifiable, equipped and staffed offices in at least two-thirds of all the States of the Federation and the Federal Capital Territory, as may be determined by the Independent National Electoral Commission;</p> <p>(h) the names and addresses of national officers and members of the association shall be registered with the Independent National Electoral Commission;</p> <p>(i) the list of such members shall be accompanied with sworn</p>	

		<p>affidavit of non-membership of an existing political party”; and</p> <p>(j) the association shall have at least three percent of registered voters who are its members and who are not members of any other association or political party in at least two-thirds of the States of the Federation and the Federal Capital Territory”.</p>	
223	<p style="text-align: center;">Constitution and Rules of Political Parties</p> <p>(a).....</p> <p>(b) ensure that the members of the executive committee or other governing body of the political party reflect the federal character of Nigeria.</p>	<p style="text-align: center;">Clause 3 Alteration of section 223</p> <p>Section 223 (1) of the Principal Act is altered by substituting for paragraph (b), a new paragraph “(b)” –</p> <p>“(b) ensure that members of the –</p> <p>(i) National Executive Committee or other governing body of the political party reflect the federal character of Nigeria and have the same qualifications as candidates for election to the House of Representatives,</p> <p>(ii) State Executive Committee of the political party shall have representation from different local government areas not being less than two-thirds of all the local government areas of the State, and</p> <p>(iii) executive committee of the political party in the Federal Capital Territory shall have representation from different area councils not being less than two-thirds of all the area councils of the Federal Capital Territory</p>	

		Clause 4 Citation This Bill may be cited as the Constitution of the Federal Republic of Nigeria 1999 (Fifth Alteration) Bill No. 57, 2022	
		Explanatory Memoranda This Bill seeks to enhance existing provisions on the formation of political Parties to ensure national orientation, viability and sustainability.	

58. Independent Candidacy

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for independent candidacy in Presidential, Governorship, National Assembly, State Houses of Assembly and Local Government Councils elections; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
7	<p style="text-align: center;">Local Government System</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 House of Assembly shall have the right to vote or be voted for at an election to a local government council.</p>	<p style="text-align: center;">Clause 2 Alteration of Section 7</p> <p>Section 7 of the Principal Act is altered by inserting after subsection (4), a new subsection “(4A)” -</p> <p>“(4A) In the case of an independent candidate, the person has obtained the verified signatures of at least twenty per cent of registered voters from each of all the electoral wards in the respective local government area, for a Chairmanship candidate, and signatures of at least twenty per cent of registered voters from each of all the polling units in the respective electoral wards for a councillor:</p> <p>Provided that-</p> <p>(a) a registered voter shall not sign for more than one</p>	

		independent candidate in respect of the same office; and (b) the signatures shall be verified by the relevant electoral body”	
65	<p style="text-align: center;">Qualification for Election</p> <p>(2) A person shall be qualified for election under subsection (1) of this section if – (a) he has been educated up to at least School Certificate level or its equivalent; and (b) he is a member of a political party and is sponsored by that party.</p>	<p style="text-align: center;">Clause 3 Alteration of Section 65</p> <p>Section 65 of the Principal Act is further altered—</p> <p>(a) in subsection (2) (b), by inserting after the last word, “party”, the words, “or the person is an independent candidate”;</p> <p>(b) by inserting after paragraph (b), a new paragraph “(c)” -</p> <p>“(c) in the case of an independent candidate, the person has obtained the verified signatures of at least twenty per cent of registered voters from each of the local government areas in the respective Senatorial District or Federal Constituency, as the case may be:</p> <p>Provided that-</p> <p>“(a) a registered voter shall not sign for more than one independent candidate in respect of the same office; and</p> <p>(b) the signatures shall be verified by the relevant electoral body”</p>	
106	<p style="text-align: center;">Qualifications for Elections</p> <p>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 – (a) he is a citizen of Nigeria;</p>	<p style="text-align: center;">Clause 4 Alteration of section 106</p> <p>Section 106 of the Principal Act is further altered by: -</p> <p>(a) in subsection (2) (d), by inserting after the last word, “party”,</p>	

