A BILL FOR AN ACT TO FURTHER ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 AND FOR OTHER MATTERS CONNECTED THERewith, 2014

<table>
<thead>
<tr>
<th>Clause</th>
<th>Arrangement of Sections</th>
<th>Number of States with Yes Vote</th>
<th>Remarks</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Constitution of the Federal Republic of Nigeria 1999 (in this Bill referred to as the “Principal Act”) is altered as set out in this Bill.</td>
<td>32</td>
<td>Accepted</td>
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<tr>
<td>2.</td>
<td>Section 4 of the Principal Act is altered by inserting immediately after subsection“(7)” a new subsection“(7A)”</td>
<td>32</td>
<td>Accepted</td>
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<td>“(7A) In the course of exercising the foregoing 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.”</td>
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<td>3.</td>
<td>Section 7 is altered by - (a) substituting for subsection (1), a new subsection “(1)” –</td>
<td>13</td>
<td>Rejected</td>
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<td>“(1) The system of Local Government by democratically elected Local Government Councils is under this Constitution guaranteed.”</td>
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<td>(b) inserting new subsections “(1A) – (1D)” –</td>
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<td>“(1A) A Local Government Council: (a) not democratically elected shall not be recognized by all authorities and persons and shall not be entitled to any revenue allocation from the Federation Account or the state Government nor exercise any function exercisable by a Local Government Council under this Constitution or any law for the time being in force; and</td>
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<td>(b) shall stand dissolved at the expiration of a period of four years, commencing from the date the members of the Council were sworn in.</td>
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<td>(1B) The democratically elected Local Government Council shall be a tier of government in Nigeria and shall consist of Executive and Legislative arms.</td>
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<td>(1C) The House of Assembly of every State shall, subject to section 8 of this Constitution, ensure the existence of democratically elected Local Government Councils under a Law</td>
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which provides for their funding from the public revenue of the State and the autonomy of the Local Government Councils.

(1D) Subject to the provisions of this Constitution with regard to qualifications for election into the Local Government Council, a person shall be qualified for election if he is a member of a political party and is sponsored by that party or he is an independent candidate; and

(c) substituting for sub-section (5), a new section “(5)” –

“(5) In addition to the functions conferred upon Local Government Councils as specified in the Fourth Schedule to this Constitution, a House of Assembly of a State may by law confer other functions on the Local Government Councils”;

(d) deleting sub-section (6)

<table>
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<th>4.</th>
<th>The principal Act is altered by inserting new sections “7A-72” that is–</th>
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<tr>
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<td><strong>Chairman and Vice-Chairman</strong></td>
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<td><strong>7A.</strong> There shall be for each Local Government Council a</td>
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<td>Chairman and a Vice-Chairman.</td>
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<td><strong>Qualifications of Chairman</strong></td>
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<td><strong>7B.</strong> A person shall be qualified for election to the Office of</td>
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<td>Chairman if-</td>
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<td>(a) he is a citizen of Nigeria;</td>
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<td>(b) he has attained the age of 25 years; and</td>
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<td>(c) he has been educated up to at least the School Certificate</td>
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<td>level or its equivalent.</td>
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<td><strong>Disqualifications of Chairman</strong></td>
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<td><strong>7C.</strong> (1) A person shall not be qualified for election to the</td>
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<td>Office of Chairman if-</td>
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<td>(a) he does any act, acquires any status or suffers any disability which, if he were a member of a House of Assembly, would have disqualified him for membership of that House; and</td>
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<td>(b) he has been elected to such Office at two previous elections.</td>
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<td>(2) A Chairman shall not hold any other executive office or paid employment in any capacity whatsoever during his tenure of office.</td>
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Declaration of Assets and Liabilities: Oaths of Chairman

7D. A person elected to the Office of Chairman shall not begin to perform the functions of that Office until he has declared his assets and liabilities as prescribed in this Constitution and has subsequently taken and subscribed before the Chief Judge of the State or his nominee, the Oath of Allegiance and the Oath of Office as prescribed in the Seventh Schedule to this Constitution.

Election of Chairman

7E. (1) An election to the Office of Chairman shall be held on a date to be appointed by the Independent National Electoral Commission.

(2) An election to the said Office shall be held on a date not earlier than one hundred and fifty days and not later than thirty days before the expiration of the term of Office of the last holder of that Office.

(3) Where in an election to the Office of Chairman –

(a) at the close of nomination only one candidate has been nominated, the Independent National Electoral Commission shall extend the time for nomination; or

(b) at the close of nomination one of the candidates nominated for the election is the only candidate by reason of the disqualification, withdrawal, incapacitation, disappearance, or death of the other candidates, the Independent National Electoral Commission shall extend the time for nomination, so that where after the extension only one candidate remains validly nominated, there shall be no further extension.

(4) A candidate for election to the Office of Chairman shall be deemed to have been duly elected where, being the only candidate nominated for election, he has majority of yes votes cast at the election, but where the only candidate fails to be elected in accordance with this subsection, there shall be fresh nominations.

(5) A candidate for an election to the Office of Chairman shall be deemed to have been duly elected where, there being two or more candidates, he has a majority of the valid votes cast at the election.

(6) In default of a candidate being duly elected—

under subsection (4) of this section, the Independent National Electoral Commission shall, within 30 days of the declaration of
results, order another or further nominations and election until the emergence of a candidate as provided for in this section;

(b) under subsection (5) of this section by reason of a tie the Independent National Electoral Commission shall declare as duly elected that candidate who scored the highest number of votes in a majority of wards in the Local Government Area.

(7) For the purpose of an election under this section, a Local Government Area shall be regarded as one constituency.

Nomination and election of Vice-Chairman

7F. (1) In any election to a Local Government Council under this Constitution, a candidate for the Office of Chairman shall not be deemed to have been validly nominated for such Office unless he nominates another candidate as his associate for his running for the Office of Chairman who is to occupy the office of Vice-Chairman and that candidate shall be deemed to have been duly elected to the Office of Vice-Chairman if the candidate who nominated him is duly elected as Chairman in accordance with the provisions of this Constitution.

(2) The provisions of this Constitution relating to qualification for election, tenure of Office, disqualification, declaration of assets and liabilities and Oaths of Chairman shall apply in relation to the Office of Vice-Chairman as if references to Chairman were references to Vice-Chairman.

Removal of Chairman or Vice-Chairman

7G. (1) The Chairman or Vice-Chairman may be removed from Office in accordance with the provisions of this section.

(2) Whenever a notice of any allegation in writing signed by not less than one-half of the Members of the Local Government Legislative Council-

(a) is presented to the Leader of the Local Government Legislative Council;

(b) stating that the holder of such Office is guilty of gross misconduct in the performance of the functions of his Office, detailed particulars of which shall be specified, the Leader of the Local Government Legislative Council shall, within seven days of the notice, cause a copy thereof to be served on the holder of the Office and on each Member of the Local Government Legislative Council and shall cause any statement made in reply within seven days from the date of service of the allegation by the holder of the Office to be served on each Member of the Local Government
(3) Within 14 days of the presentation of the notice, (whether or not any statement was made by the holder of the Office in reply to the allegation contained in the notice) the Local Government Legislative Council shall resolve by Motion without any debate whether or not the allegation shall be investigated.

(4) A Motion of the Local Government Legislative Council that the allegation be investigated shall not be declared as having been passed unless it is supported by the votes of not less than two-thirds majority of all the Members of the Local Government Legislative Council.

(5) Within 7 days of the passing of a Motion under this section, the Leader of the Local Government Legislative Council shall inform the Chief Judge of the State who shall appoint a panel of seven persons who, in his opinion, are of unquestionable integrity not being members of any public service, legislative house or political party to investigate the allegation as provided in this section.

(6) The holder of an Office whose conduct is being investigated under this section shall have the right to defend himself in person or be represented before the panel by a legal practitioner of his own choice.

(7) A panel appointed under this section shall-

(a) have such powers and exercise its functions in accordance with such procedure as may be prescribed by Law; and

(b) within three months of its appointment report its findings to the Local Government Legislative Council.

(8) Where the panel reports to the Local Government Legislative Council that the allegation has not been proved, no further proceedings shall be taken in respect of the matter.

(9) Where the Report of the panel is that the allegation against the holder of the Office has been proved, then within 14 days of the receipt of the Report, the Local Government Legislative Council shall consider the report and if by a resolution of the Local Government Legislative Council supported by not less than two-thirds majority of all its Members, the Report of the panel is adopted, then the holder of the Office shall stand removed from Office as from the date of the adoption of the Report.
In this section, "gross misconduct" means a grave violation of the Oath of Office or breach of the provisions of this Constitution or a misconduct of such nature as amounts, in the opinion of the Local Government Legislative Council, to a gross misconduct.

