

TRADITIONAL INSTITUTIONS

1. Council of Traditional Rulers (National/State/Local Government)

Bill No: SB 532

A BILL FOR AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO ESTABLISH THE NATIONAL COUNCIL OF TRADITIONAL RULERS, STATE COUNCIL OF TRADITIONAL RULERS AND LOCAL GOVERNMENT COUNCIL OF TRADITIONAL RULERS; AND FOR RELATED MATTERS.

Section	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p style="text-align: center;">Clause 1 Alteration of the Constitution</p> <p>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.</p>	
153	<p><i>B - Establishment of certain Federal Executive Bodies</i></p> <p>153. Federal Commissions and Councils, etc. (1) There shall be established for the Federation the following bodies, namely-</p> <p>(a) Code of Conduct Bureau; (b) Council of State; (c) Federal Character Commission; (d) Federal Civil Service Commission; (e) Federal Judicial Service Commission; (f) Independent National Electoral Commission; (g) National Defence Council;</p>	<p style="text-align: center;">Clause 2 Alteration of section 153</p> <p>Section 153 of the Principal Act is altered –</p> <p>(a) by deleting the word “Executive” from the heading; and</p> <p>(b) in subsection (1), by inserting after paragraph (f), a new paragraph “(fa)” –</p> <p>“(fa) National Council of Traditional Rulers</p>	

	<p>(h) National Economic Council; (i) National Judicial Council; (j) National Population Commission; (k) National Security Council; (l) Nigeria Police Council; (m) Police Service Commission; and (n) Revenue Mobilisation Allocation and Fiscal Commission.</p>		
	<p><i>B - Establishment of certain State Executive Bodies</i></p> <p>197. State Commissions</p> <p>(1) There shall be established for each State of the Federation the following bodies, namely -</p> <p>(a) State Civil Service Commission; (b) State Independent Electoral Commission; and (c) State Judicial Service Commission.</p>	<p>Clause 3 Alteration of Section 197</p> <p>Section 197 (1) of the Principal Act is altered by inserting after paragraph (c), a new paragraph “(d)” –</p> <p>“(d) – State Council of Traditional Rulers</p>	
Third Schedule Part I	<p><i>B - Council of State</i></p> <p>5. The Council of State shall comprise the following persons –</p> <p>(a) the President, who shall be the Chairman; (b) the Vice-President, who shall be the Deputy Chairman; (c) all former Presidents of the Federation and all former Heads of the Government of the Federation;</p>	<p>Clause 4 Alteration of Part I of the Third Schedule</p> <p>Part I of the Third Schedule to the Principal Act is altered -</p> <p>(a) in paragraph 5 by inserting after subparagraph (h), a new subparagraph “(i)” –</p> <p>“(i) One representative of the National Council of Traditional Rulers.”</p>	

