





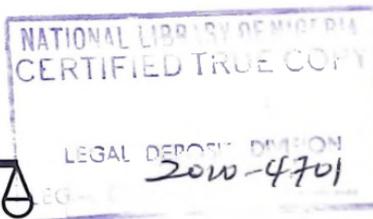
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**INTRODUCTION  
TO  
CITIZENS' HAND-BOOK  
ON 1999  
NIGERIAN CONSTITUTION**

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**INTRODUCTION TO CITIZENS' HANDBOOK  
ON 1999 NIGERIAN CONSTITUTION**

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# MEMORABLE MATTERS

## *National Anthem*

Arise, O Compatriots, Nigeria's call obey  
 To serve our fatherland  
 With love and strength and faith  
 The labour of our heroes past  
 Shall never be in vain  
 To serve with heart and might  
 One nation bound in freedom, peace and unity.

O God of Creation, direct our noble cause  
 Guide our leaders right  
 Help our youth the truth to know  
 In love and honesty to grow  
 And living just and true  
 Great lofty heights attain  
 To build a nation where peace and justice shall reign

Nigeria  
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Received 25-10-

## *National Pledge*

I pledge to Nigeria my country  
 To be faithful, loyal and honest  
 To serve with all my strength  
 To defend her unity and uphold her honour and glory  
 So help me God

## *National Motto*

Unity and Faith, Peace and Progress

## *Oath of Allegiance*

I,.....do solemnly swear/affirm that I will be faithful  
 and bear true allegiance to the Federal Republic of Nigeria  
 and that I will preserve, protect and defend the Constitution  
 of the Federal Republic of Nigeria.  
 So help me God.

## **PREFACE**

The objective of Introduction To Citizens' Handbook On 1999 Nigerian Constitution is to take readers through the Constitution, in 18 items, in a manner that makes for an easy understanding of the subject-matter. The book enables a reader to be familiar with the basic provisions of the Constitution as a groundwork for an in-depth study. In particular, as the name signifies, it serves as an introduction to my Citizens ' Handbook On 1999 Nigerian Constitution, which contains Notes on fundamental elements of the Constitution and principles of constitutional government.

It may be pertinent to disclose that the writing of this book was suggested by several lecturers in secondary and tertiary institutions. Their reasoning, which I gladly accept, is that some classes, programmes or individuals do not need the Notes contained in Citizens' Handbook. This title has therefore been composed with that class of readership as a target.

Another utility value of this book is that it can be conveniently used with my Charts On 1999 Nigerian Constitution a publication that has been acknowledged as an effective teaching aid. The Items of this book agree with the Charts, which is a teacher's aid while this one is the students' counterpart

For easy reference to the Constitution, relevant sections of the Items have been provided in the Table of Contents.

I wish to glorify God Almighty for His grace in producing this book and appreciate those who made useful suggestions as stated above.

Joseph Ikogho, Esq  
December, 2009.



## TABLE OF CONTENTS

|                         |  |
|-------------------------|--|
| National Library Number |  |
| Memorable Matters       |  |
| Preface                 |  |
| Table of Contents       |  |

|      |
|------|
| PAGE |
| ii   |
| iii  |
| iv   |
| v    |

| ITEM NO | TITLE   |    |
|---------|---|----|
| 1.      | Introduction and General Provisions<br>(Sections 1, to 3, 8, 9, 10 & 12)                      | 1  |
| 2.      | Citizenship (Sections 24 to 27 and 309)   | 4  |
| 3.      | Duty and Responsibility of Government<br>(Sections 13 to 23)                                  | 6  |
| 4.      | People's Rights (Sections 33 to 46)   | 8  |
| 5.      | Federal Legislature (Sections 4(1) to (5) and 47 to 78)                                       | 10 |
| 6.      | State Legislature (Sections 4(6) & (7) and 91 to 109)   | 14 |
| 7.      | Federal Executive (Sections 5(1) and 130 to 152)  | 17 |
| 8.      | State Executive (Sections 5(2) and 176 to 196)  | 20 |
| 9.      | Public Service (Sections 169 to 175; 206 to 212)  | 23 |
| 10.     | The Police and Armed Forces (Sections 214 to 216<br>and 217 to 220)                           | 25 |
| 11.     | Political Parties and Election Tribunals (Sections 221 to<br>229, 285 and the Sixth Schedule) | 27 |
| 12.     | Executive Bodies (Sections 153 to 161, 197 to 205 &<br>Third Schedule)                        | 29 |
| 13.     | Local Government System (Section 7)   | 31 |
| 13A.    | Names of Local Government Areas (First Schedule, Part I)                                      | 31 |
| 14.     | The Judiciary (Sections 6(1) & (2) and 230 to 284)  | 4  |
| 15.     | Code of Conduct For Public Officers (Fifth Schedule)  | 4  |
| 16.     | Oaths (Seventh Schedule)  | 4  |
| 17.     | Federal Capital Territory<br>(Sections 297 to 304 and First Schedule, Part I)                 | :  |

APPENDIX: PUBLISHER'S LIST



# ITEM 1: INTRODUCTION AND GENERAL PROVISIONS

## A - INTRODUCTION

### *Types of Constitutions: Written and Unwritten*

There are two types of Constitutions. One is written while the other one is unwritten. Under a written constitution, (as in Nigeria) the Constitution is supreme. Its provisions MUST be obeyed, observed and complied with by every person (including the President of Nigeria, Senate President and Chief Justice) and every authority (including the National Assembly, Houses of Assembly and law courts). Anything that is not in line with a written constitution is bad and against the law of the country concerned. It is illegal.

On the other hand, under unwritten constitution, the legislature is supreme. As an example, in the United Kingdom where unwritten constitution is practised, Parliament (as the legislature is called) is supreme. It can do or undo anything. In fact, it is commonly said that the British Parliament can do anything except to change a man to a woman or change a woman to a man. All that is by the normal process of law-making.

### *Nigerian Constitution Since 1914*

From 1914 1922 Nigeria had no constitution in form of a document. The British governed her with a system of rules, customs and laws that were in force in England, together with rules, customs and local laws that they met in Nigeria. It was unwritten constitution.

In 1922, the first constitution was made which is popularly called the *Clifford Constitution*. Government under the 1922 Constitution was unitary and not federal. That means, there was one national government and nothing like a federal or state government.

In 1946 a new Constitution was made, called *Richards Constitution*.

In 1951, another Constitution called *Macpherson Constitution* was made.

In 1954 the *Lyttelton Constitution* was made, which made Nigeria a federation. The federation had three components, called Regions. These were Northern Region, Eastern Region and Western Region.

In 1960 there was another Constitution under which Nigeria gained independence from British rule.

In 1963 there was a Constitution by which Nigeria became a republic. It is sometimes called the Republican Constitution. It was suspended when the military seized power in January, 1966.

In 1979 the Armed Forces made another Constitution before they handed over government in October. That Constitution was suspended by the Armed Forces in January 1984 after they took over government again.

In 1989, the military made another Constitution but only a part of it was put into force for a few months before they suspended it and reverted to the 1979 Constitution.

In 1999 the military made another Constitution before handing over power to civilians on 29th May, 1999. The civilian government then decided to name 29th May, "Democracy Day" and declared the day a yearly public holiday.

## B GENERAL PROVISIONS

### SUPREMACY OF THE CONSTITUTION

The Constitution is supreme (that is, the highest authority) and is binding on all governments, government agencies and persons throughout Nigeria. Nigeria must not be governed in any other manner except as stated in the Constitution; and nobody must take control of the government of Nigeria or any part of it except as stated in the Constitution.

### THE FEDERAL REPUBLIC OF NIGERIA

Nigeria is one sovereign country which must not be broken up, and which is officially named the "Federal Republic of Nigeria". She is a federation consisting of units called 'states', and an area known as the federal capital territory.

### STATES OF THE FEDERATION

There are 36 states in Nigeria. These are Abia, Adamawa, Akwa Ibom, Anambra, Bauchi, Bayelsa, Benue, Borno, Cross River, Delta, Edo, Ekiti, Enugu, Ebonyi, Gombe, Imo, Jigawa, Kaduna, Kano, Katsina, Kebbi, Kogi, Kwara, Lagos, Nasarawa, Niger, Ogun, Ondo, Osun, Oyo, Plateau, Rivers, Sokoto, Taraba, Yobe and Zamfara.

### POWERS OF THE FEDERATION

The powers of the Federal Republic of Nigeria are legislative powers, executive powers and judicial powers.

### CREATION OF STATES

Before a law for the creation of a new state is passed by the National Assembly

- (a) a request must be received by the National Assembly, supported by a two-third majority of members (representing the area demanding the new state) in each of the following:
- (i) the Senate and House of representatives
  - (ii) the House of Assembly of the area; and
  - (iii) the local government councils in the area;
- (b) the proposal must be approved in a referendum by a two-third majority of the people of the area demanding the new state;
- (c) the result of the referendum must be approved by a half of all the states, supported by a simple majority of members of the House of Assembly; and
- (d) the proposal must be approved by a resolution passed by a two-third majority of members of each House of the National Assembly.

### AMENDMENT OF THE CONSTITUTION

The National Assembly may amend any section of the Constitution but must comply with procedure laid down by the Constitution.

As a *general rule*, before a law to amend the Constitution is passed by the National Assembly, the proposal must be supported by the votes of a *two-third* majority of all members of each House, and the proposal must be approved by a resolution of not less than two-thirds of Houses of Assembly of all states.

However, in order to amend the section on -

- (1) creation of new states,
- (2) boundary adjustment,
- (3) creation of a new local government area, or
- (4) the fundamental rights,

a proposal must be made to the National Assembly supported by a *four-fifth* majority of all members of each House of the National Assembly; and the proposal must be approved by a resolution of two thirds of Houses of Assembly of all states;

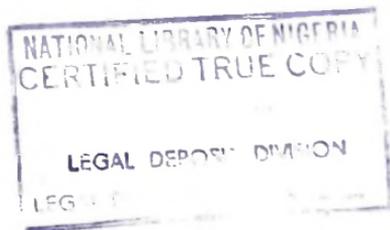
With respect to any amendment of the Constitution, the number of members of the Houses of the National Assembly (of which a specified majority is required) is the entire membership of 109 for the Senate and 360 for the House of Representatives whether there is a vacancy or not.

### **PROHIBITION OF STATE RELIGION**

No government must adopt any religion as an official religion.

### **IMPLEMENTATION OF TREATIES**

A treaty between Nigeria and another country must not become a law in Nigeria except it is enacted into law by the National Assembly.



## **ITEM 2: CITIZENSHIP.**

### **TYPES OF CITIZENSHIP**

#### *Citizenship By Birth*

The following persons are Nigerian citizens by birth

(a) every person born in Nigeria before the date of independence; but his parents or any of his grandparents must have been born in Nigeria, and must belong to an indigenous community.

(b) every person born in Nigeria after the date of independence; but one of his parents or any of his grandparents must have been born in Nigeria; and

(c) every person born outside Nigeria, one of whose parents is a Nigerian citizen.

#### *Citizenship By Registration*

A foreigner in either of the following categories may become a Nigerian citizen by registration if the President accepts his application and has taken the oath of allegiance

(a) any woman who is, or has been, married to a citizen of Nigeria; and

(b) every person of full age and capacity, born outside Nigeria, one of whose grandparents is, or was, a citizen of Nigeria.

#### *Citizenship By Naturalisation*

A foreigner becomes a Nigerian citizen by naturalisation if the President accepts his application and has taken the oath of allegiance.

A person who is a Nigerian citizen by registration or naturalisation is not entitled to be President or Vice-President of Nigeria, or Governor or Deputy Governor of a state.

### **CITIZENSHIP UNDER PREVIOUS CONSTITUTIONS**

Any person who was a Nigerian citizen by birth, registration or naturalisation under any previous Constitution continues to be a Nigerian citizen.

### **DUAL CITIZENSHIP**

A Nigerian citizen by birth may acquire the citizenship of another country and still retain his Nigerian citizenship.

### **RESTRICTION ON CERTAIN CITIZENS**

A person who is a Nigerian citizen by registration or naturalisation is allowed to retain the citizenship of a country of which he is a citizen by birth; but he is not entitled to acquire or retain the citizenship of a third country.

A person who is a citizen of Nigeria by registration or naturalisation must not hold any office under the Constitution, whether by election or appointment, within 10 years of registration or naturalisation.

### **RENUNCIATION OF CITIZENSHIP**

Any Nigerian citizen who wishes to renounce his Nigerian citizenship may do so by making a declaration as laid down. He ceases to be a Nigerian citizen after the President has approved the declaration.

### **DEPRIVATION OF CITIZENSHIP**

A Nigerian citizen by registration or naturalisation may be deprived of his Nigerian citizenship by the President if

- (1) he is jailed for upto three years within seven years of his registration or naturalisation;
- (2) he is disloyal to Nigeria by his act or speech; or
- (3) during a war he unlawfully traded with, assisted or unlawfully communicated with the enemy against the interest of Nigeria.

