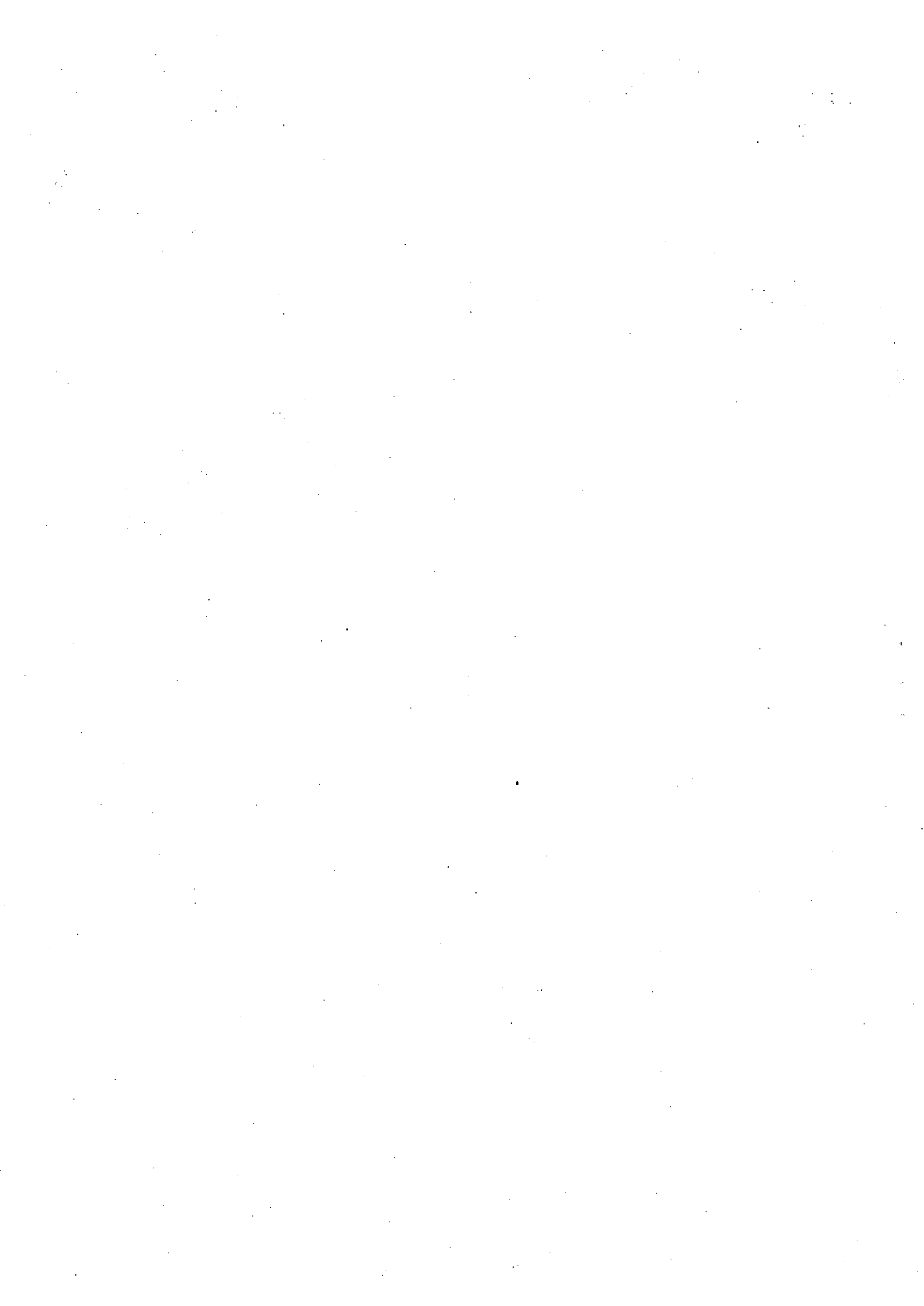


CONSTITUTION (ALTERATION) BILL, 2017

ARRANGEMENT OF SECTIONS

Sections

1. Alteration of Section 136 of the Constitution
2. Alteration of Section 181 of the Constitution
3. Citation



A BILL

FOR

AN ACT TO ALTER SECTION 136 & 181 OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 TO PROVIDE FOR DEATH OF THE PRESIDENT OR VICE PRESIDENT DURING AN ONGOING ELECTION OR THE DEATH OF GOVERNOR OR DEPUTY GOVERNOR DURING ONGOING ELECTIONS 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 I. Section 136 of the Constitution of the Federal Republic of
2 Nigeria 1999 (as amended) (hereinafter referred to as “the Constitution”) is
3 hereby amended by adding a new section 136B immediately before the
4 existing 137 and it shall read as follows:

Alteration of
Section 136 of
the Constitution

5 “136 B (1) If a Candidate for the office of the President of the
6 Federal Republic of Nigeria dies during an ongoing election before
7 conclusion of the said election, the Vice-Presidential Candidate shall be
8 allowed to continue and conclude the election and if he wins, the Vice-
9 Presidential Candidate shall be sworn in as elected President and he shall in
10 turn nominate a new Vice President with the approval by simple majority of
11 the National Assembly at Joint Sitting.

12 136B (2) If the Vice-Presidential Candidate of the Political Party
13 dies during an ongoing election or before the announcement of Presidential
14 Election Result, the Presidential Candidate shall be allowed to conclude the
15 Election, and if he wins or emerges victorious, he shall nominate a Vice-
16 President to replace the deceased with the approval by simple majority of the
17 National Assembly at Joint Sitting.”

18 “136B (3) Where the Persons duly nominated, by a Political Party

1 for the Election of President and Vice President of the Federal Republic of
2 Nigeria, dies during the Presidential election, that is, after the commencement
3 of poll but before the conclusion of the Presidential election, the Independent
4 National Electoral Commission shall immediately cancel the ongoing election
5 and conduct fresh gubernatorial election within three(3) weeks and the
6 political party shall be allowed to nominate new candidates for the fresh
