

A BILL

FOR

AN ACT TO PROVIDE FOR THE SMOOTH AND ORDERLY TRANSFER OF POWER FROM ONE GOVERNMENT TO ANOTHER AND OTHER RELATED MATTERS THERETO, 2019

Sponsored by Hon. Femi Gbajabamila

[] Commencement

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

1 1.-(1) When at any general election for the Office of the President
2 of the Federal Republic of Nigeria, the incumbent President is not re-
3 elected, the President shall within 2 weeks of the declaration of the President
4 elect as the winner of the election provide space for not more than 10 persons
5 designated by the President elect to begin a review and analysis of budgeted
6 expenditures during the tenor of the current President, review all other
7 necessary documents as may be requested by the President-elect's transition
8 team and to acquire a working knowledge of the various offices,
9 departments, commissions, boards and other agencies of the executive arm
10 of the Federal Government with a view to promote the orderly transition of
11 the executive power in connection with the expiration of the term of office of
12 a President and the inauguration of a new President.

General purpose of the Bill

13 (2) The President shall also constitute his transition team who must
14 cooperate with the President elect and the staff he so designated and provide
15 any assistance that may be reasonably requested.

16 (3) The provisions of this section shall apply at all times after each
17 general elections whether or not the power change is within the same party
18 or from one party to another.

19 (4) For the purpose of this Bill, the President shall include the vice
20 President and the President-elect shall include the vice President-elect.

Provision of assumption of office facilities

1 2. The President shall provide for the President-elect in connection
2 with the preparation for his assumption of office as the President of the Federal
3 Republic of Nigeria the following facilities:

4 (a) Office space well-furnished and equipped with all relevant
5 machines and electronics within the Presidential Villa to enhance smooth
6 working relationship with the President's team; such equipment shall include
7 but not limited to computers/laptops, printers, binding machines, papers,
8 communication services to aid the transition team in achieving the objectives
9 of this Bill.

10 (b) Payment of allowances for members of the President-elect's team
11 at such rate as may be determined by the Revenue Mobilisation Allocation and
12 Fiscal Commission to cater for the team, and such rate must not exceed what is
13 obtainable in the civil service:

14 PROVIDED that any employee of any agency or department of
15 government may be drafted to be part of the transition team of either of the
16 President or President-elect and he shall continue to be entitled to such
17 compensation provided by law for his regular employment and shall be entitled
18 to the rights and privileges associated with his regular employment without any
19 interruption.

20 AND PROVIDED that in appointing the Transition Team, the
21 President-elect shall consider key areas requiring professional/expert input to
22 the extent that extra funds shall not be provided by the state to hire the services
23 of Professionals outside the Transition team.

24 (c) payment of travel expenses and subsistence allowances.

Appointment of Administrative-General

25 3.-(1) There shall be appointed an Administrator-General who shall
26 oversee the Transition process after each general election.

27 (2) The Administrator-general shall be appointed by the President
28 subject to ratification by the Senate.

Functions of the Administrative General

29 4.-(1) The Administrator-general shall:

30 (a) be the Head of the government estates and shall take and keep

1 inventory of all assets and properties of the Government which assets and
2 properties not vested in the Governor of the states as provided by the Land
3 Use Act 1978;

4 (b) ensure that all assets and properties of government are
5 maintained and are in good condition;

6 (c) ensure that where relevant, such assets and properties are
7 transferred from the incumbent government to the new government in good
8 condition;

9 (d) make recommendations to the President for budgetary
10 allocation required in a transition for passing the reins of power from one
11 government to another;

12 (e) ensure that all budgetary documents and all other relevant
13 documents requested for by the President-elect are provided without any
14 delay and to ensure that the facilities required to be provided by the
15 Transition Team of the President-elect are provided;

16 (f) immediately after the new President is sworn in
17 initiate/commence the prosecution of any person who breaches any
18 provision of this Bill.

19 (2) The Administrator-General shall be removed by the President
20 on ground of gross misconduct subject to ratification by the Senate.

21 5.-(1) It is hereby authorized to be appropriated to the
22 Administrator-General such funds as may be necessary to carry out the
23 purposes of this Bill not exceeding the sum of N100,000,000 (One Hundred
24 Million Naira) only for any one Presidential transition for the fiscal year in
25 which the transition occurs.

Authorization of
Appropriations

26 (2) The President shall include in the budget transmitted to the
27 National Assembly for each fiscal year in which his term of office expires a
28 proposed appropriation for carrying out the purposes of this Bill:

29 PROVIDED that in the event that the incumbent President is re-
30 elected, the funds so appropriated shall not be disbursed.

Criminality
liability

1 6. Any person who violates any provision of this Bill by failing to
2 provide the necessary facilities required to be provided under this Bill or fails to
3 provide any required documents thereby frustrating the efforts of the transition
4 team shall upon conviction be liable to a fine of N10,000,000 or a term of
5 imprisonment of not less than 6 months or to both fine and imprisonment as the
6 case may be.

Citation

7 7. This Bill may be cited as the Presidential (Transition) Bill,
8 2019.

EXPLANATORY NOTES

This Bill seeks to make provision for the smooth and orderly transfer of power
from one Government to another.