

NATIONAL ASSEMBLY INAUGURATION BILL, 2019

ARRANGEMENT OF SECTIONS

PART I - PRELIMINARY PROVISIONS

1. Objectives of the Bill
2. Application and Scope
3. Guiding Principles

PART II - ESTABLISHMENT OF THE NATIONAL ASSEMBLY

INAUGURATION COMMITTEE

4. Establishment of the National Assembly Inauguration Committee
5. Functions and Powers of the Committee.
6. Sub - Committees.
7. Procedure of the Committee.

PART III - ADMINISTRATION AND SECURITY OF THE NATIONAL

ASSEMBLY COMPLEX DURING INAUGURATION

8. Administration of the National Assembly during Inauguration
9. Security of the National Assembly Complex during inauguration
10. Preparation for convening and inaugurating Incoming National Assembly

PART IV - CONVENING, INAUGURATING AND SWEARING-IN OF

SENATORS AND MEMBERS ELECT OF THE NATIONAL ASSEMBLY

11. President to issue Proclamation
12. Designation of Inauguration Day
13. Proclamation to be addressed to the Clerk to the National Assembly
14. Clerk to the National Assembly to Inaugurate the National Assembly
15. Clerk to the National Assembly to moderate the First Session of the in-coming National Assembly
16. First-floor activities of in-coming National Assembly

## PART V - MISCELLANEOUS PROVISIONS

17. Sudden Death of newly elected Principal Officers of the National Assembly
  18. Committee to give Report to the National Assembly
  19. Committee to manage information relating to inauguration
  20. Transitional and saving provisions
  21. Interpretation
  22. Short Title
- Explanatory Memorandum

# A BILL

## FOR

AN ACT TO PROVIDE FOR THE INAUGURATION OF THE NATIONAL ASSEMBLY, ENSURE THE SMOOTH TRANSFER OF LEGISLATIVE POWER FROM THE OUT-GOING NATIONAL ASSEMBLY TO IN-COMING NATIONAL ASSEMBLY AND FOR THIS PURPOSE ESTABLISH THE NATIONAL ASSEMBLY INAUGURATION COMMITTEE, DESIGNATE A CERTAIN AND DEFINITE DAY FOR CONVENING AND INAUGURATING THE NATIONAL ASSEMBLY; AND FOR RELATED MATTERS

*Sponsored by Senator Gabriel Torwua Suswam*

[ ] Commencement

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

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PART I - PRELIMINARY PROVISIONS

1. The primary objective of this Bill is to provide a comprehensive legal framework for managing and coordinating the inauguration of newly elected or in-coming National Assembly after the dissolution of the outgoing National Assembly by the President in exercise of his powers under section 64(3) of the Constitution. Specifically, the Bill seeks to achieve the following-

(a) entrench Institutional memory and ensure clarity with respect to the day for convening and inaugurating in-coming National Assembly;

(b) reinforce the powers of the President to dissolve the outgoing National Assembly and convene the first session of the in-coming National Assembly while at the same time ensure clarity regarding the time, venue and day to exercise this power;

© stipulate transitional and saving provisions regarding the legal status and validity of the Standing Orders of the out-going National Assembly on the proceedings of the in-coming National Assembly;

Objectives of the Bill

1 (d) Provide a clear guide and legal basis for the responsibilities of the  
 2 Clerk to the National Assembly in the transition process from the out-going  
 3 National Assembly to in-coming National Assembly;

4 (e) Ensure Institutional clarify in terms of first - floor activities of the  
 5 in-coming National Assembly.

Application  
and Scope

6 2. This Bill applies to-

7 (1) the designation of a certain and definite day for convening the  
 8 incoming National Assembly by the President pursuant to his powers under  
 9 section 64(3) of the Constitution.

10 (2) The Management and coordination of the inauguration activities  
 11 of the National Assembly.

12 (3) inaugural proceedings and holding of first session of the in-  
 13 coming National Assembly pending the adoption of its Standing Orders.

Guiding  
Principles

14 3. The Bill is guided by the principles set out in section 64 of the  
 15 Constitution and the Committee shall in the performance of its functions be  
 16 guided by the values and principles set out therein.

17 PART II - ESTABLISHMENT OF THE NATIONAL ASSEMBLY

18 INAUGURATION COMMITTEE

Establishment  
of the National  
Assembly  
Inauguration  
Committee

19 4.-(1) There is established the National Assembly Inauguration  
 20 Committee (in this bill referred to as the "Committee").