Permanent incapacity of Chairman and Vice-Chairman
7H.(1) The Chairman or Vice-Chairman shall cease to hold Office if-

(a) by a resolution passed by two-thirds majority of all the Members of the Local Government Legislative Council, it is declared that the Chairman or the Vice-Chairman is incapable of discharging the functions of his Office; and

(b) the declaration is verified, after such medical examination as may be necessary, by a medical panel established under subsection (4) of this section in its Report to the Leader of the Local Government Legislative Council.

(2) Where the medical panel certifies in such Report that in its opinion, the Chairman or Vice-Chairman is suffering from such infirmity of body or mind as renders him permanently incapable of discharging the functions of his Office, a notice thereof signed by the Leader of the Local Government Legislative Council shall be published in a Journal of the Local Government.

(3) The Chairman or Vice-Chairman shall cease to hold Office from the date of publication of the notice of the medical report pursuant to subsection (2) of this section.

(4) The medical panel to which this section relates shall be appointed by the Leader of the Local Government Legislative Council and shall comprise three medical practitioners in Nigeria-

(a) one of whom may be a medical practitioner of the choice of the officer concerned; and

(b) two other medical practitioners.

Discharge of functions of Chairman
7I. (1) The Vice-Chairman shall hold the Office of Chairman of the Council if the Office of the Chairman becomes vacant by reason of death, resignation or removal from Office in accordance with the provisions of this Constitution.

(2) Where any vacancy occurs in the circumstances mentioned in subsection (1) of this section during a period when the Office of Vice-Chairman is also vacant, the Leader of the Local
Government Legislative Council shall hold the Office of Chairman for a period of not more than 3 months, during which there shall be an election of a new Chairman, who shall hold Office in accordance with the provisions of this Constitution.

(3) Where the office of Vice-Chairman becomes vacant-

(a) by reason of death or resignation or removal in accordance with the provisions of this Constitution;

(b) by his assumption of the Office of Chairman in accordance with subsection (1) of this section; or

(c) for any other reason, the Chairman shall nominate, and with the approval of the Local Government Legislative Council, appoint a new Vice-Chairman.

Establishment of Local Government Executive Council
7J. (1) Subject to the provisions of this Constitution, the executive powers of a Local Government Council-

(a) shall be vested in the Chairman of that Local Government Council and may, subject as aforesaid to the provisions of any bye-law made by the Local Government Legislative Council, be exercised by him either directly or through the Vice-Chairman or Supervisors of the Local Government Council or officers in the service of the Local Government Council; and

(b) shall extend to the execution and maintenance of this Constitution, all bye-laws made by the Local Government Legislative Council and to all matters with respect to which the Local Government Legislative Council has, for the time being, power to make bye-laws; but such executive powers shall be so exercised as not to impede or prejudice the exercise of the executive powers of the Federation or of the State in which the Local Government Area concerned is situated or to endanger assets or investments of the Government of the Federation or of the State in the Local Government Area.

(2) The Chairman shall assign to the Vice-Chairman specific responsibilities for any business of the Local Government Council.

(3) The Chairman shall, in his discretion, assign to any Supervisor of the Local Government Council responsibility for any business of the Local Government Council, including the administration of any department of the Local Government Council.
(4) The Chairman shall hold regular meetings with the Vice-Chairman and all the Supervisors for the purpose of-

(a) determining the general direction of the policies of the Local Government Council;

(b) coordinating the activities of the Local Government Council; and

(c) generally discharging the executive functions of the Local Government Council.

(5) Whenever the Chairman is proceeding on vacation or is otherwise unable to discharge the functions of his Office, he shall transmit a written declaration to the Leader of the Local Government Legislative Council to that effect, and until he transmits to the Leader of the Local Government Legislative Council a written declaration to the contrary, the Vice Chairman shall perform the functions of the Chairman as Acting Chairman.

(6) In the event that the Chairman is unable or fails to transmit the written declaration mentioned in subsection (5) of this section within 21 days, the Local Government Legislative Council shall, by a resolution made by a simple majority of the vote of its Members, mandate the Vice Chairman to perform the functions of the Office of the Chairman as Acting Chairman, until the Chairman transmits a letter to the Leader of the Local Government Legislative Council that he is now available to resume his functions as Chairman.

Tenure of Office of Chairman

7K. (1) Subject to the provisions of this Constitution, a person shall hold the Office of Chairman until-

(a) his successor in Office takes the Oath of that Office;

(b) he dies while holding such Office;

(c) the date when his letter of resignation from Office takes effect;

(d) he otherwise ceases to hold Office in accordance with the provisions of this Constitution; or

(e) he becomes a member of a secret society.

(2) Subject to the provisions of subsection (1) of this section, the Chairman shall vacate his Office at the expiration of a period of
four years commencing from the date when-

(a) he took the Oath of Allegiance and the Oath of Office, and

(b) the person last elected to that Office took the Oath of Allegiance and the Oath of Office or would, but for his death, have taken such Oaths.

**Death of Chairman-Elect before Oath of Office**

7L. If a person duly elected as Chairman dies or withdraws before taking and subscribing to the Oath of Allegiance and the Oath of Office, the person elected with him as Vice-Chairman shall be sworn in as Chairman who shall then nominate, and with the approval of a majority of the Members of the Local Government Legislative Council, appoint a new Vice-Chairman.

**Number of Councillors of Local Government Legislative Council**

7M. There shall be elected from every ward in a Local Government Area, one councillor to constitute the Local Government Legislative Council which shall sit for at least 181 days in a year.

**Qualification of Councillor**

7N. A person shall be qualified for election as a councillor if he –

(a) is a citizen of Nigeria;

(b) has attained the age of 21 years; and

(c) has been educated up to at least the School Certificate level or its equivalent.

**Disqualifications of Councillor**

7O. (1) No person shall be qualified for election as a councillor if-

(a) he has voluntarily acquired the citizenship of a country other than Nigeria or, except in such cases as may be prescribed by an Act of the National Assembly, has made declaration of allegiance to such a country;

(b) under any law in force in any part of the Federation, he is adjudged to be a lunatic or otherwise declared to be of unsound mind;

(d) he is under a sentence of death imposed on him by any court of law in Nigeria or a sentence of imprisonment for an offence involving dishonesty or any electoral offence (by whatever name called) imposed on him by such a court or substituted by a competent authority for any other sentence imposed on him by such a court;

(e) he has been convicted and sentenced by any court of law or
tribunal established by law for an offence involving dishonesty or he has been found guilty of a contravention of the Code of Conduct;

(f) he is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any part of the Federation;

(g) he is a person employed in the public service of the Federation, State or Local Government Council;

(h) he is a member of a secret society.

(2) Where in respect of any person who has been adjudged to be a lunatic, declared to be of unsound mind, sentenced to death or imprisonment or adjudged or declared bankrupt, any appeal against the decision is pending in any court of law in accordance with any law in force in Nigeria, subsection (1) of this section shall not apply during a period beginning from the date when such appeal is lodged and ending on the date when the appeal is finally determined or, as the case may be, the appeal lapses or is abandoned, whichever is earlier; and for the purposes of this subsection, an "appeal" includes any application for an injunction or an order of certiorari, mandamus, prohibition or habeas corpus, or any appeal from any such application.

Declaration of Assets and Liabilities: Oaths of Councilors

7P. (1) Every person elected as councillor shall, before taking his seat, declare his assets and liabilities as prescribed in this Constitution and subsequently take and subscribe before the Leader of the Local Government Legislative Council the Oath of Allegiance and the Oath of Membership prescribed in the Seventh Schedule to this Constitution.

(2) A Leader or Deputy Leader of a Local Government Legislative Council shall, before taking their seat, declare his assets and liabilities as prescribed in this Constitution and subsequently take and subscribe before the Clerk of the Local Government Legislative Council, the Oath of Allegiance and the Oath of Office prescribed in the Seventh Schedule to this Constitution.

Supervisors

7Q. (1) There shall be not less than three and not more than five Offices of Supervisors for each Local Government Council.

(2) Any appointment to the Office of Supervisor shall be made by the Chairman within 30 days of taking Office.
(3) Any appointment to the Office of Supervisor shall be subject to confirmation by the Local Government Legislative Council.

