

IKECHUKWU OBIORAH

(Member of the 6th Senate 2007 – 2011)

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Email: ikobiorah@yahoo.com

2nd July, 2025

✓ 1. The Senate President
The Senate of The Federal Republic
National Assembly Complex
Three Arms Zone,
Central Business District
Abuja.

2. The Clerk of the Senate
National Assembly Complex
Three Arms Zone,
Central Business District
Abuja

✓ 3. The Chairman
Senate Constitution Review Committee
National Assembly Complex
Three Arms Zone,
Central Business District
Abuja.

4. The Secretary
Senate Constitution Review Committee
National Assembly Complex
Three Arms Zone,
Central Business District
Abuja.

Dear Sir,

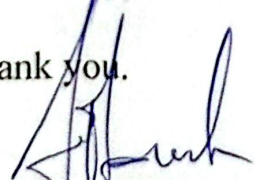
SUBMISSION OF A PRIVATE DRAFT BILL FOR THE AMENDMENT OF THE 1999 CONSTITUTION.

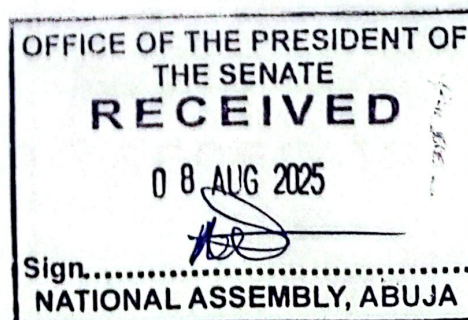
I am pleased to submit my private draft bill on the amendment of the Constitution for consideration by the National Assembly.

The bill borders on the constitutional powers for the appointment of the top leadership and personnel of the Independent National Electoral Commission (INEC) and the 36 States electoral Commission.

A hard copy of the said draft is herewith attached.

Thank you.


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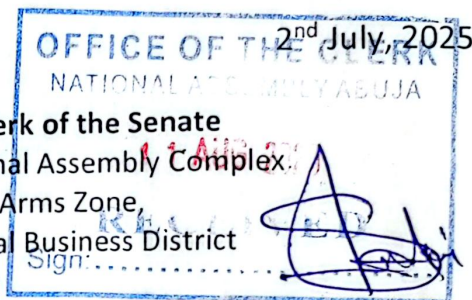
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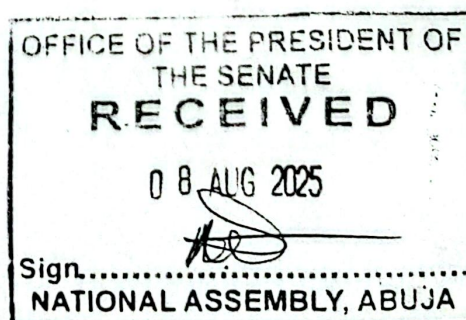
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**PRIVATE DRAFT BILL FOR THE AMENDMENT OF THE
1999 CONSTITUTION (AS AMENDED), SUBMITTED BY
IKECHUKWU OBIORAH, A MEMBER OF THE 6TH
SENATE 2007 – 2011.**

**A BILL TO ALTER THE PROVISIONS OF THE CONSTITUTION OF
THE FEDERAL REPUBLIC OF NIGERIA 1999; AND RELATED
MATTERS**

Alteration of the Constitution of the Federal Republic of Nigeria, 1999

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.

Alteration of section 154 (Appointment)

2. Section 154 of the Principal Act is altered –
 - (a) In subsection “1” by inserting subsections “(1A)”, “(1B)”, “(1C)”, “(1D)”, “(1E)”, (1F) immediately after the existing subsection “(1)”-

“(1A) Subsection 1 of section 154 shall not apply to the Independent National Electoral Commission.”

“(1B) The Independent National Electoral Commission shall be composed and constituted by thirteen Commissioners: six Commissioners shall be elected by six Nigerian labour and professional organizations; six Commissioners shall be nominated by the United Nations; and one observer-commissioner shall be nominated by Transparency International.”

“(1C) The role of the President of the Federal Republic of Nigeria shall be limited to collating the names and curricula vitae of the six Commissioners elected by labour and professional organizations, and the six Commissioners nominated by the United Nations, as well as the one observer-Commissioner nominated by Transparency International, and forwarding the same to the Senate and House of Representatives for confirmation.

“(1D) No nominated or elected prospective Commissioner shall be rejected by the National Assembly except by concurrent resolutions supported by at least two thirds majority of all Senators and Honourable Members of House of Representatives, respectively, voting individually in person by a secret ballot and televised in real time; voice vote shall not be allowed for this exercise.”

