

# 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. Koki Sagir Ibrahim	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 Marcus Iziegbeaya
Hon. Obinna Aguocha	Hon. Midala Balami
Hon. Peter Aniekwe	Hon. Emeka Idu Godwin Obiajulu
Hon. Mohammed Bello	Hon. Usman Basiru
Hon. Ukodhiko Ajirioghene J.	Hon. Hon. Obika Joshua Chinedu
Hon. Amobi Godwin Ogah	Hon. Mark Esset Udo
Hon. Dekeri Sunday Anamero	Hon. Atu Chimaobi Sam
Hon. Odimayo Okunjimi	Hon. Jajere Mohammed Buba Fika
Hon. Tafoki Dalhatu Shehu	Hon. Mustapha Tijani Ghali
Hon. Jibril Abdulmumin	Hon. Ibrahim Engr. Hamisu
Hon. Abdulkadir Tijani Jobe	Hon. Hassan Mohammed Danjuma
Hon. Mu'azu Abdullahi Gwarzo	Hon. Zakari Dauda Nyampa
Hon. Sani Abdullahi Rogo	Hon. Dankawu Idris
Hon. Ahmad Yusuf Badau	Hon. Yusuf Rabiu
Hon. Umar Mukhtar Zakari	Hon. Bala Sani Umar
Hon. Abdulhakeem Kamllu Ado	Hon. Anthony Adepoju
Hon. Sadiq Tafida	Hon. Odudoh Uduak Alphonsus
Hon. Osi Kama Nkemkanma	Hon. Abdullahi EI-Rusheed
Hon. Yusuf Shitu Galambi	Hon. Zubairu Bashir Usman
Hon. Paul Sunday Nnamchi	

[     ] 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      |
| 2 | Amended) (herein referred to as the "Principal Act") is altered as set out in | the Principal Act |
| 3 | this Bill.  |                   |

Amendment of  
Section 2

1                   **2.** Section 2 of the Principal Act is altered by inserting a new  
2 subsection (3) to read as follows:

3                   (3) The States of the Federation shall be categorized into along six  
4 geo-political zones, namely; North-Central, North-East, North-West, South-  
5 West, South-East and South-South.

Amendment of  
Section 7

6                   **3.** Section 7 of the Principal Act is amended by inserting a new  
7 subsection (5) immediately before the extant subsection 5, and inserting a new  
8 subsection (5) immediately after the extant subsection 4 and before the extant  
9 subsection 5 as follows:

10                  (4) The Independent National Electoral Commission (INEC) shall  
11 ensure that every person who is entitled to vote or be voted for at an election to  
12 the House of Assembly shall have the right to vote or be voted for at an election  
13 to a Local Government Council-

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

19                  (5) A holder of the office of a Local Government Chairman shall  
20 vacate his office at expiration of a period of six years commencing from the  
21 date such holder was elected into office.

Amendment of  
Section 68

22                  **4.** Section 68 of the Principal Act is altered by inserting a new  
23 subsection (2) before the extant subsection 2 and renumbering accordingly as  
24 follows;

25                  (2) subject to the provisions of subsection (1) of this section, a  
26 member of the Senate or the House of Representatives shall vacate his office at  
27 expiration of a period of Six years commencing from the date such member of  
28 the Senate or House of Representatives was elected into office.

Amendment of  
Section 76

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

1                   (3) For the Purposes of Section (1) of this section, all elections into  
2                   the offices of President, Governors, National Assembly, State Houses of  
3                   Assembly and Local Government Area Councils shall hold simultaneously  
4                   on the same date to be determined by the Independent National Electoral  
5                   Commission in consultation with the National Assembly and in accordance  
6                   with the Electoral Act.