	<p>(b) he has attained the age of twenty-five years;</p> <p>(c) he has been educated up to at least the School Certificate level or its equivalent; and</p> <p>(d) he is a member of a political party and is sponsored by that party.</p>	<p>the words, “or the person is an independent candidate”;</p> <p>(b) inserting, after paragraph (d), a new paragraph “(e)” —</p> <p>“(e) in the case of an independent candidate, the person has obtained the verified signatures of at least twenty per cent of registered voters from each of the wards in the State Constituency:</p> <p>Provided that-</p> <p>(a) a registered voter shall not sign for more than one independent candidate in respect of the same office: and</p> <p>(b) the signatures shall be verified by the relevant electoral body”</p>	
131	<p style="text-align: center;">Qualifications for Elections as President</p> <p>A person shall be qualified for election to the office of the President if -</p> <p>(a) he is a citizen of Nigeria by birth;</p> <p>(b) he has attained the age of thirty-five years;</p> <p>(c) he is a member of a political party and is sponsored by that political party; and</p> <p>(d) he has been educated up to at least School Certificate level or its equivalent.</p>	<p style="text-align: center;">Clause 5 Alteration of section 131</p> <p>Section 131 of the Principal Act is further altered by: -</p> <p>(a) in subsection (2) (d), by inserting after the last word, “party”, the words, “or the person is an independent candidate”;</p> <p>(b) inserting after paragraph (c), a new paragraph “(cc)” —</p> <p>“(cc) in the case of an independent candidate, the person has obtained the verified signatures of at least twenty per cent of registered voters from each State of the Federation:</p> <p>Provided that-</p> <p>(a) a registered voter shall not sign for more than one independent candidate in respect of the same office; and</p>	

		(b) the signatures shall be verified by the relevant electoral body”	
177	<p style="text-align: center;">Qualifications for elections as Governor</p> <p>A person shall be qualified for election to the office of Governor of a State if-</p> <p>(a) he is a citizen of Nigeria by birth;</p> <p>(b) he has attained the age of thirty-five years;</p> <p>(c) he is a member of a political party and is sponsored by that political party; and</p> <p>(d) he has been educated up to at least School Certificate level or its equivalent.</p>	<p style="text-align: center;">Clause 6 Alteration of Section 177</p> <p>Section 177 of the Principal Act is further altered by-</p> <p>(a) in subsection (2) (d), by inserting after the last word, “party”, the words, “or the person is an independent candidate”;</p> <p>(b) inserting after paragraph (c), a new paragraph “(cc)” –</p> <p>“(cc) in the case of an independent candidate, the person has obtained the verified signatures of at least twenty per cent of registered voters from each of the local government areas in the State:</p> <p>Provided that-</p> <p>(a) a registered voter shall not sign for more than one independent candidate in respect of the same office; and</p> <p>(b) the signatures shall be verified by the relevant electoral body”</p>	
		<p style="text-align: center;">Clause 7 Alteration of Section 228</p> <p>Section 228 of the Principal Act is altered by inserting after paragraph (c), a new paragraph “(cc)”-</p> <p>“(cc) for the conferment on the Commission of power by regulations to prescribe the payment of such administrative fees by independent candidates for respective elections:</p>	

		Provided that the Independent National Electoral Commission shall waive fifty percent of the administrative fees for women candidates.”	
		<p style="text-align: center;">Clause 8 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria 1999 (Fifth Alteration) Bill No. 58, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to allow an independent candidate contest for an elective position.</p>	

59. Diaspora Voting

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for diaspora voting; and for related matters

Sections	Provisions of the Constitution	Provisions of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
77	<p style="text-align: center;">Direct election and franchise</p> <p>(1) Subject to the provisions of this Constitution, every Senatorial district or Federal constituency established in accordance with the provisions of this Part of this Chapter shall return one member who shall be directly elected to the Senate or the House of Representatives in such manner as may be prescribed by an Act of the National Assembly.</p> <p>(2) Every citizen of Nigeria, who has attained the age of eighteen years, residing in Nigeria at the time of the registration of voters for purposes of election to a legislative house, shall be entitled to be registered as a voter for that election.</p>	<p style="text-align: center;">Clause 2 Alteration of section 77</p> <p>Section 77 of the Principal Act is altered –</p> <p>(a) in subsection (2), by substituting for the word, “in”, in line 2, the words, “within or outside” ;</p> <p>(b) by inserting after subsection (2), new subsections “(3) and (4)” –</p> <p>“(3) To be eligible to vote in accordance with subsection (2) of this section, the citizen of Nigeria shall –</p> <p style="padding-left: 20px;">(i) be at least 18 years old;</p> <p style="padding-left: 20px;">(ii) hold a valid Nigerian International Passport;</p> <p style="padding-left: 20px;">(iii) have lived in Nigeria for a period of at least five years from a minimum age of ten years old; and</p> <p>be legally resident in any foreign country from where the person seeks to vote in the Nigerian election for at least twelve months,</p>	

