

A BILL

FOR

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

Sponsored by Hon. Mansur Manu Soro

[] 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 (in
2 this Bill referred to as the "Principal Act") is altered as set out in this Bill.

Alteration of the
Constitution of
the Federal
Republic of
Nigeria

3 **2.** Section 7 is altered by-

Alteration of
Section 7

4 (a) substituting for subsection (1), a new subsection "(1)" as
5 follows:

6 "(1) The system of Local Government by democratically elected
7 Local Government Councils is under this Constitution guaranteed."

8 (b) inserting new subsections "(1A)"-(1D)" as follows:

9 "(1A) A Local Government Council:

10 (a) not democratically elected shall not be recognized by all
11 authorities and persons and shall not be entitled to any revenue allocation
12 from the Federation Account or the state Government nor exercise any
13 function exercisable by a Local Government Council under this
14 Constitution or any law for the time being in force; and

15 (b) shall stand dissolved at the expiration of a period of four years,
16 commencing from the date the members of the Council were sworn in.

17 (1B) The democratically elected Local Government Council shall
18 be a tier of government in Nigeria and shall consist of executive and
19 legislative arms.

20 (1C) The House of Assembly of every State shall, subject to section
21 8 of this Constitution, ensure the existence of democratically elected Local

1 Government Councils under a Law which provides for their funding from the
2 internally generated revenue of the State and the financial autonomy of the
3 Local Government Councils.

4 (1D) Subject to the provisions of this Constitution with regard to
5 qualifications for election into the Local Government Council, a person shall
6 be qualified for election if he is a member of a political party and is sponsored
7 by that party or he is an independent candidate; and

8 (c) substituting for sub-section (5), a new section "(5)" as follows:

9 "(5) In addition to the functions conferred upon Local Government
10 Councils as specified in the Fourth Schedule to this Constitution, a House of
11 Assembly of a State may by law confer other functions on the Local
12 Government Councils";

13 (d) deleting sub-section (6).

Citation

14 **3.** This Bill may be cited as the Constitution of the Federal Republic of
15 Nigeria (Fourth Alteration) (No.2) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to guarantee a democratically elected local government system, making provision for elected officers and providing sanctions for breach. This Bill also seeks to provide for the financial and administrative autonomy of local government councils and uniformity of tenure across the country.