

# A BILL

## FOR

AN ACT TO ALTER THE PROVISIONS OF SECTION 290 OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 (AS AMENDED) TO MAKE PROVISION THAT A JUDICIAL OFFICER ELEVATED TO A HIGHER COURT SHALL CONCLUDE ANY PART HEARD CRIMINAL MATTER(S) PENDING BEFORE HIM AT THE TIME OF THE ELEVATION AND FOR RELATED MATTERS

*Sponsored by Senator Istifanus Gyang*

[ ] Commencement

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

- 1           1. The Constitution of the Federal Republic Nigeria 1999 (in this  
2 Bill referred to as the Principal Act) is altered as set out in this Bill. Alteration of  
the Constitution
- 3           2. Section 290 of the principal Act is altered by inserting Alteration of  
Section 290  
4 immediately after the existing subsection (1) a new subsection (1A):
- 5           "(1A) - Provided that a judge of the High Court who has been  
6 elevated to the Court of Appeal shall have dispensation to continue to sit as a  
7 High Court judge only for the purpose of concluding any part heard criminal  
8 matter pending before him at the time of his elevation and shall conclude  
9 same within a reasonable time. This subsection shall however, not prevent  
10 him from assuming duty as a judge of the Court of Appeal".
- 11           3. This Bill may be cited as the Constitution of the Federal Citation  
12 Republic of Nigeria 1999 (Alteration) Bill, 2021.

### EXPLANATORY MEMORANDUM

The Bill seeks to alter Section 290 of the Constitution of the Federal Republic of Nigeria, 1999 to make provision that a judicial officer elevated to a higher court, when granted a fiat, shall conclude any part heard criminal matter(s) pending before him at the time of his elevation to a Judge of the Court of Appeal.