

DRAFT FOR DISCUSSION



A Bill for an Act to Substitute Decree 24 of 1999 with a New Governance Model for the Federal Republic of Nigeria

This Act may be cited as the Constitution of the Federal Republic of Nigeria New Governance Model for Nigeria Act 2023.

Enacted by the National Assembly of the Federal Republic of Nigeria

PART I - Preliminaries

WHEREAS Nigeria, its Peoples and Government have been governed under Decree 24 of 1999 that was handed down by the then Military Government without the express consent of the people despite the **preamble** of “*We the people.*”

WHEREAS the said Constitution of the Federal Republic of Nigeria 1999 (as Amended) **is not autochthonous** as it does not evolve from the **deliberations and consensus** of the Nigerian **People**.

WHEREAS the Peoples of Nigeria now **desire and effectively demand for** a change to a Constitution based on Federal/Regional System of Government

WHEREAS the Federal and Regional governments are to operate within the provisions of this Constitution, it is within the discretion of the ethnic blocs within the States that constitutes a given region to aggregate or disaggregate as Provinces, Divisions and Districts, while being in control of their affairs without let or hindrance at whatever level of governance.

Whereas the 1999 Constitution as amended is a schedule of a military decree now deemed to be an Act of the National Assembly for which the National Assembly have the powers to amend and/or abrogate as expedient.

Whereas the National Assembly where so necessary and expedient can invoke the doctrine of necessity to resolve any point of law for the good governance of the country Nigeria:

PART II – Substitution Clause

- (1) Therefore, the National Assembly do hereby invoke its inherent powers to expunge the schedule attached to decree 24 of 1999 often referred to as 1999 Constitution as amended from the decree, which is now deemed to be an Act of the National Assembly to which the National Assembly have the powers to so do; and replace same with a new governance model for Nigeria effective not later than October 1, 2023.
- (2) This amendment is subject to a yes or no vote in a Referendum by the people of the Federal Republic of Nigeria.

PART III - Stipulations for Federal Administration

3.1 Governance Structure

- (1) Nigeria shall be a Federation comprising of Regional Territories and a Federal Capital Territory and shall be a Republic to be known by the name of the Federal Republic of Nigeria.
- (2) The territorial jurisdiction of Nigeria shall comprise the territory of the Regional members of the Federation and its boundaries shall be as determined by international agreements.

3.2 Basis of the Federation

- (1) Every Ethnic Nationality and People in Nigeria has an unconditional right to self-determination within here delineated territories.
- (2) The sovereignty, powers and authority to formulate the articles of association towards any reform of the Central Federal Government of Nigeria, at any other time shall lie jointly and severally with all the ethnic nationalities occupying their respective territories.
- (3) Every Ethnic Nationality and People in Nigeria has the right to a full measure of self-government which includes the right to establish

- institutions of government in the territory that it inhabits and to equitable representation in the Federal and Regional Governments.
- (4) A "Ethnic Nationality or People" for the purpose of this Constitution, is a group of people who have or share large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory.

3.2 Federating Regions

- (1) The Regional Territories of Nigeria shall comprise freely associating peoples of ethnic nationalities, ethnic sub-nationalities and or clans in contiguous territories as would be self-determined and constituted within 6 calendar months based on the processes prescribed herein.
- (2) There shall be no artificially prescribed number of Regions as would foreclose the rights of the people that desire to organize themselves as an autonomous sub-national member of the Nigerian State, provided that absolute cognizance shall be accorded to the prime factors of independent viability and self-sustenance as an entity.
- (3) The Regional Members and constituent units thereof shall produce their own Constitutions; applying the tenets of federalism and self-determination and register it with the National Assembly for documentation and reference purposes only.
- (4) The Regional Territories and Constituent Units may have their names, identities and any other instruments of recognition changed as may be necessary and shall determine the details thereof through their respective legislatures. Whatever names and or nomenclature of identity adopted by the respective Regional Legislatures at whatever time as may be expedient shall be deemed to have been reflected in the Federal Constitution.
- (5) The Regional Territories and Constituent Units thereof shall organise themselves towards the efficient harnessing of all potential resources in pursuant to the full development as a political and economic force to be reckoned with as member of the Nigerian Federation.
- (6) For administrative operations and inter-regional coordination, the Federal Government shall maintain an office only in the Capital Cities of the Regional Territories.

