

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 TO EXPRESSLY EMPOWER THE INDEPENDENT NATIONAL ELECTORAL COMMISSION TO CONDUCT FRESH ELECTION WHERE THE CANDIDATE WITH THE HIGHEST VOTES DIES WHILE THE ELECTION IS ON-GOING OR BEFORE THE DECLARATION OF THE FINAL RESULT OF THE ELECTION BY THE INDEPENDENT NATIONAL ELECTORAL COMMISSION

Sponsored by Hon. Lynda Chuba Ikpeazu

[] 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** Alteration of
- 2 **(hereinafter referred as "the Constitution") is amended as set out below:** Sections 136 and
- 3 **(a) In Section 136, after the existing subsection (2) insert a new** 181 of the
- 4 **subsection thus:** Constitution
- 5 **"(3) Where a Candidate adjudged by the Independent National**
- 6 **Electoral Commission to have majority of lawful votes cast dies before the**
- 7 **declaration of the final result of the election, the Independent National**
- 8 **Electoral Commission shall conduct fresh election."**
- 9 **(b) In Section 181, after the existing subsection (2) insert a new**
- 10 **subsection thus:**
- 11 **"(3) Where a Candidate adjudged by the Independent National**
- 12 **Electoral Commission to have majority of lawful votes cast dies before the**
- 13 **declaration of the final result of the election, the Independent National**
- 14 **Electoral Commission shall conduct fresh election."**
- 15 **2. This Bill may be cited as the Constitution of the Federal** Citation
- 16 **Republic of Nigeria 1999 (As Amended) (Alteration) Bill, 2016.**

A BILL

EXPLANATORY MEMORANDUM

This Bill seeks to Alter the Constitution of the Federal Republic of Nigeria 1999 to expressly empower the Independent National Electoral Commission to conduct fresh election where the candidate with the highest votes dies while the election is on-going or before the declaration of the final result of the election by the Independent National Electoral Commission.

Prepared by Hon. Lynda Chibba Ibeanu

Commentary

ENACTED by the National Assembly of the Federal Republic of

Nigeria as follows:

Alteration of Sections 136 and 181 of the Constitution

1. The Constitution of the Federal Republic of Nigeria 1999 (hereinafter referred to as "the Constitution") is amended as set out below:
 - (a) In Section 136, after the existing subsection (2) insert a new subsection thus:

"(3) Where a Candidate adjudged by the Independent National Electoral Commission to have majority of lawful votes cast dies before the declaration of the final result of the election, the Independent National Electoral Commission shall conduct fresh election."
 - (b) In Section 181, after the existing subsection (2) insert a new subsection thus:

"(3) Where a Candidate adjudged by the Independent National Electoral Commission to have majority of lawful votes cast dies before the declaration of the final result of the election, the Independent National Electoral Commission shall conduct fresh election."
2. This Bill may be cited as the Constitution (Alteration) Bill, 2016