

Extraordinary



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

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18	Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration, No. 8) Act, 2023	A237-330

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**CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999
(FIFTH ALTERATION) (NO. 8) ACT, 2023**



ARRANGEMENT OF SECTIONS

Section :

1. Alteration of the Constitution
2. Alteration of section 54
3. Alteration of section 96
4. Alteration of section 311
5. Citation

**CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999
(FIFTH ALTERATION) (NO. 8) ACT, 2023**

ACT No. 18

AN ACT TO ALTER 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.

[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 54 of the Principal Act is altered by inserting after subsection (1), a new subsection “(1A)” — Alteration of
section 54

“(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”.

3. Section 96 of the Principal Act is altered by inserting after subsection (1), a new subsection “(1A)” — Alteration
of
section 96

“(1A) For the purpose of the inaugural and first sitting of the House of Assembly of a State, the quorum shall be at least two-thirds of all the members–elect of the House of Assembly of the State”.

4. Section 311 of the Principal Act is altered by — Alteration of
section 311
 - (a) substituting for subsections (2)-(5), new subsections “(2)-(5)” —
 - “(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.
 - (3) The Standing Orders of the House of Representatives in existence 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 under section 64 of this Constitution.
 - (4) The Standing Orders of the State House of Assembly in existence 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 under section 105 of this Constitution.

(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

(b) deleting subsection (6).

Citation. **5.** This Act may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) (No. 8) 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 regulate the first session and inauguration of members-elect of the National and State Houses of Assembly.

**SCHEDULE TO THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999
(FIFTH ALTERATION) (NO. 8) 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. 8) Bill, 2023.	An Act to alter 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.	This Bill alters 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.	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, GCFR

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