

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 TO PROVIDE FOR THE PRESUMED RESIGNATION FROM OFFICE OF THE CHIEF JUSTICE OF NIGERIA, JUSTICES AND JUDGES OF CERTAIN COURTS IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Afam Ogene

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

1 **1.** The Constitution of the Federal Republic of Nigeria 1999 (in
2 this Bill referred to as the "Principal Act") is altered as set out in this Bill.

Alteration of
Constitution of
the Federal Republic
of Nigeria, 1999

3 **2.** Section 231 of the Principal Act is altered by inserting a new
4 subsection (6) to read thus:

Alteration of
Section 231 of the
Principal Act

5 "(6) The Chief Justice of Nigeria or a Justice of the Supreme Court
6 shall be deemed to have resigned from office if:

7 (a) Considerable petitions have been received by the Nigerian Bar
8 Association questioning his integrity to deliver impartial judgments; and

9 (b) The Nigerian Bar Association not satisfied with his defense,
10 subjects him to a confidence vote; and

11 (c) Two-third members of the Nigerian Bar Association in a
12 confidence vote at the Annual General Meeting or Conference, passes a 'No
13 Confidence' vote against him, his continuation in office as Chief Justice of
14 Nigeria or a Justice of the Supreme Court of Nigeria becomes effectively
15 terminated".

16 **3.** Section 238 of the Principal Act is altered by inserting a new
17 subsection (6) to read thus:

Alteration of
Section 238 of the
Principal Act

18 “(6) The President of the Court of Appeal or a Justice of the Court
19 of Appeal shall be deemed to have resigned from office if:

1 (a) Considerable petitions have been received by the Nigerian Bar
2 Association questioning his integrity to deliver impartial judgments; and

3 (b) The Nigerian Bar Association not satisfied with his defense,
4 subjects him to a confidence vote; and

5 (c) Two-third members of the Nigerian Bar Association in a
6 confidence vote at the Annual General Meeting or Conference, passes a 'No
7 Confidence' vote against him, his continuation in office as President of the
8 Court of Appeal or a Justice of the Court of Appeal becomes effectively
9 terminated" .

Alteration of
Section 250 of the
Principal Act

10 4. Section 250 of the Principal Act is altered by inserting a new
11 subsection (6) to read thus:

12 "(6) The Chief Judge of the Federal High Court or a Judge of the
13 Federal High Court shall be deemed to have resigned from office if:

14 (a) Considerable petitions have been received by the Nigerian Bar
15 Association questioning his integrity to deliver impartial judgments; and

16 (b) The Nigerian Bar Association not satisfied with his defense,
17 subjects him to a confidence vote; and

18 (c) Two-third members of the Nigerian Bar Association in a
19 confidence vote at the Annual General Meeting or Conference, passes a 'No
20 Confidence' vote against him, his continuation in office as Chief Judge of the
21 Federal High Court or a Judge of the Federal High Court becomes effectively
22 terminated".

Alteration of
Section 256 of the
Principal Act

23 5. Section 256 of the Principal Act is altered by inserting a new
24 subsection (6) to read thus:

25 "(6) The Chief Judge of the High Court of the Federal Capital
26 Territory or a Judge of the High Court of the Federal Capital Territory shall be
27 deemed to have resigned from office if:

28 (a) Considerable petitions have been received by the Nigerian Bar
29 Association questioning his integrity to deliver impartial judgments;

30 (b) The Nigerian Bar Association not satisfied with his defense,

1 subjects him to a confidence vote; and

2 (c) Two-third members of the Nigerian Bar Association in a
3 confidence vote at the Annual General Meeting or Conference, passes a 'No
4 Confidence' vote" against him, his continuation in office as Chief Judge of
5 the High Court of the Federal Capital Territory or a Judge of the High Court
6 of the Federal Capital Territory becomes effectively terminated".

7 6. Section 271 of the Principal Act is altered by inserting a new
8 subsection (6) to read thus:

Alteration of
Section 271 of the
Principal Act

9 "(6) The Chief Judge of the State High Court or a Judge of a State
10 High Court shall be deemed to have resigned from office if:

11 (a) Considerable petitions have been received by the Nigerian Bar
12 Association questioning his integrity to deliver impartial judgments;

13 (b) The Nigerian Bar Association not satisfied with his defense,
14 subjects him to a confidence vote; and

15 (c) Two-third members of the Nigerian Bar Association in a
16 confidence vote at the Annual General Meeting or Conference, passes a 'No
17 Confidence' vote against him, his continuation in office as Chief Judge of
18 the State High Court or a Judge of the State High Court becomes effectively
19 terminated".

20 7. This Bill may be cited as the Constitution of the Federal
21 Republic of Nigeria 1999 (Alteration) Bill, 2024.

Short title

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria 1999 to require the easing-out from office of corrupt Justices and Judges in the Judiciary.