

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO MAKE LOCAL GOVERNMENT AREAS ADMINISTRATIVE UNITS OF EACH STATE AND FOR RELATED MATTERS

Sponsored by Senator Adetunmbi, Olubunmi Ayodeji

[] Commencement

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

- 1 1. The Constitution of the Federal Republic of Nigeria, 1999 is Alteration of
- 2 altered as set out in this Bill. the Constitution
- 3 2. Section 7 of the Constitution is altered by substituting it with a Alteration of
- 4 new section 7 as follows: Section 7
- 5 "(1) the system of Local Government by democratically elected
- 6 Local Government Councils as full administrative units under each state, is
- 7 guaranteed under this constitution and accordingly, the government of each
- 8 state shall ensure their existence under a law of the state which provides for
- 9 their establishment, structure, composition, finance and functions.
- 10 (2) Each State shall in prescribing the area over which a Local
- 11 Government Council may exercise authority:
- 12 (a) define such area as clearly as practicable; and
- 13 (b) ensure, that in defining such area regard is paid to:
- 14 (i) the common interest of the community in the area,
- 15 (ii) traditional association of the community, and
- 16 (iii) administrative convenience.
- 17 (3) It shall be the duty of A Local Government Council within the
- 18 state to participate in economic planning and development of the area
- 19 referred to subsection (2) of this section and to this end an economic

1 planning board shall be established by a law enacted by the House of Assembly
2 of the State.

3 (4) the government of a state shall ensure that every person who is
4 entitled to vote or be voted for at an election to a house of assembly shall have
5 the right to vote and be voted for at an election to a local government council.

6 (5) The House Of Assembly of a State shall make provisions for
7 statutory allocation of public revenue to local government councils within the
8 state.

Alteration of
Section 8

9 3. Section 8 of the Constitution is altered by deleting subsections (5)
10 and (6) thereof.

Alteration of
Section 162

11 4. Section 162 of the Constitution is altered as follows:
12 "in subsection (3) by deleting the words 'and the local government
13 councils in each state' in line 3 thereof".

Alteration of
the First Schedule

14 "subsections (5), (6) and (7) are hereby deleted".

Alteration of
the Fourth Schedule

15 5. The First Schedule, part i to the Constitution is hereby deleted.

Citation

16 6. The Fourth Schedule to the Constitution is hereby deleted.

17 7. This Bill may be cited as the Constitution of the Federal Republic of
18 Nigeria, 1999 (Fourth Alteration) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to bring the Local Government system of government under the control of the States.