

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 (AS AMENDED) TO, AMONGST OTHERS, TRANSFER THE SUBJECT MATTER OF PRISONS FROM THE EXCLUSIVE LEGISLATIVE LIST SET OUT UNDER PART I OF THE SECOND SCHEDULE TO THE CONCURRENT LEGISLATIVE LIST SET OUT UNDER PART II OF THE SECOND SCHEDULE AND FOR RELATED MATTERS

Sponsored by Hon. Garba Datti Muhammad

[] 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 (in
2 this Bill referred to as "the Principal Act") is amended as follows:

Alteration of Part I of the Second Schedule to the Constitution

3 (1) By deleting Item 48 of the Exclusive Legislative List at Part I of
4 the Second Schedule;

5 (2) By renumbering Items 49 to 68 of the Exclusive Legislative
6 List at Part I of the Second Schedule as the new Items 48 to 67 thereof
7 respectively;

8 2. The Principal Act is amended as follows:

Alteration of Part II of the Second Schedule to the Constitution

9 (1) By inserting the following new paragraph 21 in the Concurrent
10 Legislative List at Part II of the Second Schedule to the Constitution:

11 "The National Assembly shall have power to make laws for the
12 establishment, management and regulation of prisons and correctional
13 institutions throughout the Federation";

14 (2) By inserting the following new paragraph 22 in the Concurrent
15 Legislative List at Part II of the Second Schedule to the Constitution:

16 "Nothing in paragraph 21 hereof shall preclude a House of
17 Assembly from making laws for that State for the establishment,

1 management and regulation of prisons and correctional institutions in the
2 State";

3 (3) By renumbering paragraphs 21 to 30 of the Concurrent
4 Legislative List at Part I of the Second Schedule as the new paragraphs 23 to 32
5 thereof respectively.

Citation t

6 3. This Bill may be cited as the Constitution of the Federal Republic of
7 Nigeria 1999 (Alteration) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria 1999 (as amended) to, amongst others, transfer the subject matter of prisons from the exclusive legislative list set out under Part I of the second schedule to the concurrent legislative list set out under Part II of the Second Schedule and enable State Governments establish Correctional Institutions.