		(4) the Independent National Electoral Commission shall issue guidelines for Diaspora voting”	
117	<p style="text-align: center;">Direct election and franchise</p> <p>(1) Subject to the provisions of this Constitution, every State constituency established in accordance with the provisions of this part of this Chapter shall return one member who shall be directly elected to a House of Assembly in such manner as may be prescribed by an Act of the National Assembly.</p> <p>(2) Every citizen of Nigeria, who has attained the age of eighteen years, residing in Nigeria at the time of the registration of voters for purposes of election to any legislative House, shall be entitled to be registered as a voter for that election.</p>	<p style="text-align: center;">Clause 3 Alteration of section 117</p> <p>Section 117 of the Principal Act is altered –</p> <p>(a) in subsection (2), by substituting for the word, “in”, in line 2, the words, “within or outside”,</p> <p>(b) by inserting after subsection (2), new subsections “(3) & (4)” –</p> <p>“(3) To be eligible to vote in accordance with subsection (2) of this section, the citizen of Nigeria shall –</p> <p style="padding-left: 40px;">(a) be at least eighteen years old,</p> <p style="padding-left: 40px;">(b) hold a valid Nigerian International Passport,</p> <p style="padding-left: 40px;">(c) have lived in Nigeria for a period of at least five years from a minimum age of ten years old; and</p> <p>be legally resident in the country of residence for at least twelve months,</p> <p>(4) the Independent National Electoral Commission shall issue guidelines for Diaspora voting”</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 59, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for diaspora voting.</p>	
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I. THE FEDERAL CAPITAL TERRITORY

60. Mayoralty Status for the FCT

**A Bill
For**

An Act to alter the provisions of The Constitution of the Federal Republic of Nigeria 1999, to provide for the Office of Mayor for the Federal Capital Territory Administration Abuja; and for Related Matters, 2022

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		Clause 1 The Constitution of the Federal Republic of Nigeria, 1999, (hereinafter called the principal Act) is hereby altered as set out below.	
299	<p style="text-align: center;">Application of Constitution</p> <p>The provisions of this Constitution shall apply to the Federal Capital Territory, Abuja as if it were one of the States of the Federation; and accordingly –</p> <p>(a) all the legislative powers, the executive powers and the judicial powers vested in the House of Assembly, the Governor of a State and in the courts of a State shall, respectively, vest in the National Assembly, the President of the Federation and in the courts which by virtue of the foregoing provisions are courts established for the Federal Capital Territory, Abuja;</p>	<p style="text-align: center;">Clause 2 Alteration of Section 299</p> <p>Section 299 of the Principal Act is Altered by substituting for the existing “299(a)”, with new Section “299(a)”-</p> <p>“(a) all the legislative powers, the executive powers and the judicial powers vested in the House of Assembly, the Governor of a State and in the courts of a State shall, respectively, vest in the National Assembly, the Mayor and in the courts which by virtue of the forgoing provisions are courts established for the Federal Capital Territory, Abuja;”</p>	

301	<p style="text-align: center;">Adaptation of Certain Reference</p> <p>(a) references to the Governor, Deputy Governor and the executive council of a State (howsoever called) were references to the President, Vice-President and the executive council of the Federation (howsoever called) respectively;</p> <p>(b); and</p> <p>(c) references to persons, offices and authorities of a State were references to the persons, offices and authorities of the Federation with like status, designations and powers, respectively; and in particular, as if references to the Attorney General, Commissioners and the Auditor-General for a State were references to the Attorney-General, Ministers and the Auditor-General of the Federation with like status, designations and powers.</p>	<p style="text-align: center;">Clause 3 Alteration of section 301</p> <p>Section 301 of the principal Act is altered by substituting the existing paragraphs (a) and (c) with new paragraphs “(a) and (c)”-</p> <p>“(a) references to the Governor, Deputy Governor and the executive council of a State (howsoever called) were references to the Mayor, Deputy Mayor and the executive council of the Federal Capital Territory, Abuja Mayoralty (howsoever called) respectively.</p> <p>(c) references to persons, offices and authorities of a State were references to the persons, offices and authorities of the Federal Capital Territory Abuja Mayoralty with like status, designations and powers, respectively, and in particular, as if references to the Attorney-General, Commissioners and Auditor-General for a State were references to the Attorney General, Commissioners and the Auditor-General of the Federal Capital Territory, Abuja Mayoralty with like status, designations and powers.”</p>	
302	<p style="text-align: center;">Minister of Federal Capital Territory, Abuja</p> <p>302. The President may, in exercise of the powers conferred upon him by section 147 of this Constitution, appoint for the Federal Capital Territory, Abuja a Minister who shall exercise such powers and perform such functions as may be delegated to him by the President, from time to time.</p>	<p style="text-align: center;">Clause 4 Deletion of section 302</p> <p>Section 302 of the Principal Act is hereby deleted.</p>	
		<p style="text-align: center;">Clause 5</p> <p>Insertion of new Section ”303A”- “303K”, after the existing section “303”- “Establishment of the Office of Mayor of FCT-Abuja</p>	

