

THE LOCAL GOVERNMENT SYSTEM IN

NIGERIA



1 INTRODUCTION

The Federal Republic of Nigeria is situated in west Africa, covering a land area of 910,768 sq km. With a population of 135,031,164¹ it is Africa's most populous state.

Nigeria is a federal state with a directly elected president as head of state and head of government. The president is restricted to serving two four-year terms of office.

The National Assembly is bicameral comprising the Senate, which has 109 members (three from each of the 36 states and one from the Federal Capital Territory), and the House of Representatives with 360 members.

The president appoints a cabinet, known as the Federal Executive Council (FEC), subject to the approval of the Senate and which must draw from all states of the federation.

Members of the FEC may not serve concurrently as members of the National Assembly and must resign elected office in the legislature to take up positions in the executive.

The federation comprises 36 states and the Abuja Federal Capital Territory, which includes the capital city Abuja. There are 774 local government authorities.

2 POLITICAL AND ORGANISATIONAL STRUCTURE OF NIGERIA

Over the past decade Nigeria has been moving from a long period of military rule and suspension from the Commonwealth to the introduction of a stable civilian regime with elected governments at the local, state and federal level.

The most recent federal elections were held in April 2007, where Umaru Yar'Adua representing the People's Democratic Party (PDP) was elected as president, with 69.82% of the vote. The All-Nigeria people's Party (ANPP) gained 18.72%; the Action Congress 7.47%; and a number of other parties gained small percentages.

In the national assembly elections, the PDP gained 223 seats in the house of representatives and 76 in the senate. The ANPP gained 96 in the house of representatives and 27 in the senate. The Alliance for Democracy gained 34 seats in the house of representatives and 6 in the senate.

In state elections, the PDP won 11 out of 13 states; the ANPP won 1 and the AC won 1.

2.1 Position of local government in the state

In the federal structure, local government is created by state legislation with the endorsement of the National Assembly. The federal Minister of Intergovernmental Affairs is responsible to the president on all matters relating to local government.

The states are political bodies with elections to their legislatures taking place every four years. Each state has a commissioner (state-level minister) with responsibility for local government. Their role is to develop policy and legislation relating to local government and to provide oversight.

In several states elected councillors and the chairs of local government authorities have been suspended by the state governor or state assemblies without the due process of law or allowing the councillors to exercise their role. In such cases, the governors have appointed caretaker committees to replace them.²

3 LEGAL BASIS FOR LOCAL GOVERNMENT

3.1 Constitutional provisions

Elected local government is enshrined in the 1999 Constitution, which guarantees a system of local government by democratically elected councils. The constitution requires all states to enact legislation providing for the establishment, structure, composition, finance and functions of local government councils.

3.2 Main legislative texts

Each of the 36 states has enacted its own legislation. While core functions of local government are defined in the constitution, individual states may augment their responsibilities through legislation. The commissioner responsible for local government in each state is responsible for the administration of these Acts.

4 LOCAL GOVERNMENT ORGANISATIONAL STRUCTURE

4.1 Main divisions

Local government exists in a single tier in all states. There are 768 local government authorities (LGAs) and six area councils, totalling 774. The area councils are only in the Federal Capital Territory.

4.2 Distribution of local governments and population

The average population covered by a local government is 115,000, and by an area council 61,000. The smallest LGA is Kolokumao Opoum in Bayelsa State with a population of 46,877. The largest is Ajeromio Ifelodun in Lagos State with a population of 593,561. The area councils range in population size from 21,081 to 196,021 (figures from 1991). Some 30% of the population live in urban areas.

5 DEMOCRATIC AND POLITICAL STRUCTURES IN LOCAL GOVERNMENT

Councillors and chairpersons of councils are elected directly by universal adult (over 18 years of age) suffrage for three-year terms of office. However whereas the first round of elections under the current constitution was held in 1999, the second round, due in June 2002, were held in March 2004.

Local government is divided into wards. Each ward elects a single member to the council. This system is uniform across Nigeria. Decision-making in each council operates through a committee system; however there is a division between the executive body and the legislative body. Councils range in size from 10 to 13 councillors.

5.1 Local government authorities

Legislation requires authorities to establish committees, but these are not specified. Authorities have the discretion to establish other committees on an *ad hoc* basis in accordance with state legislation.

Chairpersons are directly elected and serve full-time and are remunerated accordingly. Remuneration is set by a federal agency, the National Revenue Mobilisation, Allocation and Fiscal Commission.

The executive committees are constituted by the chairperson, with responsibilities determined by state government legislation.

There is little difference between the 768 LGAs and the six area councils.

