

A BILL

FOR

AN ACT TO ALTER SECTION 35(4) OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, CAP. C23, LAWS OF THE FEDERATION, 2004, TO ENSURE THAT ARRESTED PERSONS ARE PROMPTLY CHARGED TO COURTS OF COMPETENT JURISDICTION AND ARE NOT UNLAWFULLY DETAINED AND FOR OTHER MATTERS CONNECTED THEREWITH

Sponsored by Hon Omoregie Ogbeide-Ihama

[] Commencement

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

- 1 1. The Constitution of the Federal Republic of Nigeria, CAP. C23, Alteration of the
2 Laws of the Federation, 2004 (hereinafter referred to as the Principal Act) is Constitution
3 amended as set out in this Bill.
- 4 2. Section 35 (4) of the Principal Act is hereby altered by inserting Alteration of
5 the word “competent jurisdiction” to the Section to read thus: Section 35(4) of
6 “Any person who is arrested or detained in accordance with Sub-Section (1) the Constitution
7 of this Section shall be brought before a court of competent jurisdiction to
8 try the alleged offence within a reasonable time”.
- 9 3. Section 318(1) of the Principal Act is hereby altered by Interpretation
10 introducing the following words and their meanings:
11 “Competent Jurisdiction” means the Court that has the appropriate
12 authority to decide the case in accordance with Part VII of the Constitution
- 13 4. This Bill shall be cited as the Constitution Alteration Bill, 2016. Short title

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Constitution of the Federal Republic of Nigeria, Cap. C23, Laws of the Federation, 2004 to ensure that arrested persons are promptly charged to courts of competent jurisdiction and they are not unlawfully detained and for other matters connected therewith.