303A There shall be for the Federal Capital Territory, Abuja a Mayor who shall be the chief executive of the Federal Capital Territory Abuja Administration.

Qualification for Election as Mayor

303B. A person shall be qualified for election to the office of the Mayor if-

- (i) he is a citizen of Nigeria by birth;
- (ii) he has attained the age of thirty-five years; and
- (iii) he is a member of a political party and is sponsored by that party or is an independent candidate, presents himself as such and complied with the requirement for an independent candidate as prescribed by an Act of the National Assembly.
- (iv) he has been educated up to at least School Certificate level or its equivalent.

Election of Mayor

303C(1) An election to the office of the Mayor of Federal Capital Territory Abuja shall be held on a date to be appointed by the Independent National Electoral Commission in accordance with the provision of the Electoral Act..

(2) An election to the said office shall be held in the first instance on a date not later than one hundred and fifty (150) days after the coming into force of this provisions and thereafter on a date not earlier than one hundred and fifty (150) days and not later than Thirty Days (30) days before the expiration of the term of office of the last holder of that office.

(3) Where in an election to the office of the Mayor of FCT-Abuja one of the two or more candidates nominated for the election is the only candidate after the close of nomination by reason of the

disqualification, withdrawal, incapacitation, disappearance or death of the other candidate, the Independent National Electoral Commission shall extend the time for nomination.

(4) For the purpose of an election under this section, the Federal Capital Territory, Abuja shall be regarded as one constituency.

(5) Every person who is registered to vote at an election of a member of a legislative house shall be entitled to vote at an election to the office of Mayor of the Federal Capital Territory Abuja.

Election: single candidate and two or more candidates

303D (1) A candidate for an election to the office of Mayor shall be deemed to have been duly elected to such office where, being the only candidate nominated for the election- (a) he has a majority of YES votes over NO votes cast at the election; and (b) he has not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the area Councils of the Federal Capital Territory Abuja, but where the only candidate fails to be elected in accordance with this section, then there shall be fresh nominations.

(2) A candidate for an election to the office of Mayor shall be deemed to have been duly elected where, there being two or more candidates –

- (a) he has the highest number of votes cast at the election; and
- (b) he has not less than one-quarter of all the votes cast in each of at least two-thirds of all the Areal Councils of the Federal Capital Territory Abuja.

(3) In default of a candidate duly elected in accordance with subsection (2) of this section, there shall be a second election in accordance with subsection (4) of this section at which the only candidates shall be –

- (a) the candidate who secured the highest number of votes

		<p>cast at the election; and</p> <p>(b) one among the remaining candidates who secured a majority of votes in the highest number of the Areal Councils of the Federal Capital Territory Abuja, so however that where there are more than one candidate with a majority of votes in the highest number of the Areal Councils of the Federal Capital Territory Abuja, the candidate among them with the next highest total of votes cast at the election shall be the second candidate.</p> <p>(4) In default of a candidate duly elected under subsection (2) of this section, the Independent National Electoral Commission shall within twenty-one days of the result of the election held under that subsection, arrange for an election between the two candidates and a candidate at such election shall be deemed to have been duly elected to the office of Mayor if –</p> <p>(a) he has a majority of the votes cast at the election; and</p> <p>(b) he has not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the area Councils of the Federal Capital Territory Abuja.</p> <p>(5) In default of a candidate duly elected under subsection (4) of this section, the Independent National Electoral Commission shall within twenty-one days of the result of the election held under that subsection, arrange for another election between the two candidates to which that sub-paragraph relates and a candidate at such election shall be deemed to have been duly elected to the office of Mayor if he has a majority of the votes cast at the election.</p> <p>Tenure of Office of Mayor</p>	
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303E(1) Subject to the provisions of this constitution a person shall hold the office of the Mayor of Federal Capital Territory Abuja until:

- (a) when his successor in office takes the oath of that office;
- (b) he dies without holding such office;
- (c) the date his resignation from office takes effect; or
- (d) he otherwise ceases to hold office in accordance with the provisions of this constitution.

