

Extraordinary



National Assembly Journal

No. 03

Abuja - 9th October, 2019

Vol. 16

CONTENTS

INDEX TO LEGISLATIVE INSTRUMENTS

<i>Bill No.</i>	<i>Long Title</i>	<i>Page</i>
SB. 4	A Bill for an Act to Provide for the Inauguration of the National Assembly, ensure the smooth transfer of legislative power from the out-going National Assembly to in-coming National Assembly and for this purpose establish the National Assembly Inauguration Committee, designate a certain and definite day for convening and inaugurating the National Assembly; and for Related Matters	C 17 - 27

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

NASSP 03/910/2019/900

Subscribers who wish to obtain the Journal after 1st January should apply to the Clerk, National Assembly, Abuja for amended Subscriptions.

NATIONAL ASSEMBLY INAUGURATION BILL, 2019

ARRANGEMENT OF SECTIONS

PART I - PRELIMINARY PROVISIONS

1. Objectives of the Bill
2. Application and Scope
3. Guiding Principles

PART II - ESTABLISHMENT OF THE NATIONAL ASSEMBLY

INAUGURATION COMMITTEE

4. Establishment of the National Assembly Inauguration Committee
5. Functions and Powers of the Committee.
6. Sub - Committees.
7. Procedure of the Committee.

PART III - ADMINISTRATION AND SECURITY OF THE NATIONAL

ASSEMBLY COMPLEX DURING INAUGURATION

8. Administration of the National Assembly during Inauguration
9. Security of the National Assembly Complex during inauguration
10. Preparation for convening and inaugurating Incoming National Assembly

PART IV - CONVENING, INAUGURATING AND SWEARING-IN OF

SENATORS AND MEMBERS ELECT OF THE NATIONAL ASSEMBLY

- 11, President to issue Proclamation
12. Designation of Inauguration Day
13. Proclamation to be addressed to the Clerk to the National Assembly
14. Clerk to the National Assembly to Inaugurate the National Assembly
15. Clerk to the National Assembly to moderate the First Session of the in-coming National Assembly
16. First- floor activities of in-coming National Assembly

PART V - MISCELLANEOUS PROVISIONS

17. Sudden Death of newly elected Principal Officers of the National Assembly
 18. Committee to give Report to the National Assembly
 19. Committee to manage information relating to inauguration
 20. Transitional and saving provisions
 21. Interpretation
 22. Short Title
- Explanatory Memorandum

A BILL

FOR

AN ACT TO PROVIDE FOR THE INAUGURATION OF THE NATIONAL ASSEMBLY, ENSURE THE SMOOTH TRANSFER OF LEGISLATIVE POWER FROM THE OUT-GOING NATIONAL ASSEMBLY TO IN- COMING NATIONAL ASSEMBLY AND FOR THIS PURPOSE ESTABLISH THE NATIONAL ASSEMBLY INAUGURATION COMMITTEE, DESIGNATE A CERTAIN AND DEFINITE DAY FOR CONVENING AND INAUGURATING THE NATIONAL ASSEMBLY; AND FOR RELATED MATTERS

Sponsored by Senator Gabriel Torwua Suswam

[] Commencement

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

1 PART I - PRELIMINARY PROVISIONS

2 1. The primary objective of this Bill is to provide a comprehensive
3 legal framework for managing and coordinating the inauguration of newly
4 elected or in-coming National Assembly after the dissolution of the out-
5 going National Assembly by the President in exercise of his powers under
6 section 64(3) of the Constitution. Specifically, the Bill seeks to achieve the
7 following-

Objectives of
the Bill

8 (a) entrench Institutional memory and ensure clarity with respect
9 to the day for convening and inaugurating in-coming National Assembly;

10 (b) reinforce the powers of the President to dissolve the outgoing
11 National Assembly and convene the first session of the in -coming National
12 Assembly while at the same time ensure clarity regarding the time, venue
13 and day to exercise this power;

14 © stipulate transitional and saving provisions regarding the legal
15 status and validity of the Standing Orders of the out-going National
16 Assembly on the proceedings of the in-coming National Assembly;

