

# A BILL

## FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA ACT (NO 25) 1999 (AS AMENDED) TO PROVIDE THAT STATE GOVERNMENTS SHALL HAVE CONCURRENT LEGISLATIVE AUTHORITY SIMILAR TO THAT OF THE FEDERAL GOVERNMENT WITH RESPECT TO POWER AND ELECTRICITY, WITHIN THEIR STATES OR FROM ONE STATE TO ANOTHER WITH THE CONSENTS OF THE STATE GOVERNMENTS CONCERNED AND FOR RELATED MATTERS

*Sponsored by Hon. Babajimi Benson*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of

1 Nigeria:

2 1. The Constitution of the Federal Republic of Nigeria 1999 (as  
3 amended) is altered in the Second Schedule in Part II as follows:

Alteration of the  
Second Schedule  
to the Constitution  
(as amended)  
Act (No 24) 1999

4 (a) in Item 13:

5 (i) in paragraph (b), after the word 'Federation', delete the words  
6 and from one State to another State, and

7 (ii) in paragraph (f) after the word 'energy', insert the words  
8 'generated or transmitted from the National Grid.

9 (b) in Item 14:

10 (i) delete the provisions of paragraph (b), and insert the following  
11 new provisions:

12 “(b) the generation, transmission and distribution of electricity  
13 within the State or from the State to any other State with the consent of the  
14 State Governments concerned”.

15 (ii) after existing paragraph (c), insert the following new paragraph  
16 as follows:

17 “(d) the regulation of the right of any person or authority to use or

1 operate any plant, apparatus, equipment or work designed for the supply or use  
2 of electrical energy generated or transmitted from the State”.

Citation

3 **2.** This Bill may be cited as the Constitution of the Federal Republic  
4 of Nigeria (Fifth Alteration) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria Act (No 24) 1999 (as amended), to provide that State Governments shall have Concurrent Legislative Authority, similar to that of the Federal Government, with respect power and electricity within their States or from one State to another subject to the consent of the State Governments concerned.