(2). Subject to the provisions of this constitution, the Mayor shall vacate his office at the expiration of a period of four years commencing from:

- (a) in the case of a person first elected as Mayor under this constitution, he took the oath of allegiance and oath of office; and
- (b) the person last elected to that office took the oath of allegiance and oath of office or would have but for his death have taken such oaths.

(2A) In the determination of the four-year term, where a rerun election has taken place and the person earlier sworn in wins the rerun election, the time spent in office before the date the election was annulled shall be taken into account.

Disqualification

303F (1) No person shall be qualified for election into the office of Mayor of Federal Capital Territory Abuja if-

- (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, he has made a declaration of allegiance to such other country; or

- (b) he has been elected to such office at any two previous

		<p>elections; or</p> <p>(c) under the law in any part of Nigeria, he is adjudged to be a lunatic or otherwise declared to be unsound mind; or</p> <p>(d) he is under a sentence of death imposed by any competent court of law or tribunal in Nigeria or a sentence of imprisonment for any offence involving dishonesty or fraud; or</p> <p>(e) being a person employed in the public service of the federation or of any state, he has not resigned, withdrawn or retired from the employment at least thirty days to the date of the election; or</p> <p>(f) he is a member of any secret society; or</p> <p>(g) 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, an 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) A person who was sworn-in as Mayor to complete the term for which another person was elected as Mayor shall not be elected to such office for more than a single term.</p>	
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Mayor; disqualification from holding other jobs

303G. The Mayor shall not, during the period when he holds office as Mayor, hold any other executive office or be in any paid employment in any capacity whatsoever.

Declaration of assets and liabilities: oaths of office of Mayor

303H (1) A person elected to the office of the Mayor shall not begin to perform the functions of that until he has declared his assets and liabilities as prescribed in the Constitution and has subsequently taken and subscribed the Oath of Allegiance and oath of office prescribed in the Seventh Schedule to this Constitution. [Seventh Schedule]

(2) The Oath of Allegiance and the oath of office shall be administered by the Chief Judge or Grand Kadi of the Sharia Court of Appeal, if any or President of the Customary Court of Appeal , if any, or the person for the time being respectively appointed to exercise the functions of any of those offices in any State.

Establishment of the office of the Deputy Mayor

303I There shall be for the Federal Capital Territory Abuja Mayoralty a Deputy Mayor.

Nomination and election of the Deputy Mayor

303.J (1) In any election to which the foregoing provisions of this Part of this Chapter relate, a candidate for the office of Mayor 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 Mayor, who is to

		<p>occupy the office of Deputy Mayor; and that candidate shall be deemed to have been duly elected to the office of Deputy Mayor if the candidate who nominated him is duly elected as Mayor in accordance with the said provisions.</p> <p>(2) The provisions of this Part of this Chapter relating to qualification for election, tenure of office, disqualifications, declaration of assets and liabilities and Oath of Mayor shall apply in relation to the office of Deputy Mayor as if references to Mayor were references to Deputy Mayor.</p> <p>Governance Structure of FCT-Abuja Mayoralty</p> <p>303K. The governance structure, administration and operations of the Federal Capital Territory Abuja Mayoralty shall be as prescribed by an Act of the National Assembly.”</p>	
		<p style="text-align: center;">Clause 6 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria 1999 (Fifth Alteration) Bill No. 60, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria 1999 to create the office of Mayor for the Federal Capital Territory, Abuja</p>	

61. Appointment of Minister from the FCT

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for the appointment of a Minister from the FCT; and for related matters.

Sections	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
147	<p>Ministers of the Federal Government</p> <p>147(3) Any appointment under subsection (2) of this section by the President shall be in conformity with the provisions of section 14(3) of this Constitution:-</p> <p>Provided that in giving effect to the provisions aforesaid the President shall appoint at least one Minister from each State, who shall be an indigene of such State.</p>	<p style="text-align: center;">Clause 2 Alteration of Section 147</p> <p>Section 147 (3) of the Principal Act is altered by substituting the existing proviso for a new proviso-</p> <p>“Provided that in giving effect to the provisions aforesaid the President shall appoint at least one Minister from each State and the Federal Capital Territory, who shall be an indigene of such State and in the case of the Federal Capital Territory, who shall be a resident and a registered voter in the Federal Capital Territory.”</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fourth Alteration) Bill No. 61, 2022</p>	

Explanatory Memorandum

The Bill seeks to alter the Constitution to provide for the appointment of minister from the Federal Capital Territory.

