

# A BILL

## FOR

AN ACT TO ALTER THE SECOND SCHEDULE TO THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA ACT (NO 24) 1999, TO TRANSFER LABOUR; INDUSTRIAL RELATION; INDUSTRIAL DISPUTE; MINIMUM WAGE; AND INDUSTRIAL DISPUTE FROM THE EXCLUSIVE LEGISLATIVE LIST TO THE CONCURRENT LEGISLATIVE LIST, AND FOR RELATED MATTERS

*Sponsored by Hon. Abbas Tajudeen*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria:

- 1           1. The Second Schedule to the Constitution of the Federal  
2 Republic of Nigeria 1999 (as amended) (hereinafter referred to as lithe  
3 Principal Act") is altered thus:
- 4           (a) in part I, under Exclusive Legislative list, delete item 34  
5 thereof, and
- 6           (b) in part II, under Concurrent Legislative list, after paragraph 20  
7 thereof, insert the following new item;
- 8           "HA- Labour; Industrial Relations; Industrial Disputes, Minimum  
9 wage and Industrial Arbitration.
- 10           20A - The National Assembly may make Laws for the Federation  
11 or any part thereof with respect to Labour, including trade Unions, Industrial  
12 relation, conditions, safety and welfare of Labour; Industrial disputes;  
13 prescribing minimum wage and industrial dispute in so far as the subject  
14 matter relates to a matter upon which the National Assembly has power to  
15 make Laws in this constitution.
- 16           20B - A House of Assembly may, subject to paragraph 20A hereof,  
17 make Laws for the State or any part thereof with respect to Labour, including
- Alteration of the  
Second Schedule  
to the Constitution,  
Act (No 24) 1999

1 trade Unions, Industrial relations; Conditions, safety and welfare of Labour;  
2 Industrial disputes; prescribing minimum wage, and industrial disputes in so  
3 far as the subject matter relates to a matter upon which the a House of Assembly  
4 has power to make Laws in this Constitution."

Alteration of  
Section 254C  
of the Principal  
Act

5 2. Section 254C of the Principal Act is altered thus:

6 (a) in subsection (1) thereof, in line 1 delete all the words from the  
7 word "Notwithstanding" to the word, 'matters' in Line 6 when replace with  
8 these words:

9 (1) "Notwithstanding the provisions of Sections 251,257, 272, the  
10 National Industrial Court shall, in so far as the subject matter relates to a matter  
11 which the National Assembly have power to make Laws under this  
12 Constitution, have and exercise jurisdiction to the exclusion of any other court  
13 in civil causes and matters;" and (b) in subsection (1) paragraph (c) delete the  
14 word "National."

Citation

15 3. This Bill may be cited as the Constitution of the Federal Republic of  
16 Nigeria (Fifth Alteration) Bill, 2021.

#### EXPLANATORY MEMORANDUM

This Bill seeks to Alter the Second Schedule to the Constitution of the Federal Republic of Nigeria Act (No 24) 1999, effect consequential alterations to Section 254C therein to transfer Labour, Industrial relations; Industrial dispute; Minimum wage; and Industrial dispute from the Exclusive Legislative list to the concurrent Legislative list.