### **POWER TO MAKE REGULATIONS**

The President has power to make regulations on citizenship; but they must be submitted to the National Assembly for approval.

### **DUTIES OF THE CITIZEN**

It is the duty of the every citizen

- (a) to abide by the Constitution, respect its ideals and institutions, the national flag, the national anthem, the national pledge and lawful authorities.;
- (b) to help enhance the power, prestige and good name of Nigeria, defend her and render national service as may be required;
- (c) to respect the dignity, rights and other lawful interests of others, and live in unity and harmony in the spirit of common brotherhood;
- (d) to make positive and useful contribution to the advancement, progress and well-being of the community in which he resides;
- (e) to render assistance to appropriate and lawful agencies in the maintenance of law and order; and
- (f) to declare his income honestly to appropriate and lawful agencies, and pay his tax promptly.

**ITEM 3: DUTY AND RESPONSIBILITY  
OF GOVERNMENT  
(FEDERAL, STATE OR LOCAL GOVERNMENT)**

**FUNDAMENTAL OBJECTIVES  
AND DIRECTIVE PRINCIPLES OF STATE POLICY**

**FUNDAMENTAL OBLIGATIONS OF THE GOVERNMENT**

It is the duty and responsibility of all authorities and persons who are exercising legislative, executive or judicial powers to observe and apply the Fundamental Objectives and Directive Principles of State Policy.

**THE GOVERNMENT AND THE PEOPLE**

Nigeria must remain a country based on the principles of democracy and social justice. Sovereignty (that is, final political authority) belongs to the people of Nigeria from whom the government derives all its powers and authority. The composition and conduct of affairs of the federal government, a state government, local government council, or any of its agencies must include the various parts and people, and avoid domination.

**POLITICAL OBJECTIVES**

The motto of the Federal Republic of Nigeria is "Unity and Faith, Peace and Progress". Discrimination on the ground of place of origin, circumstance of birth, sex, religion, status, tribe or language must be prohibited. Government must eradicate all corrupt practices and abuse of power.

**ECONOMIC OBJECTIVES**

Government must

- (a) properly manage the resources of the nation and promote a self-reliant economy;
- (b) control the national economy as to secure the maximum interest of every citizen;
- (c) properly manage the major sectors of the economy; and
- (d) protect the right of every citizen to engage in any economic activity.

**SOCIAL OBJECTIVES**

The social order is founded on freedom, equality and justice. In order to achieve the social order

- (a) every citizen must have equal rights, obligations and opportunities;
- (b) human dignity must be recognised, maintained and enhanced;
- (c) government actions must be humane; and
- (d) exploitation of human or natural resources must only be made for the good of the community.

### **EDUCATIONAL OBJECTIVES**

Government must direct its policy so as to ensure that there are equal and adequate educational opportunities at all levels. Government must strive to eradicate illiteracy, and when practicable, provide

- (a) free, compulsory and universal primary education,
- (b) free secondary education
- (c) free university education, and
- (d) free adult literacy programme.

### **FOREIGN POLICY OBJECTIVES**

The Foreign Policy Objectives must be the promotion and protection of the national interest.

### **ENVIRONMENTAL OBJECTIVES**

Government must protect and improve the environment and safe-guard the water, air and land, forest and wild life of Nigeria.

### **DIRECTIVE ON NIGERIAN CULTURES**

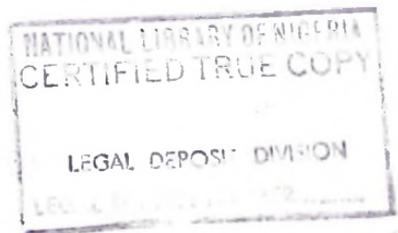
Government must protect, preserve and promote the Nigerian cultures which enhance human dignity.

### **OBLIGATION OF THE MASS MEDIA**

The press, radio, television and other agencies of the mass media must at all times be free to highlight the responsibility and accountability of the Government to the people.

### **NATIONAL ETHICS**

The National ethics must be Discipline, Integrity, Dignity of Labour, Social Justice, Religious Tolerance, Selfreliance and Patriotism.



## ITEM 4: PEOPLE'S RIGHTS

### FUNDAMENTAL RIGHTS

#### RIGHT TO LIFE

Every person has the **right to his life**; therefore, no-one must be deprived of it unless he is sentenced to death by a court of law; but a person is not regarded as having been deprived of his life if he dies as a result of the use of force which is reasonable and necessary in order -

- (a) to defend any person from unlawful violence, or to defend property;
- (b) to make a lawful arrest, or prevent the escape of a person lawfully detained; or
- (c) to suppress a riot, an insurrection or a mutiny.

#### RIGHT TO DIGNITY OF HUMAN PERSON

Every person is entitled to respect for the dignity of his person. Therefore

- (a) no person must be made to suffer any form of torture, or inhuman or degrading treatment;
- (b) no person must be held as a slave or treated as a slave;
- (c) no person must be required to perform a forced or compulsory labour.

#### RIGHT TO PERSONAL LIBERTY

Every person is entitled to personal liberty. Any person who is detained awaiting trial must not be detained for a period longer than the maximum period of imprisonment prescribed for a person found guilty of the offence.

Any person who is arrested or detained has the right not to answer any question until he has consulted a legal practitioner or any other person of his own choice.

Any person who is arrested or detained must be informed in writing, within 24 hours, in a language he understands, of the reason for his arrest or detention.

Any person who is arrested or detained on a court order or on suspicion that he committed a criminal offence must be brought before a court of law within -

- (a) twenty-four hours where there is a court within 40 kilometres; or
- (b) two days (or any longer period allowed by a court) where there is no court within 40 kilometres.

#### RIGHT TO FAIR HEARING

In claiming his civil rights, whether against an individual or a government, a person is entitled to a fair hearing within a reasonable time by a court or other tribunal, which must sit in public.

Any person who is charged with a criminal offence is entitled to a fair hearing in public within a reasonable time by a court or tribunal.

Every person who is charged with a criminal offence must be presumed to be innocent until he is proved guilty.

Every person who is charged with a criminal offence is entitled

- (a) to be informed promptly, in a language he understands and in detail, the nature of the offence;

- (B) to be given adequate time and facilities to prepare his defence; and  
 (c) to defend himself in person or by legal practitioners of his own choice.

#### **RIGHT TO PRIVATE AND FAMILY LIFE**

The privacy of citizens (their homes, correspondence, telephone conversation and telegraphic communications) is guaranteed and protected.

#### **RIGHT TO PEACEFUL ASSEMBLY AND ASSOCIATION**

Every person is entitled to assemble freely, associate with other persons and form or belong to any political party, trade union or any other association for the protection of his interests.

#### **RIGHT TO FREEDOM OF MOVEMENT**

Every citizen of Nigeria is entitled to move freely throughout Nigeria and reside in any part of the country; and no citizen must be expelled from the country or prevented from entering or leaving the country.

#### **RIGHT TO FREEDOM FROM DISCRIMINATION**

A citizen of Nigeria must not be placed at a disadvantage or given a preferential treatment simply because of his particular community, ethnic group, place of origin, sex, religion, or political opinion.

#### **RIGHT TO ACQUIRE AND OWN IMMOVABLE PROPERTY ANYWHERE IN NIGERIA**

Every citizen of Nigeria has the right to acquire and own immovable property anywhere in Nigeria.

#### **COMPULSORY ACQUISITION OF PROPERTY**

No movable or immovable property or interest in an immovable property must be acquired compulsorily except there is

- (a) a provision for prompt payment of compensation, and
- (b) a right for legal redress.

#### **RESTRICTION ON AND DEROGATION FROM FUNDAMENTAL RIGHTS**

The fundamental rights provisions may be curtailed by any law that is reasonable, either

- (a) in the public interest; or
- (b) for protecting the rights and freedom of others.

#### **REDRESS FOR CONTRAVENTION OF FUNDAMENTAL RIGHTS**

Any person who alleges that any of the fundamental rights *has been contravened, is being contravened, or is likely to be contravened against him, may apply to a high court in that state, for redress.*

## **ITEM 5: FEDERAL LEGISLATURE**

### **LEGISLATIVE POWERS**

The powers of the Federal Government to make laws are vested in the National Assembly, which consists of a Senate and House of Representatives.

The National Assembly has power to make laws for the whole country or a part of it in respect of matters contained in the Exclusive Legislative List.

Houses of Assembly of the states have no power to make laws in respect of any matter included in the Exclusive Legislative List unless the Constitution provides otherwise.

In addition to matters contained in the Exclusive Legislative List, the National Assembly has power to make laws

(a) in respect of any matter in the Concurrent Legislative List as allowed by the Constitution, and

(b) in respect of any other matter as provided in the Constitution.

If any state law is not in line with a federal law, the federal law prevails and the state law is void. If it is only a part of a state law that is not in line with the federal law, only that part is void and the remaining part remains valid.

### **ESTABLISHMENT OF THE NATIONAL ASSEMBLY**

There must be a National Assembly for the federation, which must consist of a Senate and House of Representatives.

### **COMPOSITION OF THE SENATE**

The Senate is composed of 3 senators from each state and one from the federal capital territory.

### **COMPOSITION OF THE HOUSE OF REPRESENTATIVES**

The House of Representatives consists of 360 members representing constituencies, which must be of equal population as far as possible; the whole of a constituency must fall within one state.

### **PRESIDENT OF THE SENATE**

#### **AND SPEAKER OF THE HOUSE OF REPRESENTATIVES**

There must be

(a) a President and Deputy President of the Senate, who must be elected by members of that House from among themselves; and

(b) a Speaker and Deputy Speaker of the House of Representatives, who must be elected by members of that House from among themselves.

### **PRESIDING AT SITTINGS OF THE NATIONAL ASSEMBLY AND JOINT SITTINGS**

The President of the Senate presides at sittings of the Senate; in his absence the Deputy President presides. The Speaker of the House of Representatives presides at sittings of the House of Representatives; in his absence the Deputy Speaker presides.

At any joint sitting of the Senate and House of Representatives, the President of the Senate presides; in his absence the Speaker of the House of Representatives presides. In the absence of the President of the Senate and Speaker of the House of Representatives, the Deputy President of the Senate presides; in the absence of the Deputy President of the Senate, the Deputy Speaker of the House of Representatives presides. In the absence of these persons, any member of the Senate or House of Representatives present at the joint sitting may be elected to preside.

### **MODE OF EXERCISING LEGISLATIVE POWERS**

The National Assembly makes laws by bills passed by the Senate and House of Representatives, and assented to by the President. Where the President withholds his assent and the bill is again passed by each House by a two-third majority, the bill becomes law without the President's assent.

### **QUALIFICATION FOR ELECTION**

Any Nigerian citizen may contest for election as a member of

- (a) the Senate, if he has attained the age of 35 years; and
- (b) the House of Representatives, if he has attained the age of 30 years;

In addition, he must

- (a) have been educated up to the school certificate level or its equivalent; and
- (b) be a member of a political party, and sponsored by that party.

### **DISQUALIFICATION**

A person is disqualified from contesting election to the Senate or House of Representatives if-

- (a) he has voluntarily acquired the citizenship of another country or made a declaration of allegiance to such country;
- (b) he is declared to be of unsound mind;
- (c) he is under a death sentence imposed on him in Nigeria, or a sentence of imprisonment or fine for an offence involving dishonesty or fraud, or a related offence;
- (d) in less than ten years before the date of an election he has been found guilty of an offence involving dishonesty, or of contravening the Code of Conduct;
- (e) he is declared under a Nigerian law to be unable to pay his debts;
- (f) he did not leave the federal or a state public service thirty days before the date of election;
- (g) he is a member of a secret society;
- (h) he has been found guilty of embezzlement or fraud by a federal or state judicial commission of inquiry, an administrative panel of inquiry, or a tribunal the report of which has been accepted by the government that set it up; or
- (i) he has presented a forged certificate to the Independent National Electoral Commission

### **TENURE OF SEAT OF MEMBER**

A member of the Senate or House of Representative ceases to be a member if

- (a) he becomes a member of another legislative House;
- (b) any other circumstances arise that would have disqualified him from election as a member;

(c) he ceases to be a citizen of Nigeria;

(d) he becomes President, Vice-President, Governor, Deputy Governor, Minister, State Commissioner or Special Adviser;

(e) he becomes a member of a commission or any other body;

(f) without a good reason he is absent from meetings of the particular House for more than 60 days in any one year;

(g) he becomes a member of another legislative House (but if there was a division in his former party, or there was a merger of his former party or a fraction of it with another party, he still retains his seat).

### RECALL

A member of the Senate or House of Representatives may be recalled if

(a) a petition signed by more than half of registered voters in his constituency is presented to the chairman of the Independent National Electoral Commission alleging loss of confidence in him; and

(b) the petition is approved in a referendum by a simple majority of all registered voters in the member's constituency.

