

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (AS AMENDED) TO CREATE A SINGLE TERM OF SIX YEARS FOR THE OFFICE OF PRESIDENT AND STATE GOVERNORS, RECOGNIZE THE DIVISION OF NIGERIA INTO THE SIX GEOPOLITICAL ZONES, PROVIDE FOR THE ROTATION OF THE OFFICE OF PRESIDENT, STATE GOVERNOR AND CHAIRMAN OF A LOCAL GOVERNMENT COUNCIL AMONG THE INHERENT REGIONS AND ZONES, AND TO PROVIDE THAT ALL ELECTIONS BE HELD ON A SINGLE DAY AND FOR RELATED MATTERS

Sponsors:

- | | |
|------------------------------------|----------------------------|
| Hon. Ikeagwuonu Ugochinyere | Hon. Abdullmaleek Danga |
| Hon. Aliyu Mustapha | Hon. Francis Waive |
| Hon. Zakari Dauda Nyampa | Hon. Abdulla Muhammed |
| Hon. Abiante Awaji-Inombek D. | Hon. Ghali Tijani Mustapha |
| Hon. Chinedu Emeka | Hon. Emmanuel Ukpong-Udo |
| Hon. Chinwe Maureen Gwacham | Hon. Boma Goodhead |
| Hon. Matthew Nwogu | Hon. Onobun M. Iziegbeaya |
| Hon. Obinna Aguocha | Hon. Midala Balami |
| Hon. Peter Aniekwe | Hon. Emeka Idu G. Obiajulu |
| Hon. Mohammed Bello | Hon. Usman Basiru |
| Hon. Ukpongudo E. Effiong | Hon. Obinna Aguocha |
| Hon. Ukodhiko Ajirioghene Jonathan | Hon. Obika Joshua Chinedu |
| Hon. Peter Aniekwe | Hon. Amobi Godwin Ogah |
| Hon. Mark Esset Udo | Hon. Dekeri Sunday Anamero |
| Hon. Paul Nnamchi | Hon. Atu Chimaobi Sam |
| Hon. Odimayo Okunjimi | Hon. Gwacham M. Chhinwe |
| Hon. Jajere Mohammed Buba Fika | Hon. Tafoki Dalhatu Shehu |

[] 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 (As | Amendment of
Constitution 1991 |
| 2 | Amended) (herein referred to as the "Principal Act") is altered as set out in | |
| 3 | this Bill; | |
| 4 | 2. Section 2 of the Principal Act is altered by inserting a new | Amendment of
Section 2 |
| 5 | subsection (3) to read as follows: | |
| 7 | (3) The States of the Federation shall be categorized into along six | |

1 geo-political zones, namely; North-Central, North-East, North-West, South-
2 West, South-East and South-South.

Amendment of
Section 3

3 **3.** Section 3 of the Principal Act is altered by inserting a new
4 subsection (2) immediately before the extant subsection (2) as follows:

5 (2) The thirty-six states of the Federation and FCT shall be
6 categorized into six geopolitical zones namely-

7 (i) North West Zone; Jigawa, Kaduna, Kano, Kastina Kebbi, Sokoto
8 and Zamfara State;

9 (ii) North East Zone; Adamawa, Bauchi, Borno, Gombe, Taraba and
10 Yobe State;

11 (iii) North Central Zone; Benue, Niger, Kogi, Kwara, Nassarawa and
12 Plateau State;

13 (iv) South West Zone; Ekiti, Lagos, Ogun, Ondo, Osun and Oyo State;

14 (v) South East Zone; Abia, Anambra, Ebonyi, Enugu and Imo State;

15 (vi) South-South Zone; Akwa Ibom, Bayelsa, Cross River, Delta, Edo
16 and Rivers State.

Amendment of
Section 7

17 **4.** Section 7 of the Principal Act is amended by inserting a new
18 subsection (5) immediately before the extant subsection 5 as follows:

19 (4) The Independent National Electoral Commission (INEC) shall
20 ensure that every person who is entitled to vote or be voted for at an election to
21 the House of Assembly shall have the right to vote or be voted for at an election
22 to a Local Government Council.

