

# A BILL

## FOR

AN ACT TO AMEND THE CUSTOMS AND EXCISE MANAGEMENT ACT AND FOR MATTERS CONNECTED THEREWITH.

*Sponsored by HON. J. Y. M. MALLO,  
Akwanga Federal Constituency,  
Plateau State*

[ ]

Commence-  
ment.

1 BE IT ENACTED by the National Assembly of the Federal  
2 Republic of Nigeria as follows—

3 1. For section 135 of the Customs and Excise Management Act  
4 1958 there shall be substituted the following new section—

Amendment  
to section 135  
of 1958  
No. 55.

5 “Importer, 135.—(1) An Importer or exporter of any goods or an  
6 to transact excise trader may transact any business relating to customs  
7 business with customs officers. and excise—

8 (a) directly with an officer ; or

9 (b) through any of the following persons acting on his  
10 behalf—

11 (i) a person authorised by him in writing ;

12 (ii) a person exclusively in his employment ; or

13 (iii) a person licensed as a customs agent or as an  
14 agent in accordance with regulations made under  
15 section 138 of this Act.

16 (2) Any person who acts in contravention of this section  
17 shall be guilty of an offence and liable upon conviction to a  
18 fine of ₦200.”

19 2. This Act may be cited as the Customs and Excise Management  
20 (Amendment) Act 1982.

Short title.

### EXPLANATORY MEMORANDUM

This Bill seeks to give an importer of any goods or an excise trader, the right of clearing his goods through customs personally or through agents acting on his behalf.

# A BILL

## FOR

AN ACT TO AMEND THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA  
1979 AND FOR MATTERS CONNECTED THEREWITH.

*Sponsored by HON. OLU OLOFINLADE,  
Ero South Federal Constituency,  
Ondo State*

[ ]

Commence-  
ment.

1        1. Section 274 of the Constitution of the Federal Republic of  
2 Nigeria 1979 is hereby amended in subsection thereof—

Amendment  
to section  
274 of Con-  
stitution.

3        (a) by *substituting* for the comma immediately after the figure  
4 “1978”, a full stop ; and

5        (b) by *deleting* the rest of that subsection from the words “and the  
6 provisions” to the word “Constitution” at the end of that subsection.

7        2. This Act may be cited as the Constitution of the Federal  
8 Republic of Nigeria (Amendment) (No. 3) Act 1982.

Short title.

### EXPLANATORY MEMORANDUM

The purpose of this Bill is to state that the National Assembly has power to amend and repeal the enactments referred to in section 274 (5) of the Constitution of the Federal Republic of Nigeria 1979 without necessarily applying the procedure prescribed by section 9 (2) of the Constitution.

# A BILL

FOR

AN ACT TO AMEND THE ALLOCATION OF REVENUE (FEDERATION ACCOUNT, ETC.)  
ACT 1981 AND FOR MATTERS CONNECTED THEREWITH.

*Sponsored by HON. D. D. DAFUAN,  
Shendam West Federal Constituency,  
Plateau State*

and

*HON. I. A. OLALERU,  
Oyun Federal Constituency,  
Kwara State*

[ ]

Commence-  
ment.

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

3 1. Section 1 of the Allocation of Revenue (Federation Account, etc.)  
4 Act 1981 is hereby amended --

Amendment  
to section 1  
of 1982 No. 1.

5 (a) in paragraph (a) thereof, by *substituting* for the figure "55" the  
6 new figure "50" ; and

7 (b) in paragraph (c) thereof, by *substituting* for the figure "10" the  
8 new figure "15".

9 2. This Act may be cited as the Allocation of Revenue (Federation  
10 Account, etc.) (Amendment) Act 1982.

Short title.

## EXPLANATORY MEMORANDUM

This Bill seeks to increase the Local Government share of the revenue in the Federation Account under section 149 (1) of the Constitution of the Federal Republic of Nigeria 1979.

# A BILL

FOR

AN ACT TO AMEND THE LEGAL AID ACT 1976 AND FOR MATTERS CONNECTED THEREWITH.

*Sponsored by Hon. DEBO ARANDE,  
Ibadan North Federal Constituency,  
Oyo State*

[ ]

Commence-  
ment.

1 BE IT ENACTED by the National Assembly of the Federal  
2 Republic of Nigeria as follows--

3 1. Section 2 of the principal Act is amended in subsection (1)  
4 thereof --

Amendment  
to section 2  
of principal  
Act.

5 (a) by *substituting* for the expression "Federal Executive Council"  
6 wherever it may occur, the word "President" ; and

7 (b) by *substituting* for paragraph (c) the following new paragraph--

8 "(c) four representatives of the Nigerian Bar Association, one  
9 of whom shall be the General Secretary of that Association."

10 2. Section 3 of the principal Act is hereby amended--

Amendment  
to section 3  
of principal  
Act.