3.3 Federal Capital Territory

- (1) The Federal Capital Territory, Abuja shall be the Capital of the Federation and seat of the Government of the Federation.
- (2) The ownership of all lands comprised in the Federal Capital Territory, Abuja, shall vest in the Federal Government of Nigeria.
- (3) The provisions of this Constitution shall apply to the Federal Capital Territory, Abuja as if it were one of the States in a Region of the Federation; and accordingly: -
 - (a) all legislative powers are vested in the National Assembly
 - (b) all the executive and administrative powers are vested in the Federal Executive Council
 - (c) all Judicial powers are vested in the Federal Judicial Service Commission
 - (d) For the purposes of representation into the National Assembly, the Federal Capital Territory shall constitute only one Federal constituency.
 - (e) The Prime Minister may, appoint for the Federal Capital Territory, Abuja a Minister who shall exercise such powers and perform such functions as may be delegated to him by the Prime Minister, from time to time. The appointment shall be subject to confirmation by the National Assembly.

3.4 The Federal Governance

- 1) The Republic of Nigeria comprises the Federal and Regional Territorial Governments only. Her constitution shall therefore specify and embody only governance relationships between the Federal and Regional Administrations.
- 2) All powers not given expressly to the Federal Government alone, or concurrently to the Federal Government and the Regions are hereby reserved to the Regions.
- 3) The Federal Executive Council shall comprise single digit number of members. Government Ministries shall be rationalised and configured in compliance with this stipulation.
- 4) All other subordinate appointments and designations below Ministers shall be made only from the ranks of civil servants with permanent tenure in the public service.
- 5) The Federal Executive Council and its members shall rely entirely on the Civil Service and civil servants for all technical advice and support;

thereby precluding the proliferation of any other parallel bureaucracy in the form of advisers.

- 6) All subsisting Federal MDA's are to be rationalised in favour of the Regions and in conformity with the Legislative List of Functions given in the appropriate **Schedule**. The Regional Territories shall inherit associated assets and liabilities.

3.5 The President

- 1) The President of the Nigeria Federation is the Head of the Nation-State.
- 2) The Prime Minister acting through the National Assembly shall nominate the candidate for President.
- 3) The nominee shall be elected President if the National Assembly approves his candidacy by a two-third-majority vote of all elected members.
- 4) A member of the National Assembly shall vacate his seat if elected President.
- 5) The term of office of the President shall be six years. No person shall be elected President for more than two terms.

3.6 Powers and Functions of the President

- (1) He shall Proclaim and Open the session of the National Assembly at the commencement of their annual session.
- (2) President shall hold and exercise executive powers, as conferred on the Prime Minister, in a situation where there is hung Assembly and or where the position of the Prime Minister and his deputy are compromised and or where there is state of emergency in the country.
- (3) He shall proclaim in the Federal Gazette laws and International Agreements approved by the National Assembly in accordance with the Constitution.
- (4) He shall, upon recommendation by the Prime Minister, appoint Ambassadors and other envoys to represent the country abroad.
- (5) He shall receive the credentials of Foreign Ambassadors and special envoys.
- (6) He shall award medals, prizes and gifts in accordance with conditions and procedures established by law.
- (7) He shall, upon recommendation by the Prime Minister in accordance with law, grant high military titles.

- (8) He shall, in accordance with conditions and procedures established by law, grant pardon.

3.7 Federal Executive Council

- (1) The highest executive powers of the Federal Government are vested in the Prime Minister, acting in concert with the Council of Ministers.
- (2) The Prime Minister and the Council of Ministers are responsible to the National Assembly. In the exercise of State functions, members of the Council of Ministers are collectively responsible for all decisions they make as a body.
- (3) Unless otherwise provided in this Constitution the term of office of the Prime Minister is for the duration of the mandate of the National Assembly.
- (4) The Prime Minister shall be selected from among members of the National Assembly.
- (5) Power of Government shall be assumed by the political party or a coalition of political parties that constitute(s) a majority in the National Assembly.