23 (a) An election into the office of Chairman of every Local
24 Government Council, shall be rotated among the component villages and
25 towns that constitutes a Local Government Area in the country. The
26 Independent National Electoral Commission (INEC) shall ensure that power is
27 effectively rotated among such towns and villages at every election cycle.

Amendment of
Section 76

28 **5.** Section 76 of the Principal Act is altered by inserting a new
29 subsection (3) as follows;

30 (3) For the Purposes of Section (1) of this section, all elections into the

1 offices of President, Governors, National Assembly and State Houses of
2 Assembly shall hold simultaneously on the same date to be determined by
3 the Independent National Electoral Commission in consultation with the
4 National Assembly and in accordance with the Electoral Act.

5 **6.** Section 116 of the Principal Act is amended by inserting a new Amendment of
6 subsection (3) as follows; Section 116

7 (3) For the purposes of subsection (1) of this section, all elections
8 into the offices of President, Governors, National Assembly, State Houses
9 of Assembly and Local Government Councils shall be held simultaneously
10 on the same date to be determined by the Independent National Electoral
11 Commission (INEC) in consultation with the National Assembly and in
12 accordance with the Electoral Act.

13 **7.** Section 132 of the Principal Act is amended by inserting a new Amendment of
14 subsection (2), deleting the extant subsection (4) and renumbering the entire Section 132
15 section accordingly;

16 (2) An election to the office of President of the Federal Republic of
17 Nigeria shall be rotated between the North and the South regions of the
18 Country every six years.

19 Provided that where it is the turn of the North or South to present a
20 candidate for election into the office of President, it shall be rotated among
21 the three geo-political zones that constitutes the regions.

22 The extant subsection (2) becomes subsection (3)

23 The extant subsection (3) becomes subsection (4)

24 The extant subsection (4) is hereby deleted

25 The extant subsection (5) remains subsection (5).

26 **8.** Section 136 of the Principal Act is amended by deleting the Amendment of
27 extant subsections 1 & 2 and replacing them with new subsections 1, 2 and 3 Section 136
28 as follows:

29 (1) If a person duly elected as President dies before taking and
30 subscribing the Oath of Allegiance and oath of office, or is for any reason

1 whatsoever unable to be sworn in, the person elected with him as First Vice-
2 President shall be sworn in as President and he shall appoint a new First Vice-
3 President with the approval by a simple majority of the National Assembly at a
4 joint sitting.

5 (2) Where the persons duly elected as President and First Vice
6 President die or are unable for any reason whatsoever to assume office before
7 the inauguration of the National Assembly, the Independent National Electoral
8 Commission shall immediately conduct an election for a President and the First
9 Vice-President.

10 (3) Where the person duly elected as the Second Vice President dies or
11 is unable for any reason whatsoever to assume office before the inauguration of
12 the National Assembly, the President shall appoint a new Second Vice-
13 President with the approval by a simple majority of the National Assembly at a
14 Joint Sitting.

Amendment of
Section 141

15 **9.** Section 141 of the Principal Act is altered by deleting the extant
16 section 141 and replacing it with a new section 141 subsections (1) and (2) as
17 follows;

18 (1) There shall be for the Federation two Vice-Presidents-

19 (a) Vice President (Succession);

20 (b) Vice President (Administration and Economy).

21 (2) The provisions of the Principal Act relating to the office of the
22 Vice-President shall apply to the offices of First and Second Vice Presidents
23 *mutatis mutandis*.

Amendment of
Section 142

24 **10.** Section 142 of the Principal Act is altered by deleting the extant
25 subsection 1 and 2 and replacing them with new subsections (1) and (2), and by
26 inserting a new subsection (3) & (4) and as follows;

27 (1) In any election to which the foregoing provisions of this part of
28 this chapter relate, a candidate for an election to the office of President shall not
29 be deemed to be validly nominated unless he nominates two candidates, one
30 from the Northern part of the country and the other from the Southern part of

1 the country as his associates from the same political party for his running for
2 the office of the President. The candidate for an election to the office of the
3 President shall nominate both of his associates who are to occupy the offices
4 of the First and Second Vice-Presidents and both candidates shall be deemed
5 to have been duly elected to the offices of the First and Second Vice-
6 Presidents if the candidate for an election to the office of President who
7 nominated them as associates is duly elected as President in accordance with
8 the provisions aforesaid.

