

Extraordinary



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A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF SECTIONS 138 (D) AND SECTION 139 OF THE ELECTORAL ACT 2010 (AS AMENDMENT) THERE IN, 2020

Sponsored by Senator Istifanus Gyang

[] Commencement

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

- | | | |
|----|--|-----------------|
| 1 | 1. The Electoral Act, 2010 (in this Bill referred to as the Principal | Alteration of |
| 2 | Act) is altered as set out in the Bill. | Electoral Act |
| 3 | 2. Section 138 of the principal Act is hereby deleted. | 2010 |
| 4 | 3. Section 139 of the principal Act is altered to add a new | Alteration of |
| 5 | Subsection (3): | section 138 (d) |
| 6 | (3) a : | Alteration of |
| 7 | "INEC should produce and publish sample ballot papers for each | section 139 |
| 8 | elective office being contested, bearing the logo of all the Political Parties | |
| 9 | contesting the election" | |
| 10 | (3) b: | |
| 11 | "Any political party whose logo is omitted on the sample ballot | |
| 12 | paper and does not call for its inclusion cannot thereafter be heard | |
| 13 | complaining after the election". | |
| 14 | 4. This Bill may be cited as the Electoral Act, 2010 (Alteration) | Citation |
| 15 | Bill, 2020. | |

EXPLANATORY MEMORANDUM

This Bill seeks to alter the provisions of Section 138 (d) and Section 139 of the Electoral Act, 2010 by deleting Section 138 (d) and adding a new Subsection(3) to Section 139 to reduce the exclusion of a Political Party logo to a Pre-Election Matter.

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO ABROGATE THE STATE JOINT LOCAL GOVERNMENT ACCOUNTS AND EMPOWER EACH LOCAL GOVERNMENT COUNCIL TO MAINTAIN ITS OWN SPECIAL ACCOUNT AND MAKE PROVISIONS FOR SAVINGS IN THE FEDERATION ACCOUNT BEFORE DISTRIBUTION TO OTHER LEVELS OF GOVERNMENT; AND FOR RELATED MATTERS, 2020

Sponsored by Senator Ahmed Babba Kaita

[] Commencement

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

- | | |
|--|---|
| <p>1 1. The Constitution of the Federal Republic of Nigeria, 1999 (in</p> <p>2 this Bill referred to as "the Principal Act") is altered as set out in this Bill.</p> | <p>Alteration of the
Constitution</p> |
| <p>3 29. Substitute for section 162 of the Principal Act, a new "162"-</p> <p>4 "Distributable Pool Account.</p> | <p>Substitution for
section 162</p> |
| <p>5 162. (1) The Federation shall maintain a special account to be</p> <p>6 called "the Federation Account" into which shall be paid all revenues</p> <p>7 collected by the Government of the Federation, except the proceeds from the</p> <p>8 personal income tax of the personnel of the armed forces of the Federation,</p> <p>9 the Nigeria Police, the Ministry or department of government charged with</p> <p>10 responsibility for Foreign Affairs and the residents of the Federal Capital</p> <p>11 Territory, Abuja.</p> | |
| <p>12 (2) The Revenue Mobilisation Allocation and Fiscal Commission,</p> <p>13 shall table before the National Assembly proposals for revenue allocation</p> <p>14 from the Federation Account, and in determining the formula, the National</p> <p>15 Assembly shall take into account, the allocation principles especially those</p> <p>16 of population, equality of States, internal revenue generation, land mass,</p> | |

1 terrain as well as population density;

2 Provided that the principle of derivation shall be constantly reflected
3 in any approved formula as being not less than thirteen per cent of the revenue
4 accruing to the Federation Account directly from any natural resources.

5 (3) Any amount standing to the credit of the Federation Account shall
6 be distributed among the Federal and State Governments and the Local
7 Government Councils in each State on such terms and in such manner as may
8 be prescribed by the National Assembly.

9 (4) Notwithstanding the provisions of this Section, ten percent of any
10 amount paid into the Federation Account shall be deducted and saved in a
11 separate account prior to distribution to the respective levels of government
12 and shall be held on such terms and conditions as may be prescribed by an Act
13 of the National Assembly.