### COMMITTEES

The Senate or House of Representatives may appoint a committee of its members, and may delegate any functions to any committee.

The number of members, terms of office and quorum of a committee are fixed by the House appointing it.

The Senate and House of Representatives must appoint a joint committee on finance having an equal number of persons, and may appoint any other joint committee, also having an equal number of persons.

### RIGHT OF ATTENDANCE OF PRESIDENT

The President may attend any joint meeting of the National Assembly or any meeting of either House of the National Assembly either to deliver an address on national affairs or make a policy statement. A minister must attend a meeting of a House of the National Assembly if invited.

When the President or a minister attends a meeting of a House of the National Assembly or any of its committees, he has no right to vote.

#### Exclusive Legislative List (Second Schedule, Part I)

#### Matters In Respect Of Which Only The Federal Government Has Power To Make Laws

##### Item

1. Accounts of the Government of the Federation, and of its offices, courts, and authorities, including audit of those accounts
2. Arms, ammunition and explosives.
- 3 Aviation, including airports, safety of aircraft and carriage of passengers and goods by air.
4. Awards of national titles of honour, decorations and other dignities.

- 5 Bankruptcy and insolvency.
6. Banks, banking, bills of exchange and promissory notes.
7. Borrowing of moneys within or outside Nigeria for the purpose of the Federation or of any state.
8. Census, including the establishment and maintenance of machinery for continuous and universal registration of births and deaths throughout Nigeria.
9. Citizenship, naturalisation and aliens.
10. Commercial and industrial monopolies, combines and trusts, etc  
(There are 68 items on the Exclusive Legislative List)

### CONCURRENT LEGISLATIVE LIST

(Second Schedule, Part II)

*Matters in Respect of Which Both The Federal And State Governments  
Have Power To Make Laws*

- Item A - Allocation of Revenue, etc
- Item B - Antiquities and Monuments
- Item C - Archives
- Item D - Collection of Taxes
- Item E - Electoral Law
- Item F - Electric Power
- Item G - Exhibition of Cinematograph Films
- Item H - Industrial, Commercial or Agricultural Development
- Item I - Scientific and Technological Research
- Item J - Statistics
- Item K - Trigonometrical, Cadastral And Topographical Surveys.
- Item L - University, Technological and Post Primary Institutions.

### POWER TO CONDUCT INVESTIGATION

Each House of the National Assembly has power, after passing a resolution, to investigate any of the following:

- (a) any matter or thing in respect of which it has power to make laws; and
- (b) the conduct of affairs of any person, authority, ministry or government department which has a responsibility for -
  - (i) executing or administering a federal law; or
  - (ii) disbursing or administering moneys allocated, or to be allocated, by the National Assembly.

## **ITEM 6: STATE LEGISLATURE**

### **LEGISLATIVE POWERS**

A House of Assembly has power to make laws for the whole state or a part of it in respect of the following matters:

- (a) any matter not included in the Exclusive Legislative List;
- (b) any matter included in the Concurrent Legislative List, to the extent stated in the List; and
- (c) any other matter in respect of which the Constitution empowers it to make laws.

### **ESTABLISHMENT OF HOUSE OF ASSEMBLY**

There must be a House of Assembly for each State. It must consist of three or four times the number of seats which that state has in the House of Representatives, divided in a way to reflect equal population.

### **SPEAKER OF HOUSE OF ASSEMBLY**

There must be a Speaker and Deputy Speaker of a House of Assembly elected by the members from among themselves.

### **PRESIDING AT SITTINGS**

The Speaker of a House of Assembly presides at sittings; in his absence the Deputy Speaker presides. In the absence of both of them the House elects any other member to preside.

### **QUORUM AND VOTING**

The quorum of a House of Assembly is one third. Decisions are taken by the required majority and the person presiding must not cast a vote unless there are equal votes; but when there are equal votes, he must cast his vote.

### **MODE OF EXERCISING LEGISLATIVE POWERS OF A STATE**

A House of Assembly makes laws by bills passed by the House and assented to by the Governor. Where the Governor withholds assent and the bill is later passed by a two-third majority, the bill becomes law without the Governor's assent.

### **QUALIFICATION FOR ELECTION**

A person is **qualified for election as a member of a House of Assembly** if -

- (a) he is a citizen of Nigeria,
- (b) he has attained the age of 30 years,
- (c) he has been educated up to the School Certificate level or its equivalent; and
- (d) he is a member of a political party and sponsored by that party.

### **DISQUALIFICATION**

A person is disqualified from election to a House of Assembly if

- (a) he has acquired the citizenship of another country or made a declaration of allegiance to such country (except under circumstances excused by the National Assembly);
- (b) he is declared to be of unsound mind;
- (c) he is under a death sentence imposed on him in Nigeria, or a sentence of imprisonment or fine for an offence involving dishonesty or fraud, or a related offence ;
- (d) in less than ten years before the date of an election he has been found guilty of an offence involving dishonesty, or of contravening the Code of Conduct;
- (e) he is declared under a Nigerian law to be unable to pay his debts;
- (f) he did not leave the federal or a state public service thirty days before the date of election;
- (g) he is a member of a secret society;
- (h) he has been found guilty of embezzlement or fraud by a federal or state judicial commission of inquiry, an administrative panel of inquiry, or a tribunal the report of which has been accepted by the government that set it up; or
- (i) he has presented a forged certificate to the Independent National Electoral Commission

### STATE CONSTITUENCIES

The independent National Electoral Commission must divide every state into such number of state constituencies as is equal to three or four times the number of federal constituencies within that state.

### COMMITTEES

A House of Assembly may appoint a committee of its members and may delegate any functions to any such committee.

The number of members, term of office and quorum of a committee are fixed by the House of Assembly.

### RECALL

A member of the House of Assembly may be recalled if

- (a) a petition signed by more than half of registered voters in his constituency is presented to the chairman of the Independent National Electoral Commission alleging loss of confidence in him; and
- (b) the petition is approved in a referendum by a simple majority of all registered voters in the member's constituency.

### TENURE OF SEAT OF MEMBERS

A member of a House of Assembly ceases to be a member if

- (a) he becomes a member of another legislative House;
- (b) any other circumstances arise that would have disqualified him from election as a member;
- (c) he ceases to be a citizen of Nigeria;
- (d) he becomes President, Vice-President, Governor, Deputy Governor, Minister, State Commissioner or Special Adviser; or
- (e) he becomes a member of a commission or any other body.

**ATTENDANCE OF GOVERNOR AND COMMISSIONERS**

The Governor may attend a meeting of the House of Assembly either to deliver an address on the state of affairs or make a policy statement. A State Commissioner must attend a meeting of the House if invited.

When a Governor or Commissioner attends a meeting of a House of Assembly or any of its committees, he has no right to vote.

**POWER TO CONDUCT INVESTIGATION**

A House of Assembly has power, after passing a resolution, to investigate any of the following:

- (a) any matter or thing in respect of which it has power to make laws; and
- (b) the conduct of affairs of any person, authority, ministry or government department which has responsibility for -
  - (i) executing or administering a state law; or
  - (ii) disbursing or administering moneys allocated, or to be allocated, by the House of Assembly.

## **ITEM 7: FEDERAL EXECUTIVE**

### **EXECUTIVE POWERS**

Executive powers of the federation are vested in the President, who acts either directly or through the Vice-President, ministers or other public servants. The powers include the enforcement of the Constitution, all other laws made by the National Assembly, and all matters upon which the National Assembly has power to make laws.

#### **ESTABLISHMENT OF OFFICE OF PRESIDENT**

There must be a President for the Federation. He is the Head of State, Chief Executive of the Federation and Commander-in-Chief of the Armed Forces.

#### **QUALIFICATION FOR ELECTION AS PRESIDENT**

A person is qualified for election as President if

- (a) he is a citizen of Nigeria by birth;
- (b) he has attained the age of 40 years,
- (c) he is a member of a political party, and sponsored by that party, and
- (d) he has been educated up to the school certificate level.

#### **DISQUALIFICATION**

A person is disqualified from election as President if

- (a) he has acquired the citizenship of another country or made a declaration of allegiance to such country except under circumstances allowed by the National Assembly;
- (b) he has twice been elected as President;
- (c) he is declared to be of unsound mind under the law in any part of Nigeria;
- (d) he is under a death sentence imposed on him in Nigeria, or a sentence of imprisonment or fine for any offence involving dishonesty or fraud, or a related offence;
- (e) in less than ten years before the date of election he had been convicted for an offence involving dishonesty, or found guilty of contravening the Code of Conduct;
- (f) he is declared under a Nigerian or foreign law to be unable to pay his debts;
- (g) he did not leave the federal or state public service thirty days before the date of election;
- (h) he is a member of a secret society;
- (i) he has been found guilty of embezzlement or fraud by a federal or state judicial commission of inquiry, an administrative panel of inquiry, or a tribunal the report of which has been accepted by the government that set it up; or
- (j) he has presented a forged certificate to the Independent National Electoral Commission.

#### **TENURE OF OFFICE OF PRESIDENT**

A President remains in office

- (a) until a new President takes the Oaths of office;
- (b) unless he dies while in office;
- (c) unless he resigns; or

(d) unless he ceases to hold office for any other reason as stated in the Constitution. Apart from the above reasons, the President must leave office after four years.

### **NOMINATION AND ELECTION OF VICE-PRESIDENT**

A candidate for election as President must nominate a candidate for the office of Vice-President before his nomination may be accepted. The person nominated becomes the Vice-President if the presidential candidate who nominated him wins the election.

Matters relating to qualification for election, tenure of office, disqualification, declaration of what he owns and his debts as well as oaths apply to the Vice-President as they apply to the President.

### **DISCHARGE OF FUNCTIONS OF PRESIDENT**

The Vice-President is to hold the office of President if that office is vacant. If the office of President is vacant at the time when the office of Vice-President is also vacant, the President of the Senate is to assume the office of the President for a maximum period of 3 months, during which time there must be an election for a new President.

Where the office of Vice-President becomes vacant for any reason whatever, the President is to appoint another Vice-President with the approval of each House of the National Assembly.

### **ACTING PRESIDENT**

Wherever the President is on vacation or is otherwise unable to perform his duties the Vice-President is to act as President.

### **REPLACEMENT OF PRESIDENT**

If the office of President is vacant, the Vice-President becomes President. If the office of the President is vacant when the office of Vice-President is also vacant, the President of the Senate assumes the office of President for three months during which period a new President must be elected.

### **MINISTERS OF FEDERAL GOVERNMENT**

The President must establish offices of federal ministers. The ministers are appointed by the President subject to confirmation by the Senate.

Appointment of ministers must reflect the federal character of Nigeria, and the President must appoint at least one minister from each state, who must be an indigene of the state.

When a member of the National Assembly or a House of Assembly is appointed as minister and takes the oath of office, it means he has resigned his membership of the relevant legislative house.

No person must be appointed as minister unless he is qualified for election as a member of the House of Representatives.

An appointment as a minister must be regarded as having been made if there is no response from the Senate within 21 working days of receiving the nomination.

**ATTORNEY-GENERAL OF THE FEDERATION**

There must be an Attorney-General of the Federation, who is the chief law officer and a federal minister.

To be qualified to hold the office of Federal Attorney-General, a person must have been qualified to practise as a legal practitioner in Nigeria for at least 10 years.

**DECLARATION OF A STATE OF EMERGENCY**

The President may declare a state of emergency in the following circumstances

- (a) when the country is at war;
- (b) when the country is in danger of invasion or involvement in a state of war;
- (c) where there is a breakdown of public order and public safety;
- (d) where there is a clear danger of a breakdown of public order and public safety which requires extra-ordinary measures;
- (e) where there is any disaster or natural calamity, or where one very likely;
- (f) where there is any other public danger, which clearly constitutes a threat to the existence of the federation; or
- (g) when the President is requested by a Governor to declare a state of emergency in his state.

The President must not declare a state of emergency in any state unless the Governor fails, within a reasonable time, to make a request for such declaration.

**TERMINATION OF A STATE OF EMERGENCY**

A state of emergency ends

- (i) if it is revoked by the President;
- (ii) if each House of the National Assembly does not approve the declaration;
- (iii) if it is not extended after six months by the National Assembly; and
- (iv) if it is revoked at anytime by the National Assembly.

**RESTRICTION ON LEGAL PROCEEDINGS**

*(Immunity Of President And Vice-President)*

The President or Vice-President is exempted from legal actions as follows:

- (a) No civil or criminal action must be taken or continued against him personally during his period of office.
- (b) He must not be arrested or imprisoned during his period of office either on a court warrant or otherwise; and
- (c) No warrant or order of any court requiring or compelling his appearance must be applied for, or issued;

However, such period of office is not taken into account in reckoning the time allowed by law for taking court actions.