62. Correction in the Definition of the Boundary of the Federal Capital Territory Abuja

A Bill For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to correct the error in the definition of the boundary of the Federal Capital Territory, Abuja; and for related matters.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
First Schedule Part II	<p style="text-align: center;">Part II</p> <p style="text-align: center;">1. Definition of Federal Capital Territory Abuja.</p> <p>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 7°E Longitude and 9° 15' Latitude, project a straight line westward to a point just north of Lehu on the Kemi River, then project a line along 6° 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 8° 27' ½" N Latitude to Ahinza village 7° 6" on Kanama River); thence a straight line to Buga Village on 8° 30' N Latitude and 7° 20' E Longitude; thence draw a line northwards joining the villages of Odu, Karshi and</p>	<p style="text-align: center;">Clause 2 Alteration of Part II of the First Schedule</p> <p>Part II of the First Schedule to the Principal Act is altered in the definition of the boundaries of the Federal Capital Territory, Abuja, line 9, by substituting for the word “Plateau”, the word, “Nasarawa.”</p>	

	<p>Karu. From Karu the line shall proceed along the boundary between the Niger and Plateau States as far as Kawu; thence the line shall proceed along the boundary between Kaduna and Niger States up to a point just north of Bwari village, hence the line goes straight to Zuba village and thence straight to Izom.</p>		
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 62, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to correct the error in the definition of the boundary of the Federal Capital Territory, Abuja.</p>	

J. FUNDAMENTAL HUMAN RIGHTS

63. Fundamental Human Rights

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to make free, compulsory and basic education a fundamental right of all citizens under Chapter IV of the Constitution; and related matters

Sections	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
18	<p style="text-align: center;">Educational objectives</p> <p>(1)..... (2)..... (3) Government shall strive to eradicate illiteracy; and to this end Government shall as and when practicable provide-</p> <p style="padding-left: 20px;">(a) free, compulsory and universal primary education; (b) free secondary education; (c) free university education; and (d) free adult literacy programme.</p>	<p style="text-align: center;">Clause 2 Alteration of section 18</p> <p>Section 18 of the Principal Act is amended by substituting for subsection (3), a new subsection “(3)” –</p> <p>“(3) Government shall strive to eradicate illiteracy and provide qualitative education at all levels, and to this end every Government in Nigeria shall–</p> <p style="padding-left: 20px;">(a) provide free, compulsory and universal basic education for every child of primary and junior secondary school age; (b) as and when practicable, provide –</p>	

		<p>(i) free senior secondary school education in its different forms, including technical and vocational education, and</p> <p>(ii) free functional literacy programme; and</p> <p>(c) promote access to qualitative higher education”.</p>	
45		<p style="text-align: center;">Clause 3 Insertion of new section 45A</p> <p>Insert, after section 45 of the Principal Act, a new section “45A”–</p> <p style="text-align: center;">“Free, compulsory and universal basic education</p> <p>45A (1) Every citizen of Nigeria is entitled to free, compulsory and universal basic education and every government in Nigeria shall provide free, compulsory and universal basic education to every child from primary to junior secondary school.</p> <p>(2) It shall be the duty of every parent to ensure that his child or ward attends and completes his primary and junior secondary school education.</p> <p>(3) Every stakeholder in education shall ensure that every parent or person who has the care and custody of a child performs the duty imposed on him under this section.”</p>	

		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill, No. 63, 2022.</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to make free, compulsory and basic education a fundamental right of all citizens under Chapter IV of the Constitution.</p>	

64. Defining Acts that Constitute Torture, Inhuman or Degrading Treatment

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to further define acts that constitute torture, inhuman or degrading treatment; and for related matters

Sections	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
34	Right to dignity of human person	<p style="text-align: center;">Clause 2 Alteration of section 34</p> <p>Section 34 (1) of the Principal Act is altered by inserting after paragraph (c), a new subsection “(1A)” –</p> <p>“(1A) For the purpose of subsection (1) (a) of this section, “torture, inhuman or degrading treatment” includes parading persons arrested by the police or any other law enforcement agency in the public”</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 64, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide for a definition of torture, inhuman and degrading treatment.</p>	
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65. Food Security