14 (5) The amount standing in the Federation Account being savings
15 shall not be distributed to the respective levels of government until at least five
16 years from the date it was so saved.

17 (6) Any amount standing to the credit of the States and Local
18 Government Councils in the Federation Account shall be distributed among
19 the States and Local Government Councils on such terms and in such manner
20 as may be prescribed by an Act of the National Assembly.

21 (7) Each local Government Council shall maintain a special account
22 to be called "Local Government Council Allocation Account" into which shall
23 be paid directly such allocation to the Local Government Council from the
24 Federation Account and from the Government of the State.

25 (8) Each State shall pay to Local Government Councils in its area of
26 jurisdiction such proportion of its internally generated revenue on such terms
27 and in such manner as may be prescribed by the House of Assembly.

28 (9) The House of Assembly of each State shall by law prescribe such
29 portion of the money allocated to the State and its Local Government Council
30 from the Federation Account to be used for the purpose of payment of salaries

1 of primary school teachers and such other purposes as it may determine.

2 (10) For the purpose of subsection (9), the Federation Account
3 Allocation Committee shall deduct and remit the salaries of primary school
4 teachers to a body as may be prescribed by the House of Assembly of each
5 State."

6 3. This Bill may be cited as the Constitution of the Federal Citation
7 Republic of Nigeria, 1999 (Alteration) (Local Government Autonomy) Bill,
8 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution to abrogate the State Joint Local Government Accounts and empower each Local Government Council to maintain its own special account to be called Local Government Allocation Account into which all allocations due to the Local Government Council shall be directly paid from the Federation Account and from the Government of the State.

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO PROVIDE FOR THE ESTABLISHMENT OF STATE POLICE AND TO ENSURE EFFECTIVE COMMUNITY POLICING IN NIGERIA AND FOR MATTERS CONNECTED THERETO, 2020

Sponsored by Senator Surajudeen Ajibola Basiru

[] Commencement

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

- 1 **1.** The 1999 Constitution of the Federal Republic of Nigeria, 1999
2 (hereinafter referred to as "the Principal Act") is hereby altered as set out in
3 this Bill. Alteration of the
1999 Constitution
- 4 **2.** Section 214, subsection (1) of the Principal Act is altered by
5 deleting the word "Force" and replacing thereto with the word "Service" and
6 wherever appearing in the Principal Act; Alteration of
section 214
- 7 Section 214, Subsection (1) of the Principal Act is further altered
8 by deleting the phrase "and, subject to the provisions of this section no other
9 Police Force shall be established for the Federation or any part thereof"
10 immediately after the word "Force".
- 11 **3.** The Principal Act is altered by inserting a new Section "214(3)" Insertion of new
Section 214(3)
(Establishment
of State Police)
12 to establish a Police Service for each State of the Federation as follows:
- 13 (3) There shall be a Police Service for each State of the Federation,
14 which shall be known as the State Police Service. Subject to the Provisions
15 of the Principal Act:
- 16 (a) The State Police Service shall be organized and administered in
17 accordance with such laws as may be prescribe by the Law passed by the
18 State House of Assembly;
- 19 (b) The members of the State Police Service shall have such

1 powers and duties as may be conferred on them by such Law;

2 (c) The State House of Assembly may make provisions for branches
3 of a State Police Service forming part of a State Security Structures or for the
4 protection of communities and localities.

Insertion of new
Section 214(4)
(Appointment
of Commissioner
of Police of a
State Police
Service)

5 **4.** The Principal Act is altered by inserting a new Section '214(4)' as
6 follows:

7 (i) There shall be:

8 (a) A Commissioner of a State Police Service who, subject to Section
9 3 of this Bill be appointed by the Governor of the State on the advice of the
10 State Police Council from among serving members of the State Police Service;

11 (b) A Head of Police shall be appointed for a Local Government Area
12 by the State Police Service Commission.

13 (ii) Each State Police shall be under the Command of the
14 Commissioner of the State Police Service.

