A BILL
FOR
AN ACT TO ALTER THE PROVISIONS OF SECTION 290 OF THE
CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 (AS
AMENDED) TO MAKE PROVISION THAT A JUDICIAL OFFICER ELEVATED TO
A HIGHER COURT SHALL CONCLUDE ANY PART HEARD CRIMINAL
MATTER(S) PENDING BEFORE HIM AT THE TIME OF THE ELEVATION AND
FOR RELATED MATTERS

Sponsored by Senator Istifanus Gyang

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

Bill referred to as the Principal Act) is altered as set out in this Bill.
2. Section 290 of the principal Act is altered by inserting
immediately after the existing subsection (1) a new subsection (1A):

"(1A) - Provided that a judge of the High Court who has been
elevated to the Court of Appeal shall have dispensation to continue to sit as a
High Court judge only for the purpose of concluding any part heard criminal
matter pending before him at the time of his elevation and shall conclude
same within a reasonable time. This subsection shall however, not prevent
him from assuming duty as a judge of the Court of Appeal".
3. This Bill may be cited as the Constitution of the Federal

EXPLANATORY MEMORANDUM

The Bill seeks to alter Section 290 of the Constitution of the Federal
Republic of Nigeria, 1999 to make provision that a judicial officer elevated
to a higher court, when granted a fiat, shall conclude any part heard criminal
matter(s) pending before him at the time of his elevation to a Judge of the
Court of Appeal.