21 (2) The Committee is an ad hoc Committee for the transitional period  
 22 from the out- going National Assembly to the in-coming National Assembly.

23 (3) The Committee shall comprise-

24 (a) Clerk to the National Assembly;

25 (b) Clerk of the Senate;

26 (c) Clerk of the House of Representatives;

27 (d) Secretary to the National Assembly Service Commission;

28 (e) Sergeant -at -arms;

29 (f) Director of Establishment, Records and Trainings, National  
 30 Assembly Service Commission;

1 (g) Director of procurement and General Services; and

2 (h) Any other members not exceeding 5 that the Clerk to the  
3 National Assembly may co-opt or nominate to be part of the Committee;

4 (4) The office of the Clerk to the National Assembly shall serve as  
5 the Secretariat to the Committee.

6 (5) A vacancy in the membership of the Committee or non -  
7 attendance at the meeting of the Committee by a member shall not affect the  
8 decisions of the committee.

9 (6) Seven members of the Committee shall form a quorum at the  
10 meeting of the Committee.

11 (7) The Clerk to the National is the Chairman of the Committee and  
12 has the powers to convene the first meeting of the Committee at-least Sixty  
13 days before the dissolution of the out-going National Assembly for the  
14 purposes of planning for the transitional period from the out-going National  
15 Assembly to the in-coming National Assembly

16 5.-(1) The functions of the Committee are-

17 (a) deal with all matters relating to the affairs of the out-going  
18 National Assembly and the in-coming National Assembly;

19 (b) organize the security, comfort, hospitality, training and  
20 induction of in-coming members of the National Assembly;

21 (c) facilitate communication between Principal officers of the out-  
22 going National Assembly and Senators and members elect of the in-coming  
23 National Assembly;

24 (d) Prepare programme and organize activities for the swearing -in  
25 ceremony of the in-coming National Assembly;

26 (e) invite dignitaries not exceeding four persons to the swearing -  
27 in ceremony of Senators and Members elect of the in-coming National  
28 Assembly;

29 (f) issue guidelines for accreditation of journalists, photographers  
30 and other professionals that may be involved in the inauguration activities;

Functions and  
Powers of the  
Committee

1 (g) carry out any other activity necessary for effective and efficient  
 2 discharge of its functions as specified in this Bill and perform any other  
 3 function assigned to it under any other Act of the National Assembly to ensure  
 4 smooth and orderly transitioning of legislative powers from the out-going  
 5 National Assembly to in-coming National Assembly.

Preparation for  
 convening and  
 inaugurating  
 incoming National  
 Assembly

6 6.-(1) The Committee may establish sub-committees as it may deem  
 7 necessary for effective and efficient discharge of its functions as specified in  
 8 this Bill.

9 (2) The Committee may co-opt into the membership of a sub-  
 10 committee established in accordance with subsection (1) of this section,  
 11 persons whose knowledge and skills are considered necessary for the better  
 12 and efficient performance of the functions of the Committee.

Procedure of  
 the Committee

13 7. Except as otherwise provided in this Bill, the Committee may  
 14 determine its own procedure for and at the meetings.

15 PART III - ADMINISTRATION AND SECURITY OF THE NATIONAL  
 16 ASSEMBLY COMPLEX DURING INAUGURATION

Administration  
 of the National  
 Assembly during  
 inauguration

17 8. The Administration of the Affairs of the National Assembly during  
 18 the transitional period from the out-going National Assembly to the in-coming  
 19 National Assembly shall be in accordance with the Constitution, and the  
 20 provisions of this Bill and any other Act of the National Assembly.

Security of the  
 National Assembly  
 Complex during  
 Inauguration

21 9. The Clerk to the National Assembly shall liaise with the Sergeant-  
 22 at-arms and relevant security agencies to ensure that adequate security is  
 23 provided within and around the National Assembly Complex to forestall any  
 24 Break down of law and order before, during and after the inauguration.

25 10. The Clerk to the National Assembly shall in consultation with the  
 26 Committee carry out such actions or give such instructions as may be necessary  
 27 to ensure orderly and hitch free inauguration ceremony.