15 (iii) The Governor or such other official to a State as he may authorize
16 in that behalf may give to the Commissioner of the State Police Service such
17 directions with respect of the maintenance and securing of Public Safety,
18 Public Order and Community Policing as he may consider necessary and the
19 Commissioner of the State Police shall comply with those directions or cause
20 them to be complied with.

21 **5.** Principal Act is hereby amended by deleting item 45 from the
22 Exclusive Legislative List in part 1 of the second schedule of the Constitution.

23 **6.** The entire items on the Exclusive Legislative List in part 1 of the
24 second schedule of the Constitution is hereby rearranged and renumbered as
25 items 1 - 67 with the exclusion of the deleted item under this Bill.

26 **7.** The Principal Act is hereby amended by creating new section 21 in
27 part 2 of the second schedule of the Constitution as follows

Section 21 - Police
and other
Government
Security Agencies

28 **8.-(1)** The National Assembly may make laws for the federation or
29 any part thereof with respect to:

30 (a) Police Force and other government security services in respect of

1 anything pertaining to internal security and the maintenance of law and
2 order in Nigeria;

3 (b) Regulation of ownership and control of Federal Police and
4 other government security services.

5 (2) A House of Assembly of a state may make laws with respect to:

6 (a) The creation, formation or/and establishment of Police and
7 other security services in respect of any matter pertaining to internal security
8 and the maintenance of law and order within that state and with regard to the
9 enforcement of any law validly made by the House of Assembly of that state;

10 (b) Regulation of ownership and control of State Police and other
11 State Government security services.

12 **9.** The Principal Act is hereby amended by renumbering the
13 existing sections 21 to 30 of part 2 of the second schedule of the constitution
14 as numbers 22 to 31.

15 **10.** State Police Council - Alternation of the Third Schedule to the
16 Constitution.

17 *State Police Council:*

18 The Principal Act is altered by inserting new items 'D' and 'E' to
19 Part II of the Third Schedule to the Principal Act as follows:

20 D - State Police Council:

21 1. The State Police Council shall comprise the following
22 members:

23 (a) The Governor who shall be the Chairman;

24 (b) The Chairman of each Local Government Area of the State;

25 (c) The Chairman of the State Police Service Commission;

26 (d) The Commissioner of the State Police Service;

27 (e) Representative of the Council of Chiefs;

28 (f) Representative of the Nigerian Bar Association; and

29 (g) Representative of the Council of Women Organizations

30 2. The functions of the State Police Council shall include:

1 (a) The organization and administration of the State Police Service
2 and all other matters relating thereto (not being matters relating to the use and
3 operational control of the service or the appointment, disciplinary control and
4 dismissal of members of the Service);

5 (b) The general supervision of the State Police Service; and

6 (c) Advising the Governor on the appointment of the Commissioner
7 of the State Police Service:

8 E-State Police Service Commission:

9 1. The State Police Service Commission shall comprise the following
10 members:

11 (a) A Chairman; and

12 (b) Such number of other persons, not less than four but not more than
13 six, as may be prescribed by a Law passed by the State House of Assembly

14 2. The Commission shall have power to:

15 (a) Appoint persons to offices (other than the office of the
16 Commissioner of the State Police) in the State Police Service; and

17 (b) Dismiss and exercise disciplinary control over persons holding
18 any office referred to in sub-paragraph (a) of this paragraph.

Citation

19 **11.** This Bill may be cited as the Constitution of the Federal Republic
20 on Nigeria (Alteration) Bill, 2020.

EXPLANATORY NOTES

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 Cap. 23, Laws of the Federation of Nigeria, 2004 to delete item 45 from the Exclusive Legislative List and to make Police a concurrent matter, thereby granting the National Assembly and State Houses of Assembly the power to make laws with respect to the creation, formation and control of Police and ensure effective community policing in Nigeria.

