

A BILL

FOR

AN ACT TO ALTER SECTIONS 81 AND 121 OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 (AS AMENDED) TO EXPRESSLY PROVIDE THAT THE NATIONAL ASSEMBLY, STATE HOUSES OF ASSEMBLY, FEDERAL JUDICIARY, STATE JUDICIARY, THE INDEPENDENT NATIONAL ELECTORAL COMMISSION AND THE STATE INDEPENDENT ELECTORAL COMMISSIONS SHALL PREPARE AND LAY BEFORE EACH HOUSE OF THE NATIONAL ASSEMBLY OR A STATE HOUSE OF ASSEMBLY, AS THE CASE MAY BE, AT ANY TIME IN EACH FINANCIAL YEAR ESTIMATE OF THEIR REVENUES AND EXPENDITURES FOR THE NEXT FOLLOWING FINANCIAL YEAR AND FOR RELATED MATTERS

Sponsored by: Hon. Amimu Shehu Shagari

[] Commencement

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

1 1. Section 81 of the Constitution of the Federal Republic of
2 Nigeria 1999, (as amended) (hereinafter referred to as 'the Constitution') is
3 altered as set out below:

Alteration of
Section 81 of the
Constitution

4 (a) insert, after existing subsection (2) two new subsections thus:

5 “(2A) The President of the Senate and the Speaker of the House of
6 Representatives, the Chief Justice of Nigeria and the Chairman Independent
7 National Electoral Commission, shall cause to be prepared and laid before
8 each House of the National Assembly, at any time in each financial year,
9 estimates of the revenues and expenditures of the National Assembly, the
10 Judiciary and the Independent National Electoral Commission
11 respectively”.

12 (28) The heads of expenditures, proposed for the benefit of the
13 National Assembly, the Judiciary and the Independent National Electoral

1 Commission, charged upon the consolidated Revenue Fund of the Federation
2 by this Constitution shall be included in Special bills known as:

3 (a) In the case of National Assembly "Consolidated Charge Fund
4 (National Assembly) Bill";

5 (b) In the case of the Judiciary "Consolidated Charge Fund (Judiciary)
6 Bill"; and

7 (c) In the case of the Independent National Electoral Commission
8 "Consolidated Charge Fund (Independent National Electoral Commission)
9 Bill" providing for the issue from the Consolidated Revenue Fund of the
10 Federation of the sums necessary to meet the expenditures of these Institutions
11 and the appropriation of those sums for the purposes specified therein";

12 (b) delete, in its entirety the provisions of subsection (3) and insert the
13 following new provisions:

14 "(3) Any amount standing to the credit of the:

15 (a) National Assembly in the Consolidated Revenue Fund of the
16 Federation, shall be paid and disbursed directly to the Clerk of the National
17 Assembly for disbursement to the Heads of the two Houses of the National
18 Assembly and the Management of the Legislative Services;

19 (b) judiciary in the Consolidated Revenue Fund of the Federation,
20 shall be paid and disbursed directly to the National Judicial Council for
21 disbursement to the heads of Courts and Judicial bodies established for the
22 Federation and the States under Sections 6 and 153 of the Constitution; and

23 (c) Independent National Electoral Commission in the Consolidated
24 Revenue Fund of the Federation shall be disbursed directly to the Chairman of
25 the Commission for disbursement and Management."

26 2. Section 121 of the Constitution 1999, (as amended) is altered as set
27 out below:

28 (a) insert, after existing subsection (2) three new subsections thus:

29 "(2A) The Speaker of a State House of Assembly, the Chief Judge of a
30 State and the Chairman of the State Independent Electoral Commission of a

1 State, shall cause to be prepared and laid before the House of Assembly (of
2 the State) at any time before the commencement of each financial year
3 estimates of the revenue and expenditure of the State for the next following
4 financial year:

5 “(2B) The heads of expenditures proposed for the benefit of a State
6 House of Assembly, the Judiciary of a State, and a State Independent
7 Electoral Commission, charged upon the Consolidated Revenue Fund of a
8 State by this Constitution, shall be included in special bills known as:

9 (a) In the case of the House of Assembly of a State “Consolidated
10 Charge Fund (House of Assembly) Bill”,

11 (b) In the case of the State Judiciary “Consolidated Charge Fund
12 (State Judiciary) Bill”, and

13 (c) In the case of the State Independent Electoral Commission
14 “Consolidated Charge Fund (State Independent Electoral Commission)
15 Bill” providing for the issue from the Consolidated Revenue Fund of a State
16 of the sums necessary to meet the expenditures of these Institutions and the
17 appropriation of those sums for the purposes specified therein”.

18 (2C) Any amount standing to the credit of the Judiciary in the
19 Consolidated Revenue Fund of a State shall be paid and distributed directly
20 to the Chief Judge of a State for disbursement to the heads of Courts and
21 Judicial bodies established for the States under Sections 6 and 197 of the
22 Constitution.”

23 3. The Constitution is altered as follows:

24 (a) After the words “Appropriation Bill” wherever it appears in the
25 Constitution, insert the words:

26 “Consolidated Charge Fund (National Assembly) Bill,
27 Consolidated Charge Fund (Judiciary) Bill, Consolidated Charge Fund
28 (Independent National Electoral Commission) Bill, Consolidated Charge
29 Fund (House of Assembly) Bill, Consolidated Charge Fund (State
30 Judiciary) Bill, or Consolidated Charge Fund (State Independent Electoral

Consequential
Alteration of the
Constitution

1 Commission) Bill".

2 (b) After the words "Appropriation Act" wherever it appears in the
3 Constitution, insert the words:

4 "Consolidated Charge Fund (National Assembly) Act, Consolidated
5 Charge Fund (Judiciary) Act, Consolidated Charge Fund (Independent
6 National Electoral Commission) Act, Consolidated Charge Fund (House of
7 Assembly) Act, Consolidated Charge Fund (State Judiciary) Act, Consolidated
8 Charge Fund (State Independent Electoral Commission) Act";

9 (c) After the words "Supplementary Appropriation Bill" wherever it
10 appears in the Constitution, insert the words:

11 "Consolidated Charge Fund (National Assembly) Bill, Consolidated
12 Charge Fund (Judiciary) Bill, Consolidated Charge Fund (Independent
13 National Electoral Commission) Bill, Consolidated Charge Fund (House of
14 Assembly) Bill, Consolidated Charge Fund (State Judiciary) Bill,
15 Consolidated Charge Fund (State Independent Electoral Commission) Bill";

16 (d) After the words "Supplementary Appropriation Act" wherever it
17 appears in the Constitution, insert the words:

18 "Consolidated Charge Fund (National Assembly) Act, Consolidated
19 Charge Fund (Judiciary) Act, Consolidated Charge Fund (Independent
20 National Electoral Commission) Act, Consolidated Charge Fund (House of
21 Assembly) Act, Consolidated Charge Fund (State Judiciary) Act, Consolidated
22 Charge Fund (State Independent Electoral Commission) Act".

Citation

23 4. This Bill may be cited as the Constitution (Alteration) Bill, 2016.

EXPLANATORY MEMORANDUM

This bill seeks to alter Sections 81 and 121 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) to expressly provide that the National Assembly, the State Houses of Assembly, Federal Judiciary, State Judiciary, the Independent National Electoral Commission and the State Independent Electoral Commissions shall prepare and lay before each House of the National Assembly or a State House of Assembly, as the case may be, at any time in each financial year estimate of their revenues and expenditures for the next following financial year.