3.8 The Prime Minister, in concert with the Council of Ministers

- (1) The Prime Minister is the Chief Executive, the Chairman of the Council of Ministers, and the Commander-in-Chief of the Armed Forces of Nigeria.
- (2) Subject to the provisions of this Constitution, the Executive powers of the Federation shall be vested in the Prime Minister-in-Council and may, subject as aforesaid and to the provisions of any law made by the National Assembly, be exercised by him either directly or through the Deputy Prime Minister and Ministers of the Government of the Federation or officers in the public service of the Federation.
- (3) The Prime Minister shall submit for approval to the National Assembly nominees for ministerial posts only from amongst its members who possess the requisite qualifications and cognate experience for the Ministries.
- (4) There shall be a Council of Ministers, whose function shall be to work with the Prime Minister in the running of the government and in all affairs of the Federation.
- (5) The Council of Ministers shall consist of the Prime Minister, the Deputy Prime Minister and the Ministers as approved by the National Assembly. The body shall comprise and be limited to a single digit number of

members. Government Ministries shall be rationalised and configured in compliance with this stipulation.

- (6) An increase beyond the single digit stipulation must be made only vide a special request by the Prime Minister for approval by a resolution of the National Assembly through a vote of not less than four-fifths of all elected members.
- (7) Approval of additional Ministerial appointments granted under this Article shall lapse with the subsisting administration unless subsequently renewed by the succeeding National Assembly
- (8) The Prime Minister may assign to himself or any other Minister of the Government of the Federation responsibility for any business of the Government of the Federation, including the administration of any department of government, but with such allocations and designations subject to the prior consent of the National Assembly.
- (9) The Council of Minister shall rely entirely on the Civil Service for all Technical advice and support; thereby precluding the proliferation of any other parallel bureaucracy in the form of advisers. All subordinate appointments and designations below Ministers shall be made from the ranks of civil servants with permanent tenure in the public service.

3.9 Federal Legislature

- (1) There shall be a National Assembly for the Federation of Nigeria. It shall be a Uni-Camera legislature.
- (2) The National Assembly shall consist of members drawn equally to represent the respective Regions of Nigeria. The number per region and the total number not exceeding 180 at any one time shall be as determined by resolution of the National Assembly
- (3) National Assembly members are representatives of their respective Regions, and as such not subject to control and direction at the Federal level. Accordingly, they shall all be compensated, remunerated, disciplined and or recalled only through such provisions as may be authorised by their respective Regional Territorial Legislatures.
- (4) There shall be a Speaker and a Deputy Speaker of the National Assembly, both of whom shall be elected by the members from among themselves.
- (5) The principal function of the National Assembly shall be the enactment of laws for good governance and an effective value for money performance monitoring of the operations of the Federal Government.

- (6) Subject to the provisions of this Constitution, the National Assembly may regulate its own procedures, adopt rules and procedures regarding the organization of its work and of its legislative process.
- (3) Notwithstanding the provisions herein, the judiciary shall have powers to enquire into compliance with stipulated rules and processes.

3.10 Federal Judiciary

- (1) The Federal judiciary shall, to the exclusion of any other Court, have original jurisdiction in any dispute between the Federation and a Region in so far as that dispute involves any question (whether of law or fact) on which the existence or extent of a legal right depends.
- (2) In addition to the jurisdiction conferred upon it, the Federal judiciary shall have such original jurisdiction on all matters in the Federal Capital Territory as may be conferred upon it by any Act of the National Assembly.
- (3) Provided that no original jurisdiction shall be conferred upon the Supreme Court or any Federal High Court with respect to any civil and or criminal matter.
- (4) There shall be a Federal Supreme Court of Nigeria. The Supreme Court of Nigeria shall consist of: –
 - (a) the Chief Justice of Nigeria; and
 - (b) such number of Justices of the Supreme Court, not exceeding nine, as may be prescribed by an Act of the National Assembly.
- (5) For the purpose of exercising any jurisdiction conferred upon it by this Constitution or any Law, the Federal Supreme Court shall be duly constituted if it consists of not less than five Justices of the Court:
- (6) There shall be a Federal High Court in the Capital City of each Region and in the Federal Capital Territory. The Federal High Court shall consist of: –
 - (a) a Chief Judge of the Federal High Court; and
 - (b) such number of Judges of the Federal High Court as may be prescribed by an Act of the National Assembly.
- (7) Notwithstanding anything contained in this Constitution and in addition to such other jurisdiction as may be conferred upon it by an Act of the National Assembly, the Federal High Court shall have and exercise jurisdiction to the exclusion of any other Court in civil causes and criminal matters:

3.11 Establishment and Composition of the Security Services

- (1) There shall be an Armed Forces, Security and Intelligence services and such other bodies for the Federation as may be established by an Act of National Assembly.
- (2) The composition of the officer corps and other ranks of the Services shall be by Regional territorial configuration, such that any service stationed in each Region shall in respect of the other ranks be exclusively composed of the citizens of that territory, while the officer Corps may for the purpose of technical speciality and operational cohesion admit up to 10% of citizens from other Regions, provided that the Head of such Regional Command shall be an indigene of that Region.
- (3) The Headship of armed and security services shall be rotated amongst the Regions and no one Region shall head more than one Arm of these Forces concurrently.
- (4) Policing and Internal Security Services shall be decentralized with the Federal, Regional, Sub-Regional Governments and Communities having the right to set up and maintain their own Services; such that each level of government shall have exclusive jurisdiction and control over its own territory with regards to their respective powers and functions.
- (5) There shall be an Inspector-General of the Federal Police Service; with a guaranteed non-renewable tenure of six (6) years, except through an earlier resignation and or by removal only on the account of gross misconduct resolution vide a two-thirds (66%) majority vote of elected members of the National Assembly.
- (6) The office of the Inspector General shall be rotated amongst the Regions and the headship of any contingency of the Federal Police Service stationed in any Region shall be by an officer who is a citizen of the Region.
- (7) The Inspector General of Police shall always act in concert with the Premier of a Region and execute all lawful directives.

3.12 Management of Resources and Revenue

- (1) Constituent Units of Regional Territories shall control and retain all resources and revenues falling within its natural jurisdiction but shall only pay both Federal and Regional taxes according to laws;
- (2) For the avoidance of doubt, the entire property in and control of all minerals, mineral oils and natural gas in, under or upon any land in Nigeria or in, under or upon the territorial waters of Nigeria shall vest

in the Government of the Regional Territory and the Constituent Units bearing such resource.

- (3) The National Assembly may with the concurrence of Regional legislature make laws for Nigeria or any part thereof with respect to taxes on the income and profits of individuals and companies.

3.13 Fiscal Arrangement

- (1) There shall be a First Line Charge Account which shall be 10% of the total revenue accruing to the Governments of the Federation, (Federal and Regional), which shall consist of:-
 - a) 8% which shall be applied towards the provision of the basic socio-economic in disadvantaged areas across the country;
 - b) 2% to finance a Special Rehabilitation Fund for past devastations arising from acts and omissions of the Nigeria Nation-State;
- (2) The First Line Charge account shall be administered by a Commission consisting of one member each representing and appointed by each Regional Government and a member representing the Federal Government respectively.
- (3) The balance of 90% shall for the purpose of sharing among the tiers of Government be reckoned as 100% and shall be distributed as follows: -
 - c) 55% Derivation
 - d) 30% to the Distributable Pool Account
 - e) 15% to the Federal Government
- (4) Funds accruing to Regional Territories from the distributable pool account shall be applied primarily to financing the Regions Capital Expenditure necessary for infrastructure. Recurrent expenditure of Regions shall be funded from Internally Generated Revenue.
- (5) The Regional Territories or Sub-territories shall be responsible for the collection of Value Added Tax (VAT) and the revenue derived therefrom shall be retained, provided that 10% of the accrual shall be paid as tax into the First Line Charge Account.

3.14 Remunerations and Compensations in the public service

- (1) There shall be a single scale of salaries and allowances for the Federal Public Service of Nigeria to be periodically presented to and approved by the National Assembly.
- (2) For the avoidance of doubt, there shall be no other form or format of remuneration or compensation outside the stipulations of the unified

Federal Public Service scale of salaries and wages, unless expressly approved by two-thirds (66%) vote by elected members of the National Assembly.