7                   **6.** Section 109 of the Principal Act is altered by inserting a new                   Amendment of  
8                   subsection (2) before the extant subsection 2 and renumbering accordingly                   Section 109  
9                   as follows;

10                   (2) subject to the provisions of subsection (1) of this section, a  
11                   member of a House of Assembly shall vacate his office at the expiration of a  
12                   period of six years commencing from the date such member was elected into  
13                   office

14                   **7.** Section 116 of the Principal Act is altered by inserting a new                   Amendment of  
15                   subsection (3) as follows:                   Section 116

16                   (a) For the Purposes of Section (1) of this section, all elections into  
17                   the offices of President, Governors, National Assembly, State Houses of  
18                   Assembly and Local Government Area Councils shall hold simultaneously  
19                   on the same date to be determined by the Independent National Electoral  
20                   Commission in consultation with the National Assembly and in accordance  
21                   with the Electoral Act.

22                   **8.** Section 132 of the Principal Act is altered by inserting a new                   Amendment of  
23                   paragraph (a) into subsection (1), by inserting a new subsection (2), deleting                   Section 132  
24                   the extant subsection

25                   (4) and renumbering the entire section accordingly as follows;

26                   (a) For the Purposes of Section (1) of this section, all elections into  
27                   the offices of President, Governors, National Assembly, State Houses of  
28                   Assembly and Local Government Area Councils shall hold simultaneously  
29                   on the same date to be determined by the Independent National Electoral  
30                   Commission in consultation with the National Assembly and in accordance

1 with the Electoral Act;

2 (b) (2) An election to the office of President of the Federal Republic of  
3 Nigeria shall be rotated between the North and the South regions of the Country  
4 every six years;

5 (c) Provided that where it is the turn of the North or South to present a  
6 candidate for election into the office of President, it shall be rotated among the  
7 three geo-political zones that constitutes the regions;

8 (d) The extant subsection (2) becomes subsection (3);

9 (e) The extant subsection (3) becomes subsection (4);

10 (f) The extant subsection (4) is hereby deleted;

11 (g) The extant subsection (5) remains subsection (5).

Amendment of  
Section 135

12 **9.** Section 135 subsections (2), (2A) and (3) of the Principal Act is  
13 altered by replacing the word "four" with "six as follows;

14 "(2) Subject to the provisions of subsection (1) of this section, the  
15 President shall vacate his office at the expiration of a period of six (6) years  
16 single tenure commencing from the date, when-

17 (a) in the case of a person first elected as President under this  
18 Constitution, he took the Oath of Allegiance and the oath of office; and

19 (b) in any other case, the person last elected to that office under this  
20 Constitution took the Oath of Allegiance and oath of office or would, but for his  
21 death, have taken such Oaths.

22 (2A) in the determination of the six years term, where a re run election  
23 has taken place and the person earlier sworn wins the re-run election, the time  
24 spent in the office before the date the election was annulled, shall be taken into  
25 account.

26 (3) If the Federation is at war in which the territory of Nigeria is  
27 physically involved and the President considers that it is not practicable to hold  
28 elections, the National Assembly may by resolution extend the period of six (6)  
29 years mentioned in subsection (2) of this section from time to time; but no such  
30 extension shall exceed a period of six months at anyone time.

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

4                   (1) If a person duly elected as President dies before taking and  
5                   subscribing the Oath of Allegiance and oath of office, or is for any reason  
6                   whatsoever unable to be sworn in, the person elected with him as First Vice-  
7                   President shall be sworn in as President and he shall appoint a new First  
8                   Vice-President with the approval by a simple majority of the National  
9                   Assembly at a joint sitting.

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

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

20                  **11.** Section 137 of the Principal Act is altered by deleting paragraph      Amendment of  
21                  (b) and renumbering appropriately.      Section 137

22                  **12.** Section 141 of the Principal Act is altered by deleting the extant      Amendment of  
23                  section 141 and replacing it with a new section 141 subsections (1) and (2) as      Section 141  
24                  follows;

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

26                         (a) Vice President (Succession);

27                         (b) Vice President (Administration and Economy);

28                  (2) The provisions of the Principal Act relating to the office of the  
29                  Vice-President shall apply to the offices of First and Second Vice Presidents  
30                  mutatis mutandis.