**Tenure of seat of Members**

7R. (1) A member of a Local Government Legislative Council shall vacate his seat in the Council-

(a) if he becomes a member of another legislative house;

(b) on the date when his letter of resignation takes effect;

(c) if he becomes President, Vice-President, Governor, Deputy Governor or a Minister of the Government of the Federation or a Commissioner of the Government of a State or Chairman or Vice Chairman of a Local Government Council;

(d) being a person whose election was sponsored by one political party, he resigns from that party or becomes a member of another political party before the expiration of the period for which the Local Government Council was elected:

Provided that his membership of the latter political party is not as a result of a division in the political party of which he was previously a member or of a merger of two or more political parties or factions by one of which he was previously sponsored;

(e) if he becomes a member of a secret society; or

(f) the Leader of the Local Government Legislative Council receives a certificate signed by the Chairman of the Independent National Electoral Commission stating that the provisions of section 7 (s) of this Constitution have been complied with in respect of the recall of that Member.

(2) The Leader of the Local Government Legislative Council shall give effect to subsection (1), so however that the Leader shall first present evidence satisfactory to the Local Government Legislative Council that any of the provisions of that subsection has become applicable in respect of that Member.

**Recall**

7S. (1) A member of a Local Government Legislative Council may be recalled as such a member if-

(a) there is presented to the Chairman of the Independent National Electoral Commission a petition in that behalf signed by more than one half of the persons registered to vote in that Member’s constituency alleging their loss of confidence in that
Member; and

(b) the petition is thereafter approved in a referendum conducted by the Independent National Electoral Commission within 90 days of the date of the receipt of the petition by a simple majority of the votes of the persons registered to vote in that Councillor's constituency.

Presiding Officers of the Local Government Legislative Council
7T. (1) There shall be a Leader and a Deputy Leader of the Local Government Legislative Council who shall be elected by the Members of the Local Government Legislative Council from among themselves.

(2) At any sitting of the Local Government Legislative Council, the Leader shall preside and, in his absence, the Deputy Leader shall preside.

(3) The Leader or Deputy Leader shall vacate Office –

(a) if he ceases to be a Member of the Local Government Legislative Council otherwise than by reason of a dissolution of the Local Government Legislative Council; or

(b) If he is removed from Office by a resolution of the Local Government Legislative Council by votes of not less than two-thirds majority of the Members of that Council.

Quorum
7U. The quorum of a Local Government Legislative Council shall be one-third of its Members.

Voting
7V. Except as otherwise provided by this Constitution, any question proposed for decision in the Local Government Legislative Council shall be determined by a simple majority of the Members present and voting, and the person presiding shall have a casting vote whenever necessary to avoid an equality of votes.

Regulation of Procedure
7W. The Local Government Legislative Council shall have power to regulate its procedure, including the procedure for summoning and recess of the Local Government Legislative Council.

Remuneration
7X. The Chairman, Vice-Chairman and Members of a Local Government Legislative Council shall receive salary and such
other allowances as the Revenue Mobilisation Allocation and Fiscal Commission may determine.

**Protection of Pension Rights**

7Y. (1) Subject to the provisions of subsection (2) of this section the right of a person in the service of a Local Government Council to receive pension or gratuity shall be regulated by Law.

(2) Any benefit to which a person is entitled in accordance with or under such Law as is referred to in sub-section (1) of this section shall not be withheld or altered to his disadvantage except to such extent as is permissible under any law including the Code of Conduct.

(3) Pension in respect of service in the Service of a Local Government Council shall not be taxed.

**Mode of exercising legislative powers of Local Government Council**

7Z. (1) The power of a Local Government Legislative Council to make laws shall be exercised by a Bill passed by the Local Government Legislative Council and, except as otherwise provided by this Constitution, assented to by the Chairman.

(2) A Bill shall not become Bye-Law unless it has been duly passed and, subject to subsection (1) of this section, assented to in accordance with the provisions of this section.

(3) Where a Bill has been passed by the Local Government Legislative Council it shall be presented to the Chairman for assent.

(4) Where a Bill is presented to the Chairman for assent, he shall within 30 days signify that he assents or that he withholds his assent.

(5) Where the Chairman withholds assent and the Bill is again passed by the Local Government Legislative Council by two-thirds majority, the Bill shall become law and the assent of the Chairman shall not be required.”

5. Section 8 is altered –

(a) in subsection (1) (a) (iii), by inserting before the word “Local”, the words “democratically elected”;

(b) by substituting for paragraphs (b) - (d), new paragraphs “(b)” - “(d)” –

|   |   | 27 | Accepted |
“(b) a proposal for the creation of the State is thereafter approved in a referendum by at least two-thirds majority of the registered voters of the Local Government Councils in the Area voting at the referendum where the demand for creation of the State originated;

(c) the result of the referendum is then approved by a resolution of the State Houses of Assembly of not less than two-thirds majority of all the States of the Federation; and

(d) the approved proposal is passed by a resolution of not less than two-thirds majority of members of each House of the National Assembly.”

6. Section 9 is altered in subsection (2)—

(a) by substituting for the words “An Act of ” in line 1, the words “A Bill before”;

(b) by substituting for the word “Act” in line 2, the words “a Bill”

(c) substituting for the words “the proposal ” in line 3, the words “the Bill”; and

(d) by inserting a new subsection “(4A)” –

“(4A) For the purposes of altering the provisions of this Constitution, the assent of the President shall not be required”.

7. The heading of Chapter III is altered by inserting immediately after the word “CITIZENSHIP” the words “AND INDIGENESHIP.”

8. Section 25 is altered by:

(a) inserting a new sub-section “(1A)” –

“(1A) Sub-section (1) (a) of this section shall apply to persons born before or after the date of independence, whose parents or any of whose grandparents were indigenes of a territory or community now forming part of Nigeria”.

(b) Insertion of a new section “25A” -

“25A. (1) A citizen of Nigeria is an indigene of a particular community of a State in Nigeria if –

(a) he was born in that State;
(b) his parents or grandparents belong to a community indigenous to that State;

(c) he has resided in that State continuously for a period of not less than ten years; or

(d) being a woman, who is married to an indigene of the community of that state, unless she chooses to retain the indigeneship of her paternal community.

(2) A person mentioned in subsection (1) of this section shall be entitled to all the rights and privileges as an indigene of that State.

(3) Nothing in subsection (1) of this section shall entitle a citizen of Nigeria to be an indigene of more than one State.”

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| 9. | Section 26 (2) (a) is altered by substituting for the word “woman”, the word “person”. | 28 | Accepted |
| 10. | Section 34 is altered in subsection (2)(b) by substituting the words “Nigeria Police Force” with the words “Nigerian Police” immediately after the word “the” in line 2. | 31 | Accepted |
| 11. | Section 35 is altered in subsection (7)(b) by substituting the words “Nigeria Police Force” with the words “Nigerian Police” immediately after the word “the” in line 3. | 32 | Accepted |
| 12. | Section 39 is altered in subsection (3)(b) by substituting the words “Nigeria Police Force” with the words “Nigerian Police” immediately after the word “the” in line 3. | 32 | Accepted |
| 13. | Section 42 (1) is altered by inserting immediately after the word “sex” in line 2, the word “disability”. | 32 | Accepted |
| 14. | The Principal Act is altered by inserting immediately after section 45, new sections “45A – 45B” –

“Right to Education
45A Every citizen of Nigeria is entitled to free basic education.

Right to Health
45B Every citizen of Nigeria is entitled to free primary and maternal health care services.” | 31 | Accepted |
| 15. | The Principal Act is altered by inserting immediately after section | 31 | Accepted |
50. a new section “50A”–

“Establishment of the National Assembly Service Commission
50A. 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.”

16. Section 58 is altered by inserting a new subsection “5A”-

“5A”. Where the President neither signifies that he assents or that he withholds assent, the bill shall at the expiration of thirty days become law.”

17. Section 59 is altered by substituting for sub-section (4), a new sub-section “(4)” –

“(4) Where the President within 30 days after the presentation of the Bill to him, fails to signify his assent or where he withholds his assent, then within 7 days, the President of the Senate shall convene a joint sitting of the National Assembly to reconsider the Bill and if passed by two-thirds majority of members of both houses at such joint sitting, the Bill shall become law and the assent of the President shall not be required.”

18. Section 65 is altered in subsection (2) (b) by inserting after the word “party” in line 1, the words “or he is an independent candidate”.

19. Section 66 is altered in subsection (1) (c) by inserting after the word “dishonesty” in line 3, the words “or any electoral offence”.

20. Section 67 is altered by substituting for section 67(1) a new subsection “67(1)”:

“67 – (1) The President –

(a) shall attend a joint meeting of the National Assembly once a year to deliver an address in respect of the state of the nation;

(b) may attend any joint meeting 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.”