11 (a) by *substituting* for the expression "Federal Executive Council"  
12 wherever it may occur, the word "President" ;

13 (b) in subsection (2) thereof, by *substituting* for the word "seven",  
14 the figure "10" ;

15 (c) in subsection (3) thereof --

16 (i) by *substituting* for the full stop at the end of that subsection,  
17 a colon ; and

1 (ii) by *adding* immediately after that subsection the following  
2 proviso—

3 “Provided that such salary and allowances are not less than  
4 those payable to the Permanent Secretary of any ministry of the  
5 Government of the Federation”.

Amendment  
to sections 4,  
5 and 16 of  
principal Act.

6 3. Sections 4, 5 and 16 of the principal Act are amended by  
7 *substituting* for the expression “Federal Executive Council” wherever  
8 it may occur, the word “President”.

Amendment  
to section 6  
of principal  
Act.

9 4. Section 6 of the principal Act is amended—

10 (a) by *substituting* for subsection (1) thereof the following new  
11 subsection—

12 “(1) Subject to the provisions of this section, proceedings in  
13 connection with which legal aid may be given shall be in respect  
14 of criminal and civil matters specified in Schedule 2 to this Act and  
15 no legal aid shall be provided in respect of proceedings not  
16 so specified :

17 Provided that the expenses incurred by the Council in giving  
18 legal aid to a person in respect of any proceedings shall be  
19 recovered by the Council from any costs or damages awarded to  
20 that person as a result of those proceedings” ; and

21 (b) by *substituting* for the expression “Federal Executive Council”  
22 wherever it may occur, the word “President”.

Amendment  
to section 8  
of principal  
Act.

23 5. For section 8 of the principal Act there shall be substituted the  
24 following new section—

25 “Persons 8. Legal aid shall only be given to a person whose income  
26 entitled to legal aid. does not exceed ₹2,400 per annum”.

Amendment  
to section 11  
of principal  
Act.

27 6. For section 11 of the principal Act there shall be substituted  
28 the following new section—

- 1 "Audit. 11. For the avoidance of doubt, the accounts of the  
2 Council shall be audited by the Auditor-General."
- 3 7. Section 17 of the principal Act is amended by *substituting* for  
4 the expression "Federal Executive Council" wherever it may occur, the  
5 word "Council". Amendment  
to section 17  
of principal  
Act.
- 6 8. Section 18 of the principal Act is hereby amended in  
7 subsection (1) thereof by *inserting* immediately after the definition of  
8 "legal aid" the following new definition— Amendment  
to section 18  
of principal  
Act.
- 9 "President" means President of the Federal Republic of Nigeria.
- 10 9. Schedule 1 to the principal Act is hereby amended in  
11 paragraph 7 thereof, by *substituting* for the expression "Federal  
12 Executive Council" the word "President". Amendment  
to Schedule  
1 to the  
principal  
Act.
- 13 10. Schedule 2 to the principal Act is amended by *adding*  
14 immediately after paragraph B thereof, the following new paragraphs— Amendment  
to Schedule  
2 to the  
principal  
Act.
- 15 "C. Civil claims in respect of accidents."
- 16 "D. Cases relating to the infringement of any right under  
17 Chapter IV of the Constitution of the Federal Republic of Nigeria  
18 1979".
- 19 11. In this Act— Interpreta-  
tion.
- 20 "principal Act" means Legal Aid Act 1976.
- 21 12. This Act may be cited as the Legal Aid (Amendment) Act 1982. Short title.

## EXPLANATORY MEMORANDUM

This Bill seeks generally to harmonize the Legal Aid Act 1976 with the Constitution of the Federal Republic of Nigeria 1979 ; and thereby widen the scope of legal aid to cover cases relating to the infringement of fundamental rights under Chapter IV of the 1979 Constitution and increase the income qualification of persons entitled to free legal aid.

# A BILL

FOR

AN ACT TO AMEND THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA  
1979 AND FOR MATTERS CONNECTED THEREWITH.

*Sponsored by SENATOR ALHAJI SABO BAKIN ZUWO,  
Kano Central Senatorial District,  
Kano State*

[ ]

Commence-  
ment.

1 BE IT ENACTED by the National Assembly of the Federal  
2 Republic of Nigeria as follows—

3 1. Section 8 of the Constitution of the Federal Republic of Nigeria  
4 1979 is hereby amended in paragraph (a) of subsection (1) thereof, by  
5 *deleting* sub-paragraph (iii).

Amendment  
to section 8  
of Constitu-  
tion.

6 2. This Act may be cited as the Constitution of the Federal Republic  
7 of Nigeria (Amendment) (No. 4) Act 1982.

Short title.

## EXPLANATORY MEMORANDUM

This Bill seeks to amend section 8 of the Constitution of the Federal Republic of Nigeria 1979 so that a request received by the National Assembly for the creation of a new State need not be authenticated by the members of any local government council in the area demanding the new State.