“(1E)” Not less than one year before every General Election, the President shall request the United Nations to make nominations for six Commissioners of the Independent Electoral Commission.

“(1F)” Not less than one year before every General Election, the President shall request the Transparency International to make a nomination for one Commissioner of the Independent Electoral Commission.

(b) In subsection (3) by deleting “Independent National Electoral Commission”.

(c) By inserting immediately after the existing subsection (3) new subsections “(4)”, “(5)”, “(6)”, “(7)” and “(8)” –

“(4) Six Commissioners of the Independent National Electoral Commission to be known as National Commissioners shall be elected by the underlisted labour and professional organisations arranged in a corresponding alphabetical order as follows:

- (i) The Academic Staff Union of Polytechnics shall elect one Commissioner out of its members from the North-Central geopolitical zone;
- (ii) The Academic Staff Union of Universities shall elect one Commissioner out of its members from the North-East geopolitical zone;
- (iii) The Institute of Chartered Accountants of Nigeria shall elect one Commissioner out of its members from the North West geopolitical zone;
- (iv) The Nigerian Bar Association shall elect one Commissioner out of its members from the South East geopolitical zone;
- (v) The Nigerian Medical Association shall elect one Commissioner out of its members from the South-South geopolitical zone; and
- (vi) The Nigerian Union of Journalists shall elect one Commissioner out of its members from the South-West geopolitical zone.

“(5) Six Commissioners of the Independent National Electoral Commission shall be nominated by the United Nations from different countries of the world apart from Nigeria.”

“(6) One Commissioner of the Independent National Electoral Commission shall be nominated by Transparency International; the nominee shall not be a Nigerian.”

“(7) The Commissioners of the Independent National Electoral Commission shall elect the Chairman of the Commission from among themselves.”

“(8) The Independent Electoral Commission shall appoint its Chief Executive Officer and other employees through open and competitive processes.”

Alteration of section 155 (Tenure)

3. Section 154 of the Principal Act is altered –

(a) By inserting subsections “(3)” and “(4)” immediately after the existing subsection (2) –

“(3) Subsection 1(c) of section 155 shall not apply to the Independent National Electoral Commission.”

“(4)” The tenure of office of a Commissioner of the Independent National Electoral Commission shall not exceed four years.

Alteration of section 156 (Qualification)

(b) Section 156 of the Principal Act is altered –

By inserting subsections “(4)” and “(5)” immediately after the existing subsection (3) –

“(4)” Politicians or persons who have held any political offices in Nigeria shall not be qualified to be elected to serve as Commissioners in the Independent National Electoral Commission.”

“(5)” The United Nations and Transparency International shall not nominate any Nigerian citizen or any person indigenous to Nigeria to serve as a Commissioner in the Independent National Electoral Commission.”

Alteration of section 157 (Removal)

(c) Section 157 of the Principal Act is altered –

By inserting subsections “(4)”, “(5)” and “(6)” immediately after the existing subsection (3) –

“(4) The Chief Executive Officer and other employees of the Independent National Electoral Commission may only be removed from office by the Independent National Electoral Commission itself.

“(5) No nominee or elected prospective Commissioner shall be impeached by the National Assembly except by concurrent

resolutions supported by at least two thirds majority of all Senators and Honourable Members of House of Representatives, respectively, voting individually in person by a secret ballot and televised in real time; voice vote shall not be allowed for this exercise.”

“(6)” Any person elected by a professional body as a Commissioner of the Independent National Electoral Commission shall cease to hold office if he loses membership of the professional body by which he was so elected.”

Alteration of section 158

Section 158 of the Principal Act is altered –

By inserting subsection “(3)” immediately after the existing subsection (2) –

“(3) In the performance of its duties and executing its mandate the Independent National Electoral Commission shall not be subject to the direction or control of any other authority or person.”

THIRD SCHEDULE PART 1

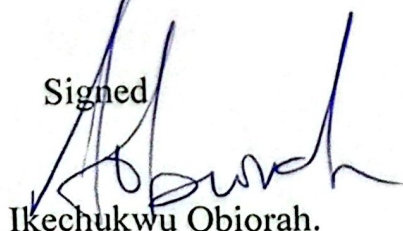
Alteration of Part 1 of the Third Schedule (Federal Executive Bodies)

(a) Sub-paragraph 3 of Paragraph 14 of Part 1 to the Third Schedule of the Principal Act is deleted.

(b) Paragraph 15 of Part 1 to the Third Schedule of the Principal Act is altered by:

- (i) substituting for the word “and” after the words “House of Representatives” in sub-paragraph (a) with comma (“,”); and
- (ii) inserting immediately after the words “the House of Assembly of each State of the Federation” the words “all the Local Government Councils in Nigeria”.

Signed



Ikechukwu Obiorah.