21. Section 68(1)(e) is altered by inserting “,” and the words “except by virtue of office” immediately after the word “law” in line 3.
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<th>Section</th>
<th>alteration</th>
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<td>22.</td>
<td>Section 81 of the Principal Act is further altered by:</td>
<td>30</td>
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<td>(a) substituting for subsection (3)(a) – (c), new subsection “(3)(a) – (h)”-</td>
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<td></td>
<td>“ (a) National Assembly;</td>
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<td></td>
<td>(b) Independent National Electoral Commission;</td>
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<td></td>
<td>(c) Judiciary;</td>
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<td></td>
<td>(d) Office of the Auditor-General of the Federation;</td>
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<td></td>
<td>(e) Office of the Attorney-General of the Federation;</td>
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<td></td>
<td>(f) National Security Agencies;</td>
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<td>(g) Nigerian Police;</td>
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<td></td>
<td>(h) Revenue Mobilization, Allocation and Fiscal Commission.”</td>
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<td></td>
<td>(b) inserting after the word “bodies” in line 6, the words “or Offices”.</td>
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<td>23.</td>
<td>Section 82 is altered by –</td>
<td>31</td>
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<td></td>
<td>(a) substituting the word “six” in line 5, with the word, “three”;</td>
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<td></td>
<td>(b) deleting the words “or until the coming into operation of the</td>
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<td></td>
<td>Appropriation Act whichever is the earlier” in lines 5 &amp; 6.</td>
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<td>24.</td>
<td>Section 84 is altered by inserting immediately after the existing</td>
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<td></td>
<td>subsection (5) a new subsection “(5A)” –</td>
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<td></td>
<td>“(5A)- Any person who has held office as President or Deputy President of</td>
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<td>the Senate, Speaker or Deputy Speaker of the House of Representatives,</td>
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<td>shall be entitled to pension for life at a rate equivalent to the annual</td>
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<td>salary of the incumbent President or Deputy President of the Senate,</td>
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<td>Speaker or Deputy Speaker of the House of Representatives.</td>
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<td>Provided that such a person was not removed from office by the</td>
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<td>process of impeachment or for breach of any of the provisions of this</td>
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<td>Constitution.”</td>
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<td>25.</td>
<td>The principal Act is altered by inserting new sections “84A – 84F”</td>
<td>29</td>
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<td></td>
<td>“Appointment of the Accountant General of the Federation</td>
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<td></td>
<td>84A The Accountant General of the Federation shall be –</td>
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<td>(a) appointed by the President on the recommendation of National Economic</td>
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<td>Council, subject to confirmation by the Senate; and</td>
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<td>(b) responsible for the administration and disbursement of</td>
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allocations from the Federation Account to the tiers of government.

**Tenure of Office of the Accountant General of the Federation**

84B The Accountant General of the Federation shall hold Office for a term of five years and it may be renewed for a further term of five years and no more, from the date he assumed Office until he attains the age of sixty-five years, whichever is earlier.

**Removal of the Accountant General of the Federation**

84C. The Accountant General of the Federation shall be removed by the President acting on an address supported by two-thirds majority of the Senate praying that he be so removed for inability to discharge the functions of his Office (whether arising from infirmity of mind or body or any other cause) or for misconduct.

**Appointment of the Accountant General of the Federal Government**

84D. The Accountant General of the Federal Government shall –

(a) be appointed by the President subject to the confirmation by the Senate; and

(b) supervise and administer the Federal Government Accounts.

**Tenure of Office of the Accountant General of the Federal Government**

84E. The Accountant-General of the Federal Government shall hold office for a term of four years and it may be renewed for a further term of four years and no more, from the date he assumed Office until he attains the age of sixty-five years, whichever is earlier.

**Removal of Accountant General of the Federal Government**

84F. The Accountant General of the Federal Government shall be removed by the President acting on an address supported by two-thirds majority of the Senate praying that he be so removed for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misconduct.

26. Section 89 is altered in subsection (1) by:

(a) inserting new paragraph “(dd)”;

“89 (1) (dd) the National Assembly may by law further prescribe sanctions, whether civil or criminal or both for any failure, refusal or neglect to obey the summons issued by a legislative House or
27. The principal Act is altered by inserting a new section “92A” –

“Establishment of State House of Assembly Service Commission
92A. 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.”

28. Section 100 is altered by inserting a new subsection “(5A)”–

“(5A) Where the Governor neither signifies that he assents or that he withholds assent, the Bill shall at the expiration of thirty days become law.”

29. Section 106 (d) is altered by inserting after the last of word “party”, the words “or he is an independent candidate.”

30. Section 107 is altered in subsection (1) paragraph (d) by inserting after the word “dishonesty” in line 3, the words “or any electoral offence.”

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

32. Section 121 of the Principal Act is altered by substituting for subsection (3), a new subsection “(3)”–

“(3) Any amount standing to the credit of the-
(a) House of Assembly of the State;
(b) Office of the Attorney-General of the State;
(c) Office of the Auditor-General of the State; and
(d) Judiciary;
in the Consolidated Revenue Fund of the State shall be paid directly to the heads of the respective bodies for the use of the institution for which he is head.”

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<tr>
<td>27.</td>
<td>The principal Act is altered by inserting a new section “92A” –</td>
<td>31</td>
<td>Accepted</td>
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<tr>
<td>28.</td>
<td>Section 100 is altered by inserting a new subsection “(5A)”–</td>
<td>30</td>
<td>Accepted</td>
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<tr>
<td>29.</td>
<td>Section 106 (d) is altered by inserting after the last of word “party”, the words “or he is an independent candidate.”</td>
<td>28</td>
<td>Accepted</td>
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<td>30.</td>
<td>Section 107 is altered in subsection (1) paragraph (d) by inserting after the word “dishonesty” in line 3, the words “or any electoral offence.”</td>
<td>30</td>
<td>Accepted</td>
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<tr>
<td>31.</td>
<td>Section 109 is altered in subsection (1) paragraph (e) by inserting “,” and the words “except by virtue of office” immediately after the word “law” in line 3.</td>
<td>31</td>
<td>Accepted</td>
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<tr>
<td>32.</td>
<td>Section 121 of the Principal Act is altered by substituting for subsection (3), a new subsection “(3)”–</td>
<td>32</td>
<td>Accepted</td>
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<td>Section</td>
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| 33. | Section 122 is altered –  
(a) substituting for the word “six” in line 5, with the word, “three”; and  
(b) deleting the words “or until the coming into operation of the Law whichever is the earlier:” in line 6 | 31 Accepted |
| 34. | Section 124 is altered:  
(a) in subsection (4), by –  
(b) by inserting immediately after the words “Auditor-General of a State” in line 2, the words, “Auditor-General of the Local Government Councils”;  
(ii) inserting immediately after the words “the State Judicial Service Commission” in line 3, the words “the State Local Government Service Commission”; and  
(iii) by deleting the words “State Independent Electoral Commission and” in line 4.  
(b) in subsection (5), by inserting after the words “Deputy Governor” in line 3, the words “Speaker or Deputy Speaker.” | 20 Rejected  
24 Accepted |
| 35. | Section 129 is altered:  
(a) in subsection 1 by inserting new paragraph “(e)”;  
“(e) the House of Assembly of a State may by law further prescribe sanctions, whether civil or criminal or both for any failure, refusal or neglect to obey the summons issued by the legislative House.  
(b) by substituting subsection 2, with new subsection “2”;  
“(2) A summons or warrant issued under this section may be served or executed by any member of the Nigerian Police or Sergeant-At-Arms of a legislative House or by any person authorised in that behalf by the Speaker of the House of Assembly of the State.” | 31 Accepted |
<p>| 36. | Section 131 is altered in paragraph (c), by inserting after the last of the word “party” in line 2, the words “or he is an independent candidate.” | 29 Accepted |</p>
<table>
<thead>
<tr>
<th></th>
<th>Section of the Principal Act altered by:</th>
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<tbody>
<tr>
<td>37.</td>
<td>(a) Substituting the figure ‘7’ in line 2 of subsection (4), with the figure “21”; and (b) Substituting the figure “7” in line 2 of subsection (5), with the figure “21”.</td>
<td>32</td>
<td>Accepted</td>
</tr>
<tr>
<td>38.</td>
<td>Section 150 is altered by substituting for section 150, a new section “150” – <strong>Minister of Justice</strong> 150(1) There shall be a Minister of Justice who shall be a Minister of the Government of the Federation. (2) A person shall not be qualified to hold or perform the functions of the office of Minister of Justice of the Federation unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for not less than ten years.</td>
<td>29</td>
<td>Accepted</td>
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<td>39.</td>
<td>Section 153 is altered in heading B, by deleting the word “executive”.</td>
<td>30</td>
<td>Accepted</td>
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<td>40.</td>
<td>Section 155 is altered in subsection (1), by substituting for paragraph (b), a new paragraph “(b)”- “(b) in the case of a person who is a member by virtue of his having previously held an office, for the duration of his life, but where the person is a member of the National Judicial Council, the duration shall be for a period of three years which may be renewed for another period of three years and no more.”</td>
<td>32</td>
<td>Accepted</td>
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<tr>
<td>41.</td>
<td>Section 162 is altered – (a) in subsection (2) line 1, by deleting the words “President, upon the receipt of advice from the”; (b) by substituting for subsections(5) and (6), new subsections “(5)” and “(6)” – “(5) The Office of the Accountant General of the Federation shall be funded from the Federation Account pursuant to an Act of the National Assembly. (6) Each Local Government Council shall maintain a special account to be called “Local Government Council Allocation Account” into which shall be paid directly such allocations to the Local Government Council from the Federation Account and from the Government of the State: Provided that there shall be no disbursement of any fund of the local government except by a bye-law passed by the local</td>
<td>17</td>
<td>Rejected</td>
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government legislative council”.

