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PRESS RELEASE

THE IMPLICATIONS OF THE 16 CONSTITUTION AMENDMENT BILLS SIGNED INTO LAW BY PRESIDENT MUHAMMADU BUHARI, THE INTERPRETATIONS AND WAY FORWARD

The Association of Women Town Planners in Nigeria (AWTPN) an arm of Nigerian Institute of Town Planners (NITP) would like to reiterate and commend Mr President, Muhammadu Buhari's landmark achievement by signing into law 16 Constitution Amendment Bills out of 35 of such Bills transmitted to him for assent by the National Assembly on Saturday 25th February 2023, at the State House, Abuja. However, we would like to give our views with respect to the implementation of these Bills.

It is paramount to observe that, these Bills which include the State Assembly and Judiciary Independence Bills, are quite significant as they will devolve more power to States while granting autonomy to the Judiciary which many have been clamouring. However, we would like to note explicitly the implications and way forward towards the implementation of these Amended Bills. This is with a view to achieving the desired result of the Amendment.

THE AMENDED BILLS, INTERPRETATION AND WAY FORWARD

S/N	AMENDED BILLS	INTERPRETATIONS OF THE BILLS	WAY FORWARD TO ACHIEVE THE DESIRED RESULT OF THE AMENDMENTS
1.	**Fifth Alteration (No.1)** This new Law amends the Constitution of the Federal Republic of Nigeria, 1999, to change the names of Afikpo North and Afikpo South Local Government Areas, and other related matters.	The new Law means that in Ebonyi State, the affected LGAs (Afikpo North and Afikpo South) are now to be known as Afikpo and Edda LGAs respectively.	• **There is need to Prepare or review Strategic Development Plans with a view to re-strategizing and re-establishing existing Growth Pole or propose additional Growth for sustainable development by Town Planners;**

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			• **To prepare a social-cultural heritage plan that will attract Tourism** • **State/ Local Government should engaged in Resources distribution**
2.	**Fifth Alteration (No.2):** The Law amends the Constitution of the Federal Republic of Nigeria, 1999 to change the name of Kunchi Local Government Area, and for related matters.	That, the name of Kunchi Local Government Area of Kano State has been changed.	• **The Federal Government should reflect the new name in the Constitution to avoid future challenges**
3.	**Fifth Alteration (No.3):** The Law amends the Constitution of the Federal Republic of Nigeria, 1999, to change the names of Egbado North and Egbado South Local Government Areas, and for related matters.	The names of Egbado North and Egbado South Local Government Areas of Ogun be addressed as Yewa North, and Yewa South, respectively.	• **There is need to Prepare or review Strategic Development Plans with a view to re-strategizing and re-establishing existing Growth Pole or propose additional Growth for sustainable development by Town Planners;** • **To prepare a social-cultural heritage plan that will attract Tourism** • **State/ Local Government should engaged in Resources distribution**
4.	**Fifth Alteration (No.4):** The Law amends the Constitution of the Federal Republic of Nigeria, 1999, to correct the name of Atigbo local government area and for related matters.	That, the name of the Local Government Area in Oyo State has been corrected from Atigbo to its original name of Atisbo as it was erroneously spelt as Atigbo by the media when it was created by former Head of State, Gen. Sani Abacha in 1996.	• **There is need to Prepare or review Strategic Development Plans with a view to re-strategizing and re-establishing existing Growth Pole or propose additional Growth for sustainable development by Town Planners;** • **To prepare a social-cultural heritage plan that will attract Tourism** • **State/ Local Government should engaged in Resources distribution**
5.	**Fifth Alteration (No.5),** the Law alters the Constitution of the	Local Government Area in Rivers State has been wrongly	• **There is need to Prepare or review Strategic Development Plans with a view to re-**