Amendment of  
Section 142

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

4                   (1) In any election to which the foregoing provisions of this part of  
5 this chapter relate, a candidate for an election to the office of President shall not  
6 be deemed to be validly nominated unless he nominates two candidates, one  
7 from the Northern part of the country and the other from the Southern part of  
8 the country as his associates from the same political party for his running for  
9 the office of the President. The candidate for an election to the office of the  
10 President shall nominate both of his associates who are to occupy the offices of  
11 the First and Second Vice-Presidents and both candidates shall be deemed to  
12 have been duly elected to the offices of the First and Second Vice-Presidents if  
13 the candidate for an election to the office of President who nominated them as  
14 associates is duly elected as President in accordance with the provisions  
15 aforesaid.

16                   (2) The provisions of this part of this chapter relating to qualification  
17 for election, tenure of office, disqualification, declaration of assets and  
18 liabilities and oaths of President shall apply in relation to the office of the two  
19 Vice-Presidents as if references to President were references to the two Vice-  
20 Presidents.

21                   (3) The second Vice- President shall serve as a Minister of the  
22 Federation, upon assumption of office of the President by the duly elected  
23 candidate. The candidate nominated as first Vice-President shall serve as a  
24 succession Vice-President while the candidate nominated as second Vice-  
25 President shall be the Minister in charge of Economy.

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

Amendment of  
Section 143

29                   **14.** Section 143 is altered by adding "s" to Vice- President to 143(1),  
30 deleting the extant subsection (2)(b) and replacing it with a new subsection 2

1 paragraph (b) and inserting a new subsection 3 after the extant subsection 2  
2 and before the extant subsection 3 and renumbering accordingly as follows:

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

5 2(b) Stating that the holder of the office of President, First Vice-  
6 President and Second Vice-President is guilty of gross misconduct in the  
7 performance of the functions of his office, detailed particulars of which shall  
8 be specified, the president of the senate shall within seven days of the receipt  
9 of the notice cause a copy thereof to be served on the holder of the office and  
10 on each member of the National Assembly, and shall also cause any  
11 statement made in reply to all allegation by the holders of the office to be  
12 served on each member of the National Assembly.

13 (3) Where the President fails to submit a mid-term account of  
14 stewardship report on his administration's performance, as stipulated in this  
15 section and within the time frame mandated by the National Assembly, the  
16 President shall be removed from office through an impeachment process  
17 supported by two-third majority vote in the National Assembly.

18 **15.** Section 178 of the Principal Act is amended by inserting a new  
19 subsection 2 after the extant subsection 1 and before the extant subsection 2,  
20 inserting a new subsection (3), immediately after the extant subsection (2),  
21 deleting subsection (4) and renumbering accordingly as follows:

Amendment of  
Section 178

22 (2) For the Purposes of sub section (1) of this section, all elections  
23 into the offices of President, Governors, National Assembly, State Houses of  
24 Assembly and Local Government Area Councils shall hold simultaneously  
25 on the same date to be determined by the Independent National Electoral  
26 Commission in consultation with the National Assembly and in accordance  
27 with the Electoral Act.

28 (3) An election into the office of the Governor shall rotate among  
29 the three (3) Senatorial Districts in a State. Subsection (4) is hereby deleted

Amendment of  
Section 180

1                   **16.** Section 180 of the Principal Act is altered by substituting "four  
2 years" with "six years" in subsection (2), substituting "four years" with "six  
3 years" in subsection (2A), and substituting "four years" with "six years" in  
4 subsection (3) as follows: (2) Subject to the provisions of subsection (1) of this  
5 section, the Governor shall vacate his office at the expiration of a period of six  
6 years commencing from the date when-

7                   (2A) In the determination of the six year term, where a rerun election  
8 has taken place and the person earlier sworn in wins the rerun election, the time  
9 spent in office before the date the election was annulled shall be taken into  
10 account.

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

Amendment of  
Section 182

16                   **17.** Section 182 of the Principal Act is altered by deleting paragraph  
17 (b) and renumbering appropriately, amending subsection 1(b) and subsection 3  
18 to read as follows;

19                   (3) "A person who was sworn in as Governor to complete the term for  
20 which another person was elected as Governor shall not be elected to such  
21 office for another term"

Citation

22                   **18.** This Bill may be cited as Constitution of the Federal Republic of  
23 Nigeria, 1999 (As Amended) (Alteration) Bill, 2024.

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 offices of President, State Governors 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.