

Extraordinary



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Government Notice No. 42

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

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22	Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration, No. 15) Act, 2023.	A343-346

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**CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999
(FIFTH ALTERATION) (NO. 15) ACT, 2023**



ARRANGEMENT OF SECTIONS

Section :

1. Alteration of the Constitution
2. Alteration of Second Schedule
3. Citation

**CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999
(FIFTH ALTERATION) (NO. 15) ACT, 2023**

ACT No. 22

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO DELETE THE ITEM “PRISONS” IN THE EXCLUSIVE LEGISLATIVE LIST AND REDESIGNATE IT AS “CORRECTIONAL SERVICES” IN THE CONCURRENT LEGISLATIVE LIST ; 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. The Second Schedule to the Principal Act is altered in —

Alteration of
the Second
Schedule

(a) Part I, by deleting item 48 “Prisons” ; and

(b) Part II, by inserting after paragraph 10, a new paragraph “10A”—

“10A Correctional Services :

(1) The National Assembly may make laws for the Federation or any part thereof with respect to —

(a) correctional service and the establishment in any part of the Federation of correctional centres and custodial facilities ; and

(b) the establishment of any authority for the management of federal correctional centres and custodial facilities in any part of the Federation.

(2) A House of Assembly may make laws for the State with respect to —

(a) correctional service and the establishment in that State of correctional centres and custodial facilities ; and

(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”.

3. This Act may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) (No. 15) Act, 2023.

Citation

A 346 **2023 No. 22** *Constitution of the Federal Republic of Nigeria, 1999*
(Fifth Alteration) (No. 15) Act, 2023

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 delete the item “Prisons” in the Exclusive Legislative List and redesignate it as “Correctional Services” in the Concurrent Legislative List.

**SCHEDULE TO THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999
(FIFTH ALTERATION) (NO. 15) 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. 15) Bill, 2023.	An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to delete the item “prisons” in the Exclusive Legislative List and redesignate it as “Correctional Services” in the Concurrent Legislative List ; and for related matters.	This Bill alters the Constitution of the Federal Republic of Nigeria, 1999 to delete the item “prisons” in the Exclusive Legislative List and redesignate it as “Correctional Services” in the Concurrent Legislative List.	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, 2023.*

MUHAMMADU BUHARI, GCPR

*President of the Federal Republic of Nigeria
3rd Day of March, 2023.*