## ITEM 8: STATE EXECUTIVE

### EXECUTIVE POWERS

Executive powers of a state are vested in the Governor, who acts either directly or through the Deputy-Governor, commissioners or other public servants. The powers include the execution and maintenance of the Constitution, all laws made by the House of Assembly and all matters in respect of which the House of Assembly has power to make laws.

Executive powers of a state must be exercised in such manner as not to

- (a) interfere with federal powers;
- (b) endanger federal assets or investment in that state; or
- (c) endanger the running of a federal government in Nigeria.

### ESTABLISHMENT OF THE OFFICE OF GOVERNOR

There must be a Governor for each state of the federation. He is the chief executive and chief security officer of the state.

### QUALIFICATION FOR ELECTION AS GOVERNOR

A person is qualified for election as Governor if:

- (a) he is a citizen of Nigeria by birth;
- (b) he has attained the age of 35 years;
- (c) he is a member of a political party; and
- (d) he is sponsored by that party.

### DISQUALIFICATION

A person is disqualified from election as Governor if

- (a) he has acquired the citizenship of another country or made a declaration of allegiance to such country (except under circumstances allowed by the National Assembly);
- (b) he has twice been elected as Governor
- (c) he is declared to be of unsound mind by the law in any part of Nigeria;
- (d) he is under a death sentence or a sentence of imprisonment or fine for an offence involving dishonesty or fraud, or a related offence;
- (e) in less than ten years before the date of an election he had been found guilty of an offence involving dishonesty, or of contravening the Code of Conduct;
- (f) he is declared under a Nigerian or foreign law to be unable to pay his debts;
- (g) he did not leave the federal or a state public service thirty days before the date of election;
- (h) he is a member of a secret society;
- (i) he has been found guilty of embezzlement or fraud by a federal or state judicial commission of inquiry, or tribunal the report of which has been accepted by the government at set up; or
- (j) he has presented a forged certificate to the Independent National Electoral Commission.

**TENURE OF OFFICE OF GOVERNOR**

A Governor remains in office

- (a) until his successor takes the Oaths of Office;
- (b) unless he dies while in office;
- (c) until the date when his resignation takes effect; or
- (d) until he ceases to hold office for any reason as provided in the Constitution.

Apart from the above reasons, a Governor must leave office after four years.

**NOMINATION AND ELECTION OF DEPUTY GOVERNOR**

A candidate for election as Governor must nominate a candidate for the office of Deputy Governor before his nomination may be accepted. The person nominated becomes the Deputy Governor if the governorship candidate who nominated him wins the election.

Matters relating to qualification for election, tenure of office, disqualification, declaration of what he owns and his debt as well as oaths apply to the Deputy Governor as they apply to the Governor.

**DISCHARGE OF FUNCTIONS OF GOVERNOR**

The Deputy Governor of a state is to hold the office of Governor if that office becomes vacant as a result of death, resignation or removal from office for gross misconduct or on medical grounds.

If the office of Governor is vacant because of death, resignation or removal from office at the time when the office of Deputy Governor is also vacant, the Speaker of the House of Assembly is to assume the office of Governor for a maximum period of 3 months, during which time there must be an election of a new Governor.

Where the office of Deputy Governor becomes vacant

- (a) because of death, resignation or removal from office,
- (b) because he became the Governor, or
- (c) for any other reason, the Governor must appoint a new Deputy Governor with the approval of the House of Assembly.

**ACTING GOVERNOR**

Wherever a Governor is on vacation or is otherwise unable to perform his duties, the Deputy Governor acts as Governor.

**REPLACEMENT OF GOVERNOR**

The Deputy Governor becomes Governor if the office of Governor is vacant. If the office of Governor is vacant when that of Deputy Governor is also vacant, the Speaker of the House of Assembly acts as Governor for a maximum period of three months, during which period a new Governor must be elected.

**COMMISSIONER OF STATE GOVERNMENT**

The Governor must establish offices of state commissioners. Appointment of commissioners is made by the Governor after confirmation by the House of Assembly, and must be in such manner as to represent the different parts of the state.

Where a member of a House of Assembly or of the National Assembly is appointed as a state commissioner and takes the Oath of Office, it means he has resigned his membership of the House.

No person must be appointed as a state commissioner unless he is qualified for election as a member of the House of Assembly.

An appointment as a state commissioner must be regarded as having been made if there is no response from the House of Assembly within 21 working days of receiving the nomination.

### **ATTORNEY-GENERAL OF A STATE**

There must be an Attorney-General of a state who is the chief law officer and a state commissioner.

To be qualified to hold the office of Attorney-General of a state, a person must have been qualified to practise as a legal practitioner in Nigeria for at least 10 years.

### **RESTRICTION ON LEGAL PROCEEDINGS**

(Immunity Of Governor and Deputy Governor)

The Governor or Deputy Governor is exempted from legal actions as follows:

(a) No civil or criminal action must be taken or continued against him personally during his period of office.

(b) He must not be arrested or imprisoned during his period of office either on a court warrant or otherwise; and

(c) No warrant or order of any court requiring or compelling his appearance must be applied for, or issued.

However, such period of office is not taken into account in reckoning the time allowed by law for taking court actions.

## **ITEM 9: PUBLIC SERVICE**

### **A - FEDERAL PUBLIC SERVICE**

#### **THE CIVIL SERVICE**

There must a federal civil service and a Federal Civil Service Commission. Functions of the Federal Civil Service Commission are

- (a) to appoint federal civil servants, and
- (b) to dismiss or discipline federal civil servants.

The Commission must not exercise its power in respect of heads of divisions of federal ministers or departments without consultation with the head of the federal civil service.

#### **APPOINTMENT BY THE PRESIDENT**

The power to make certain appointments and remove the officers is vested in the President. The appointments are those of:

- (a) Secretary of the Federal Government;
- (b) Head of the Federal Civil Service;
- (c) Ambassadors, High Commissioners, or other principal representatives of Nigeria abroad;
- (d) Permanent Secretary in any ministry, or head of any extra-ministerial department; and
- (e) any personal staff of the President.

The head of the Federal Civil Service must only be appointed from among permanent secretaries or officers of equivalent rank of the federal or state civil service.

The appointment of Ambassador, High Commissioner or other principal representatives of Nigeria abroad is subject to confirmation by the Senate.

In making the above appointments the President must ensure a fair representation of the various people of the country and the need to promote national unity. Any of the above appointments must cease when the President leaves office; but a person who was appointed from the public service is entitled to return to the service.

### **B - STATE PUBLIC SERVICE**

#### **THE CIVIL SERVICE**

There must be a civil service and a Civil Service Commission for each state. The functions of a State Civil Service Commission are

- (a) to appoint persons to offices in the state civil service; and
- (b) to dismiss or discipline state civil servants.

The Commission must not exercise its powers in respect of heads of divisions of ministries or departments without consultation with the head of the state civil service.

#### **APPOINTMENT BY GOVERNOR**

The power to make certain appointments, and remove the officers is vested in the Governor. The appointments are those of -

- (a) Secretary of the State Government;
- (b) Head of the State Civil Service;
- (c) Permanent Secretary or Head of any extra-ministerial department; and
- (e) any personal staff of the Governor.

The Head of the Civil Service must be appointed from among permanent secretaries or officers of equivalent rank in a state civil service or the federal civil service.

In making the above appointments the Governor must ensure a fair representation of the various people of the state and the need to promote national unity.

. Any of the above appointments must cease when the Governor leaves office; but a person who was appointed from the public service is entitled to return to the service.

## **C GENERAL**

### **CODE OF CONDUCT FOR PUBLIC OFFICERS**

A person in the federal or a state public service must observe and conform to the Code of Conduct.

### **PENSION RIGHTS**

The right of a public servant to receive a pension or gratuity must be regulated by law.

Any benefit to which a retired public servant is entitled must not be withheld or reduced except as allowed by law.

Pensions must be reviewed every five years or together with any civil service salary review, whichever is earlier.

Pensions from the federal or state public service must not be taxed.

### **DEFINITION OF "CIVIL SERVICE" AND "PUBLIC SERVICE"**

"Civil service of the Federation" means service of the Federation in a civil capacity as staff of the office of the President, the Vice-President, a ministry or department of the Government of the Federation assigned with the responsibility for any business of the Government of the Federation;

"Civil Service of the State" means service of the Government of a State in a civil capacity as staff of the office of the Governor, Deputy Governor or a ministry or department of the Government of the State assigned with the responsibility for any business of the Government of the State;

"Public service of the Federation" means the service of the federation in any capacity in respect of the government of the Federation;

"Public service of a State" means the service of the State in any capacity in respect of the Government of the State.

## **ITEM 10: THE POLICE AND ARMED FORCES**

### **A THE POLICE**

#### **ESTABLISHMENT OF NIGERIA POLICE FORCE**

There must be a police force in Nigeria known as the "Nigeria Police Force". No other police force must be established in Nigeria. The Force must be organised and administered according to a federal law. The power and duties of its members must be conferred on them by a federal law.

The National Assembly may make provisions for units of the police to form part of the armed forces, or for the protection of harbours, water-ways, railways and airfields.

#### **APPOINTMENT OF INSPECTOR-GENERAL AND CONTROL OF NIGERIA POLICE FORCE**

There must be -

(a) an Inspector-General of Police, who must be appointed by the President from among serving members, on the advice of the Nigeria Police Council; and

(b) a Commissioner of Police for each state of the federation, who must be appointed by the Police Service Commission.

The President must consult the Nigeria Police Council before appointing an Inspector-General of Police or removing him from office

The Nigeria Police Force throughout the country must be under the over-all command of the Inspector-General while members of the force who are stationed in a state must be under the immediate command of the Commissioner of Police of that state.

The President (or Minister authorised by him) may give lawful directions to the Inspector-General with respect to public safety and public order. He must comply with such directions or ensure that they are complied with.

A State Governor (or a state Commissioner authorised by him) may give lawful directions to the Commissioner of Police of that State with respect to public safety and public order. If the Commissioner of Police has any reservation, he has a discretion to request that the matter be referred to the President or a Minister designated by him, for his direction.

Any direction given to the Inspector-General or Commissioner of Police must not be inquired into in any court of law.

#### **NIGERIA POLICE COUNCIL**

##### **Functions**

The functions of the Nigeria Police Council must include

(a) organisation and administration of the Nigeria Police Force (excluding the use and operation of the force, and appointment, discipline and dismissal of members)

(b) general supervision of the force; and

(c) advising the President on the appointment of the Inspector-General

**DELEGATION OF POWERS OF THE NIGERIA POLICE COUNCIL**

The Nigeria Police Council may, with the approval of the President, delegate any of its powers to any of its members or any member of the Nigeria Police Force.

**POLICE SERVICE COMMISSION****Functions**

Functions of the Police Service Commission are -

- (a) to appoint persons to offices in the Nigeria Police Force (other than the office of the Inspector-General) and
- (b) to dismiss and discipline all police officers (except the Inspector-General).

**B THE ARMED FORCES****ESTABLISHMENT, DUTIES AND COMPOSITION**

There must be armed forces for the federation, which must consist of an Army, a Navy, an Air Force and other branches that may be established by a federal law.

The federation must equip and maintain the armed forces adequately and effectively for the purpose of

- (a) defending Nigeria from external aggression;
- (b) maintaining Nigeria's territorial integrity and protecting her against invasion;
- (c) suppressing insurrection and assisting the police to restore order when called upon to do so by the President; and
- (d) performing other functions as may be prescribed by a federal law.

The composition of officers and other ranks of the armed forces must reflect the federal character of Nigeria.

**COMMAND AND OPERATIONAL USE**

The powers of the President as the Commander-in-Chief of the armed forces include the power to determine the operational use. Such powers include the power to appoint the service heads of the various branches.

The President may, by directions in writing, delegate to any member of the armed forces his power relating to the operational use of the forces.

The National Assembly has power to make laws regulating

- (a) the power of the President as Commander-in-Chief of the Armed Forces; and
- (b) the appointment, promotion and discipline of members of the armed forces.

**ESTABLISHMENT OF A BODY TO ENSURE  
FEDERAL CHARACTER OF ARMED FORCES**

The National Assembly must, by law, establish a body to ensure that the composition of the armed forces reflects the federal character of Nigeria in respect of

- (a) the establishment and composition of the armed forces; and
- (b) the command and operational use of the armed forces.

**NATIONAL DEFENCE COUNCIL****Function**

Government must establish a body known as the National Defence Council. Its function is to advise the President on matters relating to defence.

# ITEM 11: POLITICAL PARTIES AND ELECTION TRIBUNALS

## A POLITICAL PARTIES

### PROHIBITION OF POLITICAL ACTIVITIES BY CERTAIN ASSOCIATIONS

Only a registered political party may canvass for votes, or contribute to the funds of a political party or election expenses of any candidate at any election.

