

A BILL

FOR

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

Sponsored by Hon. Sergius Ogun

[] Commencement

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

1 **1.** The Constitution of the Federal Republic of Nigeria, 1999 (With Enactment
2 Alterations) (in this Bill referred to as the "Principal Act") is hereby
3 amended as set out hereunder.

4 **2.** Section 64 of the Principal Act is amended by giving the section Amendment of
5 a new title as follows: "Procedure for Dissolution, Proclamation and Section 64 by
6 Inauguration of the National Assembly", renaming the
7 section

7 **3.** Section 64 of the Principal Act is amended by deleting Amendment of
8 subsection (3) and replacing same with new subsections (3), (4) (5) and (6) Section 64 by
9 as follows: deleting
10 subsection (3)

10 (3) Subject to the provisions of this Constitution, the President of
11 the Senate and Speaker of House of Representatives shall have power to
12 issue a proclamation for the dissolution of each Chamber of the National
13 Assembly at the expiration of a period of four years commencing from the
14 date of first sitting of both Chambers as provided in this section.

15 (4) Subject to the provisions of this Constitution the President of
16 the preceding session of the Senate and Speaker of the preceding session of
17 the House of Representatives shall have power to issue a proclamation for
18 the holding of the first session of each Chamber of the National Assembly
19 immediately after the issuance of Certificates of Return to candidates
20 returned as elected by the Independent National Electoral Commission
21 (INEC).

1 (5) Subject to the provisions of this Constitution the Chief Justice of
2 the Federation shall on the date fixed for the holding of the first session of both
3 Chambers of the National Assembly, swear in and administer the Oath of
4 Office on the elected Members of the National Assembly.

5 (6) Subject to the provisions of this Constitution the "Prefect" of the
6 Senate and "Prefect" of House of Representatives shall preside over the
7 holding of the first plenary session of both Chambers of the National Assembly,
8 were the Members elect shall elect for themselves presiding officers for the
9 new Assembly.

Amendment of
Section 105 by
renaming the
section

10 4. Section 105 of the Principal Act is amended by giving the section a
11 new title as follows:

12 "Procedure for Dissolution, Proclamation and Inauguration of a State
13 House of Assembly".

Amendment of
Section 105 by
deleting
subsection (3)

14 5. Section 105 of the Principal Act is amended by deleting subsection
15 (3) and replacing same with new subsections (3), (4) (5) and (6) as follows:

16 (3) Subject to the provisions of this Constitution, the Speaker of a
17 House of Assembly shall have power to issue a proclamation for the dissolution
18 of a House of Assembly at the expiration of a period of four years commencing
19 from the date of first sitting of the House.

20 (4) Subject to the provisions of this Constitution, the Speaker of a
21 House of a preceding Assembly shall have power to issue a proclamation for
22 the holding of the first session of the newly constituted House of Assembly
23 immediately after the issuance of Certificates of Return to candidates returned
24 as elected by the Independent National Electoral Commission (INEC).

25 (5) Subject to the provisions of this Constitution the Chief Judge of a
26 State shall on the date fixed for the holding of the first session of the House of
27 Assembly, swear in and administer the Oath of Office on the elected Members
28 of the House.

29 (6) Subject to the provisions of this Constitution the "Prefect" of the
30 House of Assembly shall preside over the holding of the first plenary session of

1 the newly constituted House of Assembly, where the Members elect shall
2 elect for themselves presiding officers for the new House.

3 **6.** In this Bill, the following terms have the following Interpretation
4 interpretation:

5 (a) Prefect of the Senate: The Senator with the longest period of
6 service in the Senate not being an aspirant to the office of Senate President or
7 Deputy Senate President for that term of the Senate, who presides over the
8 election of the Presiding Officers of the Senate;

9 (b) Prefect of the House of Representatives: The Member of the
10 House of Representatives with the longest period of service in the House not
11 being an aspirant to the office of Speaker or Deputy Speaker for that term of
12 the House of Representatives, who presides during the election of the
13 Presiding Officers of the House;

14 (c) Prefect of a State House of Assembly: The Member of a State
15 House of Assembly with the longest period of service in the House of
16 Assembly not being an aspirant to the office of Speaker or Deputy Speaker
17 for that term of the House of Assembly, who presides during the election of
18 the Presiding Officers of the House of Assembly.

19 **7.** This Bill may be cited as the Constitution of the Federal Citation
20 Republic of Nigeria, 1999 (Alteration) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Constitution of the Federal Republic of Nigeria, 1999 (With Alterations) in order to relieve the President of the Federal Republic of Nigeria and Governors of the thirty-six states of the Federal Republic of Nigeria of the duty/powers to issue proclamation for the holding of the first session of the National Assembly and Houses of Assembly respectively.