(c) in sub-section (7), by –

(i) inserting after the word “its” in line 2, the words “internally generated revenue”; and

(ii) substituting for the words “National Assembly” in line 3, with the words “House of Assembly.”

(d) deleting sub-section (8).

<table>
<thead>
<tr>
<th>42.</th>
<th>The Principal Act is altered by substituting for section 174, a new section “174” –</th>
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<tbody>
<tr>
<td></td>
<td>“Attorney-General of the Federation”</td>
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<td></td>
<td>174 (1) There shall be an Attorney-General of the Federation.</td>
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<td>(2) A person shall not be qualified to hold or perform the functions of the office of the Attorney-General of the Federation unless he is –</td>
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<td>(a) qualified to practice as a legal practitioner in Nigeria and has been so qualified for not less than fifteen years;</td>
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<td>(b) a distinguished member of the legal profession with knowledge of the working of the criminal justice system;</td>
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<td>(c) a person of integrity and is not a member of any political party.”</td>
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<tr>
<th>43.</th>
<th>The Principal Act is altered by inserting immediately after section 174, new sections “174A-174H”</th>
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<tr>
<td></td>
<td>“Appointment of the Attorney-General of the Federation”</td>
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<td></td>
<td>174A. The President shall appoint the Attorney-General of the Federation upon recommendation by the National Judicial Council and subject to confirmation by the Senate.</td>
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<td>Independence of the Attorney-General of the Federation”</td>
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<td>174B. The Attorney-General of the Federation shall, in the discharge of his functions under this Constitution, be independent and not be subject to the direction or control of any other person or authority.</td>
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<td></td>
<td>Public prosecutions”</td>
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<td>174C (1) Subject to the provisions of this Constitution, the Attorney-General of the Federation shall have power to –</td>
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(a) institute and undertake criminal proceedings against any person before any court of law in Nigeria, other than a court-martial, in respect of any offence created by or under an Act of the National Assembly;

(b) take over and continue any such criminal proceedings that may have been instituted by any other person or authority;

(c) discontinue at any stage before judgment is delivered any such criminal proceedings instituted or undertaken by him or any other person or authority;

(d) supervise, monitor, control and ensure that all government agencies with investigative and prosecutorial powers carry out their functions in accordance with the law establishing them; and

(e) carry out such other functions as may be conferred upon the Office by the National Assembly.

(2) The powers conferred upon the Attorney-General of the Federation under subsection (1) of this section may be exercised by him in person or through officers of his department.

(3) In exercising his powers under this section the Attorney-General of the Federation shall have regard to the public interest, the interest of justice and the need to prevent abuse of legal process.

(4) The question whether the Attorney-General of the Federation has exercised his powers in accordance with subsection (3) of this section, shall be subject to the determination of the court.

### Tenure of Office

174D The Attorney-General of the Federation shall hold Office for a term of five years and it may be renewed for a further term of five years and no more, from the date he assumed Office until he attains the age of sixty-five years, whichever is earlier.

### Declaration of Assets and Oaths of Office

174E (1) A person appointed to the Office of the Attorney-General of the Federation shall not begin to perform the functions of that Office until he has declared his assets and liabilities as prescribed in this Constitution and has been sworn in.

(2) The Oath referred to under subsection (1) of this section shall be administered by the Chief Justice of Nigeria or the person for the time being appointed to exercise the functions of that Office.
### Removal

174F The Attorney-General of the Federation may be removed from Office by the President acting on a resolution supported by two-thirds majority of the Senate praying that he be so removed for inability to discharge the functions of his Office (whether arising from infirmity of mind or body or any other cause) or for misconduct, negligence of duty or incompetence.

### Records of Accounts and Audit

174G The Attorney-General of the Federation shall cause to be kept, proper records of the accounts of his Office in respect of each year and shall cause the accounts of his Office to be audited within six months from the end of each financial year by auditors appointed from the list approved from time to time by the Auditor-General for the Federation.

### Annual Returns

174H The Attorney-General of the Federation shall prepare and submit to the National Assembly, not later than six months after the end of each financial year, a report on the activities of his Office for the preceding year and include therein the audited account of his Office for the year under review with the auditor’s report thereon.

<p>| 44. | Section 177 is altered by inserting a new paragraph “(d)” – “(d) he is a member of a political party and is sponsored by that party or he is an independent candidate.” | 28 | Accepted |
| 45. | Section 179 of the Principal Act is altered by: (a) substituting the figure ‘7’ in line 2 of subsection (4), with the figure “21”; (b) substituting the figure “7” in line 2 of subsection (5), with the figure “21”. | 31 | Accepted |
| 46. | The Principal Act is altered by substituting for section 195, a new section “195” – “Commissioner for Justice 195(1) There shall be a Commissioner for Justice of the Government of a State.” (2) A person shall not be qualified to hold or perform the functions of the Office of Commissioner for Justice of the Government of a State unless he is qualified to practice as a legal practitioner in Nigeria and has been so qualified for not less than | 29 | Accepted |</p>
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<tr>
<th>Section</th>
<th>Alteration</th>
<th>Vote</th>
<th>Status</th>
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<td>47.</td>
<td>Section 197 is altered –</td>
<td>19</td>
<td>Rejected</td>
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<td>(a) in heading B, by deleting the word “executive”;</td>
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<td>(b) in subsection (1) by substituting paragraph (b) with a new paragraph (b): “(b) State Local Government Service Commission.”</td>
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<td>48.</td>
<td>Section 201 is altered in subsection (2) by –</td>
<td>12</td>
<td>Rejected</td>
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<td>(a) deleting the words “the State Independent Electoral Commission and” in line 2; and</td>
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<td></td>
<td>(b) inserting immediately after the words “the State Judicial Service Commission”, the words “the State Local Government Service Commission.”</td>
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<td>48.</td>
<td>Section 202 is altered by –</td>
<td>18</td>
<td>Rejected</td>
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<td></td>
<td>(a) deleting the words “the State Independent Electoral Commission” in line 3; and</td>
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<td></td>
<td>(b) inserting immediately after the words “the State Judicial Service Commission” in line 2, the words “and the State Local Government Service Commission.”</td>
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<td>49.</td>
<td>The principal Act is altered by inserting immediately after section 211, new sections “211A – 211H –”</td>
<td>28</td>
<td>Accepted</td>
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<td></td>
<td><strong>Appointment of Attorney-General of a State</strong></td>
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<td></td>
<td>211A. The Governor shall appoint the Attorney-General of a State upon recommendation by the State Judicial Service Commission and subject to confirmation by the House of Assembly.</td>
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<td><strong>Independence of the Attorney-General of a State</strong></td>
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<td>211B. (1) The Attorney-General of a State shall, in the discharge of his functions under this Constitution, be independent and not be subject to the direction or control of any other person or authority.</td>
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<td></td>
<td><strong>Qualification</strong></td>
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<td>211C. A person shall not be qualified to hold or perform the functions of the office of the Attorney-General of a State unless he is-</td>
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(a) qualified to practice as a legal practitioner in Nigeria and has been so qualified for not less than fifteen years;"

(b) a distinguished member of the legal profession with knowledge of the working of the criminal justice system;

(c) a person of integrity and is not a member of any political party.

