

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 IN ORDER TO STRENGTHEN THE SUPREME COURT AS AN INSTITUTION AND MINIMIZE THE NEGATIVE IMPACT OF RAPID AND EXCESSIVE TURNOVER OF THE SUPREME COURT COMPOSITION AND FOR THIS PURPOSE PROVIDE FOR INCREASE IN THE MINIMUM RETIREMENT AGE AND MAXIMUM AGE TO BE ATTAINED BY JUSTICES OF THE SUPREME COURT IN ORDER TO CEASE TO HOLD OFFICE ; AND FOR RELATED MATTERS

Sponsored by Senator Gabriel Torwua Suswam

[] 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 (in
2 this Bill referred to as "the Principal Act) is altered as set out in this Bill. Alteration of the
Constitution, 1999
- 3 **2.** Section 291(1) of the Principal Act is altered in line 1 by Alteration of
Section 291
4 substituting for the words " sixty -five years", the words " seventy -five
5 years", and in line 3by substituting for the words " seventy years", the words
6 " seventy five years" and when so altered should read-
7 " 291(1)A judicial officer appointed to the Supreme Court or Court
8 of Appeal may retire when he attains the age of seventy years and he may
9 cease to hold office when he attains the age of seventy -five years".
- 10 **3.** This may be cited as Constitution of the Federal Republic of Citation
11 Nigeria (Alteration) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the provisions of section 291(1) of the Constitution of the Federal Republic of Nigeria to increase the minimum retirement age and maximum age to be attained by justices of the Supreme Court of Nigeria in order to cease to hold office from sixty -five and seventy to seventy and seventy -five respectively. This is intended to guarantee the stability of the Supreme Court as an institution and minimize the negative impact of rapid and excessive turnover of the Supreme Court membership. The proposed increase in the retirement age of Supreme Court Justices is also intended to maximize and leverage on the skills , experience and stabilizing maturity garnered by the justices at the appellate bench before their final retirement.