

NIGERIAN LAW REFORM COMMISSION (AMENDMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

*Clause:*

1. Amendment of Cap. N118 LFN, 2004
2. Amendment of section 2
3. Amendment of section 5
4. Amendment of section 8
5. Amendment of section 9 (1)
6. Insertion of section 9
7. Amendment of section 14
8. Citation



# A BILL

## FOR

AN ACT TO AMEND THE NIGERIAN LAW REFORM COMMISSION ACT CAP. N118 LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE A PROCEDURE RESIGNATION AND FOR FILLING THE VACANCY IN THE MEMBERSHIP OF THE COMMISSION; AND FOR RELATED MATTERS

*Sponsored by Hon. Mohammed Tahir Monguno*

[ ] Commencement

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

1           1. The Nigerian Law Reform Commission Act Cap. N118 Laws  
2 of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal  
3 Act") is amended as set out in this Bill.

Amendment of  
Cap. N118 LFN,  
2004

4           2. Section 2 of the Principal Act is amended-

Amendment of  
Section 2

5           (a) in subsection (2), by-

6           (i) inserting, after the word, "appearing to", in line 2, the words,  
7 "the Senate of", and

8           (ii) substituting for the word, "twelve", in paragraph (b), the word,  
9 "fifteen";

10          (b) by inserting, after subsection (4), new subsections "(4A)" -  
11 "(4B)"-

12           "(4A) Where a vacancy occurs in the membership of the  
13 Commission, the President shall appoint from the geo-graphical zone of the  
14 predecessor member to hold office for the remaining terms of the  
15 predecessor.

16           "(4B) A member of the Commission may, at any time, resign his  
17 appointment by letter in writing addressed to the President"; and

18          (c) in subsection (5), by substituting for-

19           (i) the words, "National Assembly" in line 1, the word, "President",

20 and

Amendment  
of Section 5

1 (ii) the word, "misbehaviour" in line 1, the word, "misconduct".  
2 3. Section 5 of the Principal Act is amended-  
3 (a) in subsection (1), by inserting after the word, "review" in line 2, the  
4 words, "through research";  
5 (b) in subsection (2) (b) by inserting, after-  
6 (i) the word, "may", in line 1, the words, "conduct research",  
7 (ii) paragraph (e), new paragraphs "(f)" - "(g)"-  
8 (f) shall receive and consider any proposal for the reform of the law  
9 which may be made or referred to it by the National Assembly; and  
10 (g) may include in any programme of the Commission any proposal  
11 relating to its functions received from any authority, body or person.  
12 (c) by substituting for subsection (6), a new subsection "(6)" -  
13 "(6). Where the Attorney-General refers a programme to the  
14 Commission, or the Commission initiates a programme, the Attorney-General  
15 shall within 3 months from the date of receipt of the Commission's report and  
16 proposal for reform, lay before the Federal Executive Council any programme  
17 prepared by the Commission and any proposal for reform formulated by the  
18 Commission pursuant to such programme:  
19 Provided that where the programme is initiated by the Commission, if  
20 after 3 months from the date of receipt of the Commission's report and  
21 proposals for reform, such report is not laid before the Federal Executive  
22 Councils, the Commission may forward to the National Assembly such report  
23 and proposals for reform.

Amendment  
of Section 8

24 4. Section 8 of the Principal Act is amended by substituting for  
25 subsection (3), a new subsection "(3)"-  
26 "(3) The remuneration, tenure and condition of service of the  
27 employees of the Commission shall be as those applicable to staff in the  
28 Nigerian Universities or otherwise as may be determined, from time to time, by  
29 the Federal Government."

- 1                   5. Section 9 (1) of the Principal Act is amended by inserting, after   Amendment of  
2 the word, "post", in line 4, the words, "in the Nigerian Universities".   Section 9
- 3                   6. Insert, after section 9 of the Principal Act, a new section "9A"-   Insertion of  
4 "*Establishment of Zonal offices*"   Section 9
- 5                   9A The Commission may establishment and maintain such number  
6 of zonal offices as the Commission may deem necessary".
- 7                   7. Section 14 of the Principal Act is amended-   Amendment of  
8                   (a) by inserting, in alphabetical order, the following new   Section 14  
9 definitions-  
10 "Federal laws" means all laws within made by the National Assembly within  
11 the legislative competence of the National Assembly of the Federation and  
12 includes all received law and rules of law in force in the Federation and  
13 having effect as if enacted by the National Assembly and all procedural laws  
14 and all subsidiary instruments made under or pursuant to any such law; and  
15 "State laws" includes any law which is not a Federal law.  
16                   (b) in the definition of "high judicial officer", by substituting for  
17 the words, "Judge of a High Court", in line 1, the words, "Justice of the Court  
18 of Appeal".
- 19                   8. This Bill may be cited as the Nigerian Law Reform Commission   Citation  
20 (Amendment) Bill, 2019.

## EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian Law Reform Commission Act Cap. N118 Laws of the Federation of Nigeria, 2004 to provide a procedure resignation and for filling the vacancy in the membership of the Commission.

