A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (WITH ALTERATIONS) TO PROVIDE FOR HIGHER AND STRONGER QUALIFICATIONS FOR ELECTIONS INTO THE NATIONAL ASSEMBLY AND FOR THE OFFICE OF THE PRESIDENT; THE HOUSE OF ASSEMBLY OF A STATE AND FOR THE OFFICE OF THE GOVERNOR; AND FOR RELATED MATTERS

Sponsored by Hon. Paschal C. Obi

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1. The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as the "Principal Act") is altered as set out in this Bill.

2. Section 65:

(1) Subject to the provisions of section 66 of this Constitution, a person shall be qualified for election as a member:

(a) the Senate, if he is a citizen of Nigeria and has attained the age of thirty-five years; and

(b) the House of Representatives, if he is a citizen of Nigeria and has attained the age of thirty-five years;

(2) A person shall be qualified for election under subsection (1) of this section if:

(a) he has been educated up to at least school certificate level or its equivalent; and

(b) he is a member of a political party and is sponsored by that party.

PROPOSED ALTERATIONS TO SECTION 65

Proposed Section 65 to now read as:
Section 65:

(1) Subject to the provision of section 66 of this Constitution, a person shall be qualified for election as a member of:

(a) the Senate, if he is a citizen of Nigeria and has attained the age of forty-five years; and

(b) the House of Representatives, if he is a citizen of Nigeria and has attained the age of forty years.

(2) A person shall be qualified for election under subsection (1) of this section if:

(a) he has been educated up to at least university first degree or its equivalent; and

(b) Retained.

3. Section 131:

A person shall be qualified for election to the office of the President if:

(a) he is a citizen of Nigeria by birth;

(b) he has attained the age of thirty-five years;

(c) he is a member of a political party and is sponsored by that political party;

(d) he has been educated up to at least school certificate level or its equivalent.

PROPOSED ALTERATIONS TO SECTION 131

Proposed Section 131 to now read as:

Section 131:

A person shall be qualified for election to the office of the President if:

(a) Retained;

(b) he has attained the age of fifty years;

(c) Retained;

(d) he has been educated up to at least university first degree or its equivalent.
4. Section 106:

Subject to the provisions of Section 107 of this Constitution, a person shall be qualified for elections as a member of a House of Assembly if:

(a) he is a citizen of Nigeria;
(b) he has attained the age of thirty-five years;
(c) he has been educated up to at least the school certificate level or its equivalent; and
(d) he is a member of a political party and is sponsored by that party.

PROPOSED ALTERATIONS TO SECTION 106

Proposed section 106 to now read as:

Section 106:

Subject to the provisions of Section 107 of this Constitution, a person shall be qualified for election as a member of a House of Assembly of a State if:

(a) Retained;
(b) he has attained the age of forty years;
(c) he has been educated up to at least University First Degree or its equivalent; and
(d) he is a member of a Political Party and is sponsored by that Political Party.

5. Section 177:

A person shall be qualified for election to the Office of Governor of a State if:

(a) he is a citizen of Nigeria by birth;
(b) he has attained the age of thirty-five years;
(c) he is a member of a political party and is sponsored by that political party; and
(d) he has been educated up to at least School Certificate level or its equivalent.

**PROPOSED ALTERATIONS TO SECTION 177**

Proposed Section 177 to now read as:

Section 177:

A person shall be qualified for election to the Office of Governor of a State if:

(a) Retained;

(b) he has attained the age of forty-five years;

(c) Retained;

(d) he has been educated up to at least University First Degree or its equivalent.

6. Section 318:

School Certificate or its equivalent is deleted as the basic or minimum academic qualification for membership of the National Assembly;

Office of the President; membership of the House of Assembly of a State; and the Office of Governor of a State.

**PROPOSED ALTERATION TO SECTION 318 ON ACADEMIC QUALIFICATIONS FOR ELECTIONS UNDER THIS CONSTITUTION**

Section 318 to now read as:

Section 318-

"University first Degree or its equivalent means:

(a) a University first degree;

(b) a degree from Polytechnic or similar Institutions in Nigeria or abroad;

(c) a degree from other Degree-Awarding institutions other than (a) and (b) of this subsection in Nigeria or abroad;

(e) a degree from the Nigerian Defence Academy or such other similar institutions in Nigeria or abroad; and
(f) such other qualifications, which in the opinions and approval of the National Universities Commission and the Independent National Electoral Commission, are equivalent of a University first degree."

7. This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Alterations) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to alter sections 65, 131, 106 and 177 of the Constitution with respect to general qualifications for elections.