**Public Prosecutions**

211D. (1) Subject to this Constitution, the Attorney-General of a State shall have power to—

(a) institute and undertake criminal proceedings against any person before any court of law in the State other than a court-martial, in respect of any offence created by or under a Law of the House of Assembly;

(b) take over and continue any such criminal proceedings that may have been instituted by any other person or authority;

(c) discontinue at any stage before judgment is delivered any such criminal proceedings instituted or undertaken by him or any other person or authority; and

(d) supervise, monitor, control and ensure that all government agencies with investigative and prosecutorial powers carry out their functions in accordance with the law establishing them;

(e) carry out such other functions as may be conferred upon the office by the House of Assembly.

(2) The powers conferred upon the Attorney-General of the State under subsection (1) of this section may be exercised by him in person or through officers of his department.

(3) In exercising his powers under this section, the Attorney-General of a State shall have regard to the public interest, the interest of justice and the need to prevent abuse of legal process.

(4) The question whether the Attorney-General of a State has exercised his powers in accordance with subsection (3) of this section, shall be subject to the determination of the court.

**Tenure of Office**

211E. The Attorney-General of a State shall hold Office for a term of five years and it may be renewed for a further term of five years and no more, from the date he assumed Office until he
attains the age of sixty-five years, whichever is earlier.

Declaration of Assets and Liabilities and Oaths of Office
211F. (1) A person appointed to the Office of the Attorney- General of a State shall not begin to perform the functions of that Office until he has declared his assets and liabilities as prescribed in this Constitution and has been sworn in.

(2) The Oaths referred to under subsection (1) of this section shall be administered by the Chief Judge of the State or the person for the time being appointed to exercise the functions of that Office.

Removal
211G. The Attorney-General of a State may be removed from Office by the Governor acting on a resolution supported by two-thirds majority of Members of the House of Assembly praying that he be so removed for inability to discharge the functions of his Office (whether arising from infirmity of mind or body or any other cause) or for misconduct, negligence of duty or incompetence.

Records of Accounts and Audit
211H. The Attorney-General of a State shall cause to be kept, proper records of the accounts of his Office in respect of each year and shall cause the accounts of his Office to be audited within six months from the end of each financial year by auditors appointed from the list approved from time to time by the Auditor-General of the State.

Annual Returns
211I. The Attorney-General of a State shall prepare and submit to the House of Assembly of the State, not later than six months after the end of each financial year, a report on the activities of his Office for the preceding year and include therein the audited account of his Office for the year under review with the auditor’s report thereon.

50. Section 214 is altered –

(a) in the Heading by substituting for the words “Nigeria Police Force” with the words “Nigerian Police”;

(b) in subsections (1) and (2) by substituting for “Nigeria Police Force” with the words “Nigerian Police”.

51. Section 215 is altered-

32 Accepted

31 Accepted
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<tbody>
<tr>
<td>(a)</td>
<td>in the Heading by substituting for the words “Nigeria Police Force” with the words “Nigerian Police”;</td>
</tr>
<tr>
<td>(b)</td>
<td>in subsection (1) by substituting for the words “Nigeria Police”, with the words “Nigerian Police”, in line 2;</td>
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<tr>
<td>(c)</td>
<td>substituting the existing section (2) with new section “(2)&quot;-</td>
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<tr>
<td>“(2) The Nigerian Police shall be under the command of the Inspector-General of Police and contingents of the Nigerian Police stationed in a state shall, subject to the authority of the Inspector-General of Police, be under the command of the Commissioner of Police of that state.”</td>
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<td>52.</td>
<td>Section 216 is altered by substituting for the words “Nigeria Police” in line 5, with the words “Nigerian Police”.</td>
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<td>53.</td>
<td>The Principal Act is altered by inserting new Section “225A” immediately after section 225:</td>
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<td>“225A. The Independent National Electoral Commission shall have power to deregister political parties on any of the following grounds-</td>
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<td>(i) breach of any of the requirements for registration; and</td>
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<td>(ii) failure to win Presidential, Governorship of at least one State, Chairmanship of at least one Local Government/Area Council or a seat in the National or State Assembly election.”</td>
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<td>54.</td>
<td>Section 228 is altered by inserting a new paragraph “(dd)&quot; –</td>
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<td>“(dd) for procedures, guidelines and qualifications for access to the ballot by political parties and independent candidates”.</td>
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<td>55.</td>
<td>Section 233 of the Principal Act is further altered by-</td>
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<td>(a) deleting subsection 6 paragraph (2) (a); and</td>
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<td>(b) inserting a new subsection “(2A)&quot;-</td>
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<td>“(2A) Three Justices of the Supreme Court sitting in Chambers may dispose of any application for leave to appeal from any decision after consideration of the record of proceedings if the Justices are of the opinion that the interest of justice does not require an oral hearing of the application.”</td>
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<td>Section 241 is altered by inserting a new subsection “(2A)” –</td>
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<td>“(2A) A court or tribunal shall not stay any proceeding on account of an interlocutory appeal.”</td>
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<td>Section 251 of the Principal Act is further altered by inserting new subsections “(4A)”:</td>
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<td>“(4A). The Federal High Court shall have and exercise jurisdiction for the trial of offences arising from violation of the provisions of the Electoral Act and any other election related Act of the National Assembly.”</td>
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<td>Section 285 is further altered by-</td>
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<td>(a) substituting for the heading “Establishment of Election Tribunals and Time for Determination of Election Petitions” with “Time for Determination of Pre-Election Matters, Establishment of Election Tribunals and Time for Determination of Election Petitions”; and</td>
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|   | (b) inserting a new sub-section “1A(i-v)”:

(i) Notwithstanding anything to the contrary in this Constitution, every Pre-election matter shall be filed not later than 7 days from the date of the occurrence of the event, decision or action complained of in the suit;

(ii) A Court in every pre-election matter shall deliver its judgment in writing within 180 days from the date of filing of the suit;

(iii) An appeal from a decision in a pre-election matter shall be filed within 14days from the date of delivery of the judgment appealed against; and

(iv) An appeal from a decision of a Court in a pre-election matter shall be heard and disposed of within 60 days from the date of filing of the appeal”.

(v) “pre-election matter” means-

a. any suit by an aspirant who complains that any of the provisions of the Electoral Act or any Act of the National Assembly regulating the conduct of primaries of political parties and the provisions of the guidelines of a political party for conduct of party primaries has not been complied with by a political party in respect of the selection or nomination of candidates for an election; | 29 | Accepted |
b. any suit by an aspirant challenging the actions, decisions or activities of the Independent National Electoral Commission in respect of his participation in an election or who complains that the provisions of the Electoral Act or any Act of the National Assembly regulating elections in Nigeria has not been complied with by the Independent National Electoral Commission in respect of the selection or nomination of candidates and participation in an election.

c. any suit by a political party challenging the actions, decisions or activities of the Independent National Electoral Commission disqualifying its candidate from participating in an election or a complaint that the provisions of the Electoral Act or any other applicable law has not been complied with by the Independent National Electoral Commission in respect of the nomination of candidates of political parties for an election, timetable for an election, registration of voters and other activities of the Commission in respect of preparation for an election;“;

(c) by inserting immediately after subsection (2), a new subsection (2A – 2B)-

“(2A) There shall also be established for each State one or more election tribunals to be known as Local Government Election Tribunals which shall, to the exclusion of any court or tribunal, have original jurisdiction to hear and determine petitions as to whether any person has been validly elected to the office of Chairman, Vice Chairman or Councillor of a Local Government.

(2B). Appeals from a Local Government Election Tribunal shall lie to the Court of Appeal who shall exercise final jurisdiction in the matter.”

(d) in subsection (3), by inserting immediately after the words “National and State Houses of Assembly Election Tribunals” in line 2, the words “and Local Government Election Tribunals”.

(e) Substituting subsection 9(6) – (8) with new subsection 9(6) – (8):

“9(6) An election tribunal shall deliver its judgment in writing within 180 days from the date of the filing of the petition:

Provided that where a force majeure occurs that makes it impracticable for the tribunal to sit, the period of the said force majeure shall not be counted in the computation of the 180 days period prescribed in the sub-section (6).
(7) An appeal from a decision of an election tribunal or Court of Appeal in an election matter shall be heard and disposed of within 60 days from the date of the delivery of judgment of the tribunal or Court of Appeal:

Provided that where a force majeure occurs that makes it impracticable for the court to sit, the period of the said force majeure shall not be counted in the computation of the 60 days period prescribed in sub-section 7.

(8) Where a preliminary objection or any other interlocutory issue touching on the jurisdiction of the tribunal or court or on the competence of the petition itself is raised by a party, the tribunal or court shall suspend ruling thereon and deliver same at the stage of final judgment.”

