

**CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (FIFTH ALTERATION, NO 29) ACT, 2020**

**A Bill**

**For**

**An Act to Alter the provisions of the Constitution of the Federal Republic Of Nigeria, 1999 to provide Immunity for Members of the Legislature in respect of words spoken or written at plenary sessions or committee proceedings and institutionalize legislative bureaucracy in the Constitution; and for related matters, 2019 (SB 253)**

**Sponsor: Senator Michael Opeyemi Bamidele (Ekiti Central)**

ENACTED by the National Assembly of the Federal Republic of Nigeria –

1. The Constitution of the Federal Republic of Nigeria, 1999 (in this Act referred to as “the Principal Act”) is altered as set out in this Act.
2. **Alteration of Section 4**  
Section 4 of the Principal Act is altered by  
(a) Substituting for subsection (7), a new subsection “(7A)” –

“(7A) In the course of exercising the legislative powers, no civil or criminal proceedings shall be instituted against a member of a legislative House in respect of words spoken or written before the House or a Committee thereof.”

3. **Alteration of Section 51**  
Substitute for section 51 of the Principal Act, a new section “51” –

**“Establishment of the National Assembly Service Commission”**

51. (1) There is established the National Assembly Service Commission whose composition, tenure, structure, finance, functions and powers shall be as prescribed by an Act of the National Assembly.

(2) There shall be the Clerk to the National Assembly and such other staff as may be required.

(3) The method of appointment of the Clerk and such other staff of the National Assembly shall be as prescribed by the Commission.”

4. **Alteration of Section 67**  
Section 67 of the Principal Act is altered by substituting for subsection (1), a new subsection “(1)” –

“(1) The President –

(a) shall attend a joint session of the National Assembly on **any** legislative day **immediately after the commencement of each Legislative** year to deliver an address in respect of the State of the Nation; and

(b) may attend any joint session of the National Assembly, either to deliver an address on national affairs including fiscal measures, or to make such statement on the policy of government as he considers to be of national importance.”

5. **Alteration of Section 68**

Section 68 (1) (e) of the Principal Act is altered by inserting, after the word, “Law”, in line 3, the words, “except by virtue of office”.

6. **Alteration of Section 93**

Substitute for section 93 of the Principal Act, a new section “93” –

**“Establishment of the State House of Assembly Service Commission”**

93. (1) There is established a State House of Assembly Service Commission whose composition, tenure, structure, finance, functions and powers shall be as prescribed by a Law of the House of Assembly of the State.

(2) There shall be the Clerk to the State House of Assembly and such other staff as may be required.

(3) The method of appointment of the Clerk and such other staff of the State House of Assembly, shall be as prescribed by the Commission”.

7. **Alteration of Section 109**

Section 109 (1) (e) of the Constitution is altered by inserting, after the word, “law”, in line 3, the words, “except by virtue of office”.

8. This Act may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration, No. 29) Act, 2020.

**Explanatory Memorandum**

This Bill alters the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to provide immunity for members of the legislature in respect of words spoken or written at plenary sessions or at Committee proceedings and institutionalise legislative bureaucracy in the Constitution.