

Extraordinary



National Assembly Journal

No. 46

Abuja - 15th July, 2019

Vol. 16

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Printed and Published by the National Assembly Press, Abuja, Nigeria

NASSP 46/157/2019/900

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A BILL
FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO PROVIDE FOR LIMITATIONS TO THE FREEDOM OF EXPRESSION AS GUARANTEED BY THE CONSTITUTION IN ORDER TO PROHIBIT HATE SPEECHES THAT HAVE THE CONSEQUENCES OF INCITING VIOLENCE AND CIVIL DISORDER AND FOR RELATED MATTERS

Sponsored by Hon. Mohammed Tahir Monguno

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria:

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1. 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.

2. Section 39 of the Principal Act is altered by inserting after the existing subsection (3), a new sub clause "(4)":

"(4) The rights provided in sub section (1), shall not extend to:

(a) propaganda for war;

(b) incitement of imminent violence; or

(c) advocacy of hatred that is based on race, ethnicity, gender or religion, and;

(d) incitement to cause harm."

3. This Bill may be cited as Constitution of the Federal Republic of Nigeria 1999 (Alteration) Bill, 2019.
- Alteration of the Principal Act

Alteration of Section 39

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to provide for limitations to the freedom of expression as guaranteed by the Constitution in order to prohibit hate speeches that have the consequences of inciting violence and civil disorder.

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999, TO PROVIDE FOR TIMEFRAME FOR SUBMITTING THE NAMES OF MINISTERIAL OR COMMISSIONERS NOMINEES; WITH PORTFOLIOS ATTACHED AND EVIDENCE OF DECLARATION OF ASSETS AND LIABILITIES OF THE NOMINEE AND FOR RELATED MATTERS

Sponsored by Hon. Ben Igbakpa

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- 1 **1.** The Constitution of the Federal Republic of Nigeria 1999 (in Alteration of the
2 this Bill referred to as "the Principal Act") is altered as set out in this Bill. Principal Act
- 3 **2.** Section 147 of the Principal Act is altered, in subsection (1), line Alteration of
4 2, by inserting immediately after the word "President", the words, "provided Section 147
5 that the President shall within 21 days after he has taken and subscribed to
6 the Oath of Allegiance and the oath of office prescribed in the Seventh
7 Schedule of this Constitution, forward to the Senate for confirmation list of
8 nominees to such offices of Ministers of the Government of the Federation
9 and their portfolios.
- 10 **3.** Section 147 of the Principal Act IS altered, in subsection (2),
11 line 3, by inserting immediately after the word "President", the words,
12 "provided that no Ministerial nominee shall be confirmed by the Senate
13 unless evidence of declaration of assets and liabilities of the nominee as
14 prescribed in this Constitution is presented.
- 15 **4.** Section 192 of the Principal Act is altered, in subsection (1), line Alteration of
16 3, by inserting immediately after the word "State", the words, "provided that Section 192
17 the Governor shall within 21 days after he has taken and subscribed to the

1 Oath of Allegiance and the oath of office prescribed in the Seventh Schedule of
2 this Constitution, forward to the House of Assembly of the State for
3 confirmation list of nominees to such offices of Commissioners of the
4 Government of a State and their portfolios.

5 **5.** Section 192 of the Principal Act is altered, in subsection (2), line 6,
6 by inserting immediately after the word "Constitution", the words, "provided
7 that no Commissioner nominee shall be confirmed by the House of Assembly
8 of the State unless evidence of declaration of assets and liabilities of the
9 nominee as prescribed in this Constitution is presented.

Citation

10 **6.** This Bill may be cited as the Constitution of the Federal Republic
11 of Nigeria (Fourth Alteration) Bill, 2019.

EXPLANATORY NOTES

This Bill seeks to alter sections 147 and 192 of the Constitution of the Federal Republic of Nigeria, 1999 to set a timeframe for submitting the Names of Ministerial or Commissioners Nominees; with portfolios attached and evidence of declaration of assets and liabilities of the nominee as prescribed in this Constitution prior to confirmation.