9 (2) The provisions of this part of this chapter relating to
10 qualification for election, tenure of office, disqualification, declaration of
11 assets and liabilities and oaths of President shall apply in relation to the
12 office of the two Vice-Presidents as if references to President were
13 references to the two Vice-Presidents.

14 (3) The second Vice- President shall serve as a Minister of the
15 Federation, upon assumption of office of the President by the duly elected
16 candidate. The candidate nominated as first Vice-President shall serve as a
17 succession Vice-President while the candidate nominated as second Vice-
18 President shall be the Minister in charge of Economy.

19 (4) For the purposes of subsection (1) of this section the First Vice-
20 President shall come from the same geo-political zone and political Party of
21 the candidate for election to the office of President.

22 **11.** Section 143(1) of the Principal Act is altered by adding "s" to
23 Vice- President as follows; and

Amendment of
Section 143(1)

24 (1) The President or Vice-Presidents may be removed from office
25 in accordance with the provisions of this section.

26 **12.** Section 143(2) is altered by deleting the extant subsection (2)
27 paragraph (b) and replacing it with a new paragraph (b) and inserting a new
28 paragraph (c) & (d) as follows:

Amendment of
Section 143(2)

29 2(b) Stating that the holder of the office of President, First Vice-
30 President and Second Vice-President is guilty of gross misconduct in the

1 performance of the functions of his office, detailed particulars of which shall be
2 specified, the president of the senate shall within seven days of the receipt of
3 the notice cause a copy thereof to be served on the holder of the office and on
4 each member of the National Assembly, and shall also cause any statement
5 made in reply to all allegation by the holders of the office to be served on each
6 member of the National Assembly.

Inserting of a
new section 146

7 **13.** The Principal Act is altered by inserting a new Section 146
8 immediately after the extant 145 and immediately before the extant 146 and
9 renumbering accordingly:

10 (146) Notwithstanding any other provision in this Constitution, the
11 President shall present a mid-term account of stewardship report at a joint
12 sitting of the two Chambers of the National Assembly at the end of the third
13 year of the six-year term. The National Assembly shall determine by a
14 resolution supported by not less than two-third majority of members, whether
15 the President has by the account of stewardship report, justified his continuous
16 stay in office.

17 (b) Where, upon consideration of the mid-term report under
18 subsection (1) of this section, the National Assembly is not satisfied with the
19 performance of the President for the period he has been in office, the National
20 Assembly shall pass a vote of no confidence on the President. The National
21 Assembly shall immediately commence the process for the impeachment of
22 the President from office.

Amendment of
Section 144

23 **14.** Section 144 of the Principal Act is amended by substituting "Vice
24 President" with "Vice Presidents" wherever it appears in the entire section:

Amendment of
Section 146

25 **15.** Section 146 of the Principal Act is amended by deleting the extant
26 section 146 and replacing it with a new section 146 as follows:

27 (1) The First Vice-President shall hold the office of President if the
28 office of President becomes vacant by reason of death or resignation,
29 impeachment, permanent incapacity or the removal of the President from

1 office for any other reason in accordance with the provisions of this
2 Constitution.

3 (2) Where any vacancy occurs in the circumstances mentioned in
4 subsection (1) of this section during a period when the office of the First
5 Vice-President is also vacant, the Second Vice-President shall hold the
6 office of President as Acting President for a period of not more than three
7 months during which the Independent National Electoral Commission
8 (INEC) shall conduct an election for the office of President and First- Vice
9 President and they shall hold office for the unexpired term of office of the
10 last holders of the office of the President and First- Vice President
11 respectively.