### RESTRICTION ON FORMATION OF POLITICAL PARTIES

For an association to function as a political party, it must fulfil the following conditions:

- (a) The names and addresses of its national officers must be registered with the Independent National Electoral Commission;
- (b) Membership must be open to every Nigerian;
- (c) A copy of its constitution must be registered with the Independent National Electoral Commission;
- (d) Any alteration to its constitution must be registered with the Independent National Electoral Commission within 30 days of making the alteration;
- (e) Its name, symbols or logo must not show any ethnic, religious or sectional interest;
- and
- (f) Its headquarters must be situated in the federal capital territory.

### CONSTITUTION AND RULES OF POLITICAL PARTIES

The constitution and rules of a political party must

- (a) provide for a periodic election of its principal officers, executive committee, or any other governing body;
- (b) ensure that members of its executive committee or other governing body reflect the federal character of Nigeria.

Therefore,

- (a) Election of officers must be made at regular intervals not exceeding 4 years; and
- (b) Members of the executive committee or other governing body of a political party must belong to at least two thirds of all states of Nigeria and the federal capital territory.

### FINANCES OF POLITICAL PARTIES

Each political party must submit a statement of its assets and debts to the Independent National Electoral Commission and publish it as required by the Commission.

Each political party must submit to the Independent National Electoral Commission an annual statement of income, assets and expenditure. No political party must:

- (a) own any funds or other assets outside Nigeria; or

(b) retain any funds or other assets received from outside Nigeria.

The Independent National Electoral Commission has power to give instruction to political parties regarding the keeping of financial records and to examine all such records.

## B ELECTION TRIBUNALS

### NATIONAL ASSEMBLY ELECTION TRIBUNALS

One or more tribunals to be known as the National Assembly Election Tribunal must be established for the federation.

#### JURISDICTION

Only the National Assembly Election Tribunals must have authority to hear petitions, at first instance, as to whether

(a) any person has been validly elected as a member of the National Assembly;

(b) the term of office of any person has ceased;

(c) the seat of a member of the Senate or House of Representatives has become vacant; or

(d) a question or petition before the election tribunal has been properly brought.

### GOVERNORSHIP AND LEGISLATIVE HOUSES ELECTION TRIBUNALS

One or more election tribunals must be established in each state to be known as Governorship and Legislative Houses Election Tribunal.

#### JURISDICTION

Only the Governorship and Legislative Houses Election Tribunals must have authority to hear petitions at first instance, as to whether a person has been validly elected as

(a) Governor;

(b) Deputy Governor; or

(c) a member of any Legislative House.

### APPEALS FROM ELECTION TRIBUNALS

Appeals from election tribunals go to the Court of Appeal. Its decision in respect of appeal arising from election petition is final. That is, there is no appeal to the Supreme Court.

### MEMBERSHIP AND QUORUM

An Election Tribunal must consist of a chairman and four other members. Its quorum must be the chairman and two other members.

## ITEM 12: EXECUTIVE BODIES

### PART I: FEDERAL

#### APPOINTMENT OF CHAIRMEN AND MEMBERS

Except in the case of ex officio members or where the Constitution makes some special provision, chairmen and members of Federal Executive Councils and Commissions are appointed by the President with a confirmation by the Senate.

In respect of appointment of chairmen and members of the Council of State, National Defence Council or National Security Council, confirmation by the Senate is **not required**.

Before appointing a chairman or member of the Independent National Electoral Commission, National Judicial Council, Federal Judicial Service Commission or National Population Commission, the President must consult the Council of State.

The federal executive bodies mentioned below must be established.

#### A CODE OF CONDUCT BUREAU

The Functions of the Code of Conduct Bureau are -

- (a) to receive declarations of assets and liabilities made by public officers;
- (b) to examine the declarations;
- (c) to retain the custody of such declarations and make them available for inspection by any citizen of Nigeria on such terms and conditions laid down by law;
- (d) to enforce the provisions of the Code of Conduct or any related law;
- (e) to investigate complaints about breach of the Code of Conduct, and where appropriate, refer such matter to the Code of Conduct Tribunal;
- (f) to appoint, promote, dismiss and exercise disciplinary control over the staff of the Code of Conduct Bureau;
- (g) to carry out such other functions as may be conferred upon it by the National Assembly.

#### B COUNCIL OF STATE

The functions of the Council of State are

- (a) to advise the President in respect of -
  - (i) the national population census;
  - (ii) the prerogative of mercy;
  - (iii) the award of national honours;
  - (iv) the Independent National Electoral Commission;
  - (v) the National Judicial Service Commission;
  - (vi) the National Population Commission and
- (b) to advise the President as to the maintenance of public order, and any other matter as the President may request or direct.

#### C FEDERAL CHARACTER COMMISSION

The functions of the Federal Character Commission are:

(a) to work out an equitable formula for the distribution of posts in the federal and state public service including government-owned companies and parastatals;

(b) to promote, monitor and enforce compliance with the principles of federal character at all levels of government;

(c) to take appropriate measures against any failure to comply with any formula prescribed by the Commission; and

(d) to carry out any other functions conferred on it by a federal law.

#### **D FEDERAL CIVIL SERVICE COMMISSION**

The functions of the Federal Civil Service Commission are:

(a) To appoint federal civil servants; and

(b) To dismiss or discipline federal civil servants.

#### **E FEDERAL JUDICIAL SERVICE COMMISSION**

The functions of the Federal Judicial Service Commission are -

(a) to advise the National Judicial Council on the appointment and removal of judicial officers;

(b) to recommend to the National Judicial Council the removal of certain judicial officers; and

(c) to appoint, dismiss and discipline members of staff of the federal judicial service.

#### **F INDEPENDENT NATIONAL ELECTORAL COMMISSION**

The functions of the Independent National Electoral Commission are:

(a) To conduct all elections except local government elections;

(b) To register political parties;

(c) To monitor the organisation, operation and finances of political parties;

(d) To arrange for the auditing of accounts of political parties;

(e) To revise the register of voters;

(f) To provide rules and guidelines for political parties;

(g) To ensure that all Electoral Commissioners, and Electoral and Returning Officers take and subscribe to the oath of office.

(h) To delegate any of its powers to any Resident Electoral Commissioner; and

(i) To carry out such other functions as may be conferred upon it by a federal law.

#### **G NATIONAL DEFENCE COUNCIL**

The function of the National Defence Council is to advise the President on matters relating to defence.

#### **H NATIONAL ECONOMIC COUNCIL**

The function of the National Economic Council is to advise the President concerning the economic affairs of the federation and, in particular, on measures necessary for the ordination of the economic planning efforts or economic programmes of the various governments of the federation.

### I NATIONAL JUDICIAL COUNCIL

The functions of the National Judicial Council are:

- (a) to recommend to the President the appointment and removal of federal judicial officers;
- (b) to recommend to the governors, the appointment and removal of state judicial officers;
- (c) to collect, control and disburse moneys, capital and recurrent, for the judiciary.

### J NATIONAL POPULATION COMMISSION

The functions of the National Population Commission are:

- (a) to undertake periodic enumeration of population by sample survey, census or through other means;
- (b) to ensure universal registration of births and deaths throughout the federation;
- (c) to advise the President on population problems;
- (d) to establish and provide information and data on population; and
- (e) to appoint and train enumerators or other staff of the Commission.

### K NATIONAL SECURITY COUNCIL

The function of the National Security Council is to advise the President on matters relating to public security.

### L NIGERIA POLICE COUNCIL

The functions of the Nigeria Police Council are:

- (a) Organisation and administration (formulation of policies) of the Nigeria Police Force;
- (b) General supervision of the Force; and
- (c) Advising the President on the appointment of the Inspector-General.

### M POLICE SERVICE COMMISSION

The function of Police Service Commission is to appoint, dismiss and discipline members of the Nigeria Police Force (except the Inspector-General)

### N- REVENUE MOBILISATION ALLOCATION AND FISCAL COMMISSION

The functions of the Revenue Mobilisation, Allocation and Fiscal Commission are:

- (a) to monitor the Federation Account;
- (b) to review, from time to time, the revenue allocation formulae and principles in operation and ensure conformity.
- (c) to advise the federal and state governments on financial efficiency and methods by which revenue can be increased.
- (d) to determine the appropriate remuneration for political office holders, and
- (e) to discharge other functions prescribed by the Constitution or any other federal law.

## PART II: STATE

### STATE COMMISSIONS

The government of each state must establish the following bodies -

- (a) State Civil Service Commission;
- (b) State Independent Electoral Commission; and
- (c) State Judicial Service Commission.

#### STATE CIVIL SERVICE COMMISSION

The functions of a State Civil Service Commission are:

- (a) To appoint state civil servants, and
- (b) To dismiss or discipline state civil servants.

#### STATE INDEPENDENT ELECTORAL COMMISSION

The functions of a State Independent Electoral Commission are:

- (a) To conduct local government council elections within the state; and
- (b) To advise the Independent National Electoral Commission in relation to local government elections in the state.

#### STATE JUDICIAL SERVICE COMMISSION

The functions of a State Judicial Service Commission are:

- (a) To advise National Judicial Council of the appointment of state judicial officers,
- (b) To recommend to the National Judicial Council the removal of the state judicial officers; and
- (c) To appoint, dismiss and discipline members of staff of the judicial service of the state.

## PART III: FEDERAL CAPITAL TERRITORY

### JUDICIAL SERVICE COMMITTEE

The functions of the Judicial Service Committee are:

- (a) to recommend to the National Judicial Council suitable persons for nomination for appointment as-
  - (i) the Chief Judge of the federal capital territory,
  - (ii) a judge of the High Court of the federal capital territory
  - (iii) the Grand Kadi of the Sharia Court of Appeal of the federal capital territory;
  - (iv) the President of the Customary Court of Appeal of the federal capital territory
  - (v) a kadi of the Sharia Court of Appeal of the federal capital territory; and
  - (vi) a judge of the Customary Court of Appeal of the federal capital territory;
- (b) to recommend to the National Judicial Council the removal of the above - named judicial officers; and
- (c) to appoint, promote and discipline all members of staff of the judicial service of the federal capital territory whether specified in the Constitution or not, and of the Judicial Service Committee of the Federal Capital Territory.

## ITEM 13: LOCAL GOVERNMENT SYSTEM

### A ESTABLISHMENT AND CONTROL OF LOCAL GOVERNMENT AND AREA COUNCILS

#### GUIDING PRINCIPLES

The system of local government by democratically elected local government councils is guaranteed under the Constitution.

A state government must ensure that every person who is entitled to vote at, or contest, election to the House of Assembly has the right to vote at, or contest, election to a local government council.

The National Assembly must make provision for statutory allocation of public revenue to local government councils in the federation. The House of Assembly, also, must make provisions for statutory allocation of public revenue to local government councils within the state.

#### CREATION OF A NEW LOCAL GOVERNMENT

Before a law for creating a new local government is passed by a House of Assembly the following steps must be taken

(a) a request must be received by the House of Assembly supported by a two-third majority of members (representing the area demanding the creation of the new local government) in each of the following:

- (i) the House of Assembly of the area; and
- (ii) the local government councils in the area;

(b) the proposal must be approved in a referendum by at least a two-third majority of the people of the local government area where the demand for the proposed local government area originated;

(c) the result of the referendum must be approved by a simple majority of the members in each local government council in a majority of all the local government councils in the state;

(d) the result of the referendum must be approved by a resolution passed by a two-third majority of members of the House of Assembly.

#### ACTION BY THE NATIONAL ASSEMBLY

A House of Assembly must, after creating a new local government area, submit adequate details to each House of the National Assembly for the purpose of enacting a law that would enable the new local government to function.

#### ADJUSTMENT OF LOCAL GOVERNMENT BOUNDARY

Before a law for adjusting the boundary of any existing local government area is passed

(a) a request must be received by the House of Assembly supported by a two-third majority of members (representing the area demanding and the area affected) in each of the following

- (i) the House of Assembly; and

(ii) the local government councils in the area.

(b) the proposal must be approved by a simple majority of members of the House of Assembly.

### ALLOCATION OF FUNDS

Any amount belonging to local government in the Federation Account must be allocated to the states for distribution to the local government councils as prescribed by the National Assembly.

Each state must maintain a special account called "Local Government Account" into which must be paid all allocations from the federal and state governments to local government councils.

Any amount belonging to the local government councils of a state must be distributed among the councils in a manner prescribed by the National Assembly.

### ELECTORAL LAW

The National Assembly may make laws for the registration of voters and the procedure regulating elections to a local government council.

A House of Assembly, also, may make laws for election to a local government council in addition to any law made by the National Assembly.

## B - FUNCTIONS OF LOCAL GOVERNMENT AND AREA COUNCILS

### *The Main Functions*

The main functions of a local government council are

(a) the making of recommendation to a state commission on economic planning, or any similar body on -

(i) economic development of the state, particularly its area of authority; and

(ii) the consideration of proposals made by such state commission or other body;

(b) collection of rates, radio and television licences;

(c) establishment and maintenance of cemeteries, burial grounds and homes for the destitute or infirm;

(d) licensing of bicycles, trucks (other mechanically propelled trucks) canoes, wheelbarrows and carts.