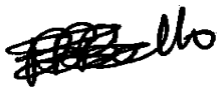
	Federal Republic of Nigeria, 1999 to correct the name of Obia/Akpor Local Government Area, and for related matters.	spelt as Obia/Akpor now revert to its original name of Obio/Akpor.	**strategizing and re-establishing existing Growth Pole or propose additional Growth for sustainable development by Town Planners;** • **To prepare a social-cultural heritage plan that will attract Tourism** • **State/ Local Government should engaged in Resources distribution**
6.	**Fifth Alteration (No.6):** The new Law alters the Constitution of the Federal Republic of Nigeria, 1999, to provide for the financial independence of State Houses of Assembly and State Judiciary, and for related matters.	That, State Houses of Assembly, State Judiciary and Local Councils across the country will now have their financial autonomy, as against the practice of running the controversial State Joint Local Government Account where monies meant for the councils were lodged with States.	• **Town Planners should be involved and engaged in Politic to improve project implementation at different levels** • **Town Planners need to work hand in hand with the Law Makers** • **Local Planning Authorities in the Local Government Offices should be revisited to inject more planning activities that will boost economic development at the Local levels** • **Town Planners to provide Technical Assistance to local Planning Authorities to enable them perform their functions as entrenched in the Consistitution and the Urban and Regional Planning Law of Nigeria** • **To consider the Preparation of Local Plans, Rural Plans, Subject Plans, Master Plans etc**
7.	**Fifth Alteration (No.8):** The Law amends the Constitution of the Federal Republic of Nigeria, 1999, to regulate the first session and inauguration of members-elect of the National and State Houses of Assembly; and for related matters.	This amendment means that the first session and inauguration of new Members into States and National Assembly will be managed and controlled by the Federal Government.	**Federal Government Affairs**

8.	**Fifth Alteration (No.9),** the Law alters the Constitution of the Federal Republic of Nigeria, 1999, to delete the reference to the provisions of the Criminal Code, Penal Code, Criminal Procedure Act, Criminal Procedure Code or Evidence Act, and for related matters.	By this Law, referencing the provisions of criminal codes, penal codes and other evidence acts have been eradicated in criminal or civil trials.	• **Preparation of Strategic development plans that enhanced Security development by <u>Town Planner.</u>** • **Profiling and mapping security risk areas in addition to zoning and landuses** • **<u>Law Makers- To r</u>eview of existing Policies to ensure safety and security are in place**
9.	**Fifth Alteration (No.10):** The new Law amends the Constitution of the Federal Republic of Nigeria, 1999, to exclude the period of intervening events in the computation of time for determining pre-election petitions, election petitions and appeals, and for related matters.	The Bill provides for a speedy determination in matters of election petitions and appeals without the courts allowing the intervening period to be elongated.	**<u>Federal Government and Law Makers</u> should review the existing Policies for election petitions and appeals and ensure prompt implementation**
10.	**Fifth Alteration (No.12):** The Law alters the Constitution of the Federal Republic of Nigeria, 1999, to provide for the post-call qualification of the Secretary of the National Judicial Council; and for related matters.	This Bill has put to rest a controversy surrounding appointments of the Secretary of the National Judiciary Council and means that the computation of a post-call starts from the first year of call to bar.	**<u>Federal Government and Law Makers</u> should review the existing Policies for appointments of the Secretary of the National Judiciary Council and ensure prompt implementation**
11.	**Fifth Alteration (No.15):** The Law amends the Constitution of the Federal Republic of Nigeria, 1999 to delete the item "prisons" in the Exclusive Legislative List and redesignate it as "Correctional Services" in	This particular Law means that the term "Prisons" will be replaced with "Correctional Services", and has been moved from the Exclusive	• **Town Planners should be engaged in the Siting and designing of correctional buildings to function as a tool for rehabilitation and correctional facility which will promote safety, security, ease of supervision, and circulation**