- (3) The Regional Territories shall have powers to determine and set the salary structure of their respective Public Services

3.15 Anti-Corruption Measures

- (1) Government at all levels shall abolish all corrupt practices and abuse of power.
- (2) All public officers' asset declarations and all forms of affairs shall be available for scrutiny by the public and shall be publishable without hinderance in the mass media;
- (3) All investments held by every public officer in any profit-making enterprise shall be held in a blind trust; while tax clearance certificates off all public officers shall be available for public scrutiny and shall be publishable by the mass media;
- (4) No public officer shall operate a bank account or own any form of movable or immovable asset outside of Nigeria, unless fully disclosed prior to and after the period of public service.
- (5) All gifts in whatever form made to the public officer and or to his/her blood relations shall immediately be disclosed to the appropriate institution of government that shall be designated by the National Assembly or the Regional legislature. Retention or compulsory donation to the State by the public officer shall be at the discretion of such institutions whose decision shall not be interfered with by any other person or body.

3.16 Provision for Judicial Adjudication of Corruption and Betrayal of Trust Matters

- (1) In cases of corrupt practices, criminal breach of public trust, plundering of public funds and resources, with *prima facie* case having been established by the courts of original jurisdiction, the doctrine of the accused being assumed to be guilty until proven innocent shall subsequently apply.
- (2) The guilty until proven innocent doctrine being an extraordinary provision to cure an extraordinary malaise of the times shall expire within 30 years after the effective date of this constitution.

PART IV: Regional Territorial Administration

The territory of Nigeria shall be re-configured into Regional Territories as the basis of the Federation.

4.1 Processes and Procedure for Transformation

- (1) Members of the respective regional territories as existing at the commencement of this Act are as follows:
 - a) North Central Region: Benue, Kogi, Kwara, Nasarawa, Niger and Plateau;
 - b) North East Region: Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe ;
 - c) North West Region: Jigawa, Kaduna, Kano, Katsina, Kebbi, Sokoto and Zamfara;
 - d) South East Region: Abia, Anambra, Ebonyi, Enugu and Imo;
 - e) South South Region: Akwa Ibom, Bayelsa, Cross River, Delta, Edo and Rivers, and
 - f) South West Region: Ekiti, Lagos, Ogun, Ondo, Osun and Oyo
- (2) Subsequently after the commencement date, but within 12 calendar months thereafter; the respective State Assemblies shall meet individually, jointly and severally consult to prescribe the processes and guidelines to be applied towards the institution of the suitable governance structure for their territories.
- (3) Ethnic Nationalities, Ethnic Sub-Nationalities and Peoples within the territory enumerated in sub-Article 1 of this Article shall have the right to maintain, reconfigure or merge; and or establish new administrative units and or adopt any suitable nomenclature as may be determined by the respective State Assemblies without any direction from any other authority.
- (4) The quest to exist as a Region by any ethnic nationality or sub-nationalities shall be Subject only to the following stipulations:
 - a) Proof of economic self-sustainability of a contiguous territory,
 - b) Demonstrable capacity to contribute shared contributions to maintain Federal Government.
 - c) Proactive plans for the exploitation and development of local resources and potentials.
 - d) Intent to collaborate and cooperate in pursuit of self-development.

- (8) In fulfilment of the above requirements, there would be an exit clause for sub-ethnic nationalities of peoples/Region who desire to switch to an independent sovereignty, subject to the following:
- a) A due notice by proposed sovereign political zone,
 - b) A Specified period of consultations and then referendum to ascertain the wishes of the citizens of the said political zone, approving their voluntary desire to be a sovereign territory.
- (3) The right of any Ethnic Nationalities or Peoples to create, merge or reconfigure the existing States within their respective Regions shall be exercisable under the following procedures:
- a) The demand for re-configuration has been approved by a two-thirds (66%) majority of the members of the Council of the Ethnic Nationality or People in the area concerned.
 - b) The State Assembly that received the demand shall organize a referendum within six months to be held in the area of the Ethnic Nationality or People that made the demand.
 - c) The demand for Statehood Configuration is supported by two thirds (66%) majority vote in the referendum.
 - d) The Regional Government will transfer its powers to the Ethnic Nationality or People that made the demand; and
 - e) The newly created or re-configured Sub-Regional entity by the referendum without any need for application, automatically becomes a member of the Region concerned and then the Federal Republic of Nigeria.
 - f) The newly created or re-configured Sub-Regional entity by the referendum shall have equal rights and obligations as all others within the Region and in the Republic.
 - g) Where the concerned peoples and States within the Region fail to reach agreement on any issue pertaining to this exercise, the Regional legislature shall decide such disputes based on settlement patterns and the wishes of the peoples concerned.
- (4) Also, after the commencement date or at any other time in future, Ethnic Nationalities and Peoples across the Regional Territories enumerated above have the right to express the wish to move and be merged across Regional, but contiguous borders.
- (5) The right of any Ethnic Nationalities or Peoples to create or merge territories contiguously across Regional Borders shall be exercisable under the following procedures:

- a) The demand for regional cross-border re-configuration has been approved by a two-thirds (66%) majority of the members of the Council of the Ethnic Nationality or People in the area concerned, and the demand is presented in writing to the 2 or more Regional Governments concerned.
- b) The Government of the concerned Regions that received the demand shall jointly organize a referendum within six months to be held in the area of the Ethnic Nationality or People that made the demand.
- c) The demand for cross-border configuration is supported by two thirds (66%) majority vote in the referendum.
- d) The two or more Regional Governments concerned will transfer its powers to the ethnic nationality or People that made the demand; and
- e) The cross-border configuration by the referendum without any need for application, automatically becomes a member of the Sub-Regional entity within the Region concerned and then the Federal Republic of Nigeria.
- f) The newly created or re-configured sub-territorial units by the referendum shall have equal rights and obligations as all others in the Region and in the Republic.
- g) Where the concerned Regions fail to reach agreement on any issue pertaining to this exercise, the National Assembly shall decide such disputes based on settlement patterns and the wishes of the peoples concerned, with emphasis on consensus.
- h) The decision of the National Assembly may be the subject of an appeal to the Federal Supreme Court. The decision of the Federal Supreme Court shall be final.

4.2 Basis of Regional Governments

Regions shall have the following powers and functions:

- a) Every Region occupying a contiguous territory shall be entitled to separate Regional Constitution fashioned to suite her worldview and outlook of living and development aspirations.
- b) To establish a Regional Territorial administration, that best advances self-government, a democratic order based on the rule of law; to protect and defend the Federal Constitution.
- c) To establish any administrative units constituted based on the principles of federalism and self-determination that is well suited to all constituent ethnic nationalities in her territories.

- d) The Regional and or Sub-Regional legislatures shall have power to make laws for the peace, order and good government of the Region, State or any part thereof with respect all concurrent and residual matters not expressly stated in the Federal Constitution.
- e) To establish and administer Regional Territorial security and maintain public order and peace.
- f) To establish Regional Territorial Supreme, High and First-Instance Courts. The particulars of these courts shall be determined by laws enacted for the purpose by the Regional Legislatures.
- g) Regional Supreme Courts shall have the highest and final judicial power over Regional and Sub-Regional matters. They shall also exercise the Jurisdiction of the Federal High Court in any civil and criminal matters.

4.3 Drafting and Enactment of Regional Constitutions

- (1) The respective State Assemblies shall act jointly and severally to prescribe the processes and procedures for the drafting of their regional constitutions and getting the peoples of the territory to ratify same; prior to its registration with the National Assembly.
- (2) Regional Constitutions shall apply the tenets of federalism and self-determination in dealing with the constituent ethnic nationalities and sub-nationalities.
- (3) The constitution so enacted shall be registered with the National Assembly for documentation and reference purposes only;
- (4) The constitution so enacted for each Region Territory shall have the force of law throughout that Region, but subject only to regional judicial supervision, without interference by any other body

4.4 Equal Rights between the Federating Regions

- (1) All Regional Territory shall have equal rights and powers. They shall have equal number of legislators in the National Assembly, such that no Region will be conferred with a superior advantage over any other on any ground whatsoever.
- (2) The governments at the Federal and Regional levels are distinct and inter-dependent and shall conduct their mutual relations based on consultation, collaboration and cooperation.
- (3) The Regional Territories shall ensure reasonable access to its services in all parts of her territory, so far as it is appropriate to do so having

regard to the nature of the service and subject to administrative regulations as may be determined by the Regional legislature.

4.5 Regional Border Changes and Disputes

- (1) All Regional cross border disputes shall be settled by agreement of the concerned Regions. Where the concerned Regions fail to reach agreement, the National Assembly shall decide such disputes based on settlement patterns and the wishes of the peoples concerned.
- (2) The decision of the National Assembly may be the subject of an appeal to the Federal Supreme Court. The decision of the Federal Supreme Court shall be final.

