

# A BILL

## FOR

### AN ACT TO ALTER THE PROVISION OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 AND FOR OTHER MATTERS CONNECTED THEREWITH

Sponsored by Senator Babajide Christopher Omoworare

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Commencement

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 Act referred to as "Principal Act") is amended as set out in this Bill.

2. Section 251 is altered by the addition of new sub sections:

(4) (a) "no cause or matter shall be struck out by the Federal High Court on the ground that such cause or matter was taken in the Federal High Court instead of the High Court of a State or High Court of the Federal Capital Territory in which it ought to have been brought and the Judge of the Court before whom such cause or matter is brought may on his own volition or upon application made by any of the parties to the matter cause such cause or matter to be transferred to the appropriate High Court of a State or High Court of the Federal Capital Territory"

(4) (b) an order of the Federal High Court made in the circumstance described in paragraph (a) of this section shall not be subject to appeal.

3.

Section 272 is altered by the addition of new sub section:

(3) (a) "no cause or matter shall be struck out by the High Court of a State or High Court of the Federal Capital Territory on the ground that such cause or matter was taken in the High Court of a State or High Court of the Federal Capital Territory instead of the Federal High Court in which it ought to have been brought and the Judge of the Court before whom such cause or matter is brought may on his own volition or upon application made by any of the parties to the matter cause such cause or matter to be transferred to the appropriate Federal High Court"

(3) (b) an order of the High Court of a State or High Court of the Federal Capital Territory made in the circumstance described in paragraph (a) of this section shall not be subject to appeal.

4. This Bill may be cited as Constitution (Alteration) Bill, 2013  
**Citation**

#### **EXPLANATORY MEMORANDUM**

This Bill seeks to alter Sections 251 and 272 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and to remove jurisdictional bottlenecks that hamper speedy dispensation of justice in our courts.