

CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (FOURTH  
ALTERATION) BILL, 2016  
ARRANGEMENT OF CLAUSES

Clause

1. Amendment of the Constitution of the Federal Republic of Nigeria, 1999
2. Amendment of section 7
3. Amendment of section 65
4. Amendment of section 77
5. Amendment of section 106
6. Amendment of section 117
7. Amendment of section 131
8. Amendment of section 177
9. Amendment of section 228
10. Insertion of new section 317A
11. Citation

# A BILL

## FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 AND THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (THIRD ALTERATION) ACT, 2010 TO PROVIDE FOR INDEPENDENT CANDIDATES AND THE RIGHT OF NIGERIANS IN DIASPORA IN ELECTIONS; AND FOR RELATED MATTERS

*Sponsored by Senator Stella Odua*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

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1. The Constitution of the Federal Republic of Nigeria, 1999 (as amended) (in this Bill referred to as the "Principal Act") is alter as set out in this Bill.

Amendment of the Constitution of the Federal Republic of Nigeria 1999 (as amended)

2. Section 7 (4) of the Principal Act is altered by inserting-  
(a) before the word "the" in line 1, the words "Subject to the provisions of section 106 of this Constitution"; and

Alteration of section 7

(b) after section 5, a new subsection "(5A)"-  
"(5A) an independent candidate in an election shall obtain-  
(a) in the case of a Chairman, the signature of fifty registered voters from each of the electoral wards in the respective Local Government Area; and

(b) in the case of a Councillor, the signature of twenty registered voters from each of the polling units in the respective electoral wards".

3. Section 65 (2) of the Principal Act is altered by inserting-  
(a) in paragraph (b) after the last word, "party" the words "or he is an independent candidate", and

Alteration of section 65

(b) a new paragraph "(c)"-  
"(c) in the case of an independent candidate, he has obtained-  
(i) the signatures of one hundred registered voters from each of the

- 1 State House of Assembly constituencies in the respective Senatorial District,  
2 for a senatorial candidate; and
- 3 (ii) the signatures of fifty registered voters from each of the electoral  
4 wards in the respective Federal Constituency, for a House of Representative  
5 candidate."
- Alteration of  
section 77 6 4. Section 77 (2) of the Principal Act is altered by deleting the words,  
7 "residing in Nigeria" in line 2.
- Alteration of  
section 106 8 5. Section 106 of the Principal Act is altered by inserting-  
9 (a) in paragraph (d), after the last word "party" the words "or he is an  
10 independent candidate"; and  
11 (b) after paragraph (d), a new paragraph "(e)"-  
12 "(e) in the case of an independent candidate, he has obtained the  
13 signatures of fifty registered voters from each of the electoral wards in the  
14 respective State House of Assembly constituency. "
- Alteration of  
section 117 15 6. Section 117 (2) of the Principal Act is altered by deleting the  
16 words, "residing in Nigeria" in line 2.
- Alteration of  
section 131 17 7. Section 131 of the Principal Act is altered-  
18 (a) in paragraph (c), by inserting after the last word, "party" the words  
19 or he is an independent candidate"; and  
20 (b) by inserting a new paragraph "(ca)"-  
21 "(ca) in the case of an independent candidate, he has obtained the  
22 signatures of one hundred registered voters from each of the Federal  
23 Constituencies in Nigeria."
- Alteration of  
section 177 24 8. Section 177 of the Principal Act is altered by inserting a new  
25 paragraph "(ba)"-  
26 "(ba) he is an independent candidate and has obtained the signatures  
27 of fifty registered voters from each of the electoral wards in the respective  
28 State."
- Alteration of  
section 228 29 9. Section 228 of the Principal Act is altered by inserting a new  
30 paragraph "(e)"-

1                     "(e) for procedures, guidelines and qualifications for access to the  
2 ballot by political parties and independent candidates."

3                     **10.** Section 317 of the Principal Act is altered by inserting a new     Insertion of new  
4 section 317 A-   section 317A

5                     "317 A. Subject to the provisions of this Constitution, the  
6 Independent National Electoral Commission shall, by regulations, prescribe  
7 the payment of such administrative fees by independent candidates for  
8 respective election:

9                     Provided that the Commission shall make a waiver of fifty percent of the  
10 respective fees for women.

11                     **11.** This Bill may be cited as the Constitution of the Federal     Citation  
12 Republic of Nigeria (Fourth Alteration) Bill, 2016.

**EXPLANATORY MEMORANDUM**

This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 and the Constitution of the Federal Republic of Nigeria (Third Alteration) Act, 2010 to provide for independent candidates and the right of Nigerians in Diaspora in elections.