

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 AS AMENDED AND FOR RELATED MATTERS

Sponsored by Hon. Kingsley Chima

[] Commencement

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

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

Amendment of
Nigeria Constitution
1999

4 2. 13% DERIVATION FUND SECTION 162(2):

5 "The President, upon the receipt of advice from the Revenue
6 Mobilization, Allocation and Fiscal Commission, shall table before the
7 National Assembly proposals for revenue allocation from the Federation
8 Account, and in determining the formula, the National Assembly shall take
9 into account, the allocation principles especially those of population,
10 equality of States, internal revenue generation, land mass, terrain as well as
11 population density:

12 Provided that the principle of derivation shall be constantly'
13 reflected in any approved formula as being not less than thirteen percent of
14 the revenue accruing to the Federation amount directly from any natural
15 resources".

16 PROPOSED AMENDMENT OF SECTION 162 (2): INCREASE 13% DERIVATION
17 FUND:

18 "The President, upon the receipt of advice from the Revenue
19 Mobilization Allocation and Fiscal Commission, shall table before the
20 National Assembly proposals for revenue allocation from the Federation

1 Account, and in determining the formula, the National Assembly shall take into
2 account, the allocation principles especially those of population, equality of
3 States, internal revenue generation, land mass, terrain as well as population
4 density:

5 Provided that the principle of derivation shall be constantly reflected
6 in any approved formula, as being not less than "twenty percent" of the revenue
7 accruing to the Federation Account directly from any natural resources"

Citation

8 **3.** This Bill may be cited as the Constitution of the Federal Republic of
9 Nigeria, 1999 as amended (Alteration) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to alter Section 162(2) of the Constitution of the Federal Republic of Nigeria, 1999 as amended, in order to cure the inherent imbalance and insufficiency of fund and development - driven agitations based on the revenue from natural resources.