

THE SENATE
FEDERAL REPUBLIC OF NIGERIA

**CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999
(FIFTH ALTERATION) BILL NO. 20, 2022**

A BILL FOR
AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC
OF NIGERIA, 1999 TO ENSURE UNIFORMITY IN THE RETIREMENT AGE
AND PENSION RIGHTS OF JUDICIAL OFFICERS OF SUPERIOR COURTS
OF RECORD: AND FOR RELATED MATTERS

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| FIRST READING | TUESDAY, 15 TH OCTOBER, 2019 |
| SECOND READING | TUESDAY, 15 TH OCTOBER, 2019 |
| THIRD READING AND PASSAGE | TUESDAY, 1 ST MARCH, 2022 |

CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999
(FIFTH ALTERATION) BILL NO. 20, 2022



Arrangement of Clauses

Clause

1. Alteration of the Constitution
2. Alteration of section 291
3. Citation

A BILL FOR
 AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO
 ENSURE UNIFORMITY IN THE RETIREMENT AGE AND PENSION RIGHTS OF JUDICIAL OFFICERS
 OF SUPERIOR COURTS OF RECORD; AND FOR RELATED MATTERS

{ } Commencement

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

1. The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as "the Principal Act") is altered as set out in this Bill. Alteration of the Constitution

2. Section 291 of the Principal Act is altered by - Alteration of Section 291

(a) substituting for subsections "(1)" and "(3)" -

“(1) A judicial officer appointed to any of the superior courts of record specified in section 6 (5) of this Constitution may retire when he attains the age of sixty-five years and he shall cease to hold office when he attains the age of seventy years.

(3) Any person who has held office as a judicial officer of a superior court of record -

(a) for a period of not less than ten years shall, if he retires at or after the age of sixty-five years, be entitled to pension for life at a rate equivalent to his last annual salary and all allowances in addition to any other retirement benefit to which he may be entitled;

(b) for a period of less than ten years shall, if he retires at or after the age of sixty-five years, be entitled for pension for life at a rate as in paragraph (a) of this subsection pro-rata the number of years he served as a judicial officer in relation to the period of ten years, and all allowances in addition to other retirement benefits to which he may be entitled under his terms and conditions of service; and

(c) in any other case, shall be entitled to such pension and other retirement benefits as may be regulated by an Act of National Assembly”;

(b) deleting subsection (2); and

(c) inserting after subsection (3), a new subsection “(4) - (5)” -

“(4) All pensions, allowances and other retirement benefits to which a judicial officer may be entitled, shall be a charge upon the Consolidated Revenue Fund of the Federation and shall be paid directly by the National Judicial Council.

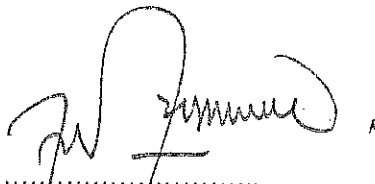
(5) Subject to the provisions of this section of the Constitution, the provisions of any other law that provides for pensions, gratuities and other retirement benefits for persons in the Public Service of the Federation or of a State shall apply”.

3. This Bill may be cited as the Constitution of the Federal Republic of Nigeria, (Fifth Alteration) Bill No. 20, 2022. Citation

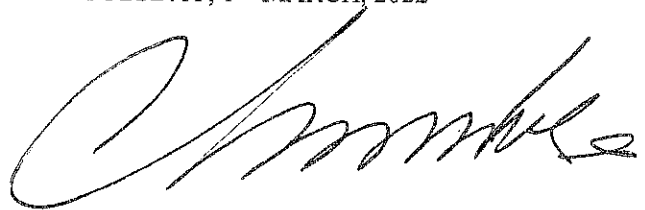
Explanatory Memorandum

This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to ensure uniformity in the retirement age and pension rights of judicial officers of superior courts of record.

THIS BILL WAS PASSED BY THE SENATE ON TUESDAY, 1ST MARCH, 2022



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President,
Senate of the Federal Republic of Nigeria



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Clerk,
Senate of the Federal Republic of Nigeria