59. Section 306 is altered by inserting immediately after subsection (7), new subsections (7A) – (7C) –

“(7A) The notice of resignation of the Chairman and of the Vice-Chairman of a Local Government Council shall respectively be addressed to the Leader of the Local Government Legislative Council.

(7B) The notice of resignation of a Councillor shall be addressed to the Leader of the Local Government Legislative Council.

(7C) The notice of resignation of the Leader and Deputy Leader of a Local Government Legislative Council shall be addressed to the Clerk of the Local Government Legislative Council.”

60. Section 315 is altered by -

(a) deleting subsection (2);

(b) deleting subsection (4)(a)(i),(ii) and (iii); and

(c) deleting subsection (c).

61. Section 318 is altered by inserting the following in alphabetical order-

“Bye-law” means enactment of a Local Government Council;

“Chairman” or “Vice-Chairman” when used with reference to a Local Government Council means Chairman or Vice-Chairman of the Local Government Council;
“Councillor” means a member of a Local Government Legislative Council;

“Member” when used with reference to any Commission or other bodies established by this Constitution includes the Chairman of that Commission or body and when used with reference to a Local Government Council includes the Chairman and Vice-Chairman of the Local Government Council;

“National Security Agencies” means:
(a) the Defence Intelligence Agency;
(b) the National Intelligence Agency; and
(c) the State Security Service.

“Public Fund of the Federation” includes any money, revenue, income or return accruing to or derived by any fund, entity, department or agency of government set up for a specific purpose;

“Public Fund of a State” includes any money, revenue, income or return accruing to or derived by any fund, entity, department or agency of government set up for a specific purpose;

“Supervisor” means a member of a Local Government Council who holds an executive portfolio in the Council.”

62. Part 1 of the First Schedule of the Principal Act is altered by-
(a) substituting the words “Afikpo North” and “Afikpo South” in paragraph 11 line 1, with the words “Afikpo” and “Edda”;
(b) substituting the words “Egbado North” and “Egbado South” in paragraph 27 line 2 with the words “Yewa North” and “Yewa south”.
(c) substituting for the words "Obia/Akpor" in paragraph 33 line 4 with the words "Obio/Akpor".

63. Part II of the First Schedule is altered in line 9, by substituting for the word "Plateau" the word "Nasarawa."

The definition of the boundaries of the Federal Capital Territory, Abuja referred to under Chapter I and VIII of this Constitution is as follows:

Starting from the village called Izom............
From Karu the line shall proceed along the boundary between the Niger and Nasarawa States as far as Karu; thence the line shall
proceed along the boundary between Kaduna and Niger States up to a point just North of Bwari village, hence the line goes straight to Zuba village and hence straight to Izom.

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<th>64.</th>
<th>The Second Schedule Part I is altered by –</th>
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<tr>
<td></td>
<td>(a) inserting item “40A”, immediately after item 40:</td>
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<td></td>
<td>“40A. National Security”;</td>
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<td>(b) substituting for item 46, a new item “46”:</td>
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<td>“46 Post and telecommunications”; and</td>
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<td>(c) deleting items 44, 55 and 58.</td>
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<td>31</td>
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<th>65.</th>
<th>Part II is altered by:</th>
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<td>(a) inserting the following items-</td>
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<td>“(i) Agriculture;</td>
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<td>(ii) Arbitration;</td>
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<td>(iii) Environment;</td>
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<td>(iv) Railways;</td>
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<td>(v) Health;</td>
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<td>(vi) Stamp duties;</td>
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<td>(vii) Road Safety;</td>
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<td>(viii) Pensions;</td>
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<td>(ix) Youths.</td>
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<td>Accepted</td>
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1. The National Assembly may make laws:

(i) On Agricultural policies for the federation and implementation of international standards in relation to bio-diversity;

(ii) for the management and regulation of lands for Agricultural purposes in the Federal Capital Territory.

2. A House of Assembly may make laws relating to Agricultural Policies, management and regulation of lands for Agricultural purposes within the State.

1. The National Assembly may make laws for the federation or any part thereof with respect to:

(i) Inter-State arbitration (involving parties resident in different states of the federation or where the arbitration is conducted in a state other than where the parties reside, carry on business or the subject matter of the arbitration is located);
(ii) International arbitration including arbitration or commercial transactions of an international nature or involving foreigners or persons not resident in Nigeria;

(iii) Industrial arbitration and other forms of arbitration relating to labour, employment and trade disputes matters;

(iv) Arbitration on items over which the National Assembly has exclusive legislative powers.

2. A House of Assembly may make laws for the State with respect to:

(i) Intra-State arbitration involving parties resident or carrying on business within the state or where the arbitration is conducted in the same state where the subject matter of the arbitration is located;

(ii) Arbitration in relation to items over which the State Assembly has residual legislative powers under the Constitution.

1. The National Assembly may make laws for the federation or any part thereof with respect to:

(i) Environmental issues affecting more than one state or transcending the boundaries of more than one state i.e. inter-state environmental issues;

(ii) Environmental issues relating to coastal management and relating to the Exclusive Economic Zone of the Federation and other areas recognized under international law as territories belonging to Nigeria;

(iii) Environmental issues relating to, arising from, pertaining to and connected with oil and gas exploration, mining activities and other forms of energy exploitation, extraction, transportation and processing;

(iv) Environmental issues relating to freshwater bodies, ecosystem management, groundwater and other naturally occurring resources the extent of which transcends the boundaries of more than one state; and

(v) Management of fisheries and freshwater aquatic animals within the federation’s coastal regions and Exclusive Economic Zone, wildlife, national reserves and parks as may be designated by the National Assembly to be of national interest and affecting
more than one state.

2. The House of Assembly may subject to paragraph 1 hereto make laws relating to:

(i) Environmental issues relating to matters within the state’s territorial limit;

(ii) Issues relating to sanitation, environmental management and protection of the environment of a state;

(iii) Establishment and management of game reserves, parks, wildlife management and forestry within the state;

(iv) Urban development, housing and infrastructural planning within the state.

1. The National Assembly may make laws for the federation or any part thereof with respect to:

(i) Construction and maintenance of inter-state railway tracks and infrastructures;

(ii) Inter-state railway regulation and establishment of a national railway agency for regulation and management of railway operations throughout the federation;

(iii) Maintenance of a national railway carrier for inter-state transportation throughout the federation.

2. A House of Assembly may make laws for the State with respect to:

(i) Establishment and maintenance of agencies for railway transportation within the state.

(ii) Establishment of a state railway carrier and regulation of activities related to and connected with railway systems within the state including the construction and maintenance of railway tracks and infrastructures within the state.

1. The National Assembly shall have powers to make laws for the Federation or any part thereof with respect to:

(i) Establishment of a National Health System, including the setting of minimum standards in relation to healthcare practice, healthcare provision, services and general access to healthcare throughout the Federation;
1. The National Assembly may make laws for the federation or any part thereof with respect to:

(i) Payment of stamp duties by incorporated companies and other activities or transactions over which the National Assembly have powers to legislate on.

(ii) Payment of stamp duties by persons/individuals/businesses subject to federal taxation.

2. A House of Assembly may make laws for the State with respect to the:

(i) Payment of stamp duties by persons/individuals/businesses resident within the state or subject to state taxation.

(ii) Payment of stamp duties on transactions or activities over which the State House of Assembly has powers to legislate on.

1. The National Assembly may make laws for the federation or any part thereof with respect to:

(ii) Establishment of a National Health Insurance for the advancement of health of all persons within the Federation;

(iii) Regulation of professional bodies in the healthcare sector throughout the Federation, including the conditions for entrance and admissions of persons entitled to practice as health professionals in Nigeria;

(iv) Establishment and regulation of tertiary health institutions and institutions for professional health education and health research; and

(v) Regulation of public health and primary healthcare.

2. A House of Assembly may make laws for the State with respect to the:

(i) Establishment within the State Tertiary, Secondary and Primary Healthcare institutions for the provision of health services within the State; and

(ii) Nothing in the foregoing paragraphs shall be construed so as to limit the powers of the House Assembly to make laws for the State with respect to the regulation of public health, primary and secondary healthcare, including institutions for the pursuit of the objectives of such laws.
(i) Safety of road and road users within federal highways and other roads subject to federal regulations including inter-state roads.

(ii) Establishment and control of an agency for the safety, control, regulation and maintenance of federal and inter-state roads and roads subject to federal regulation.

2. A House of Assembly may make laws for the State with respect to the:

(i) Safety of road and road users within the state.

(ii) Establishment of an agency for the safety, control, regulation and maintenance of road safety on trunk roads within the state and other roads subject to state regulation.