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION FEDERAL REPUBLIC OF
NIGERIA 1999 (AS AMENDED) AND FOR RELATED MATTERS

Sponsored by Hon. Nkeiruka C. Onyejeocha

[] Commencement

ENACTED by the National Assembly of the Federal Republic of
Nigeria as follows:

- | | | |
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| 1 | 1. The Constitution of the Federal Republic of Nigeria 1999 (as | Amendment of |
| 2 | amended) (in this Bill referred to as "The Constitution") is amended as set | the Constitution |
| 3 | out in this Bill. | |
| 4 | 2. Section 65(2)a of the Constitution is hereby amended by | Amendment of |
| 5 | substituting the words "School Certificate" with "Higher National Diploma, | Section 65(2)a |
| 6 | First Degree" immediately after the words "at least". | |
| 7 | 3. Section 106(c) of the Constitution is hereby amended by | Amendment of |
| 8 | substituting the words "School Certificate" with "Ordinary National | Section 106(c) |
| 9 | Diploma" immediately after the phrase "at least the". | |
| 10 | 4. Section 131(b) of the Constitution is hereby amended by adding | Amendment of |
| 11 | the words "but is not beyond Seventy years" immediately after the words | Section 131(b) |
| 12 | "forty years". | |
| 13 | 5. Section 131(d) of the Constitution is hereby amended by | Amendment of |
| 14 | substituting the words "School Certificate" with "Higher National Diploma, | Section 131(d) |
| 15 | First Degree" immediately after the word "at least". | |
| 16 | 6. This Bill may be cited as the Constitution of the Federal | Citation |
| | Republic of Nigeria (Amendment) Bill, 2019. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend Sections 65(2)a, 106(c), 131(b) and 131(d) of the Constitution of the Federal Republic of Nigeria 1999 (as amended) by raising the educational qualifications required for election into the offices of the President, National and State Houses of Assembly in Nigeria.

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE
FEDERAL REPUBLIC OF NIGERIA 1999, TO PROVIDE TIMEFRAME AND
PARTICULARS FOR THE PROCLAMATION OF THE NATIONAL ASSEMBLY OR
HOUSE OF ASSEMBLY; AND FOR RELATED MATTERS

Sponsored by Hon. Ben Rollands Igbakpa

[] Commencement

ENACTED by the National Assembly of the Federal Republic of
Nigeria as follows:

- 1 **1.** The Constitution of the Federal Republic of Nigeria 1999 (in Alteration of the
2 this Bill referred to as "the Principal Act") is altered as set out in this Bill. Principal Act
- 3 **2.** Section 64 of the Principal Act is altered by substitution of the Alteration of
4 existing subsection (3) for a new subsection "3"- Section 64
- 5 "3" - Subject to the provisions of this Constitution, the person
6 elected as the President or exercising such powers shall have power to issue
7 a proclamation for the holding of the first session of the National Assembly
8 not later than 48 hours after his being sworn in, or for its dissolution as
9 provided in this section.
- 10 **3.** Section 64 of the Principal Act is altered by inserting
11 immediately after the amended subsection (3) a new subsection "(4)"-
12 "(4)" The instrument of Proclamation for the holding of the first
13 session of the National Assembly shall contain the following particulars:
- 14 (a) The date, time and venue of the first session;
15 (b) Duly signed by the President and given under the hand, and the
16 Public Seal of Federal Republic of Nigeria;
17 (c) Addressed to the Clerk of the National Assembly, who shall not
18 later than 48 hours of receipt of the Proclamation communicate the details
19 thereto to all members-elect of the National Assembly; and

	1	(d) Publish the Proclamation in at least two National Newspapers
	2	circulating in all the geopolitical zones of the country.
Alteration of Section 105	3	4. Section 105 of the Principal Act is altered by substitution of the
	4	existing subsection (3) for a new subsection "3"-
	5	"3" - Subject to the provisions of this Constitution, the person elected
	6	as the Governor of a State or exercising such powers shall have power to issue a
	7	proclamation for the holding of the first session of the House of Assembly of
	8	the state concerned not later than 48 hours after his being sworn in, or for its
	9	dissolution as provided in this section.
	10	5. Section 105 of the Principal Act is altered by inserting immediately
	11	after the amended subsection (3) a new subsection "(4)"-
	12	"(4)" The instrument of Proclamation for the holding of the first
	13	session of the House of Assembly of the state concerned shall contain the
	14	following particulars:
	15	(a) The date, time and venue of the first session;
	16	(b) Duly signed by the Governor and given under the hand, and the
	17	Public Seal of the State;
	18	(c) Addressed to the Clerk of the House of Assembly of the state
	19	concerned, who shall not later than 48 hours of receipt of the Proclamation
	20	communicate the details thereto to all members-elect of the House of Assembly
	21	of the state concerned; and
	22	(d) Publish the Proclamation in at least two National Newspapers
	23	circulating in the State.
Citation	24	6. This Bill may be cited as the Constitution of the Federal Republic
	25	of Nigeria (Fourth Alteration) Bill, 2019.