A BILL

FOR

AN ACT TO ALTER THE PROVISION OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO REPLACE THE NAME, "NIGERIA POLICE FORCE "WITH "NIGERIAN POLICE "TO REFLECT THEIR CORE MANDATE OF PROVIDING CIVIL SERVICES; AND FOR RELATED MATTERS, 2020

Sponsored by Senator Bamidele, Micheal Opeyemi

[] Commencement

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

- | | | |
|----|---|--------------------|
| 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. | Constitution, 1999 |
| 3 | 2. Section 34 (2) (b) of the Principal Act is altered by substituting | Alteration of |
| 4 | for the words, "Nigeria Police Force", in line 2, the words, "Nigerian | section 34 |
| 5 | Police". | |
| 6 | 3. Section 35 (7) (b) of the Principal Act is altered by substituting | Alteration of |
| 7 | for the words, "Nigeria Police Force" in line 3, the words, "Nigerian | section 35 |
| 8 | Police". | |
| 9 | 4. Section 39 (3) (b) of the Principal Act is altered by substituting | Alteration of |
| 10 | for the words, "Nigeria Police Force", in line 3, the words, "Nigerian | section 39 |
| 11 | Police". | |
| 12 | 5. Section 214 of the Principal Act is altered- | Alteration of |
| 13 | (a) in the Heading, by substituting for the words, "Nigerian Police | section 214 |
| 14 | Force", the words, "Nigerian Police"; | |
| 15 | (b) in the marginal note, by substituting for the words, "Nigerian | |
| 16 | Police Force", the words, "Nigerian Police"; and | |
| 17 | © in subsections (1) and (2) by substituting for the words, | |
| 18 | "Nigerian Police Force", the words, "Nigerian Police". | |

Alteration of Section 215	1	6. Section 215 of the Principal Act is altered-
	2	(a) in the marginal note, by substituting for the words, "Nigerian
	3	Police Force", the words, "Nigerian Police";
	4	(b) in subsection (1), by substituting for paragraph (a), a new
	5	subsection "(a)"-
	6	"(a) an Inspector-General of Police who, subject to section 216 (2) of
	7	this Constitution, shall be appointed by the President on the advice of the
	8	Nigerian Police Council from serving members of the Nigerian Police and
	9	subject to confirmation of such appointment by the Senate."; and
	10	(b) by substituting for subsection (2), a new subsection "(2)" -
Alteration of section 216	11	"(2) The Nigerian Police shall be under the command of the
	12	Inspector-General of Police and contingents of the Nigerian Police stationed in
	13	a State shall, subject to the authority of the Inspector-General of Police, be
Alteration of the Third Schedule	14	under the command of the Commissioner of Police of that State."
	15	7. Section 216 (1) of the Principal Act is Altered by substituting for
	16	the words, "Nigeria Police Force", in line 5, the words, "Nigerian Police".
Citation	17	8. Part 1 of the Third Schedule to the Principal Act is altered-
	18	(a) in paragraph 8 (1) (a), by substituting for the words, "Nigeria
	19	Police Force", in line 4, the words, "Nigerian Police";
	20	(b) in paragraph 28 (a), by substituting for the words, "Nigeria Police
	21	Force", in line 1, the words, "Nigerian Police"; and
	22	(c) in paragraph 30 (a), by substituting for the words, "Nigeria Police
	23	Force", in line 2, the words, "Nigerian Police"; .
	24	9. This Bill may be cited as the Constitution of the Federal Republic
	25	of Nigeria, 1999 (Alteration) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to replace the name, "Nigeria Police Force "with "Nigerian Police" to reflect their core mandate of providing civil services.

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE
FEDERAL REPUBLIC OF NIGERIA,1999 (AS AMENDED), TO MAKE
PROVISIONS FOR INDEPENDENT CANDIDACY IN GENERAL ELECTIONS IN
NIGERIA AND FOR RELATED

Sponsored by Senator Abba Moro

[] 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
2 amended) in this Bill referred to as the Principal Act is altered as set out in
3 this Bill. Alteration of the
Constitution, 1999

4 2. Section 65 of the Principal Act is altered by deleting the word
5 "and" at the end of paragraph (b) and inserting a paragraph (c): Alteration of
section 65

6 (c) he stands alone as an Independent Candidate, not being a
7 member of or and being sponsored by any political party; and by inserting a
8 new subsection 3:

9 (3) in line with the provisions of the Electoral Act, a Candidate
10 standing alone as an Independent Candidate shall by himself submit to the
11 Independent National Electoral Commission, in the prescribed forms
12 document and information required by the Act not later than 60 days before
13 the date appointed for general election.

