

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 CAP C23 LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE FOR THE REVIEW OF REVENUE FORMULA OF THE FEDERATION, AND FOR RELATED MATTERS

Sponsored by Hon. Dibiagwu, Eugene Okechukwu

[] Commencement

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

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

3 **2.** Section 162 (2) of the Principal Act is altered by re-wording the
4 subsection , and introducing four new paragraphs; deletion of subsections 5,
5 6, 7 and 8 with a new subsection 5; and renumbering Section 162.

6 *Section 162 (2):*

7 (a) "The Revenue Mobilization, Allocation and Fiscal
8 Commission shall, in every twelve years, make proposals and give written
9 advice to the President for the purpose of the review of the revenue of the
10 Federation:

11 Provided that the principle of derivation shall be constantly
12 reflected in any approved formula as being not less than fifteen percent of
13 the revenue accruing to the Federation Account directly from any natural
14 resources".

15 (b) "The President, shall upon receipt of the proposals and advice
16 from the Revenue Mobilization, Allocation and Fiscal Commission, table or
17 present the proposals and advice to the National Assembly in every twelve
18 years".

19 (c) "The National Assembly may, through resolutions originated in

Amendment of
the Constitution
of the Federal
Republic of Nigeria
1999 Cap C23
LFN, 2004

Amendment of
Section 162 (2)

1 either of the Houses with the requisite concurrence, amend such proposal(s) as
2 tabled or presented by the President or on its own propose such formula where
3 the President failed or declined to table or present such proposal(s) to the
4 National Assembly for considerations and approval in every twelve years".

5 (d) "Non-compliance to the provisions of paragraph (a) and (b) of this
6 subsection shall be deemed as gross misconduct on the President; and
7 abandonment of constitutional obligations by the Revenue Mobilization,
8 Allocation and Fiscal Commission necessary for the dissolution of the Board
9 of the Commission".

10 (5) "The amount standing to the credit of Local Government Councils
11 in the Federation Account shall be allocated to each Local Government
12 Council directly".

13 Renumbering of Section 162

14 Section 162:

15 (1)

16 (2)

17 (3)

18 (4)

19 (5)

20 (6)

21 (7)

Citation

22 **3.** This Bill may be cited as the Constitution of the Federal Republic of
23 Nigeria, 1999 (Alterations) Bill, 2024.

EXPLANATORY NOTES

This Bill seeks to alter section 162(2) of the Constitution of the Federal Republic of Nigeria, 1999 to provide for definite and certain intervals for the periodic review of the revenue formula of the Federation.

This Bill further makes it obligatory on the President to table proposal(s) for the periodic review of the revenue formula.

Again, this Bill makes it mandatory on the Revenue Mobilization, Allocation and Fiscal Commission to propose periodic review with the attendant punishment for non-compliance.

Further, this Bill empowers the National Assembly to exercise wide range of discretions in relation to the periodic review of the revenue formula of the Federation.