EXPLANATORY NOTES

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to set a timeframe and particulars for the Proclamation of the National Assembly or House of Assembly.

A BILL

FOR

AN ACT TO AMEND THE PROVISIONS OF THE CONSTITUTION OF THE
FEDERAL REPUBLIC OF NIGERIA, 1999 (AS AMENDED) AND FOR RELATED
MATTERS

Sponsored by Hon. Femi Gbajabiamila

Co-Sponsors:

Hon. Ozurigbo Ugonna

Hon. Abubakar Hassan Fulata

Hon. Kayode Akiola

Hon. Ifeanyi Momah

Hon. Luke Onofiok

Hon. Tunji-Ojo Olubunmi

[] Commencement

1 BE IT ENACTED by the National Assembly of the Federal
2 Republic of Nigeria as follows:

3 1. The Constitution of the Federal Republic of Nigeria 1999 (as
4 amended) (herein referred to as the "Principal Act") is further amended as
5 set out in this Bill; Amendment of
Principal Act

6 2. Section 4, Sub-Section 8 is amended by deleting sub-section 8
7 and replacing with a new one to read; Amendment of
4(8)

8 8. Save as otherwise provided by this constitution, the exercise of
9 Legislative powers by the National Assembly shall be subject to Judicial
10 Review by Courts of Law and of Judicial Tribunals established by Law.

11 3. Section 6 is amended by adding a new Sub-section 6e to read;
12 (e) Shall not stop, notwithstanding anything to the contrary in this
13 constitution, any other arm of government from performing its functions. Amendment of
6(6)

14 4. The Bill may be cited as the Constitution of the Federal
15 Republic of Nigeria (Amendment) Bill, 2019. Citation

EXPLANATORY MEMORANDUM

The Bill seeks to amend the Constitution of the Federal Republic of Nigeria to strengthen the principle of separation of powers and guarantee independence of different arms of government.

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF
NIGERIA, 1999 (AS AMENDED) AND FOR RELATED MATTERS

Sponsored by Hon. John Dyegh

[] Commencement

ENACTED by the National Assembly of the Federal Republic of
Nigeria as follows:

- | | | |
|----|--|---|
| 1 | 1. The Constitution of the Federal Republic of Nigeria, 1999 as | Alteration of the
Constitution of
the Federal
Republic of
Nigeria, 1999 |
| 2 | altered (in this Bill referred to as the "Constitution") is further altered as set | |
| 3 | out herein. | |
| 4 | 2. Section 64 of the Constitution is altered in subsection (1) by | Alteration of
Section 64(1) |
| 5 | Inserting a new Section 64(1): | |
| 6 | "64 (1) The Senate and the House of Representatives shall stand | |
| 7 | dissolved at the expiration of a period of Six years commencing from the | |
| 8 | date of the first sitting of the House" | |
| 9 | 3. Section 64 of the Constitution is altered in subsection (2) by | Alteration of
Section 64(2) |
| 10 | inserting new Section 64(2): | |
| 11 | "64 (2) If the Federation is at war in which the territory of Nigeria is | |
| 12 | physically involved and the President considers that it is not practicable to | |
| 13 | hold elections, the National Assembly may by resolution extend the period | |
| 14 | of Six years mentioned in subsection (1) of this section from time to time but | |
| 15 | not beyond a period of Six months at anyone time." | |
| 16 | 4. Section 105 of the Constitution is altered in subsection (1) by | Alteration of
Section 105(1) |
| 17 | Inserting a new Section 105(1): | |
| 18 | "105 (1) A House of Assembly shall stand dissolved at the | |
| 19 | expiration of a period of Six years commencing from the date of the first | |
| 20 | sitting of the House" | |