28 PART IV - CONVENING, INAUGURATING AND SWEARING-IN OF ELECTED  
 29 MEMBERS OF THE NATIONAL ASSEMBLY

President to issue  
 proclamation

30 11. In exercising his powers under section 64 (3) of the Constitution,

1 the person elected as the President shall comply with the provisions of this  
2 Bill.

3 12.-(1) From Commencement of this Bill, the first Tuesday  
4 immediately following the dissolution of the out-going National Assembly  
5 and inauguration and swearing-in of the person elected as the President shall  
6 be the day for the inauguration and swearing-in of the in-coming National  
7 Assembly.

Designation of  
inauguration Day

8 13.-(1) The proclamation issued by the person elected as the  
9 President in compliance with section 64(3) of the Constitution and the  
10 provisions of section 11 of this Bill shall be addressed and delivered in  
11 writing to the Clerk to the National Assembly not later than the eve of  
12 scheduled valedictory session of the outgoing National Assembly.

Proclamation to  
be addressed to  
the Clerk to the  
National Assembly

13 (2) Upon receipt of the proclamation delivered pursuant to  
14 subsection (1) of this section, the Clerk to the National Assembly shall cause  
15 same to be published in the official gazette of the National Assembly and 2  
16 Newspapers that circulate nationwide.

17 (3) Subject to the provisions of this Bill, it is the responsibility of  
18 the Clerk to the National Assembly to coordinate and manage the dissolution  
19 the out-going National Assembly and the inauguration and swearing-in of  
20 in-coming National Assembly.

21 14. From the commencement of this Bill, it shall be responsibility  
22 of the Clerk to the National Assembly to inaugurate in-coming National  
23 Assembly.

Clerk to  
Inaugurate the  
National Assembly

24 15.-(1) The Clerk to the National Assembly shall moderate the first  
25 session of the in-coming National Assembly and at the commencement of  
26 the session carry out the following functions-

Clerk to the  
National Assembly  
to moderate the  
First Session of  
the incoming  
National Assembly

27 (a) Read the proclamation issued by the President pursuant to  
28 section 64 (3) of the Constitution and also welcome the Senators and  
29 members elect of the National Assembly;

30 (b) Conduct a Roll Call of Senators and members elect separately

1 in the two chambers of the National Assembly taking records of those absent  
2 and those in attendance;

3 (c) Conduct election into the offices of the Presiding Officers of the  
4 National Assembly;

5 (d) Administer Oath of Allegiance and Oath of membership on  
6 elected Presiding Officers of the National Assembly and other Senators and  
7 Members elect of the National Assembly;

8 (e) Carry out other functions as are necessary to ensure valid and  
9 smooth transfer of legislative powers from the out-going National Assembly to  
10 in-coming National Assembly.

11 (2) Elections referred to under subsection (1) (c) of this section relate  
12 to elections into the offices of the Senate President, Deputy Senate President,  
13 Speaker House of Representatives and Deputy Speaker House of  
14 Representatives.

15 (3) In discharging his responsibility under subsection (1) of this  
16 section, the Clerk to the National Assembly shall comply with the provisions of  
17 this Bill and the traditions and practices of the National Assembly;

18 PROVIDED that the provisions of this Bill shall supersede the  
19 traditions and practices of the National Assembly.

First Floor  
activities of the  
incoming  
National Assembly

20 16.-(1) The first -floor activities of the in-coming National Assembly  
21 shall commence immediately after the end of the swearing-in and Oath taking  
22 by elected principal officers and members of the in-coming National  
23 Assembly.

24 (2) The First Floor activities of the incoming National Assembly  
25 shall be as listed on the Order Paper Issued by the Clerk to Senate and Clerk to  
26 the House of Representatives respectively and may include-

27 (a) Motion for the adoption of the Standing Orders of the out-going  
28 National Assembly as standing orders of in-coming National Assembly;

29 (b) Address by the Senate President and Speaker of the House of  
30 Representative on the Legislative Agenda of the newly inaugurated National



1 Assembly followed by responses to the address by members of the in-  
2 coming National Assembly;

3 (c) Adoption of a Legislative Calendar for the incoming National  
4 Assembly.

5 (3) Nothing in the foregoing provision prohibits the presiding  
6 officers of the in-coming National Assembly from postponing the activities  
7 listed on the Order Paper pursuant to subsection (2) of this section to another  
8 legislative day.