(e) establishment, maintenance and regulation of slaughter houses, slaughter slabs, markets, motor parks and public convenience;

(f) construction and maintenance of roads, streets, street lightings, drains, parks, gardens, open spaces, or other public facilities prescribed by the House of Assembly;

(g) naming of roads and streets, and numbering of houses;

(h) provision and maintenance of public convenience, sewage and refuse disposal;

(i) registration of all births, deaths and marriages;

(j) assessment of privately-owned houses or tenements, for the purpose of levying of rates;

(k) control and regulation of -

(i) out-door advertising and boarding;

(ii) movement and keeping of pets;

- (iii) shops and kiosks
- (iv) laundries; and
- (v) licensing, regulating and control of the sale of liquor

#### *Other Functions*

Other functions of a local government council are matters in respect of which a council participates in the government of a state. These are:

- (a) The provision and maintenance of primary, adult and vocational education,
- (b) The development of agriculture and natural resources, other than the exploitation of minerals, and
- (c) Such other functions as may be conferred on a local government council by the House of Assembly.

## ITEM 13A: NAMES OF LOCAL GOVERNMENT AREAS

There are 774 local government and area councils in Nigeria. There are 768 units in the 36 states and six in the federal capital territory. The ones in the state are called "local government councils" while those in the federal capital territory are called "area councils". All councils are listed below. State capitals are in bracket.

### 1. ABIA (Umuahia) 17 Local Government Areas

Aba North; Aba South; Arochuku; Bende; Ikwuano; Isiala-Ngwa North; Isiala-Ngwa South; Isuikwuato; Obi Ngwa; Ohafia; Osisioma Ngwa; Ugwunagbo; Ukwu East; Ukwu West; Umuahia North; Umuahia South; Umu-Nneochi.

### 2. ADAMAWA (Yola) 21 Local Government Areas

Demsa; Fufore; Ganye; Girei; Gombi; Guyuk; Hong; Jada; Lamurde; Madagali; Maiha; Mayo-Belwa; Michika; Mubi North; Mubi South; Numan; Shelleng; Song; Toungo; Yola North; Yola South.

### 3. AKWAIBOM (Uyo) 31 Local Government Areas

Abak; Eastern Obolo; Eket; Esit Eket; Essien Udim; Etim Ekpo; Etinan; Ibeno; Ibesikpo Asutan; Ibiono Ibom; Ika; Ikono; Ikot Abasi; Ikot Ekpene; Ini; Itu; Mbo; Mkpaf Enin; Nsit Atai; Nsit Ibom; Nsit Ubium; Obot Akara; Okobo; Onna; Oron; Oruk Anam; Uduong Uko; Ukanafun; Uruan; Urue Offong/Oruko; Uyo.

### 4. ANAMBRA (Awka) 21 Local Government Areas

Aguata; Anambra East; Anambra West; Anaocha; Awka North; Awka South; Ayamelum; Dunukofia; Ekwusigbo; Idemili North; Idemili South; Ihiala; Njikoka; Nnewi North; Nnewi South; Ogbaru; Onitsha North; Onitsha South; Orumba North; Orumba South; Oyi.

### 5. BAUCHI (Bauchi) 20 Local Government Areas

Alkaleri; Bauchi; Bogoro; Damban; Darazo; Dass; Gamawa; Ganjuwa; Giade; Itas/Gadau; Jama'are; Katagum; Kirfi; Misau; Ningi; Shira; Tafawa-Balcwa; Toro; Warji; Zaki.

### 6. BAYELSA (Yenegoa) 8 Local Government Areas

Brass; Ekeremor; Kolokuma/Opokuma; Ncmbe; Ogbia; Sagbama; Southern Ijaw; Yenegoa.

### 7. BENUE (Makurdi) 23 Local Government Areas

Ado; Agatu; Apa; Buruku; Gboko; Guma; Gwer East; Gwer West; Katsina-ala; Konshisha; Kwande; Logo; Makurdi; Obi; Ogbadibo; Oju; Okpokwu; Ohimini; Oturkpo; Sarka; Ukum; Ushongo; Vandeikya.

### 8. BORNO (Maiduguri) 27 Local Government Areas

Abadam; Askira/Uba; Bama; Bayo; Biu; Chibok; Damboa; Dikwa; Gubio; Guzamala; Hawul; Jere; Kaga; Kala/Balge; Konduga; Kukawa; Kwaya Kusar; Mafa; Magumeri; Maiduguri; Marte; Mobbar; Monguno; Ngala; Nganzai; Shani.

### 9. CROSS RIVER (Calabar) 18 Local Government Areas

Abi; Akamkpa; Akpabuyo; Bakassi; Bekwarra; Biase; Boki; Calabar Municipal; Calabar South; Etung; Ikom; Obanliku; Obubra; Obudu; Odukpani; Ogoja; Yakurr; Yala.

## 10. DELTA (Asaba) 25 Local Government Areas

Aniocha North; Aniocha South; Bomadi; Burutu; Ethiope East; Ethiope West; Ika North East; Ika South; Isoko North; Isoko South; Ndokwa East; Ndokwa West; Okpe; Oshimili North; Oshimili South; Patani; Sapele; Udu; Ughelli North; Ughelli South ; Ukwuani; Uvwie; Warri North; Warri South and Warri South West.

## 11. EBONYI (Abakaliki) 13 Local Government Areas

Abakaliki; Afikpo North; Afikpo South; Ebonyi; Ezza North; Ezza South; Ikwo Ishielu; Ivo; Izzi; Ohaozara; Ohaukwu; Onicha.

## 12. EDO (Benin City) 18 Local Government Areas

Akoko-Edo; Egor; Esan Central; Esan North-East; Esan South East; Esan West; Etsako Central; Etsako East; Etsako West; Igueben; Ikpoba-Okha; Oredo; Orhionmwon; Ovia North-East; Ovia South-West; Owan East; Owan West; Uhumwonde.

## 13. EKITI (Ado-Ekiti) 16 Local Government Areas

Ado Ekiti; Aiyekire; Efon; Ekiti East; Ekiti South West; Ekiti West; Emure; Ido-Osi; Ijero; Ikere; Ikole; Ilejemeji; Irepodun/Ifelodun; Ise/Orun; Moba; Oye.

## 14. ENUGU (Enugu) 17 Local Government Areas

Aninri; Awgu; Enugu East; Enugu North; Enugu South; Ezeagu; Igbo-Etiti; Igbo-Eze North; Igbo-Eze South; Isi-Uzo; Nkanu East; Nkanu West; Nsukka; Oji River; Udenu; Udi; Uzo-Uwani.

## 15. GOMBE (Gombe) 11 Local Government Areas

Akko; Balanga; Billiri; Dukku; Funakaye; Gombe; Kaltungo; Kwami; Nafada; Shomgom and Yamaltu/Deba.

## 16. IMO (Owerri) 27 Local Government Areas

Aboh-Mbaise; Ahiazu-Mbaise; Ehime-Mbano; Ezinihitte; Ideato North; Ideato South; Ihitte/Uboma; Ikeduru; Isiala Mbano; Isu; Mbaitoli; Ngor-Okpala; Njaba; Nwangele; Nkwere; Obowo; Oguta; Ohaji/Egbema; Okigwe; Orlu; Orsu; Oru East; Oru West; Owerri-Municipal; Owerri North; Owerri West; Unuimo.

## 17. JIGAWA (Dutse) 27 Local Government Areas

Auyo; Babura; Birnin Kudu; Biriniwa; Buji; Dutse; Gagarawa; Garki; Gumel; Guri; Gwaram; Gwiwa; Hadejia; Jahun; Kafin Hausa; Kaugama; Kazaure; Kiri Kasamma; Kiyawa; Maigatari; Malam Maduri; Miga; Ringim; Roni; Sule-Tankarkar; Taura; Yankwashi.

## 18. KADUNA (Kaduna) 23 Local Government Areas

Birnin-Gwari; Chikun; Giwa; Igabi; Ikara; Jaba; Jema'a; Kachia; Kaduna North; Kaduna South; Kagarko; Kajuru; Kaura; Kauru; Kubau; Kudan; Lere; Makarfi; Sabon-Gari; Sanga; Soba; Zangon-Kataf; Zaria.

## 19. KANO (Kano) 44 Local Government Areas

Ajingi; Albasu; Bagwai; Bebeji; Bichi; Bunkure; Dala; Dambatta; Dawakin Kudu; Dawakin Tofa; Doguwa; Fagge; Gabasawa; Garko; Garum Mallam; Gaya; Gezawa; Gwale; Gwarzo; Kabo; Kano Municipal; Karaye; Kibiya; Kiru; Kumbotso; Kunchi; Kura; Madobi; Makoda; Minijibir; Nasarawa; Rano; Rimin Gado; Rogo; Shanono; Sumaila; Takai; Tarauni; Tofa; Tsanyawa; Tundun Wada; Ungogo; Warawa; Wudil.

## 20. KATSINA (Katsina) 34 Local Government Areas

Bakori; Batagarawa; Batsari; Baure; Bindawa; Charanchi; Dandume; Danja; Dan Musa; Daura; Dutsi; Dutsin-Ma; Faskari; Funtua; Ingawa; Jibia; Kafur; Kaita;

Kankara; Kankia; Katsina; Kurfi; Kusada; Mai'Adua; Malumfashi; Mani; Mashai; Matazu; Musawa; Rimi; Sabuwa; Safana; Sandamu; Zango.

21. KEBBI (Birnin Kebbi) 21 Local Government Areas

Aleiro; Arewa-Dandi; Argungu; Augie; Bagudo; Birnin Kebbi; Bunza; Dandi; Fakai; Gwandu; Jega; Kalgo; Koko/Besse; Maiyama; Ngaski; Sakaba; Shanga; Suru; Wasagu/Danko; Yauri; Zuru.

22. KOGI (Lokoja) 21 Local Government Areas

Adavi; Ajaokuta; Ankpa; Bassa; Dekina; Ibaji; Idah; Igalamela-Odolu; Ijumu; Kabba/Bunu; Kogi; Lokoja; Mopa-Muro; Ofu; Ogori/Magongo; Okchi; Okene; Olamabolo; Omala; Yagba East; Yagba West.

23. KWARA (Ilorin) 16 Local Government Areas

Asa; Baruten; Edu; Ekiti; Ifelodun; Ilorin East; Ilorin South; Ilorin West; Irepodun; Isin; Kaiama; Moro; Offa; Oke-Ero; Oyin; Pategi.

24. LAGOS (Ikeja) 20 Local Government Areas

Agege; Ajeromi-Ifelodun; Alimosho; Amuwo-Odofin; Apapa; Badagry; Epe; Eti-Osa; Ibeju/Lekki; Ifako-Ijaye; Ikeja; Ikorodu; Kosofe; Lagos Island; Lagos Mainland; Mushin; Ojo; Oshodi-Isolo; Shomolu; Surulere.

25. NASARAWA (Lafia) 13 Local Government Areas

Akwanga; Awe; Doma; Karu; Keana; Keffi; Kokona; Lafia; Nasarawa; Nasarawa-Eggon; Obi; Toto; Wamba.

26. NIGER (Minna) 25 Local Government Areas

Agaie; Agwara; Bida; Borgu; Bosso; Chanchaga; Edati; Gbako; Gurara; Katcha; Kontagora; Lapai; Lavun; Magama; Mariga; Mashegu; Mokwa; Muya; Paikoro; Rafi; Rijau; Shiroro; Suleja; Tafa; Wushishi.

27. OGUN (Abeokuta) 20 Local Government Areas

Abeokuta-North; Abeokuta-South; Ado-Odo/Ota; Egbado North; Egbado South; Ewekoro; Ifo; Ijebu East; Ijebu North; Ijebu North East; Ijebu Ode; Ikennu; Imeko-Afon; Ipokia; Obafemi-Owode; Ogun Waterside; Odeda; Odogbolu; Remo North; Shagamu.

28. ONDO (Akure) 18 Local Government Areas

Akoko North East; Akoko North West; Akoko South East; Akoko South West; Akure North; Akure South; Ese-Odo; Idanre; Ifedore; Ilaje; Ilc-Oluji-Okeigbo; Irele; Odigbo; Okitipupa; Ondo East; Ondo West; Ose; Owo.

29. OSUN (Osogbo) 30 Local Government Areas

Aiyedade; Aiyedire; Atakumosa East; Atakumosa West; Boluwaduro; Boriye; Ede North; Ede South; Egbedore; Ejigbo; Ife Central; Ife East; Ife North; Ife South; Ifedayo; Ifelodun; Ila; Ilesha East; Ilesha West; Irepodun; Irewole; Isokan; Iwo; Obokun; Odo-Otin; Ola-Oluwa; Olorunda; Oriade; Orolu; Osogbo.