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to require the Government to direct its policy towards ensuring right to food and food security in Nigeria, and for related matters

Sections	Provisions of the Constitution	Provisions of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
16	<p>16 (1) The State shall, within the context of the ideals and objectives for which provisions are made in this Constitution.</p> <p>(a) harness the resources of the nation and promote national prosperity and an efficient, a dynamic and self-reliant economy;</p> <p>(b) control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity;</p> <p>(c) without prejudice to its right to operate or participate in areas of the economy, other than the major sectors of the economy, manage and operate the major sectors of the economy;</p> <p>(d) without prejudice to the right of any person to participate in areas of the economy within the major sector of the economy, protect the right of every citizen to engage in any economic activities outside the major sectors of the</p>	<p style="text-align: center;">Clause 2 Alteration of Section 16</p> <p>Section 16 of the Principal Act is altered –</p>	

	<p>economy.</p> <p>(2) The State shall direct its policy towards ensuring:</p> <p>(a) the promotion of a planned and balanced economic development;</p> <p>(b) that the material resources of the nation are harnessed and distributed as best as possible to serve the common good;</p> <p>(c) that the economic system is not operated in such a manner as to permit the concentration of wealth or the means of production and exchange in the hands of few individuals or of a group; and</p> <p>(d) that suitable and adequate shelter, suitable and adequate food, reasonable national minimum living wage, old age care and pensions, and unemployment, sick benefits and welfare of the disabled are provided for all citizens.</p> <p>(3) A body shall be set up by an Act of the National Assembly which shall have power;</p> <p>(a) to review, from time to time, the ownership and control of business enterprises operating in Nigeria and make recommendations to the President on same; and</p> <p>(b) to administer any law for the regulation of the ownership and control of such enterprises.</p> <p>(4) For the purposes of subsection (1) of this section -</p> <p>(a) the reference to the "major sectors of the economy" shall be construed as a reference to such economic activities as may, from time to time, be declared by a resolution of each House of the National Assembly to be managed and operated exclusively by the Government of the Federation, and until a resolution to the contrary is made by the National Assembly, economic activities being operated exclusively by the Government of the Federation on the</p>	<p>(a) in sub-section 2(d), by substituting for the words "suitable and adequate food" the words "right to food and food security"; and</p> <p>(b) by inserting after section 16, a new section "16A" –</p> <p>"Food security</p> <p>16A (1) The State shall direct its policy towards ensuring that –</p> <p>(a) strategies that guarantee food security of the nation regarding availability, accessibility, and affordability of food to the citizens are initiated, undertaken, and implemented;</p> <p>(b) the means of production, conservation and distribution of food are upgraded and improved upon on a continuous basis; and</p> <p>(c) adequate measures are provided to ensure that food security of the nation is not compromised by any individual, group, or institution.</p> <p>(2) The State shall promote and sustain activities that enhance food</p>	
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	<p>date immediately preceding the day when this section comes into force, whether directly or through the agencies of a statutory or other corporation or company, shall be deemed to be major sectors of the economy;</p> <p>(b) "economic activities" includes activities directly concerned with the production, distribution and exchange of wealth or of goods and services; and</p> <p>"participate" includes the rendering of services and supplying of goods.</p>	<p>security”.</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Fifth Alteration) Bill No. 65, 2022</p>	
		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the provisions of the Constitution to require the Government to direct its policy towards ensuring right to food and food security in Nigeria.</p>	

K. NATIONAL SECURITY

66. Nigeria Security and Civil Defence Corps

**A Bill
For**

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to reflect the establishment and core functions of the Nigeria Security and Civil Defence Corps

Sections	Provisions of the Constitution	Provisions of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
	<p style="text-align: center;">PART III SUPPLEMENTAL</p> <p>New insertion after Section 213</p>	<p style="text-align: center;">Clause 2 Insertion of new heading DA- Nigeria Security and Civil Defence Corps</p> <p>Insert, after section 213 of the Principal Act, a new heading “AA”- “AA- Nigeria Security and Civil Defence Corps</p> <p>Establishment of the Nigeria Security and Civil Defence Corps</p> <p>213A (1) There shall be a Civil Defence Corps for Nigeria which shall be known as the Nigeria Security and Civil Defence Corps. (2) Subject to the provisions of this Constitution, the Nigeria</p>	

