

A BILL

FOR

AN ACT TO AMEND CRIMINAL CODE ACT, CAP, C38, LAWS OF
FEDERATION OF NIGERIA, 2004 TO CRIMINALIZE ANY INTERFERENCE ON
THE DUTY AND AUTHORITY OF THE SENATE OR THE HOUSE OF
REPRESENTATIVES; AND FOR RELATED MATTERS

Sponsored by Hon. Ossai Nicholas Ossai

[] Commencement

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

1 1. The Criminal Code Act, Cap 38, Laws of the Federation of
2 Nigeria, 2004 (herein after referred to as the "Principal Act") is amended as
3 set out below. Amendment of
the Principal Act

4 2. Section 61, Part 1 to the Schedule of the Principal Act is deleted
5 and substituted with a new section as follows:

6 "61 (1) Any person who advisedly or otherwise does any unlawful
7 act calculated to interfere with the free exercise by the President or Vice
8 President, Governor or Deputy Governor of the duties or authority of his
9 office or with the free exercise by a member of the Federal Executive
10 Council, or a State Executive Council of his duties as such member, is guilty
11 of a felony, and is liable to imprisonment for three years.

12 (2) Any person who advisedly or otherwise does any unlawful act
13 calculated to interfere with the free exercise by the Senate President or
14 Deputy Senate President or Senate Principal Officers or Senate Committees
15 or a Senator or Speaker of the House of Representatives or Deputy Speaker
16 of the House of Representatives or House Principal Officers or House
17 Committees or a Member of the House of Representatives of his legislative
18 business or duties or authority of his office is guilty of a felony, and is liable
19 to imprisonment for three years.

1 (3) The offender cannot be arrested without warrant.

2 (4) A prosecution for an offence under this Section shall not be
3 instituted except by or with the consent of law officer in the office of the
4 Attorney General of the Federation."

Citation

5 3. This Bill may be cited as the Criminal Code Act (Amendment)
6 Bill, 2018.

EXPLANATORY MEMORANDUM

The Bill seeks to criminalize any interference with the free exercise of the legislative duties and authority of the Senate or the House of Representatives.

The Bill also extended the executive protection to the Vice President and a Deputy Governor.