30. OYO (Ibadan) 33 Local Government Areas

Afijio; Akinyele; Atiba; Atigbo; Egbeda; Ibadan-Central; Ibadan Norths; Ibadan North West; Ibadan South East; Ibadan South West; Ibarapa Central; Ibarapa East; Ibarapa North; Ido; Irepo; Iseyin; Itesiwaju; Iwajowa; Kajola; Lagelu; Ogbomosho North; Ogbomosho South; Ogo-Oluwa; Olorunsogo; Oluyole; Ona-Ara; Orelope; Ori Ire; Oyo East; Oyo West; Saki

**31. PLATEAU (Jos) 17 Local Government Areas**

Barikin Ladi; Bassa; Bokkos; Jos East; Jos North; Jos South; Kanam; Kanke; Langtang North; Langtang South; Mangu; Mikang; Pankshin; Qua'an Pan; Riyom; Shendam; Wase.

**32. RIVERS (Port-Harcourt) 23 Local Government Areas**

Abua/Odual; Ahoada East; Ahoada West; Akuku Toru; Andoni; Asari-Toru; Bonny; Degema; Emohua; Eleme; Etche; Gokana; Ikwerre; Khana; Obia/Akpor; Ogba/Egbema/Ndoni; Ogu/Bolo; Okrika; Omumma; Opobo/Nkoro; Oyigbo; Port-Harcourt; Tai.

**33. SOKOTO (Sokoto) 23 Local Government Areas**

Binji; Bodinga; Dange-Shuni; Gada; Goronyo; Gudu; Gwadabawa; Illela; Isa; Kware; Kebbe; Rabah; Sabon Birni; Shagari; Silame; Sokoto North; Sokoto South; Tambuwal; Tangaza; Tureta; Wamakko; Wurno; Yabo.

**34. TARABA (Jalingo) 16 Local Government Areas**

Ardo-Kola; Bali; Donga; Gashaka; Gassol; Ibi; Jalingo; Karim-Lamido; Kurmi; Lau; Sardauna; Takum; Ussa; Wukari; Yorro; Zing.

**35. YOBE (Damaturu) 17 Local Government Areas**

Bade; Bursari; Damaturu; Fika; Fune; Geidam; Gujba; Gulani; Jakusko; Karasuwa; Machina; Nangere; Nguru; Potiskum; Tarmua; Yunusari; Yusufari.

**36. ZAMFARA (Gusau) 14 Local Government Areas**

Anka; Bakura; Birnin Magaji; Bukkuyum; Bungudu; Gummi; Gusau; Kaura Namoda; Maradun; Maru; Shinkafi; Talata Mafara; Tsafe; Zurmi.

**FEDERAL CAPITAL TERRITORY; (Abuja) 6 Area Councils**

Abaji; Abuja Municipal; Bwari; Gwagwalada; Kuje; Kwali.

# ITEM 14 THE JUDICIARY

## A - FEDERAL JUDICIAL POWERS

The judicial powers of the federal government are vested in federal courts. The National Assembly may establish other courts of lower status than a high court, or abolish any court which it has power to establish or which it has established. The courts established by the Constitution must be the only courts in Nigeria with high court status; and they have unlimited authority.

The federal courts established by the Constitution are:

- (a) Supreme Court of Nigeria;
- (b) Court of Appeal;
- (c) Federal High Court;
- (d) High Court of the Federal Capital Territory;
- (e) National Industrial Court
- (f) Sharia Court of Appeal of the Federal Capital Territory; and
- (g) Customary Court of Appeal of the Federal Capital Territory.

### JURISDICTION (AUTHORITY) OF FEDERAL COURTS

#### A Supreme Court Of Nigeria

##### *Original Jurisdiction (or Authority)*

Only the Supreme Court has authority to try at first instance any case between

- (a) the federal and state governments;
- (b) states;
- (c) the National Assembly and the President;
- (d) the National Assembly and House of Assembly of any State; and
- (e) the National Assembly and any State of the Federation.

##### *Appellate Jurisdiction*

Only the Supreme Court must have authority to hear appeals from the Court of Appeal.

#### B Court of Appeal

##### *Original Jurisdiction*

Only the Court of Appeal has authority to try at first instance any question concerning

- (a) election of President or Vice-President;
- (b) the term of office of the President or Vice-President; or
- (c) vacancy of the office of President or Vice-President.

##### *Appellate Jurisdiction*

Only the Court of Appeal has authority to hear appeals direct from

- (a) Federal High Court,

- (b) High Court of the Federal Capital Territory,
- (c) High Court of a State,
- (d) Sharia Court of Appeal of the Federal Capital Territory,
- (e) Sharia Court of Appeal of a State,
- (f) Customary Court of Appeal of the Federal Capital Territory,
- (g) Customary Court of Appeal of a State,
- (h) National Industrial Court,
- (i) Court martial, and
- (j) any other tribunal as prescribed by a federal law.

### C Federal High Court

#### *Jurisdiction*

- The Federal High Court alone has authority in civil and criminal matters in respect of
- (a) the revenue of the federal government if the government or any of its organs is a party;
  - (b) taxation of companies, other bodies carrying on business in Nigeria, and all persons who should pay tax to the federal government;
  - (c) customs and excise duties, export duties, claims against, or by, the Nigeria Customs Service or any customs officer, arising from official duties;
  - (d) banking, banks and other financial institutions;
  - (e) the operation of the Companies and Allied Matters Act or any related matter;
  - (f) any federal law relating to copyright, patent, designs, trademarks, etc.
  - (g) admiralty jurisdiction.
  - (h) diplomatic, consular and trade representation;
  - (i) citizenship, naturalisation, aliens, etc
  - (j) bankruptcy and insolvency;
  - (k) aviation and safety of aircraft;
  - (l) arms, ammunition and explosives;
  - (m) drugs and poisons;
  - (n) mines and minerals;
  - (o) weights and measures;
  - (p) the administration or management and control of the Federal Government or any of its agencies;
  - (q) the operation and interpretation of the Constitution as it affects the federal government or any of its agencies; and
  - (r) any action or proceeding for a declaration or injunction affecting the validity of any executive or administrative action or decision by the federal government or any of its agencies.
- The Federal High Court has authority (like any other high court) to try cases of treason, treasonable felony and related offences.

### D High Court Of The Federal Capital Territory

#### *Jurisdiction*

The high court of the federal capital territory has authority to hear any civil or criminal case.

**E National Industrial Court**

(Initially, not in the Constitution but established by the National Assembly under a provision of the Constitution)

**Jurisdiction**

The jurisdiction of the National Industrial Court is in respect of civil cases relating to labour matters, trade unions, industrial relations, settlement of disputes, constitutions of trade unions and award or judgment of the court.

**F Sharia Court of Appeal Of The Federal Capital Territory****Jurisdiction**

The Sharia Court of Appeal is competent to decide

- (a) any question of Islamic personal law regarding marriage, family relationship or the guardianship of an infant;
- (b) any question of Islamic personal law regarding a marriage, including the validity or dissolution of that marriage, family relationship, a foundling or the guardianship of an infant - where all the parties to the action are Muslims;
- (c) any question of Islamic personal law regarding a wakf, gift, will or succession where the endower, donor, testator or deceased person is a Muslim;
- (d) any question of Islamic personal law regarding an infant, a prodigal or person of unsound mind who is a Muslim, or the maintenance or guardianship of a Muslim who is physically or mentally infirm; or
- (e) any other question, where all parties are Muslims, and requested the lower court to decide it according to Islamic personal law.

**G Customary Court of Appeal of The Federal Capital Territory****Jurisdiction**

The Customary Court of Appeal of the Federal Capital Territory is to hear appeals from, and supervise, lower courts in respect of civil matters involving questions of customary law, and exercise any other authority conferred on it by a federal law.

**B - STATE JUDICIAL POWERS**

The judicial powers of a state are vested in state courts. The state courts established by the Constitution are

- (a) High Court of a State
- (b) Sharia Court of Appeal of a State; and
- (c) Customary Court of Appeal of a State.

**JURISDICTION (AUTHORITY) OF STATE COURTS****A High Court of a State****Jurisdiction**

The high court of a state has authority to hear any civil matter or any criminal case at first instance as well as appeals from the magistrates' courts.

**B Sharia Court of Appeal of State****Jurisdiction**

The Sharia Court of Appeal of a state is to hear appeals from, and supervise, lower courts in respect of civil matters involving Islamic law, and exercise any other authority conferred on it by the state law.

**C Customary Court of Appeal of a State****Jurisdiction**

A Customary Court of Appeal of a state is to hear appeals from, and supervise, lower courts in respect of civil matters involving questions of customary law.

# ITEM 15 - CODE OF CONDUCT FOR PUBLIC OFFICERS

## PART I - GENERAL

### 1. CONFLICT OF INTEREST

A public officer must not put himself in a position where his personal interest conflicts with his duties and responsibilities.

### 2. RESTRICTION ON SPECIFIED OFFICERS

A public officer must not

- (a) receive emoluments of more than one public office at the same time; or
- (b) engage in any private business except farming if he is employed as a full time public officer.

### 3. PROHIBITION OF FOREIGN ACCOUNTS

Certain public officers must not maintain or operate bank accounts outside Nigeria. These are the President, Vice-President, Governors, Deputy Governors, Ministers, State Commissioner, Federal or State Legislators, and such other public officers or persons added by a federal law.

### 4. RETIRED PUBLIC OFFICERS

A public officer must not, after his retirement from the public service, and while receiving pension from public funds, accept more than one position as chairman, director or employee of;

- (a) a company owned or controlled by the government, or
- (b) any other public authority

A retired public servant must not receive any other benefit from public funds in addition to his pension and the salary of such one position.

### 5. CERTAIN RETIRED PUBLIC OFFICERS

Persons who have held certain offices are prohibited from employment in foreign companies. The offices concerned are those of President, Vice-President, Chief Justice of Nigeria, Governor and Deputy Governor of a state.

### 6. GIFTS OR BENEFITS IN KIND

A public officer must not ask for, or accept, any property or benefit of any kind for himself or any person on account of anything done, or omitted to be done by him in the discharge of his duties. The receipt by a public officer of any gift or benefits from commercial firms, business enterprises or persons who have contracts with the government is a contravention of the Code of Conduct unless the contrary is proved. A public officer may only accept personal gifts or benefits from relatives or personal friends as recognised by custom; but any gift or donation to a public officer at an official occasion must be treated as a gift made to the body represented by him.

**7. RESTRICTION ON LOANS OR BENEFITS TO CERTAIN PUBLIC OFFICERS**

The President, Vice-President, a Governor, Deputy Governor, Minister, State Commissioner, Permanent Secretary, or head of a public organisation must not accept

(a) a loan, except from government or its agencies, a bank, building society or other financial institution recognised by law; or

(b) any benefit whatsoever from any company, contractor, businessman or nominee or agent of such person.

Despite the above provision the head of a public corporation or of a university or any other body established by law, may accept a loan from such body.

**8. BRIBERY OF PUBLIC OFFICERS**

No person must offer a public officer any property, gifts or benefits of any kind as a bribe concerning the public officer's duties.

**9. ABUSE OF OFFICE**

A public officer must not do or direct to be done in abuse of his office any arbitrary act against the right of any other person knowing that such act is unlawful or contrary to any government policy.

**10. MEMBERSHIP OF SOCIETIES**

A public officer must not be a member of, belong to, or take part in, any society the membership of which is incompatible with the functions or dignity of his office.

**11. DECLARATION OF ASSETS**

Every public officer must submit to the Code of Conduct Bureau a written declaration of all his properties, assets and debts and those of his unmarried children under the age of 18 years

(a) immediately after assuming office,

(b) at the end of every four years, and

(c) at the end of his term of office

Any false statement in such declaration is a breach of the Code of Conduct.

Any property or assets acquired by a public officer after the declaration under the Constitution and which is not fairly attributable to income, gift or loan approved by the Code is a breach of the Code.

**12. ALLEGATION OF BREACH OF CODE**

Any allegation that a public officer has committed a breach of, or has not complied with, the provisions of the Code of Conduct must be made to the Code of Conduct Bureau.

**13. AGENTS AND NOMINEES**

A public officer who does any act prohibited by the Code of Conduct through a nominee, trustee, or other agent is deemed, by that fact, to have committed a breach of the Code of Conduct.

#### 14. EXEMPTION

Members of legislative houses are exempt from the provisions of the Code of Conduct which prohibit a retired public officer from accepting more than one appointment for which he receives a salary or allowance from public funds in addition to his pension.

The National Assembly may by law exempt any cadre of public officers from the provisions of the Code of Conduct (which deal with prohibition of more than one remunerative office and declaration of assets) if it appears to it that their position in the public service is too low for the application of those provisions.

## PART II: ORGANS THAT ENFORCE THE CODE OF CONDUCT

In order to enforce provisions of the Code of Conduct, two organs have been established. These are the Code of Conduct Bureau and Code of Conduct Tribunal.

