

*Extraordinary*



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*Government Notice No. 40*

The following is published as supplement to this *Gazette* :

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**CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999  
(FIFTH ALTERATION) (NO. 10) ACT, 2023**



ARRANGEMENT OF SECTIONS

*Section :*

1. Alteration of the Constitution
2. Alteration of section 285
3. Citation



**CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999  
(FIFTH ALTERATION) (NO. 10) ACT, 2023**

**ACT No. 00**

AN ACT TO ALTER 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 ; AND FOR RELATED MATTERS.

[3rd day of March, 2023]

Commence-  
ment

ENACTED BY THE National Assembly of the Federal Republic of Nigeria—

**1.** The Constitution of the Federal Republic of Nigeria, 1999 (in this Act referred to as “the Principal Act”) is altered as set out in this Act.

Alteration of  
the  
Constitution

**2.** Section 285 of the Principal Act is altered by inserting after subsection (13), a new subsection “(13A)” —

Alteration of  
section 285

“(13A) For the purpose of this section, where there is a natural disaster, war or any State or national emergency or any other “*force majeure*” 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 disaster, war, State or national emergency or any other “*force majeure*” shall not be reckoned with in the computation of time under subsections (5), (6), (7), (9), (10), (11) and (12) of this section”.

Act No. 8,  
2017

**3.** This Act may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) (No. 10) Act, 2023.

Citation

I, certify, in accordance with section 2 (1) of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria 2004, that this is a true copy of the Bill passed by both Houses of the National Assembly.

Ojo O. A., fnia, fcia  
Clerk to the National Assembly  
6th Day of February, 2023.

EXPLANATORY MEMORANDUM

This Act alters 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.

**SCHEDULE TO THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999  
(FIFTH ALTERATION) (NO. 10) BILL, 2023**

(1) <i>Short Title of the Bill</i>	(2) <i>Long Title of the Bill</i>	(3) <i>Summary of the Contents of the Bill</i>	(4) <i>Date Passed by the Senate</i>	(5) <i>Date Passed by the House of Representatives</i>
Constitution of The Federal Republic of Nigeria, 1999 (Fifth Alteration, No. 10) Bill, 2023.	An Act to alter 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 ; and for related matters.	This Bill alters 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.	24th January, 2023.	25th January, 2023.

I, certify that this Bill has been carefully compared by me with the decision reached by the National Assembly and found by me to be true and correct decision of the Houses and is in accordance with the provisions of the Acts Authentication Act Cap. A2, Laws of the Federation of Nigeria, 2004.

I ASSENT



Ojo O. A., fnia, fcia

*Clerk to the National Assembly*

*6th Day of February, 2022.*

MUHAMMADU BUHARI, GCER

*President of the Federal Republic of Nigeria*

*3rd Day of March, 2022.*