

No. 2: Authorization of Expenditure

A Bill For

An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to reduce the period within which the President or the Governor of a State may authorise the withdrawal of monies from the Consolidated Revenue Fund in the absence of an Appropriation Act from 6 months to 3 months; and for related matters

SECTIONS OF THE CONSTITUTION	PROVISIONS OF THE CONSTITUTION	PROVISION OF THE BILL	REMARKS
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		<p>Alteration of the Constitution</p> <p>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.</p>	
82.	<p>Authorisation of expenditure in default of appropriation.</p> <p>82. If the Appropriation Bill in respect of any financial year has not been passed into law by the beginning of the financial year, the President may authorise the withdrawal of moneys in the Consolidated Revenue Fund of the Federation for the purpose of meeting expenditure necessary to carry on the services of the Government of the Federation for a period not exceeding six months or until the coming into operation of the Appropriation Act, whichever is the earlier:</p> <p>Provided that the withdrawal in respect of any such period shall not exceed the amount authorised to be</p>	<p>Alteration of section 82</p> <p>2. Section 82 of the Principal Act is altered by –</p> <p>(a) substituting for the word, “six” in line 5, the word, “three”; and</p> <p>(b) deleting, in lines 5 and 6, the words “ or until the coming into operation of the Appropriation Act whichever is earlier:”</p>	

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	<p>withdrawn from the Consolidated Revenue Fund of the Federation under the provisions of the Appropriation Act passed by the National Assembly for the corresponding period in the immediately preceding financial year, being an amount proportionate to the total amount so authorised for the immediately preceding financial year.</p>		
Section 122	<p style="text-align: center;">Authorisation of expenditure in default of appropriations</p> <p>122. If the Appropriation Bill in respect of any financial year has not been passed into law by the beginning of the financial year, the Governor may authorise the withdrawal of moneys in the Consolidated Revenue Fund of the State for the purpose of meeting expenditure necessary to carry on the services of the Government for a period not exceeding three months or until the coming into operation of the Law, whichever is the earlier - Provided that the withdrawal in respect of any such period shall not exceed the amount authorised to be withdrawn from the Consolidated Revenue Fund of the State under the provisions of the Law passed by the House of the Assembly for the corresponding period in the immediately preceding financial year, being an amount proportionate to the total amount so authorised for the immediately preceding financial year.</p>	<p>Alteration of section 122</p> <p>3. Section 82 of the Principal Act is altered by –</p> <p style="padding-left: 40px;">(a) substituting for the word, “six” in line 5, the word, “three”; and</p> <p style="padding-left: 40px;">(b) deleting, in lines 5 and 6, the words “ or until the coming into operation of the Appropriation Act whichever is earlier.”</p>	

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		<p>Citation</p> <p>4. This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fourth Alteration) Bill, No. 2, 2017.</p>	
		<p>EXPLANATORY MEMORANDUM</p> <p>This Bill seeks to provide for the maximum period under which expenditure shall be made from the previous budget before the passage of a new budget from 6 months to 3 months.</p> <p>This Bill also seek to encourage early presentation and early passage of Appropriation Bills.</p>	