

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
2 this Act referred to as 'the Principal Act') is altered as set out in this Act. Alteration of
the Constitution
- 3 **2.** Section 142(1) of the Principal Act is altered by inserting a Alteration of
Section 142(1)
of the Constitution
4 proviso to the subsection as follows:
5 Provided that a person who has been elected to the office of the
6 President shall not have his election voided or cancelled by the sole reason
7 of any defect in the qualification of his associate nominated as his running
8 mate.
- 9 **3.** Section 142 of the Principal Act is altered by inserting after Alteration of
Section 142 of
the Constitution
(the Principal Act)
10 subsection 2, a new subsection 3 (3) where a candidate has been elected to
11 the office of the President and his running mate has been found by a
12 competent Court or Tribunal not to possess the requisite qualification for
13 that office as prescribed by subsection 2 of this section, his election shall not
14 be voided by the sole 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.
- 17 **4.** Section 187(1) of the Principal Act is altered by inserting a Alteration of
Section 187(1) of
the Constitution
(the Principal Act)
18 proviso to the subsection as follows:

1 Provided that a person who has been elected to the office of the
2 Governor shall not have his election voided or cancelled by the sole reason of
3 any defect in the qualification of his associate nominated as his running mate.

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

4 **5.** Section 187 of the Principal Act is altered by inserting after
5 subsection 2, a new subsection 3:

6 (3) where a candidate has been elected to the office of the Governor
7 and his running mate has been found by a competent Court or Tribunal not to
8 possess the requisite qualification for that office as prescribed by subsection 2
9 of this section, his election shall not be voided by the sole reason of such defect,
10 but shall nominate another candidate from the same political party, which
11 sponsored him to occupy the office of the Deputy Governor.

Citation

12 **6.** This Bill may be cited as the Constitution of the Federal Republic of
13 Nigeria (Fourth Alteration) Bill, 2020.

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.