

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO CREATE ADDITIONAL SPECIAL SEATS FOR WOMEN IN THE FEDERAL AND STATE LEGISLATIVE HOUSES AND FOR RELATED MATTERS

Sponsored Hon. Nkeiruka Onyejeocha, Hon. Femi Gbajabiamila

Co-Sponsors:

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Hon. Umar Abdulkadir Sarki	Hon. Mukhatu Shehu Ladan

[] Commencement

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

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

Alteration of Section 48 3 **2.** Section 48 of the Principal Act is altered by substituting the existing
4 section 48 with a new section "48":

5 "48. Composition of the Senate:

6 (1) The Senate shall consist of:

7 (a) three Senators from each State and one from the Federal Capital
8 Territory; and

9 (b) an additional Senator for each State and for the Federal Capital
10 Territory, who shall be a woman.

11 (2) Notwithstanding the provision of subsection (1) of this section,
12 nothing shall prevent a woman from contesting for any of the senatorial seats
13 referred to in subsection (1)(a).

14 (3) The provisions of subsection (1) (b) shall commence after the
15 current life of the National Assembly and shall be reviewed after 16 years from
16 its commencement notwithstanding any other provision of this Constitution."

Alteration of Section 49 17 **3.** Section 49 of the Principal Act is altered by substituting the existing
18 section 49 with a new section "49":

19 "49. Composition of the House of Representatives:

20 (1) Subject to the provisions of this Constitution, the House of
21 Representatives shall consist of:

22 (a) three hundred and sixty members representing constituencies of
23 nearly equal population as far as possible, provided that no constituency shall
24 fall within more than one State; and

25 (b) two additional members for each State and for the Federal Capital
26 Territory, who shall be women.

27 (2) Notwithstanding the provision of subsection (1) of this section,
28 nothing shall prevent a woman from contesting for any of the seats in the
29 constituencies referred to in subsection (1)(a).

30 (3) The provisions of subsection (1) (b) shall commence after the

1 current life of the National Assembly and shall be reviewed after 16 years
2 from its commencement notwithstanding any other provision of this
3 Constitution.

4 4. Section 71 of the Principal Act is altered by inserting Alteration of
5 immediately after sub-sections (1) (a) and (b), new subsections "(2)" and Section 71
6 "(3)":

7 71. Senatorial districts and Federal constituencies:

8 (1) Subject to the provisions of section 72 of this Constitution, the
9 Independent National Electoral Commission shall:

10 (a) divide each State of the Federation into three Senatorial
11 districts for purposes of elections to the Senate;

12 (b) subject to the provisions of section 49 of this Constitution,
13 divide the Federation into three hundred and sixty Federal constituencies for
14 purposes of elections to the House of Representatives.

15 (2) For the purpose of section 48 of this Constitution, a State shall
16 constitute an additional senatorial seat to be occupied by a woman.

17 (3) For the purpose of section 49 of this Constitution, the
18 Independent National Electoral Commission shall divide each State of the
19 Federation into two Federal constituencies to be occupied by women.

20 5. Section 77 of the Principal Act is altered in subsection (1) by Alteration of
21 substituting the words "every Senatorial district or Federal constituency" in Section 77
22 lines 1 and 2 with the words "every Senatorial district, Federal constituency
23 and the additional seats":

24 "77. Direct election and franchise:

25 (1) Subject to the provisions of this Constitution, every Senatorial
26 district, Federal constituency and the additional seats established in
27 accordance with the provisions of this Part of this Chapter shall return one
28 member who shall be directly elected to the Senate or the House of
29 Representatives in such manner as may be prescribed by an Act of the
30 National Assembly."

Alteration of
Section 91

1 **6.** Section 91 of the Principal Act is altered by substituting the existing
2 section 91 with a new section "91":

3 "91. Composition of the House of Assembly:

4 (1) Subject to the provisions of this Constitution, a House of
5 Assembly of a State shall consist of:

6 (a) three or four times the number of seats, which that State has in the
7 House of Representatives divided in a way to reflect, as far as possible, nearly
8 equal population; and

9 (b) one additional member from each of the three senatorial districts
10 in the State referred to in section 48 (1) (a) of this Constitution, who shall be a
11 woman.

12 (2) Notwithstanding the provision of subsection (1) of this section,
13 nothing shall prevent a woman from contesting for any of the seats in the
14 constituencies referred to in subsection (1)(a)

15 (3) The provisions of subsection (1) (b) shall commence after the
16 current life of the State House of Assembly and shall be reviewed after 16 years
17 from its commencement notwithstanding any other provision of this
18 Constitution.

19 Provided that a House of Assembly of a State shall consist of not less
20 than twenty-four and not more than forty-three members."

Alteration of
Section 117

21 **7.** Section 117 of the Principal Act is altered in subsection (1) by
22 inserting immediately after the words "every State constituency" in line 1, the
23 words "and the additional seats":

24 "117. Direct election and franchise:

25 (1) Subject to the provisions of this Constitution, every State
26 constituency and the additional seats established in accordance with the
27 provisions of this part of this Chapter shall return one member who shall be
28 directly elected to a House of Assembly in such manner as may be prescribed
29 by an Act of the National Assembly."

1 **8.** This Bill may be cited as the Constitution of the Federal Citation
2 Republic of Nigeria, 1999 (Fifth Alteration) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to remedy the low representation of women in Legislative Houses by providing for the creation of additional separate seats to be contested and filled by only women in the National Assembly and State Houses of Assembly as a temporary measure to promote women's representation. The provision is subjected to a review after four general election cycles of sixteen years for the purpose of either retaining, increasing, or abolishing the temporary measure.