1. The National Assembly may make laws for the federation or any part thereof with respect to:

   (i) The regulation of matters relating to pension and gratuity of federal employees, persons in the public service of the federation, employees of federal statutory institutions and parastatals and other persons subject to federal regulation including employees of incorporated companies regulated by federal enactments;

   (ii) Setting of standards for management of pension matters throughout the federation in respect of workers whether in private or public employment;

   (iii) Make laws for regulation of pension matters in relation to persons in military service, the police force and other paramilitary and security agencies in the federation.

2. The House of Assembly may subject to paragraph 1 hereeto make laws relating to the regulation of matters relating to pension and gratuity of state employees, persons in the civil service of the state, employees of state institutions and parastatals, employees of local governments within the state and other persons subject to state regulation including employees of business enterprises resident within the state and subject to state regulation.

1. The National Assembly may make laws for the federation or any part thereof with respect to:
(i) The administration and regulation of welfare and activities of children and young persons within the FCT and activities of federal bodies and institutions, including Federal educational institutions, sports bodies and other federal recreational or correctional centres, as it relates to children, juveniles and young persons;

(ii) Youth and sport activities involving foreign competitions and participation in international events /programmes and other inter-state sport competitions.

2. A House of Assembly may make laws for the State with respect to:

(i) The administration and regulation of welfare and activities of children and young persons within the state and activities of state bodies and institutions, including state educational institutions, sports bodies and other state recreational or correctional centres, as it relates to children, juveniles and young persons resident in the state;

(ii) Youth and sport activities within the state and regulation of participation of persons resident in the state in inter-state youth and sports activities.

(b) deleting paragraph 12;

(c) substituting the existing paragraph 14(b) with a new paragraph 14(b) -

“14(b) the generation, transmission and distribution of electricity within that State or in collaboration with any other State; and”

66. Paragraph 5 of the Third schedule is altered by:

(a) substituting for the existing subparagraphs (e), (f) & (h) new subparagraphs “(e),(f) & (h)”:

“(e) the President of the Senate; and all former Presidents of the Senate;

(f) the Speaker of the House of Representatives; and all former Speakers of the House of Representatives;

(h) the Minister of Justice;”

(b) inserting a new sub-paragraph (hh) -

25 Accepted
” (hh) six traditional rulers reflecting the federal character of Nigeria.’’

(c) in paragraph 8(1)(a), by substituting for the words “Nigeria Police Force” in line 4, with the words “Nigerian Police”;

(d) in paragraph 15(a), by inserting after the word “federation”, in line 4, with the words “and Chairman, Vice-Chairmen and Concillors of Local Councils of the States”;

(e) in paragraph 28(a):

(i) by substituting for the words “Nigeria Police Force” in line 1, with the words “Nigerian Police”;

(ii) in subparagraph (b), substituting for the words “Nigeria Police Force” with the words “Nigerian Police”.

(f) in paragraph 30(a) in line 2, substituting for the words “Nigeria Police Force”, with the words “Nigeria Police”;

(g) in paragraph 32(c):

(i) by inserting the word “local” after the word State in line 1;

(ii) substituting for 3(d), with a new “3(d)”:

“(d) determine the remuneration appropriate for political office holders, including the President, Vice-President, Governor, Deputy Governor, Ministers, Commissioners, Special Advisers, Legislators, Chairmen, Vice-Chairmen and Councillors of Local Government Councils, and the holders of the offices mentioned in sections 84 and 124 of this Constitution.”

67. Part II is altered-

(a) in the heading by deleting the word “Executive”;

(b) by deleting heading B:

“B. State Independent Electoral Commission.”

(c) deleting paragraph (3) and (4);

(d) inserting a new item:

“Local Government Service Commission”-
3.(1) The Local Government Service Commission shall comprise the Chairman and not less than 2 and not more than 4 members who shall, in the opinion of the Governor, be persons of unquestionable integrity and sound political judgment.

(2) The Commission shall have the functions ascribed to it by the existing law on the Civil Service as applicable to Local Governments.

(3) The Commission shall, in particular -

(a) set up general and uniform guidelines for appointments, promotion and discipline;

(b) monitor the activities of each Local Government to ensure that the guidelines are strictly and uniformly adhered to; and

(c) serve as a review body for all petitions from Local Governments in respect of appointments, promotions and discipline.”

(e) in paragraph 5, by substituting for sub-paragraph (b), a new sub-paragraph “(b)” –

“(b) the Commissioner for Justice;”

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<th>68.</th>
<th>Part III is altered—</th>
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<td>(a) by deleting the word “executive” in the heading;</td>
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<td>(b) by substituting for paragraph (1)(b), new paragraph “(1)(b)” -</td>
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<td>“1(b) the Minister of Justice”;</td>
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<td>(c) in paragraph (1)(e) by substituting the word “one”, with the word “two” in line 1;</td>
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<td>(d) in paragraph (1)(f) by substituting the word “one”, with the word “two” in line 1; and</td>
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<td>(e) in paragraph 2(c) by inserting the words “Customary Court”, immediately after the word “the” in line 4.</td>
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| 69. | Fifth Schedule Part 1 is altered in paragraph 3 by inserting immediately after the words “the State” in line “4”, the words “Chairman, Vice-Chairman and Councillors of Local Government Councils”. | 25 | Accepted |
The Sixth Schedule is further altered by inserting immediately after paragraph (3) of heading B, a new paragraph “2A “- “C- Local Government Council Election Tribunals

2A. (1) A Local Government Council Election Tribunal shall consist of a Chairman and two other members.

(2) The Chairman shall be a Judge of a High Court and the two other members shall be appointed from among Judges of a High Court, Kadis of a Sharia Court of Appeal, Judges of a Customary Court of Appeal or members of the judiciary not below the rank of a Chief Magistrate.

(3) The Chairman and other members shall be appointed by the President of the Court of Appeal in consultation with the Chief Judge of the Federal High Court, Chief Judge of the High Court of the Federal Capital Territory, Chief Judge of the State, the Grand Kadi of the Sharia Court of Appeal of the State or the President of the Customary Court of Appeal of the State, as the case may be.”

The Seventh Schedule is altered by substituting paragraphs “3”, “4” & “5”, with new paragraphs “3”, “4” & “5”;

“OATH OF OFFICE OF GOVERNOR OF A STATE AND CHAIRMAN OF A LOCAL GOVERNMENT COUNCIL

I, ......................... do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the Governor of .................. State/Chairman of .................. Local Government Council, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; that I will exercise the authority vested in me as Governor/Chairman so as not to impede or prejudice the authority lawfully vested in the President of the Federal Republic of Nigeria and so as not to endanger the continuance of Federal Government in Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will do the best of my ability, preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection of ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to be as Governor of .................. State/Chairman of .............. Local Government Council, except as may be required for the due discharge of my duties as Governor/Chairman; and
that I will devote myself to the service and well-being of the people of Nigeria.
So help me God.

OATH OF OFFICE OF VICE-PRESIDENT, DEPUTY GOVERNOR, MINISTER, COMMISSIONER, SPECIAL ADVISER OR VICE-CHAIRMAN OF A LOCAL GOVERNMENT COUNCIL

I, ................................ do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the Vice-President of the Federal Republic of Nigeria/Deputy Governor of ................. State/Minister of the Government of the Federation/Commissioner of the Government of ................. State/Special Adviser to ......................./Vice-Chairman of ................. Local Government Council, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will do the best of my ability, preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as Vice-President of the Federal Republic of Nigeria/Deputy Governor of ................. State/Minister of the Government of the Federation/Commissioner of ................. State/Special Adviser to ......................./Vice-Chairman of ................... Local Government Council, except as may be required for the due discharge of my duties as Vice-President/Deputy Governor of ................. State/Minister/Commissioner/Special Adviser/Vice Chairman of ........... Local Government Council.
So help me God.

OATH OF A MEMBER OF THE NATIONAL ASSEMBLY OR OF A HOUSE OF ASSEMBLY OR OF A MEMBER OF A LOCAL GOVERNMENT COUNCIL

I ................................ do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as a Member of the Senate/House of Representatives/ .................
House of Assembly/................. Local Government Council, I will perform my functions honestly to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and the rules of the Senate/House of Representatives/............ House of Assembly/Local Government Council and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directives Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; and that I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria; and that I will abide by the Code of Conduct contained in the Fifth Schedule of the Constitution of the Federal Republic of Nigeria.
So help me God.

| 72. | This Bill may be cited as the Constitution (Fourth Alteration) Bill, 2014. | 32 | Accepted |