

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 TO PRESERVE THE ELECTIONS OF A CANDIDATE TO THE OFFICE OF THE PRESIDENT AND GOVERNOR WHOSE RUNNING MATES ARE FOUND TO HAVE DEFECT IN THEIR QUALIFICATIONS, AND FOR RELATED MATTERS

Sponsored by Hon. Solomon T. Bob

[] Commencement

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

- 1 **1.** The Constitution of the Federal Republic of Nigeria, 1999 (in Alteration of the
- 2 this Act referred to as 'the Principal Act') is altered as set out in this Act. Constitution
- 3 **2.** Section 142(1) of the Principal Act is altered by inserting a Alteration of
- 4 proviso to the subsection as follows: Section 142 (1)
- 5 Provided that a person who has been elected to the office of the of the Constitution
- 6 President shall not have his election voided or cancelled by reason of any
- 7 defect in the qualification of his running mate.
- 8 **3.** Section 142 of the Principal Act is altered by inserting after Alteration of
- 9 subsection 2, a new sub section 3. Section 142
- 10 (3) where a candidate has been elected to the office of the President of the Constitution
- 11 or nominated by his political party to run for the office, and a defect is found (the Principal Act)
- 12 in the qualification of his running mate, by a Court or Tribunal, in
- 13 accordance with sub section 2 of this section, his election or nomination
- 14 shall not be voided by the reason of such defect, but shall nominate another
- 15 candidate from the same political party, which sponsored him, to occupy the
- 16 office of the Vice President, notwithstanding that the time limited for
- 17 substitution of candidates to the office has elapsed.

Alteration of
Section 187 (1)
of the Constitution
(the Principal Act)

1 **4.** Section 187(1) of the Principal Act is altered by inserting a proviso
2 to the subsection as follows:
3 Provided that a person who has been elected to the office of the
4 Governor shall not have his election voided or cancelled by the reason of any
5 defect in the qualification of his running mate.

Alteration of
Section 187
of the Constitution
(the Principal Act)

6 **5.** Section 187 of the Principal Act is altered by inserting after
7 subsection 2, a new sub section 3.

8 (3) where a candidate has been elected to the office of the Governor or
9 nominated by his political party to run for the office, and a defect is found in the
10 qualification of his running mate by a Court or Tribunal in accordance with sub
11 section 2 of this section, his election or nomination shall not be voided by the
12 reason of such defect, but shall nominate another candidate from the same
13 political party, which sponsored him to occupy the office of the Deputy
14 Governor, notwithstanding that the time limited for substitution of candidates
15 to the office has elapsed.

Citation

16 **6.** This Bill may be cited as the Constitution of the Federal Republic of
17 Nigeria (Alteration) Bill, 2024.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria to preserve the elections of candidates to the office of the President or Governor whose deputies have been found to have deficiencies in their qualifications.