	the Concurrent Legislative List; and for related matters.	Legislative List to the Concurrent List. This also means that States now have the power to establish Correctional and Custodial facilities, while State Assemblies have the power to legislate on such matters without reference to the Federal Government.	• **Provide a normative (less institutional and more residential-like that will spatially enhance living environment for correctional operations.** • **Rehabilitation and Correctional Facilities to be included in the Urban Policy Reform and Master Plans for each States.** • **State Assemblies have the power to legislate in to the implementation of Correctional Facilities and the operations**
12.	**Fifth Alteration (No.16):** The Law alters the Constitution of the Federal Republic of Nigeria, 1999, to move the item "Railways" from the Exclusive Legislative List to the Concurrent Legislative List, and for related matters.	That, the Management of Railways in the country has moved from the Exclusive List to the Concurrent List, meaning that it is no longer an exclusive responsibility of Federal Government. However, the management of inter-state rail services will remain a responsibility of the Federal Government.	• **Every State should prepare a policy statement on the preparation of Laws regulating the establishment and operations of Rail Services in each State.** • **Rail-way alignment/Right of Way (ROW) should be provided as well as siting of Train Stations locations in the Master Plan.** • **Identification and recognition of all existing rail networks in all development plans by both the State and Local Governments for possible revitalization.** • **To working with relevant Agencies especially Ministry of Transport and Ministry of Works** • **Ensure adequate setbacks and security measures around rail lines and crosses and this should be well stated in the Regulations.** • **However, the Management of Inter-State Rail Services only will remain a responsibilityof the Federal Government**
13.	**Fifth Alteration (No.17):** The Law amends the Constitution of the Federal Republic of Nigeria, 1999 to allow states to generate,	The amendment has removed the provision of electric generation from being the exclusive duty of the Federal	**The State Ministry of Physical Planning & Urban Development (MPP&UD) and Ministry of Energy and Mineral Resource-** • **Preparation of Subject Plan for siting and distributing Power**

	transmit and distribute electricity in areas covered by the national grid, and for related matters.	Government and gives states the power to generate, transmit and distribute power within its domains.	**Stations within each States for ease of accessibility and affordability.** • **To encourage other sources of power generation like Mini Gas Power Generating Plants.** • **Identification of existing locations of Power Stations and appraisal of the sustainability and adequacy for spatial distribution**
14.	**Fifth Alteration (No.23):** The Law alters the Constitution of the Federal Republic of Nigeria, 1999, to require the President and Governors to submit the names of persons nominated as Ministers or Commissioners within sixty days of taking the oath of office for confirmation by the Senate or State House of Assembly, and for related matters.	This mandates the President and Governors to submit names of persons nominated as Ministers or Commissioners to the National Assembly and State Assemblies within 60 days of taking the oath of office for confirmation by the Senate and members of State Houses of Assembly.	**All Associations/Institutes in Built Environment including Nigerian Institute of Town Planners should take advantage of political lobby and engagement by showing interest in this nomination because services of professionals in built environment is highly needed in Politic to run smoothly**
15.	**Fifth Alteration (No.32):** The amendment seeks alters the Constitution of the Federal Republic of Nigeria, 1999, to correct the error in the definition of the boundary of the Federal Capital Territory, Abuja, and for related matters.	This Law puts an end to disputes on boundaries bordering the Federal Capital Territory by correcting previous errors captured in surrounding areas.	• **States must work with the Town Planners and surveyor to carry out a holistic boundary delineation** • **Federal Capital Territory (FCT) must work with the Town Planners and Surveyor to carry out holistic boundary Delineation** • **Town Planners should be engaged to prepare Physical and Regional Development Plans.** • **Each Local Council should have functional development and rural plans prepared by Town Planners**
16.	**Fifth Alteration (No.34):** This new Law alters the Constitution of the	This particular Law mandates the Federal	• **Federal Ministry of Works and Housing (FMWH) is to intensify efforts on the completion of the**

	Federal Republic of Nigeria, 1999, to require the government to direct its policy towards ensuring the right to food and food security in Nigeria, and for related matters	Government to enact a policy that will ensure food security and right to food for every Nigerian.	**National Physical Development Plan and much emphasis should be placed Food Security and right to food for every Nigerian.** • **All States should follow suit by preparing a Physical Development Plan and Policy to accelerated comparative advantages of agricultural land in each State.**



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