

**A BILL****FOR**

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA ACT, (CAP. C23-120) 1999 (AS AMENDED) TO PROVIDE THAT STATE GOVERNMENTS SHALL HAVE CONCURRENT LEGISLATIVE AUTHORITY SIMILAR TO THAT OF THE FEDERAL GOVERNMENT WITH RESPECT TO PRISONS, WITHIN THEIR STATES OR FROM ONE STATE TO ANOTHER WITH THE CONSENT OF THE STATE GOVERNMENTS CONCERNED AND FOR RELATED MATTERS

*Sponsored by Hon. Mukhtar Zakari Chawai*

[ ] Commencement

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

- 1           1. The Constitution of the Federal Republic of Nigeria, Cap. C23-
- 2 120. Laws of the Federation of Nigeria 2004 (in this Bill referred to as "the
- 3 Principal Act") is altered as set out in this Bill.
- 4           2. Part I to the Second Schedule of the Principal Act is altered by
- 5 deleting item "48 Prisons".
- 6           3. Part II to the Second Schedule of the Principal Act is altered, by
- 7 inserting, after the existing item "30", a new item "30A":
- 8 "30A" The National Assembly may make laws for the Federation or any part
- 9 thereof with respect to Prisons but nothing in this paragraph shall preclude a
- 10 House of Assembly from making laws for the State or any part thereof with
- 11 respect to Prisons within their State or from the State to any other State with
- 12 the consent of the State Governments concerned."
- 13           4. The Bill may be cited as the Constitution of the Federal Republic
- 14 of Nigeria 1999 (Alteration) Bill, 2021.

Alteration of the  
Constitution 1999  
Cap. C23-120,  
LFN, 2004

Alteration to the  
Second Schedule  
of the Constitution  
(as amended)  
Cap. C23 LFN,  
2004

Citation

## EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria Act (Cap. C23-120) 1999 (as amended) to provide that State Governments shall have concurrent legislative authority similar to that of the Federal Government with respect to prisons, within their states or from one state to another with the consent of the State Governments concerned.