	1	(d) Provide a clear guide and legal basis for the responsibilities of the
	2	Clerk to the National Assembly in the transition process from the out-going
	3	National Assembly to in-coming National Assembly;
	4	(e) Ensure Institutional clarify in terms of first - floor activities of the
	5	in-coming National Assembly.
Application and Scope	6	2. This Bill applies to-
	7	(1) the designation of a certain and definite day for convening the
	8	incoming National Assembly by the President pursuant to his powers under
	9	section 64(3) of the Constitution.
	10	(2) The Management and coordination of the inauguration activities
	11	of the National Assembly.
	12	(3) inaugural proceedings and holding of first session of the in-
	13	coming National Assembly pending the adoption of its Standing Orders.
Guiding Principles	14	3. The Bill is guided by the principles set out in section 64 of the
	15	Constitution and the Committee shall in the performance of its functions be
	16	guided by the values and principles set out therein.
	17	PART II - ESTABLISHMENT OF THE NATIONAL ASSEMBLY
	18	INAUGURATION COMMITTEE
Establishment of the National Assembly Inauguration Committee	19	4.-(1) There is established the National Assembly Inauguration
	20	Committee (in this bill referred to as the "Committee").
	21	(2) The Committee is an ad hoc Committee for the transitional period
	22	from the out- going National Assembly to the in-coming National Assembly.
	23	(3) The Committee shall comprise-
	24	(a) Clerk to the National Assembly;
	25	(b) Clerk of the Senate;
	26	(c) Clerk of the House of Representatives;
	27	(d) Secretary to the National Assembly Service Commission;
	28	(e) Sergeant -at -arms;
	29	(f) Director of Establishment, Records and Trainings, National
	30	Assembly Service Commission;

- 1 (g) Director of procurement and General Services; and
- 2 (h) Any other members not exceeding 5 that the Clerk to the
- 3 National Assembly may co-opt or nominate to be part of the Committee;
- 4 (4) The office of the Clerk to the National Assembly shall serve as
- 5 the Secretariat to the Committee.
- 6 (5) A vacancy in the membership of the Committee or non -
- 7 attendance at the meeting of the Committee by a member shall not affect the
- 8 decisions of the committee.
- 9 (6) Seven members of the Committee shall form a quorum at the
- 10 meeting of the Committee.
- 11 (7) The Clerk to the National is the Chairman of the Committee and
- 12 has the powers to convene the first meeting of the Committee at-least Sixty
- 13 days before the dissolution of the out-going National Assembly for the
- 14 purposes of planning for the transitional period from the out-going National
- 15 Assembly to the in- coming National Assembly
- 16 **5.-(1)** The functions of the Committee are-
- 17 (a) deal with all matters relating to the affairs of the out-going
- 18 National Assembly and the in-coming National Assembly;
- 19 (b) organize the security, comfort, hospitality, training and
- 20 induction of in - coming members of the National Assembly;
- 21 (c) facilitate communication between Principal officers of the out-
- 22 going National Assembly and Senators and members elect of the in- coming
- 23 National Assembly;
- 24 (d) Prepare programme and organize activities for the swearing -in
- 25 ceremony of the in-coming National Assembly;
- 26 (e) invite dignitaries not exceeding four persons to the swearing -
- 27 in ceremony of Senators and Members elect of the in -coming National
- 28 Assembly;
- 29 (f) issue guidelines for accreditation of journalists, photographers
- 30 and other professionals that may be involved in the inauguration activities;

Functions and
Powers of the
Committee

	1	(g) carry out any other activity necessary for effective and efficient
	2	discharge of its functions as specified in this Bill and perform any other
	3	function assigned to it under any other Act of the National Assembly to ensure
	4	smooth and orderly transitioning of legislative powers from the out-going
	5	National Assembly to in-coming National Assembly.
Preparation for convening and inaugurating incoming National Assembly	6	6.-(1) The Committee may establish sub-committees as it may deem
	7	necessary for effective and efficient discharge of its functions as specified in
	8	this Bill.
	9	(2) The Committee may co-opt into the membership of a sub-
	10	committee established in accordance with subsection (1) of this section,
	11	persons whose knowledge and skills are considered necessary for the better
	12	and efficient performance of the functions of the Committee.
Procedure of the Committee	13	7. Except as otherwise provided in this Bill, the Committee may
	14	determine its own procedure for and at the meetings.
	15	PART III - ADMINISTRATION AND SECURITY OF THE NATIONAL
	16	ASSEMBLY COMPLEX DURING INAUGURATION
Administration of the National Assembly during inauguration	17	8. The Administration of the Affairs of the National Assembly during
	18	the transitional period from the out-going National Assembly to the in-coming
	19	National Assembly shall be in accordance with the Constitution, and the
	20	provisions of this Bill and any other Act of the National Assembly.
Security of the National Assembly Complex during Inauguration	21	9. The Clerk to the National Assembly shall liaise with the Sergeant -
	22	at-arms and relevant security agencies to ensure that adequate security is
	23	provided within and around the National Assembly Complex to forestall any
	24	Break down of law and order before, during and after the inauguration.
	25	10. The Clerk to the National Assembly shall in consultation with the
	26	Committee carry out such actions or give such instructions as may be necessary
	27	to ensure orderly and hitch free inauguration ceremony.
	28	PART IV - CONVENING, INAUGURATING AND SWEARING-IN OF ELECTED
	29	MEMBERS OF THE NATIONAL ASSEMBLY
President to issue proclamation	30	11. In exercising his powers under section 64 (3) of the Constitution,