Alteration of Section 105(2)	1	5. Section 105 of the Constitution is altered in subsection (2) by
	2	Inserting a new Section 105(2):
	3	"105 (2) If the Federation is at war in which the territory of Nigeria is
	4	physically involved and the President considers that it is not practicable to hold
	5	elections, the National Assembly may by resolution extend the period of Six
	6	years mentioned in subsection (1) of this section from time to time but not
	7	beyond a period of Six months at anyone time"
Alteration of Section 135(2)	8	6. Section 135 of the Constitution is altered in subsection (2) by
	9	Inserting a new Section 135(2):
	10	"135 (2) Subject to the provisions of subsection (1) of this section,
	11	constitution, the President shall vacate his office at the expiration of a single
	12	tenured period of six years commencing from the date when"
Alteration of Section 137(1)(b)	13	7. Section 137 of the Constitution is altered in subsection (1)(b) by
	14	inserting a new Section 137 (1) (b):
Alteration of Section 180(2)	15	8. Section 180 of the Constitution is altered in subsection (2) by
	16	inserts a new Section 180(2):
	17	"180 (2) Subject to the provisions of subsection (1) of this section,
	18	constitution, the Governor shall vacate his office at the expiration of a single
	19	tenured period of six years commencing from the date when"
Alteration of Section 182(1)(b)	20	9. Section 182 of the Constitution is altered in subsection (1)(b) by
	21	inserting a new Section 182(1)(b):
	22	"(b) he has been elected to such office at any 1 previous election; or"
Citation	23	10. This Bill may be cited as the Constitution of the Federal Republic
	24	of Nigeria, 1999 (Fifth Alteration) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria (as amended).

A BILL

FOR

AN ACT TO FURTHER ALTER THE PROVISIONS OF THE CONSTITUTION OF
THE FEDERAL REPUBLIC OF NIGERIA, 1999; AND FOR RELATED MATTERS

Sponsored by Hon. Mansur Manu Soro

[] Commencement

ENACTED by the National Assembly of the Federal Republic of
Nigeria as follows-

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

Alteration of the
Constitution of
the Federal
Republic of
Nigeria

3 **2.** Section 7 is altered by-

Alteration of
Section 7

4 (a) substituting for subsection (1), a new subsection "(1)" as
5 follows:

6 "(1) The system of Local Government by democratically elected
7 Local Government Councils is under this Constitution guaranteed."

8 (b) inserting new subsections "(1A)"-(1D)" as follows:

9 "(1A) A Local Government Council:

10 (a) not democratically elected shall not be recognized by all
11 authorities and persons and shall not be entitled to any revenue allocation
12 from the Federation Account or the state Government nor exercise any
13 function exercisable by a Local Government Council under this
14 Constitution or any law for the time being in force; and

15 (b) shall stand dissolved at the expiration of a period of four years,
16 commencing from the date the members of the Council were sworn in.

17 (1B) The democratically elected Local Government Council shall
18 be a tier of government in Nigeria and shall consist of executive and
19 legislative arms.

20 (1C) The House of Assembly of every State shall, subject to section
21 8 of this Constitution, ensure the existence of democratically elected Local

1 Government Councils under a Law which provides for their funding from the
2 internally generated revenue of the State and the financial autonomy of the
3 Local Government Councils.

4 (1D) Subject to the provisions of this Constitution with regard to
5 qualifications for election into the Local Government Council, a person shall
6 be qualified for election if he is a member of a political party and is sponsored
7 by that party or he is an independent candidate; and

8 (c) substituting for sub-section (5), a new section "(5)" as follows:

9 "(5) In addition to the functions conferred upon Local Government
10 Councils as specified in the Fourth Schedule to this Constitution, a House of
11 Assembly of a State may by law confer other functions on the Local
12 Government Councils";

13 (d) deleting sub-section (6).

Citation

14 **3.** This Bill may be cited as the Constitution of the Federal Republic of
15 Nigeria (Fourth Alteration) (No.2) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to guarantee a democratically elected local government system, making provision for elected officers and providing sanctions for breach. This Bill also seeks to provide for the financial and administrative autonomy of local government councils and uniformity of tenure across the country.