PART V: Enactments

5.1 Federal

- (1) The National Assembly shall produce a new Federal Constitution for Nigeria within six (6) calendar months of this Act being effective. It shall be done by a Technical Committee based on the synthesis of all previous enactments and results of constitutional conferences as may be in conformity with the provisions and stipulations in this Act.
- (2) The National Assembly shall transmit the enactment to the respective State Assemblies for passage with a simple majority vote
- (3) On ratification by a simple majority number of State Assemblies, the new Federal Constitution for Nigeria shall be voted upon by all Nigerians of Voting age. With a simple majority vote, the New Constitution shall be deemed to have been passed by the People of Nigeria.

5.2 Regional

- (1) The respective State Assemblies of each regional territory shall produce a new Constitution for the Regional Territory. It shall be done by a Technical Committee based on the synthesis of all previous enactments as may be in conformity with the provisions and stipulations in this Act.
- (2) On ratification by a simple majority number of State Assemblies, the new Regional Constitution shall be voted upon by all citizens of Voting age in the territory. With a simple majority vote, the Constitution shall be deemed to have been passed by the People of the Region.

PART VI: Legislative List

6.1 Exclusive

- 1) External Defence: Naval, Army and Air Forces
- 2) External Affairs
- 3) Immigration, Passports, and visas
- 4) Aviation, including Airports, Safety of Aircraft and Ancillary Transport as it relates to International Bodies.
- 5) Foreign Borrowing by the Federation from other countries.
- 6) Currency, Coinage and Legal Tender
- 7) Banking Regulations
- 8) Pensions, Gratuities, and other like benefits payable out of the Consolidated Revenue Fund, or any other public fund of the Federation
- 9) The Public Debt of the Federation
- 10) Public Service of the Federation, including the settlement of disputes between the Federation and Officers in the Public Service of the Federation
- 11) Taxes and Duties on Revenue Sources reserved to the Federal Government.

6.2 Concurrent List

These are powers to be exercised only with express prior consent and concurrence with the respective Regional Territorial Administrations

- 1) Internal Security, Police and Policing Services.
- 2) Ownership and Control of Defence/Security Services
- 3) Prison Services
- 4) Inter-Regional Coordination
- 5) Bankruptcy and Insolvency
- 6) Income Taxes and Excise Duty
- 7) Fingerprints, identification, and Criminal Records.
- 8) Power and Energy
- 9) Power to make Grants of Money, etc., for any legitimate purposes.
- 10) Inter-Regional Land and Marine Transportation
- 11) Inter-regional Transportation, Railways, including ancillary transport and other services.
- 12) Borrowing of moneys within Nigeria for the purposes of the Federal, Regional and or State Governments.
- 13) Enforcement of the Human Rights established by the Constitution and International Conventions
- 14) Inter-Regional Commerce
- 15) Scientific Research and Development.
- 16) Sports
- 17) Communications and Digital Economy

6.3 Residual List

All the powers not expressly delegated to the Federal Government by the Constitution, are therefore exclusively reserved to the Regions.

PART VII: Transitional Provisions

- (1) During the transition period, towards the enactment of the New Federal and Regional Constitutions; the National Assembly shall undertake the following:
 - a) Codify all Federal laws and enactments that currently subsists and in force, for possible amendment or repeal
 - b) Undertake every modifications and amendments to all the existing laws, such as would bring all of them into conformity with the letter and spirit of this Act.
 - c) Formulate and manage all schemes and processes towards an inventory and documentation of assets and projects, inclusive of contractual liabilities as may be applicable.
 - d) Design and manage frameworks and enact formulas into for the equitable sharing of all assets and liabilities between and among all government entities.
- (2) The peoples of the territories designated and referred to as Regions and or Sub-Regions shall immediately commence consultative processes towards ascertaining the wishes of the respective ethnic nationalities on how to live and partner together towards charting the course of self-development.
- (3) Where applicable various processes, inclusive of a formal referendum shall be implemented towards arriving at the appropriate political and economic configurations of their territories, regarding the composition of States and or Regions.
- (4) The current Federal Administration and the State Governments as they presently are, shall do all that would be necessary towards the effective take off of a newly re-configured government at Federal and Regional Levels on the effective date to be agreed upon; but not later than October 1, 2023.

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