	<p>(d) all former Chief Justices of Nigeria;</p> <p>(e) the President of the Senate;</p> <p>(f) the Speaker of the House of Representatives;</p> <p>(g) all the Governors of the States of the Federation;</p> <p>and</p> <p>(h) the Attorney-General of the Federation.</p> <p><i>K - National Security Council</i></p> <p>25. National Security Council</p> <p>The National Security Council shall comprise the following members –</p> <p>(a) the President who shall be the Chairman;</p> <p>(b) the Vice-President who shall be the Deputy Chairman;</p> <p>(c) the Chief of Defence Staff;</p> <p>(d) the Minister of the Government of the Federation charged with the responsibility for internal affairs;</p> <p>(e) the Minister of the Government of the Federation charged with the responsibility for defence;</p> <p>(f) the Minister of the Government of the Federation charged with the responsibility for foreign affairs;</p> <p>(g) the National Security Adviser;</p> <p>(h) the Inspector-General of Police; and</p>	<p>(b) in paragraph 25 by inserting after subparagraph (h), a new subparagraph “(ha)” –</p> <p>“(ha) One representative of the National Council of Traditional Rulers.”</p>	
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	<p>(i) such other persons as the President may in his discretion appoint.</p> <p><i>N. Revenue Mobilisation Allocation and Fiscal Commission</i></p> <p>31. Revenue Mobilisation Allocation and Fiscal Commission</p> <p>The Revenue Mobilisation Allocation and Fiscal Commission shall comprise the following members —</p> <p>(a) a Chairman; and</p> <p>(b) one member from each State of the Federation and the Federal Capital Territory, Abuja who in the opinion of the President are persons of unquestionable integrity with requisite qualifications and experience.</p> <p>32. The Commission shall have power to —</p> <p>(a) monitor the accruals to and disbursement of revenue from the Federation Account;</p> <p>(b) review, from time to time, the revenue allocation formulae and principles in operation to ensure conformity with changing realities:</p> <p>Provided that any revenue formula which has been accepted by an Act of the National</p>	<p>(c) by inserting after paragraph 32, a new subhead “(O)” –</p> <p><i>“O. National Council of Traditional Rulers</i></p> <p>33. The National Council of Traditional rulers shall comprise of -</p> <p>(a) A chairman to be appointed from the members of the Traditional Council;</p> <p>(b) Two Vice Chairman (North and South) to be appointed from the members of Traditional Council;</p> <p>(c) Chairman of State Council of Traditional Rulers and two others, one each from Senatorial District other than that of the Chairman;</p> <p>(d) The chairman of the Federal Capital Territory (FCT) council of Traditional Rulers;</p> <p>34. The Council shall -</p> <p>(a) advise the Federal Government on the security measures especially at community level to be adopted to ensure protection of lives and property in the federation;</p> <p>(b) facilitate the sensitisation of the Federal Government policies and programmes at the State and Local Government levels;</p> <p>(c) safeguard infrastructure and public utilities;</p>	
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	<p>Assembly shall remain in force for a period of not less than five years from the date of commencement of the Act;</p> <p>(c) advise the Federal and State Governments on fiscal efficiency and methods by which their revenue can be increased;</p> <p>(d) determine the remuneration appropriate for political office holders, including the President, Vice-President, Governors, Deputy Governors, Ministers, Commissioners, Special Advisers, legislators and the holders of the offices mentioned in sections 84 and 124 of this Constitution; and</p> <p>(e) discharge such other functions as are conferred on the Commission by this Constitution or any Act of the National Assembly.</p>	<p>(d) assist the relevant national security enforcement and intelligence agencies in monitoring and reporting rural-urban migration and immigration issues;</p> <p>(e) assist the Federal Government in development of statistical data on mass movement of people from one location to another within a state to facilitate effective planning and judicious allocation of resources;</p> <p>(f) advise the Federal Government on proposed development plans for Nigeria and security matters from grass-root perspective;</p> <p>(g) undertake evaluation of traditional customs and usage with a view to advising on an enhancement of cultural heritage;</p> <p>(h) advise on religious matters;</p> <p>(i) promote and advise on arts and culture;</p> <p>(j) advise relevant bodies or agencies of the Federal, State or Local Government on the resolution of boundary disputes;</p> <p>(k) assist in the mobilisation of human and material resources towards self-reliance and welfare of the people of Nigeria; and</p> <p>(l) carry out such other functions as may be referred to it by the Federal Government.</p>	
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	<p style="text-align: center;"><i>C. State Judicial Service Commission</i></p> <p>5. State Judicial Service Commission</p> <p>A State Judicial Service Commission shall comprise the following members —</p> <ul style="list-style-type: none"> (a) the Chief Judge of the State, who shall be the Chairman; (b) the Attorney General of the State; (c) the Grand Kadi of the Sharia Court of Appeal of the State, if any; (d) the President of the Customary Court of Appeal of the State, if any; (e) two members, who are legal practitioners, and who have been qualified to practice as legal practitioners in Nigeria for not less than ten years; and (f) two other persons, not being legal practitioners, who in the opinion of the Governor are of unquestionable integrity. <p>6. The Commission shall have power to —</p> <ul style="list-style-type: none"> (a) advise the National Judicial Council on suitable persons for nomination to the office of — 	<p style="text-align: center;">Clause 5 Alteration of Part II of the Third Schedule</p> <p>Part II of the Third Schedule to the Principal Act is altered by inserting after paragraph 5, a new subhead “D” —</p> <p><i>“D. State Council of Traditional Rulers</i></p> <p>7. The Council shall comprise of the following members -</p> <ul style="list-style-type: none"> (a) a Chairman who shall be — <ul style="list-style-type: none"> (i) a traditional ruler, (ii) the Chairman of the State Council of Traditional Rulers; and (ii) a member of the State Security Council; (b) such other members of the Council as may be provided in the in the Law of the State; and (c) the Secretary to the Council who shall be an officer not below the rank of a Director in the Ministry responsible for Local Government or Chieftaincy Affairs in the State. <p>8. (1) The power to appoint Chiefs, Emirs, Ezes, Obis and Obas of the 1st, 2nd, 3rd and 4th classes shall vest on the governor of the State on the recommendation of:</p> <ul style="list-style-type: none"> (a) the King makers; and (b) the Traditional Rulers Council 	
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	<p>(i) the Chief Judge of the State,</p> <p>(ii) the Grand Kadi of the Sharia Court of Appeal of the State, if any,</p> <p>(iii) the President of the Customary Court of Appeal of the State, if any,</p> <p>(iv) Judges of the High Court of the State,</p> <p>(v) Kadis of the Sharia Court of Appeal of the State, if any, and</p> <p>(vi) Judges of the Customary Court of Appeal of the State, if any;</p> <p>(b) subject to the provisions of this Constitution, to recommend to the National Judicial Council the removal from office of the judicial officers specified in sub-paragraph (a) of this paragraph; and</p> <p>(c) to appoint, dismiss and exercise disciplinary control over the Chief Registrar and Deputy Chief Registrar of the High Court, the Chief Registrars of the Sharia Court of Appeal and Customary Court of Appeal, magistrates, judges and members of Area Courts and Customary Courts and all other members of the staff of the judicial service of the State not otherwise specified in this Constitution.</p>	<p>(2) The composition of the King makers, shall be as provided for or recognised by the custom and tradition of such Traditional Stool.</p> <p>9. The Council shall perform the following functions:</p> <p>(a) give general advice to the State Government;</p> <p>(b) advise the State Government on proposed development on security issues as the need arise;</p> <p>(c) advise on religious matters;</p> <p>(d) advise on the promotion and upgrading of Emirates, Kingdoms, Chiefdoms, clans Communities;</p> <p>(e) assist in the mobilisation of human and material resources towards self-reliance and welfare of the people of the State;</p> <p>(f) collaborate with State Government to codify the existing customs and traditions and gazette them accordingly;</p> <p>(g) advise the State Executive Council in matters relating to the creation of new first class or paramount Traditional Rulers, and</p> <p>(h) Carry out such other functions as the Governor may refer or direct to the Council.</p> <p>10. The power to discipline or remove any Traditional ruler or staff of the Traditional institution shall vest on the appointing authority as advised by the Traditional Council.</p>	
		Clause 6	