14 Section 106 of the Principal Act is altered by deleting the word
15 "and" in paragraph (d) and inserting a new paragraph (e):

16 (e) he stands alone as an independent Candidate, not being a
17 member of and or being sponsored by a political party.

18 Section 131 is amended by deleting the word "and" at the end of
19 paragraph (c) and inserting after paragraph (d) a new paragraph;

1 (e) he stands alone as an Independent Candidate, not being a member
2 of or and being sponsored by a political party.

3 Section 132 (3) of the Principal Act is altered by inserting a new line
4 immediately after the word nominated or standing alone as an Independent
5 Candidate on the second line.

Citation

6 **3.** This Bill may be cited as the 1999 Constitution (Alteration) Bill,
7 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to among other things:

(a) Alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), to make provisions for Independent Candidacy in the electoral process in Nigeria;

(b) To create a platform for credible and eligible Candidates desirous to participate in the electoral process in Nigeria to so do without the sponsorship of a political party;

(c) To make provisions that will allow anyone who is eligible to stand for election to any political office as an Independent Candidate.

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE
FEDERAL REPUBLIC OF NIGERIA, 1999 TO ALLOW FOR MORE
REPRESENTATION IN THE NATIONAL ASSEMBLY FOR THE FEDERAL
CAPITAL TERRITORY, ABUJA AND FOR RELATED MATTERS

Sponsored by Senator Philip Tanimu Aduda

[] Commencement

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

- 1 **1.** The Constitution of the Federal Republic of Nigeria, 1999 Alteration of the
2 (herein after called "the Principal Act") is altered as set out hereunder. 1999 Constitution
- 3 **2.** Section 48 of the Principal Act is altered by deleting the words Alteration of
4 "one from", and the new provision shall read; "the Senate consist of three Section 48
5 Senators from each state and the Federal Capital Territory, Abuja".
- 6 **3.** Section 49 of the Principal Act is altered by introducing a new Alteration of
7 word" three" after the word" sixty" and the new provision shall read; Section 49
8 "Subject to the Provisions of the Constitution, the House of
9 Representatives shall consist of three hundred and sixty three members
10 representing constituencies of nearly equal population as far as possible,
11 provided that no constituency shall fall within more than one State".
- 12 **4.** Section 71 of the Principal Act is altered as follows: Alteration of
13 (i) introducing the words " and the Federal Capital Territory" in Section 71
14 section 71 (a) and the new section shall read:
15 "(a) divide each State of the Federation and the Federal Capital
16 Territory into three Senatorial districts for purposes of election to the Senate;
17 and"
18 (ii) introducing the word "three" in section 71 (b) and the new
19 section shall read:

	1	"(b) Subject to the Provisions of section 49 of this Constitution, divide
	2	the Federation into three hundred and sixty three Federal Constituencies for the
	3	purposes of elections to the House of Representatives."
Alteration of Section 147	4	5. Proviso to section 147 sub section 3 of the Principal Act is altered
	5	to read as follows:
	6	"Provided that in giving effect to the provisions aforesaid the
	7	President shall appoint at least one Minister from each State and the Federal
	8	Capital Territory, who shall be an indigene of such State and the Federal
	9	Capital Territory respectively."
Alteration of Section 300	10	6. Section 300 of the Principal Act is altered by replacing the word
	11	"one" with the word "three" and the new section 300 shall read"300. For the
	12	purposes of chapter v of this Constitution, the Federal Capital Territory, Abuja
	13	shall constitute three Senatorial districts and as many Federal Constituencies
	14	as it is entitled to under the section 49 of this Constitution."
Citation	15	7. This Bill may be cited as the Constitution of the Federal Republic
	16	of Nigeria 1999 (Alteration) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the 1999 Constitution of the Federal Republic of Nigeria so as to have more representation for the Federal Capital Territory, Abuja.