1 the person elected as the President shall comply with the provisions of this
2 Bill.

3 **12.**-(1) From Commencement of this Bill, the first Tuesday
4 immediately following the dissolution of the out-going National Assembly
5 and inauguration and swearing-in of the person elected as the President shall
6 be the day for the inauguration and swearing-in of the in-coming National
7 Assembly.

Designation of
inauguration Day

8 **13.**-(1) The proclamation issued by the person elected as the
9 President in compliance with section 64(3) of the Constitution and the
10 provisions of section 11 of this Bill shall be addressed and delivered in
11 writing to the Clerk to the National Assembly not later than the eve of
12 scheduled valedictory session of the outgoing National Assembly.

Proclamation to
be addressed to
the Clerk to the
National Assembly

13 (2) Upon receipt of the proclamation delivered pursuant to
14 subsection (1) of this section, the Clerk to the National Assembly shall cause
15 same to be published in the official gazette of the National Assembly and 2
16 Newspapers that circulate nationwide.

17 (3) Subject to the provisions of this Bill, it is the responsibility of
18 the Clerk to the National Assembly to coordinate and manage the dissolution
19 the out-going National Assembly and the inauguration and swearing-in of
20 in-coming National Assembly.

21 **14.** From the commencement of this Bill, it shall be responsibility
22 of the Clerk to the National Assembly to inaugurate in-coming National
23 Assembly.

Clerk to
Inaugurate the
National Assembly

24 **15.**-(1) The Clerk to the National Assembly shall moderate the first
25 session of the in-coming National Assembly and at the commencement of
26 the session carry out the following functions-

Clerk to the
National Assembly
to moderate the
First Session of
the incoming
National Assembly

27 (a) Read the proclamation issued by the President pursuant to
28 section 64 (3) of the Constitution and also welcome the Senators and
29 members elect of the National Assembly;

30 (b) Conduct a Roll Call of Senators and members elect separately

1 in the two chambers of the National Assembly taking records of those absent
2 and those in attendance;

3 (c) Conduct election into the offices of the Presiding Officers of the
4 National Assembly;

5 (d) Administer Oath of Allegiance and Oath of membership on
6 elected Presiding Officers of the National Assembly and other Senators and
7 Members elect of the National Assembly;

8 (e) Carry out other functions as are necessary to ensure valid and
9 smooth transfer of legislative powers from the out-going National Assembly to
10 in-coming National Assembly.

11 (2) Elections referred to under subsection (1) (c) of this section relate
12 to elections into the offices of the Senate President, Deputy Senate President,
13 Speaker House of Representatives and Deputy Speaker House of
14 Representatives.

15 (3) In discharging his responsibility under subsection (1) of this
16 section, the Clerk to the National Assembly shall comply with the provisions of
17 this Bill and the traditions and practices of the National Assembly;

18 PROVIDED that the provisions of this Bill shall supersede the
19 traditions and practices of the National Assembly.

First Floor
activities of the
incoming
National Assembly

20 **16.-(1)** The first -floor activities of the in-coming National Assembly
21 shall commence immediately after the end of the swearing-in and Oath taking
22 by elected principal officers and members of the in-coming National
23 Assembly.

24 (2) The First Floor activities of the incoming National Assembly
25 shall be as listed on the Order Paper Issued by the Clerk to Senate and Clerk to
26 the House of Representatives respectively and may include-

27 (a) Motion for the adoption of the Standing Orders of the out-going
28 National Assembly as standing orders of in-coming National Assembly;

29 (b) Address by the Senate President and Speaker of the House of
30 Representative on the Legislative Agenda of the newly inaugurated National

1 Assembly followed by responses to the address by members of the in-
2 coming National Assembly;

3 (c) Adoption of a Legislative Calendar for the incoming National
4 Assembly.

