

A BILL

FOR

AN ACT TO AMEND THE SUPREME COURT (ADDITIONAL ORIGINAL JURISDICTION) ACT NO.3 OF 2002 LAWS OF THE FEDERATION OF NIGERIA TO INCREASE THE ORIGINAL JURISDICTION OF THE SUPREME COURT TO INCLUDE INTERPRETATION OF NOVEL CONSTITUTIONAL QUESTIONS AND FOR RELATED MATTERS

Sponsored by Hon. Karimi S. Sunday

[] Commencement

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

1 1. The Supreme Court (Additional Original Jurisdiction) Act No. 3
2 2002, Laws of the Federation of Nigeria (2004), is in this Bill
3 referred to as the Principal Act and is hereby amended as follows:

4 2. Section 1 of the Principal Act is amended by inserting
5 immediately after the existing section 1 subsection (1) the following new
6 sub-section 1(2)B before the existing Section 1(2) as follows:

Amendment of
Section 1

7 “1 (2)B The Supreme Court shall also have power to interpret
8 novel Constitutional issues arising from the Electoral or other related
9 matters upon a referral or request from the Attorney General of the
10 Federation.”

11 3. Section 4 of the Principal Act is further amended by adding the
12 below-listed paragraph to the interpretation section:
13 “Novel Constitutional Issues” means Constitutional questions that may
14 arise from time to time requiring judicial pronouncement because they have
15 not been tested in our Legal Jurisprudence.

Amendment of
Section 4

16 4. This Bill may be cited as the Supreme Court (Additional
17 Original Jurisdiction)(Amendment) Bill, 2016.

Citation

EXPLANATORY MEMORANDUM

This bill seeks to amend the Supreme Court (Additional Original Jurisdiction) Act No.3 of 2002 to expand the Original Jurisdiction of the Supreme Court to allow the Attorney General of the Federation to approach the Supreme Court for interpretation of novel constitutional questions arising from our political, electoral jurisprudence, in order for prompt pronouncement of the Apex Court in the interest of justice.