

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 AND FOR RELATED MATTERS

Sponsored by Hon. Awaji-Inombek D. Abiante

[] 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 Alteration of the
- 2 Law of the Federation, 2004 (in this Bill referred to as "the Principal Act") is Constitution of
- 3 hereby altered as set out in this Bill. the Federal
- 4 **2.** Paragraph 2 of the fifth schedule of the Constitution is hereby Republic of
- 5 altered by deleting the existing paragraph 2 and insert a new paragraph 2. Nigeria, 1999
- 6 Thus; Alteration of
- 7 Paragraph 2. Restrictions on specified officers: paragraph 2 of
- 8 (a) A public officer shall not receive or be paid the emoluments of the fifth schedule
- 9 any public office at the same time as he receives or is paid the emoluments of of the Constitution
- 10 any public office;
- 11 (b) Subject to paragraph 1 of the fifth schedule, a public officer
- 12 may engage or participate in the management or running of any private
- 13 business, profession or trade; and
- 14 (c) Nothing in paragraphs 1 and 2 of this schedule shall prevent a
- 15 public officer from engaging in farming or participating in the management
- 16 or running of any farm.
- 17 **3.** Paragraph 15(3) is hereby altered by deleting the word Alteration of
- 18 "President" in line one and insert "National Judicial Council", and deleting paragraph 15(3)
- 19 "National Judicial Council" in line two and insert "Federal Judicial Service of the fifth schedule
- 20 Commission". of the Constitution

Alteration of
paragraph 17(3)
of the fifth schedule
of the Constitution

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4, Paragraph 17(3) is hereby altered by deleting the word "President"

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in line two and insert the words "National Judicial Council".

Citation

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5. This Bill may be cited as Constitution of the Federal Republic of

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Nigeria (Alteration) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to alter Paragraphs 2, 15(3) and 17(3) of the Fifth schedule of the Constitution of the Federal Republic of Nigeria by removing the restrictions placed on public officers from engaging or participating in the management of a private business, profession or trade, and as well putting the appointment and removal of the Chairman and members of the Code of Conduct Tribunal under the jurisdiction of the National Judicial Council.