5 (3) Nothing in the foregoing provision prohibits the presiding
6 officers of the in-coming National Assembly from postponing the activities
7 listed on the Order Paper pursuant to subsection (2) of this section to another
8 legislative day.

9 PART V - MISCELLANEOUS PROVISIONS

10 17.-(1) Where any of the elected Principal officers of in-coming
11 National Assembly dies immediately after inauguration and swearing- in,
12 the Clerk to the National Assembly shall issue a Notice to convene the
13 National Assembly for the purpose of electing a replacement for the
14 deceased Presiding Officer and also consider a programme for state burial to
15 be accorded the deceased.

Sudden death of
newly elected
Principal Officers
of the National
Assembly

16 (2) Where the deceased Principal Officer referred to in subsection
17 (1) of this section is the Senate President or the Speaker of the House of
18 Representative, the Deputy Senate President in the case of the Senate, or the
19 Deputy Speaker in the case of the House of Representative shall
20 immediately assume office as Senate President pro tempore and Speaker pro
21 tempore respectively until such a period not exceeding one week when a
22 new Senate President or Speaker is elected.

23 18.-(1) The Committee established under section 4 of this Bill shall
24 stand dissolved at least one month after the inauguration and holding of the
25 first session of the in-coming National Assembly.

Committee to
give report to the
National Assembly

26 (2) The Committee through the Clerk to the National Assembly
27 shall within a period of one month from the date of swearing in of the
28 incoming National Assembly cause to be prepared, a report of the functions
29 of the committee and same shall be forwarded to the Senate President and
30 Speaker of the House of Representative respectively regarding-

	1	(a) The Financial Statement of the Committee;
	2	(b) A description of its activities;
	3	(c) Such other statistical information relating to the activities of the
	4	committee as the committee may consider relevant to its mandate.
Committee to manage information relating to Inauguration	5	19.-(1) The committee shall-
	6	(a) publish and publicize all important information within its mandate
	7	in the interest of accountability and education of the general public
	8	information;
	9	(b) release to any person seeking information on its activities under
	10	the Freedom of Information Act Subject to confidentiality requirements
	11	permissible by law.
	12	(2) The Committee may be guided by the provisions of the Freedom
	13	of Information Act and may decline to give information requested where the
	14	information requested is at a deliberative stage by the National Assembly.
	15	(3) Every member and staff of the National Assembly assigned to the
	16	committee may be required to sign a confidentiality agreement.
Transitional and saving provisions	17	20. The provisions of the Standing Orders of out-going National
	18	Assembly shall apply to the proceedings of the in-coming National Assembly
	19	until the in-coming National Assembly adopts its Standing Orders and no
	20	action shall be instituted to stop the use of the Standing Orders of the out-
	21	going National Assembly at the inauguration and swearing -in of the in-coming
	22	National Assembly.
Interpretation	23	21. In this Bill, unless it is otherwise expressly provided or the
	24	context otherwise requires-
	25	"Constitution" means the 1999 Constitution of the Federal Republic of
	26	Nigeria, as amended;
	27	"in-coming National Assembly" means Senators and Members elect of the
	28	National Assembly convened for inauguration, swearing -in and first session
	29	following the dissolution of the out-going National Assembly pursuant to 64(3)
	30	of the Constitution and the provisions of this Bill;

1 "Members of the in- coming National Assembly" means Senators and
2 Members elect of the House of Representatives;
3 "National Assembly" means the Senate and House of Representatives as
4 recognized under section 4 of the Constitution;
5 "Out-going National Assembly" means the Senate and House of
6 Representatives dissolved by the President pursuant to section 64(3) of the
7 Constitution;
8 "President" means President of the Federal Republic of Nigeria;
9 "Standing Orders of the out-going National Assembly" means Standing
10 Orders of the Senate and House of Representatives dissolved by the
11 President pursuant to section 64 (3) of the Constitution.

12 **22.** This Bill may be cited as the National Assembly Inauguration Short title
13 Bill, 2019.

EXPLANATORY NOTE

This Bill seeks to provide a comprehensive legal framework for effective management of the inauguration and swearing-in of elected or in-coming members of the National Assembly after the dissolution of the out-going National Assembly by the President pursuant to Section 64(3) of the Constitution and for this purpose an ad hoc committee known as the "National Assembly Inauguration Committee" is established under this Bill for effective and efficient coordination. Amongst issues covered in the Bill, the First Tuesday immediately following the dissolution of the out-going National Assembly and the inauguration and swearing-in of the person elected as President is also stipulated as the day for inauguration of in-coming National Assembly.