#### CODE OF CONDUCT BUREAU

The functions of the Code of Conduct Bureau are (among others) -

- (a) to receive declaration of assets and liabilities of public officers (that is, declaration of what they own and what they owe)
- (b) to examine declaration of assets and liabilities made by public officers;
- (c) to ensure that public officers to the Code of Conduct for Public Officers; and
- (d) to refer defaulting public officers to the Code of Conduct Tribunal.

#### CODE OF CONDUCT TRIBUNAL

The functions of the Code of Conduct Tribunal are-

- (a) to try public officers who fail to comply with provisions of the Code of Conduct; and
- (b) to punish public officers who are found guilty of not complying with provisions of the Code of Conduct.

The punishment which the Code of Conduct Tribunal has power to impose include-

- (a) vacation of office in any legislative House or as a councillor;
- (b) disqualification from any legislative House for up to 10 years; and
- (c) seizure of any property acquired corruptly.

The power of President or Governor to grant a pardon for, or reduce, a punishment awarded by a court does not apply to a punishment awarded by the Code of Conduct Tribunal.

#### PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

The Constitution lists the under-mentioned persons as public officers who must observe the Code of Conduct for Public Officers.

1. The President of the Federation;
2. The Vice-President of the Federation;
3. Members of the staff of legislative Houses;
4. Governors and Deputy Governors;

5. Judicial officers and staff of courts of law;
6. Attorneys-General of the Federation and the States;
7. Ministers and Commissioners;
8. Members of the Armed Forces
9. Members of the Nigeria Police Force and other government security services;
10. Federal and state civil servants
11. Members of the diplomatic missions abroad.
12. Chairman, members and staff of the Code of Conduct
13. Chairmen, Vice-Chairmen, members and staff of local government councils.
14. Chairmen and members of the boards or other governing bodies and staff of statutory corporations and of companies in which either the federal or a state government has controlling interest;
15. Staff of educational institutions owned by the federal, state or local government.
16. Chairmen, members and staff of permanent commissions or councils appointed on full-time basis.

# ITEM 16: OATHS

## OATH OF ALLEGIANCE

*Taken By All Public Officers*

I....., do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria and that I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria.

So help me God.

## OATH OF OFFICE OF PRESIDENT

I....., do solemnly swear/affirm:

1. That I will be faithful and bear true allegiance to the Federal Republic of Nigeria.

2. That as President of the Federal Republic of Nigeria, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria.

3. That I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria;

4. That I will not allow my personal interest to influence my official conduct or my official decisions;

5. That I will, to the best of my ability, protect and defend the Constitution of the Federal Republic of Nigeria;

6. That I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria.

7. That in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will;

8. That I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall be known to me as President of the Federal Republic of Nigeria, except as may be required for the due discharge of my duties as President; and

9. That I will devote myself to the service and well-being of the people of Nigeria. So help me God.

## OATH OF OFFICE OF GOVERNOR OF A STATE

I....., do solemnly swear/affirm:

1. That I will be faithful and bear true allegiance to the Federal Republic of Nigeria.

2. That as Governor of.....State, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria.

3. That I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria;

4. That I will exercise the authority vested in me as Governor so as not to impede or prejudice the authority lawfully vested in the President of the Federal Republic of Nigeria and so as not to endanger the continuance of Federal government in Nigeria;

5. That I will not allow my personal interest to influence my official conduct or my official decisions;

6. That I will, to the best of my ability, protect and defend the Constitution of the Federal Republic of Nigeria;

7. That I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria.

8. That in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will;

9. That I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall be known to me as Governor of.....State, except as may be required for the due discharge of my duties as Governor; and

10. That I will devote myself to the service and well-being of the people of Nigeria.  
So help me God.

**OATH OF OFFICE OF VICE-PRESIDENT, DEPUTY GOVERNOR,  
MINISTER, COMMISSIONER OR SPECIAL ADVISER**

I....., do solemnly swear/affirm:

1. That I will be faithful and bear true allegiance to the Federal Republic of Nigeria.

2. That as Vice-President, Deputy Governor, Minister, Commissioner or Special Adviser, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria.

3. That I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria;

4. That I will not allow my personal interest to influence my official conduct or my official decisions;

5. That I will, to the best of my ability, protect and defend the Constitution of the Federal Republic of Nigeria;

6. That I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria.

7. That in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will;

8. That I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall be known to me as... except as may be required for the due discharge of my duties as...  
So help me God.

### **OATH OF OFFICE OF MEMBERS OF NATIONAL ASSEMBLY OR STATE ASSEMBLY**

I....., do solemnly swear/affirm:

1. That I will be faithful and bear true allegiance to the Federal Republic of Nigeria.
  2. That as a member of the Senate/House of Representatives/... House of Assembly, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria.
  3. That I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria;
  4. That I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria;
  5. That I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria.
- So help me God

### **JUDICIAL OATH**

I....., do solemnly swear/affirm:

1. That I will be faithful and bear true allegiance to the Federal Republic of Nigeria.
  2. That as ..... I will discharge my duties, and perform my functions honestly, to the best of my ability and faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law.
  3. That I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria
  4. That I will not allow my personal interest to influence my official conduct and my official decisions; and
  5. That I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria;
- So help me God.

# ITEM 17: FEDERAL CAPITAL TERRITORY

## CAPITAL OF THE FEDERATION

Abuja is the capital of Nigeria and seat of the federal government. The ownership of all land in the federal capital territory is vested in the federal government.

## APPLICATION OF CONSTITUTION

The provisions of the Constitution must apply to the federal capital territory as if it were one of the states of the federation. All legislative, executive and judicial powers vested in the House of Assembly, Governor and state courts are vested in the National Assembly, President of the Federation and courts established for the federal capital territory, in that order.

## REPRESENTATION IN THE NATIONAL ASSEMBLY

The federal capital territory constitutes one senatorial district. It must have its due proportion of the 360 members of the House of Representatives based on its population in proportion to the national population.

## MINISTER OF FEDERAL CAPITAL TERRITORY

The President may appoint a minister for the federal capital territory. The minister performs such functions as may be assigned to him by the President.

## ADMINISTRATION OF FEDERAL CAPITAL TERRITORY

The federal capital territory must have 6 area councils, and the administrative and political structure must be as provided by a federal law. The six area councils are Abaji, Abuja Municipal, Bwari, Gwagwalada, Kuje and Kwali.

## ESTABLISHMENT OF THE JUDICIAL SERVICE COMMITTEE OF THE FEDERAL CAPITAL TERRITORY

A Judicial Service Committee must be established for the federal capital territory.

## REFERENCE TO STATE OFFICIALS

With respect to the federal capital territory, references to officials of state government, (such as Governor, Deputy Governor, Judges, Attorney-General Commissioners or Auditor-General) mean references to appropriate federal officials the President, Vice-President, Judges of the Federal Capital Territory, Federal Attorney-General, Ministers and Auditor-General of the Federation in that order. This relative order is given below in a tabular form.

|                             |   |
|-----------------------------|---|
| State Governor              | The President                                     |
| Deputy Governor             | The Vice-President                                |
| State Executive Council     | Federal Executive Council                         |
| Chief Judge of a State      | Chief Judge of Federal Capital Territory          |
| Judge of a State High Court | Judge of the Federal Capital Territory            |
| Attorney-General of a State | Attorney-General of the Federal Capital Territory |

|                                   |  |
|-----------------------------------|--|
| <b>State Commissioner</b>         | <b>Minister of the Federal Capital Territory</b> |
| <b>Auditor-General of a State</b> | <b>Auditor General Of The Federation.</b>        |

### **DESCRIPTION OF FEDERAL CAPITAL TERRITORY**

The location of the Federal Capital Territory starts from the villages called Izom, a point just north of Lehu on the Kemi River; to village called Semasu, Zui and Bassa down to the place a little west of Abaji town, and to Ahinza village (on the Kanama River); then to Buga village; from there to the villages of Odu, Karshi and Karu and then to the boundary between the Niger and Plateau states as far as Kawu; and then along the boundary between Kaduna and Niger states up to a point just north of Bwari village; from there to Zuba village and then straight to Izom.

(A less technical description is that the federal capital territory is located between Kaduna, Kogi, Nasarawa, Niger and Plateau states).

# APPENDIX

## THE PUBLISHER'S LIST

### 1. CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 WITH TOPIC FINDER

The book is a reproduction of the 1999 Nigerian Constitution as enacted, to which a topic finder has been added. The topic finder is in four parts: (1) Corresponding Sections of 1979 and 1999 Constitutions (2) Corresponding Sections of Federal and State Provisions of the 1999 Constitution (3) The Six Geo-Political Zones and their Component States and (4) Index To The Constitution.

### 2. 1999 NIGERIAN CONSTITUTION IN SIMPLE ENGLISH

The book is the full text of the *Constitution of The Federal Republic of Nigeria, 1999*, paraphrased section-by-section in simple language with some minor re-arrangement. Despite the simplification, the details and meaning of the Constitution are intact. The material was previously published as *Nigerian Constitution Simplified*. The first edition was in 1993 and the third was in 2005.

### 3. CITIZENS' HAND-BOOK ON 1999 NIGERIAN CONSTITUTION

This book contains (1) A brief history of the Nigerian Constitution (2) A concise version of *1999 Nigerian Constitution in Simple English* and (3) Notes on fundamental elements of the Constitution and principles of constitutional government. The Notes are for the general public and educational institutions.

### 4. INTRODUCTION TO CITIZENS' HAND-BOOK ON 1999 NIGERIAN CONSTITUTION

This book provides a basic knowledge of the Nigerian Constitution. Certain technical details of the Constitution, which many people may not need to know, are omitted. It is a general interest book that provides a very fast insight into the Constitution as it contains the essentials of the Constitution. It serves as a groundwork for in-depth study of the Constitution, and appreciation of the Notes in *Citizens' Hand-Book On 1999 Nigerian Constitution* (No. 3 above).

### 5. DEVELOPMENT OF THE NIGERIAN CONSTITUTION

This book briefly describes governance in pre-colonial "Nigerian" nations, narrates British advent and considers in some detail, colonial governance and all Nigerian Constitutions from 1922 to 1999. It provides a critique of the 1999 Constitution.

### 6. CHARTS ON 1999 NIGERIAN CONSTITUTION (TEACHING AID)

The charts highlight selected topics of the Nigerian Constitution for purposes of public providing a teaching aid for the Constitution. Their titles are 1. General Provisions; 2

Citizenship; 3. Duty and Responsibility of Government; 4. People's Rights; 5. Federal Legislature; 6. State Legislature; 7. Federal Executive; 8. State Executive; 9. Public Service; 10. The Police and Armed Forces; 11. Political Parties *and* Election Tribunals; 12. Executive Bodies; 13. Local Government System; 13A. Names of Local Government Areas; 14. The Judiciary; 15. Code of Conduct For Public Officers; 16. Oaths; and 17. Federal Capital Territory

### **7. POLICE COMPANION AND PUBLIC GUIDE**

This book, as its name implies, contains (1) Some of the essential matters that a policeman should know and of which he should always be mindful, (2) Information for the public about police service and functions, and (3) A thought on police-public interaction.

### **8. NIGERIAN SOCIAL AFFAIRS SINCE 1914**

The book contains fundamental details of Nigeria's existence, structure and socio-political life since 1914. It provides, also, some basic facts about present-day governance and social order as well as other matters of general interest.

### **9. BASIC LAW FOR STUDENTS**

This book provides basic legal knowledge for students and the general public. It is a useful introduction for law students and an adequate knowledge for other students whose courses require some knowledge of the law.

### **10. POLICE ACT**

This publication is a reproduction the Police Act.

### **11. POLICE COUNCIL ACT & POLICE SERVICE COMMISSION ACT**

This publication is a reproduction of the two Acts.

### **12. INTERPRETATION ACT**

This publication is a reproduction of the Interpretation Act.

### **13. EXAMINATIONS MALPRACTICES ACT**

This publication is a reproduction of the Examinations Malpractices Act, 2006.

### **14. NIGERIAN LAWS ON HUMAN RIGHTS**

This publication comprises (1) the Fundamental Rights (2) Fundamental Rights (Enforcement Procedure) Rules, 2008 and (3) African Charter on People's and Human Rights



*HBK*

This book provides a basic knowledge of the Nigerian Constitution. Certain technical details of the Constitution, which many people may not need to know, are omitted. It is a general interest book that provides a very fast insight into the Constitution as it contains the essentials of the Constitution. It serves as a groundwork for in-depth study of the Constitution, and appreciation of the Notes in *Citizens' Hand-Book On 1999 Nigerian Constitution*.

The book very well complements, as students' book, my *Charts On 1999 Nigerian Constitution*, which is a teaching aid for teachers of the Constitution, Government, Social Education and the like - depending on the pertinent level.



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