

# A BILL

## FOR

AN ACT TO AMEND THE INDIAN HEMP ACT CAP. 116 LAWS OF THE FEDERATION OF NIGERIA, 2004 TO REDUCE THE DEATH PENALTY AND CONFER JURISDICTION ON THE MAGISTRATE COURT TO TRY OFFENCES UNDER THE ACT; AND FOR RELATED MATTERS

*Sponsored by Hon. Simon D. Mwakwona*

[ ] Commencement

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

- 1           1. The Indian Hemp Act Cap. 116 Laws of the Federation of  
2 Nigeria, 2004 (in this Bill referred to as the "Principal Act") is amended as  
3 set out in this Bill. Amendment of  
Cap. 116 LFN,  
2004
- 4           2. Section 2 of the Principal Act is amended: Amendment of  
Section 2
  - 5           (a) in subsection (1) by:
    - 6           (i) deleting the words, "either to death or" in line 3, and
    - 7           (ii) substituting for the words, "twenty-one", the word, "ten"; and
  - 8           (b) in subsection (2), line 2, by substituting for the words, "judge of  
9 the High Court", the words, "Magistrate Court".
- 10          3. Section 3 (1) (b) of the Principal Act is amended in line 2, by Amendment of  
Section 3 (1)  
11 substituting for the words, "one year", the words "ten years".
- 12          4. Section 5 (1) (b) of the Principal Act is amended: Amendment of  
Section 5 (1)
  - 13          (a) in line 2, by deleting the words, "not less than";
  - 14          (b) in subparagraph (ii), by substituting for:
    - 15          (i) the words, "Children and Young Person Act", the words,  
16 "Child's Right Act" in line 3; and
    - 17          (ii) the word, "borstal", the words, "approved institution" in line 6.
- 18          5. Section 6 of the Principal Act is amended in line 3, by deleting; Amendment of  
Section 6  
19 the words, "not less than".

Amendment of Section 7 (1)	1	6. Section 7 (1) (c) of the Principal Act is amended, by deleting:
	2	(a) the words, "not less than" in line 2; and
	3	(b) the word, "thereby" in line 5.
Amendment of Section 9	4	7. Section 9 of the Principal Act is amended in line 3 by deleting the
	5	words "offence under this Act".
Deletion of Section 10	6	8. Section 10 of the Principal Act is deleted.
Citation	7	9. This Bill may be cited as the Indian Hemp (Amendment) Bill,
	8	2019.

## EXPLANATORY MEMORANDUM

This Bill seeks to amend the Indian Hemp Act Cap. 116 Laws of the Federation of Nigeria, 2004 to reduce the penalty and confer jurisdiction on the Magistrate Court to try offences under the Act.