9 PART V - MISCELLANEOUS PROVISIONS

10 17.-(1) Where any of the elected Principal officers of in-coming  
11 National Assembly dies immediately after inauguration and swearing- in,  
12 the Clerk to the National Assembly shall issue a Notice to convene the  
13 National Assembly for the purpose of electing a replacement for the  
14 deceased Presiding Officer and also consider a programme for state burial to  
15 be accorded the deceased.

Sudden death of  
newly elected  
Principal Officers  
of the National  
Assembly

16 (2) Where the deceased Principal Officer referred to in subsection  
17 (1) of this section is the Senate President or the Speaker of the House of  
18 Representative, the Deputy Senate President in the case of the Senate, or the  
19 Deputy Speaker in the case of the House of Representative shall  
20 immediately assume office as Senate President pro tempore and Speaker pro  
21 tempore respectively until such a period not exceeding one week when a  
22 new Senate President or Speaker is elected.

23 18.-(1) The Committee established under section 4 of this Bill shall  
24 stand dissolved at least one month after the inauguration and holding of the  
25 first session of the in-coming National Assembly.

Committee to  
give report to the  
National Assembly

26 (2) The Committee through the Clerk to the National Assembly  
27 shall within a period of one month from the date of swearing in of the  
28 incoming National Assembly cause to be prepared, a report of the functions  
29 of the committee and same shall be forwarded to the Senate President and  
30 Speaker of the House of Representative respectively regarding-

- 1 (a) The Financial Statement of the Committee;  
2 (b) A description of its activities;  
3 (c) Such other statistical information relating to the activities of the  
4 committee as the committee may consider relevant to its mandate.

Committee to  
manage information  
relating to  
Inauguration

5 **19.-(1)** The committee shall-

6 (a) publish and publicize all important information within its mandate  
7 in the interest of accountability and education of the general public  
8 information;

9 (b) release to any person seeking information on its activities under  
10 the Freedom of Information Act Subject to confidentiality requirements  
11 permissible by law.

12 (2) The Committee may be guided by the provisions of the Freedom  
13 of Information Act and may decline to give information requested where the  
14 information requested is at a deliberative stage by the National Assembly.

15 (3) Every member and staff of the National Assembly assigned to the  
16 committee may be required to sign a confidentiality agreement.

Transitional  
and saving  
provisions

17 **20.** The provisions of the Standing Orders of out-going National  
18 Assembly shall apply to the proceedings of the in-coming National Assembly  
19 until the in-coming National Assembly adopts its Standing Orders and no  
20 action shall be instituted to stop the use of the Standing Orders of the out-  
21 going National Assembly at the inauguration and swearing -in of the in-coming  
22 National Assembly.

Interpretation

23 **21.** In this Bill, unless it is otherwise expressly provided or the  
24 context otherwise requires-

25 "Constitution" means the 1999 Constitution of the Federal Republic of  
26 Nigeria, as amended;

27 "in-coming National Assembly" means Senators and Members elect of the  
28 National Assembly convened for inauguration, swearing -in and first session  
29 following the dissolution of the out-going National Assembly pursuant to 64(3)  
30 of the Constitution and the provisions of this Bill;

1 "Members of the in- coming National Assembly" means Senators and  
2 Members elect of the House of Representatives;  
3 "National Assembly" means the Senate and House of Representatives as  
4 recognized under section 4 of the Constitution;  
5 "Out-going National Assembly" means the Senate and House of  
6 Representatives dissolved by the President pursuant to section 64(3) of the  
7 Constitution;  
8 "President" means President of the Federal Republic of Nigeria;  
9 "Standing Order of the out-going National Assembly" means Standing  
10 Orders of the S nate and House of Representatives dissolved by the  
11 President pursuant to section 64 (3) of the Constitution.

12 22. This Bill may be cited as the National Assembly Inauguration Short title  
13 Bill, 2019.

#### EXPLANATORY NOTE

This Bill seeks to provide a comprehensive legal framework for effective management of the inauguration and swearing-in of elected or in-coming members of the National Assembly after the dissolution of the out-going National Assembly by the President pursuant to Section 64(3) of the Constitution and for this purpose an ad hoc committee known as the "National Assembly Inauguration Committee" is established under this Bill for effective and efficient coordination. Amongst issues covered in the Bill, the First Tuesday immediately following the dissolution of the out-going National Assembly and the inauguration and swearing-in of the person elected as President is also stipulated as the day for inauguration of in-coming National Assembly.