7 Presidential election.”

Alteration of
Section 181 of
the Constitution

8 2. Section 181 of the Constitution of the Federal Republic of Nigeria
9 1999 (as amended) (hereinafter referred to as “the Constitution”) is hereby
10 amended by adding a new section 181B immediately before the existing 181
11 and it shall read as follows:

12 “181B if a Candidate for the office of the Governor of a State within
13 the Federal Republic of Nigeria dies during an ongoing election, the Deputy
14 Gubernatorial Candidate shall be allowed to continue and conclude the
15 election and if he wins, the Deputy Gubernatorial Candidate shall be sworn in
16 as an elected Governor and shall in turn nominate a new Deputy Governor with
17 the approval by simple majority of the State House of Assembly.

18 181B (2) if the Deputy Gubernatorial Candidate of any Political Party
19 for the election of a State in the Federal Republic of Nigeria dies during an
20 ongoing election or before the announcement of the Gubernatorial Election
21 result, the Gubernatorial Candidate shall be allowed to continue and conclude
22 the election and if he wins, he shall nominate a new Deputy Governor to
23 replace the deceased with the approval of simple majority of the State House of
24 Assembly”.

25 “181B (3) Where the Persons duly nominated, by a Political Party for
26 the Election of Governor and Deputy Governor of a State, dies during the
27 gubernatorial election, that is, after the commencement of poll but before the
28 conclusion of the gubernatorial election, the Independent National Electoral
29 Commission shall immediately cancel the ongoing election and conduct fresh
30 gubernatorial election within two(2) weeks and the political party shall be

- 1 allowed to nominate new candidates for the fresh gubernatorial election.”
- 2 3. This Bill may be cited as the Constitution (Alteration) Bill, Citation
- 3 2017.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the provisions of section 136 and 181 of the Constitution of the Federal Republic of Nigeria by providing that the President and Vice-President, Governor and Deputy Governor have a Joint Ticket and as such where any of them dies during an election, the other should be allowed to continue the election.