		<p style="text-align: center;">Alteration of Fourth Schedule</p> <p>The Fourth Schedule to the Principal Act is altered by inserting after paragraph 2, a new “Part II” -</p> <p style="text-align: center;">“Part II</p> <p><i>Local Government Council of Traditional Rulers</i></p> <p>3. (1) There shall be a Local Government Council of Traditional rulers for every Local Government Area in Nigeria, (herein referred to as “the Council”).</p> <p>(2) The Council be composed of -</p> <p style="padding-left: 40px;">(a) the Paramount Traditional Ruler in the Local government Area;</p> <p style="padding-left: 40px;">(b) all graded Traditional Rulers in the Local Government Area; and</p> <p style="padding-left: 40px;">(c) the Secretary to the Council who shall be appointed by the Chairman of the Local Government.</p> <p>(3) The Council shall be on hereditary basis and except for disciplinary reasons, the tenure shall be for life.</p> <p><i>Functions of the Local Government Council of Traditional Rulers</i></p> <p>4. The Council shall -</p> <p style="padding-left: 40px;">(a) give general advice to the Local Government Chairman;</p> <p style="padding-left: 40px;">(b) advise the Local Government on proposed development plans for Nigeria and on Security matters as they see them from grassroot perspective;</p>	
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		<p>(c) undertake an evaluation of Traditional customs and usage with a view to advising on and enhancement of our cultural heritage;</p> <p>(d) advise on religious matters;</p> <p>(e) promote and advising on Arts and culture;</p> <p>(f) advise relevant bodies or agencies of the Local Government on the resolution of boundary disputes as may be required of the Council;</p> <p>(h) assisting in the mobilisation of human and material resources towards self-reliance and welfare of the people of the Local Government.</p> <p><i>Remuneration of Traditional Rulers</i></p> <p>5. 8% of the gross federal statutory allocation to every Local Government Area shall be paid to the Paramount Traditional Ruler or Highest-Ranking Traditional Ruler of each Local Government Area for the operation of the traditional institution.”</p>	
		<p style="text-align: center;">Clause 7 Citation</p> <p>This Bill may be cited as the Constitution of the Federation of Nigeria, 1999 (Sixth Alteration), Bill 2025</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to establish the National and State council of Traditional Rulers in Nigeria to advise the President, Governors and Local Government Chairmen on matters of customary law, security and public order. It also seeks to make the Chairman of the National Council of Traditional Rulers a member of the Council of State.</p>	
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