

# A BILL

## FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999, CAP. C23 LAWS OF THE FEDERATION OF NIGERIA, 2004 TO MAKE PROVISIONS FOR RIGHT TO FOOD AND FOOD SECURITY IN NIGERIA; AND FOR RELATED MATTERS

*Sponsored by Hon. Mohammed T. Monguno*

[ ] Commencement

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

1           1. The Constitution of the Federal Republic of Nigeria, 1999, Cap.  
2 C23 Laws of the Federation of Nigeria, 2004 (referred to as "the Principal  
3 Act") is altered as set out in this  
4 Bill.

Alteration of  
Cap. C23 LFN,  
2004

5           2.-(1) (a) Section 16 of the Principal Act is altered by deleting in  
6 Sub-Section 2 (d) the words "suitable and adequate food" appearing in lines  
7 1-2 thereof.

Alteration of  
Section 16

8           (b) The Principal Act is altered by inserting a new Section 16A.

9           "16A(1) The State shall direct its policy towards ensuring that:

10           (a) the means of production, conservation and distribution of food  
11 are upgraded and improved upon on a continuous basis;

12           (b) strategies that guarantee food security of the nation in terms of  
13 availability, accessibility and affordability of food to the citizens are  
14 initiated, undertaken and implemented; and

15           (c) adequate measures are provided to ensure that food security of  
16 the nation is not compromised by any individual, group or institution, while  
17 actions that enhance the sustainability of food security are promoted".

18           3. Section 33 of the Principal Act is altered by inserting  
19 immediately after Section 33 (c), a new Section 33A and its side note to read

Alteration of  
Section 33

1 "Right to Food".

2 "Right to Food".

3 "33 A (1) Every person shall have a right to food, which shall be  
4 respected, protected and guaranteed by the State, and no one shall be deprived  
5 of food under any circumstances.

6 (2) A person shall not be regarded as having been deprived of food in  
7 contravention of this Section if the person is:

8 (a) physically fit or able to work or find food or not considered a  
9 disadvantaged person or belonging to the vulnerable groups in society;

10 (b) not affected by natural disasters or any socio-economic  
11 emergencies affecting the person's livelihood in such a manner as to become  
12 the responsibility of government to respond quickly with appropriate  
13 measures; or

14 (c) seeking remedies to situations other than food or means of  
15 acquiring food directly or otherwise".

Citation

16 4. This Bill may be cited as the Constitution of the Federal Republic of  
17 Nigeria (Alteration) Bill, 2021.

#### EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to ensure that the State directs its policy towards food security, and making rights to food a guaranteed fundamental Human Right in the Constitution.