12 (3) Where the office of First Vice-President becomes vacant:

13 (a) By reason of death or resignation, impeachment, permanent
14 incapacity or removal in accordance with the provisions of this
15 Constitution;

16 (b) By his assumption of the office of President in accordance with
17 subsection (1) of this section; or

18 (c) For any other reason,

19 The President shall nominate and, with the approval of each House of the
20 National Assembly, appoint a new First Vice-President.

21 (4) Where the office of Second Vice-President becomes vacant:

22 (a) By reason of death or resignation, impeachment, permanent
23 incapacity or removal in accordance with the provisions of this
24 Constitution;

25 (b) For any other reason,

26 The President shall nominate and, with the approval of each House of the
27 National Assembly, appoint a new Second Vice-President

28 **16.** Section 178 of the Principal Act is amended by inserting a new
29 subsection (2), immediately before the extant subsection (2), deleting
30 subsection(4) and renumbering accordingly as follows:

Amendment of
Section 178

1 (2) An election into the office of the Governor shall rotate among the
2 three (3) Senatorial Districts in a State.

3 Subsection (4) is hereby deleted

Amendment of
Section 180

4 **17.** Section 180 of the Principal Act is altered by substituting "four
5 years" with "six years" in subsection (2), substituting "four years" with "six
6 years" in subsection (2A), and substituting "four years" with "six years" in
7 subsection (3) as follows:

8 (2) Subject to the provisions of subsection (1) of this section, the
9 Governor shall vacate his office at the expiration of a period of six years
10 commencing from the date when-

11 (2A) In the determination of the six year term, where a rerun election
12 has taken place and the person earlier sworn in wins the rerun election, the time
13 spent in office before the date the election was annulled shall be taken into
14 account.

15 (3) If the Federation is at war in which the territory of Nigeria is
16 physically involved and the President considers that it is not practicable to hold
17 elections, the National Assembly may by resolution extend the six years
18 mentioned in subsection (2) of this section from time to time, but no such
19 extension shall exceed a period of six months at any one time.

Amendment of
Section 182

20 **18.** Section 182 of the Principal Act is altered by amending
21 subsection 1(b) and subsection 3 to read as follows;

22 1 (b) he has been elected to such office at any previous election or;

23 Subsection (3) is amended to read as follows:

24 3. "A person who was sworn in as Governor to complete the term for
25 which another person was elected as Governor shall not be elected to such
26 office for another term"

Inserting a new
section 188

27 **19.** The Principal Act is altered by inserting a new Section 188
28 immediately after the extant 187 and immediately before the extant 188 and
29 renumbering accordingly as follows;

30 188(1) Notwithstanding any other provision, the Governor shall

1 present a mid-term account of stewardship performance report to the State
 2 House of Assembly at the end of the third year of the six-year term. The State
 3 House of Assembly shall determine by a resolution supported by not less
 4 than two-third majority of members whether the Governor has by the
 5 account of stewardship report justified his continuous stay in office.

6 (3) Where, upon the consideration of the mid-term report under
 7 subsection (1) of this section, the State House of Assembly is not satisfied
 8 with the performance of the Governor for the period he has been in office,
 9 the State House of Assembly shall pass a vote of no confidence on the
 10 Governor. The State House of Assembly shall immediately commence the
 11 process for the impeachment of the Governor from office.

12 **20.** Section 15 paragraph (a) of Part I to the third Schedule of the
 13 Principal Act is altered by adding "s" to "Vice President" as follows:

Amendment of
 Section 15 of Part 1
 to the Third Schedule

14 (a) organise, undertake, and supervise all elections to the offices of
 15 the President and Vice-Presidents, the Governor and Deputy Governor of a
 16 State, and to the membership of the Senate, the House of Representatives,
 17 the House of Assembly, and Local Government Council of each State of the
 18 Federation.

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

Citation

EXPLANATORY MEMORANDUM

The Bill seeks to amend the Constitution of the Federal Republic of Nigeria, 1999 (As Amended) to create a single term of six years for the office of President and State Governors, recognize the division of Nigeria into the six geopolitical zones, provide for the rotation of the office of President, State Governor and Chairman of a Local Government Council among the inherent regions and zones, and to provide that all elections be held on a single day.