

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999, CAP. C23 LAWS OF THE FEDERATION OF NIGERIA, 2004 TO MAKE PROVISIONS FOR RIGHT TO FOOD AND FOOD SECURITY IN NIGERIA; AND FOR RELATED MATTERS.

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Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows –

1. – The Constitution of the Federal Republic of Nigeria, 1999, Alteration of Cap. Cap. C23 Laws of the Federation of Nigeria, 2004 (referred to as C23 LFN 2004. “the Principal Act”) is altered as set out in this Bill.

2. – (1) (a) Section 16 of the Principal Act is altered by deleting in Alteration of Section Sub-Section 2 (d) the words “suitable and adequate food” 16. appearing in lines 1 – 2 thereof.

(b) The Principal Act is altered by inserting a new Section 16 A.

“ 16 A (1) The State shall direct its policy towards ensuring that –

(a) the means of production, conservation and distribution of food are improved;

(b) strategies that guarantee food security of the nation in terms of availability, accessibility and affordability of foods to the citizens are implemented; and

(c) adequate measures are provided to ensure that food security of the nation is not compromised by internal agents, and actions of such agents that work for the sustainability of the food security are promoted.

(2) Government of the Federations shall deliver progress report to the National Assembly on food security of the Nation on annual basis, indicating the situation with different segments of the State.”

3. – Section 33 of the Principal Act is altered by inserting immediately after Section 33 (c), a new Section 33 A and its side note to read “Right to Food”. Alteration of Section 33.

“33 A (1) Every person shall have a right to food, which shall be respected, protected and guaranteed by the State, and no one shall be deprived of food under any circumstances. ‘Right to food’.

(2) A person shall not be regarded as having been deprived of food in contravention of this Section if the person is –

(a) physically fit or able to work or find food or not considered a disadvantaged person or belonging to the vulnerable groups in society;

(b) not affected by natural disasters or any socio-economic emergencies affecting the person’s livelihood in such a manner as to become the responsibility of government to respond quickly with appropriate measures; or

(c) seeking remedies to situations other than food or means of acquiring food directly or otherwise”

4. – This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2016. Short Title.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to ensure that the State directs its policy towards food security, and making rights to food a guaranteed fundamental Human Right in the Constitution.