		<p>Security and Civil Defence Corps shall-</p> <ul style="list-style-type: none"> (a) regulate Private Guard Companies as an industry regulator; (b) register, monitor, supervise, sanction, deregister and determine the operational guidelines of private guard companies all over Nigeria as the nation strives to establish it as a viable tier of security; (c) bear arms to enable it perform all or part of its functions; (d) train, regulate, supervise, oversee and support the activities of vigilante groups, neighborhood security organisations or agencies, and any other such groups, agencies or organizations with a paramilitary character enacted by a law of a State Assembly for the purpose of enhancing the security of any state of the federation; and (e) perform such other functions as may be prescribed by an Act of the National Assembly <p>Appointment of Commandant-General and other Staff of the Corps</p> <p>213B. There shall be Commandant-General for the Nigeria Security and Civil Defence Corps and such other staff as may be prescribed by an Act of the National Assembly.”</p>	
		<p style="text-align: center;">Clause 3 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, (Fifth Alteration) Bill No. 66, 2022</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to reflect the establishment and core functions of the Nigeria Security and Civil Defence corps in the Constitution</p>	
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67. Traditional Rulers and Institutions

A Bill For

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to establish the National and State Councils of Traditional Rulers to advise the President and Governors on matters related to customs, security and public order; and for related matters

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
153	<p style="text-align: center;">[Seventh Schedule] <i>B - Establishment of certain Federal Executive Bodies</i></p> <p>153. Federal Commissions and Councils, etc. (1) There shall be established for the Federation the following bodies, namely-</p> <ul style="list-style-type: none"> (a) Code of Conduct Bureau; (b) Council of State; (c) Federal Character Commission; (d) Federal Civil Service Commission; (e) Federal Judicial Service Commission; (f) Independent National Electoral Commission; 	<p style="text-align: center;">Clause 2 Alteration of section 153</p> <p>Section 153 of the Principal Act is Altered by-</p> <ul style="list-style-type: none"> (a) deleting the word, “Executive” in the heading; and (b) inserting after paragraph (f), a new paragraph “(fa)”- “(fa) National Council of Traditional Rulers”. 	

197	<p style="text-align: center;">State Commission</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 Independent Electoral Commission; and</p> <p>(c) State Judicial Service Commission.</p>	<p style="text-align: center;">Clause 3 Alteration of section 197</p> <p>Section 197 (1) of the Principal Act is altered by inserting after paragraph (c), a new paragraph "(d)" –</p> <p>"(d) State Council of Traditional Rulers".</p>	
	<p style="text-align: center;">THIRD SCHEDULE PART 1</p> <p style="text-align: center;">Federal Executive Bodies (established by section 153)</p>	<p style="text-align: center;">Clause 4 Alteration of Third Schedule</p> <p>Part I of the Third Schedule to the Principal Act is altered by inserting after paragraph 14, a new heading "FA"–</p> <p>"FA. National Council of Traditional Rulers</p> <p>14A (1) The National Council of Traditional Rulers shall comprise of a Chairman and such number of persons as may be prescribed by An Act of the National Assembly;</p> <p>(2) The Council shall have power to advise the President on –</p> <p style="padding-left: 40px;">(a) any matter relating to customary law, cultural affairs, inter-State and chieftaincy matters;</p> <p style="padding-left: 40px;">(b) the maintenance of security and public order within the Country or any part thereof; and</p> <p style="padding-left: 40px;">(c) such other matters as the President may request or as may be directed by the National Assembly.</p> <p>(3) The Chairman of the Council shall serve as member of the</p>	

		National Security Council”.	
Part II, Third schedule	State Executive Bodies Established by Section 197	<p style="text-align: center;">Clause 3 Alteration of Third Schedule</p> <p>Part II of the Third Schedule to the Principal Act is altered by inserting after paragraph 6, new paragraphs "7" and "8" –</p> <p>"7. A Council of Traditional Rulers shall comprise of a Chairman and such number of persons as may be prescribed by Law of the House of Assembly of the State</p> <p>8. (1) The Council shall have power to advise the Governor on –</p> <ul style="list-style-type: none"> (d) any matter relating to customary law, cultural affairs, inter-communal and chieftaincy matters; (e) the maintenance of security and public order within the State or any part thereof; and (f) such other matters as the Governor may request or as may be directed by the State House of Assembly. <p>(2) The Chairman of the Council shall serve as member of the Security Council of the State”.</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Bill No. 67, 2022.</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution to establish the National and State Councils of Traditional Rulers to advise President and Governors on matters related to customary law, security and public order.</p>	
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