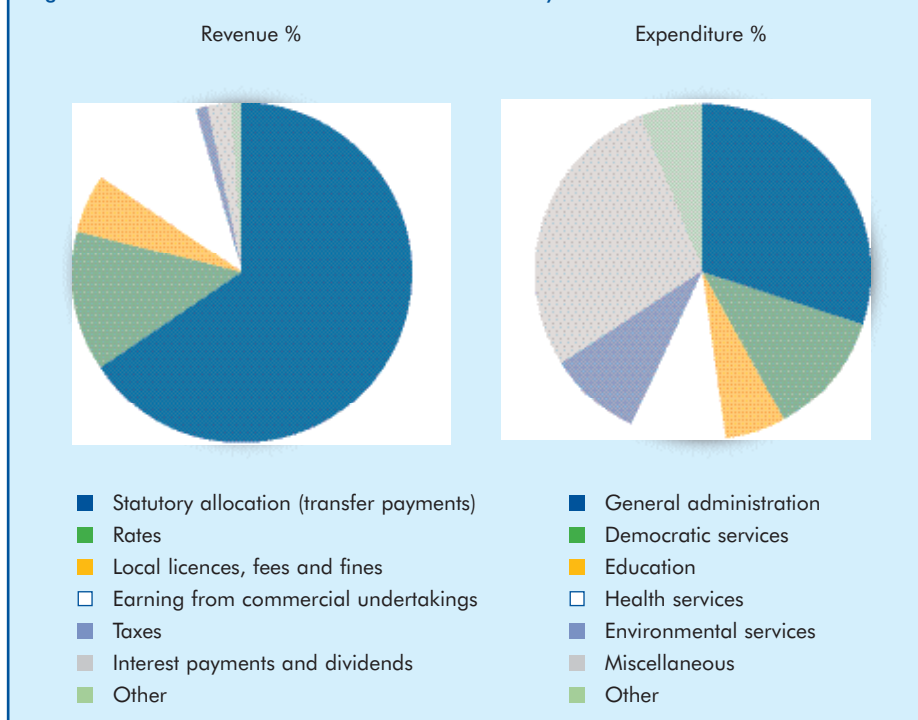
5.2 Local government staffing

Senior staff are recruited by the Local Government Service Commission, a state body, while junior staff are hired by the individual local authority. These bodies have the authority to hire and discipline staff. Central government does not deploy any staff to local government. Each local authority is required to appoint the director of administration, who is the head of the paid service.

5.3 Independent scrutiny

Each state has an auditor general to whom

Figure 1. The financial structure of one local authority



local authorities must submit their annual accounts.

6 DISTRIBUTION OF SERVICE DELIVERY COMPETENCE

The core functions of local government are defined in the fourth schedule of the constitution. They are: pre-school, primary and adult education; public health (including primary care and health protection); town and regional planning; roads and transport; refuse collection and disposal; cemeteries and crematoria; environmental protection; sports; leisure and open spaces; and religious facilities (see Annex A).

7 FINANCE

7.1 Revenue

No aggregate for local government revenue is currently available. Below is an example from one authority of the breakdown of its revenue in 2002:

1. Statutory allocation (transfer payments)	59%
2. Rates	12%
3. Local licences, fees and fines	5%
4. Earnings from commercial undertakings	10%
5. Taxes	1%
6. Interest payments and dividends	2%
7. Other	11%

Federal and state government is responsible for raising and collecting taxes. Local governments collect some local taxes, such as haulage, hawking, markets, motor and commercial drivers' levies.

7.2 Revenue-sharing

The federation account distribution is split approximately:

Federal government	54%
State government	25%
Local government	21%

The federation account is the consolidated fund of the federal government.

7.3 Expenditure

No aggregate expenditure is available. The same local authority as used in the revenue section has the following breakdown of expenditure:

1. General administration	30%
2. Democratic services	12%
3. Education	6%
4. Health services	9%
5. Environmental services	9%
6. Miscellaneous	28%
7. Other	6%

Local governments are not permitted to set deficit budgets.

8 ORGANISATIONS OF LOCAL GOVERNMENT

The Association of Local Governments of Nigeria (ALGON) is the representative body of local government and has the additional role of providing services to its member authorities. It is funded by membership subscriptions, but is not recognised either in law or in the federal constitution.

ALGON is affiliated to several international bodies including CLGF.

9 INTERGOVERNMENTAL RELATIONS

The Minister of Intergovernmental Affairs and Special Duties conducts intergovernmental relations through the presidency. These relations are not formally structured and meetings deal primarily with state–federal matters.

Occasionally they discuss matters of concern to local government and ALGON is invited to participate.

10 E-GOVERNMENT

A comprehensive e-government strategy has been developed and its implementation has begun. Phase one, pertaining to the linking of federal government ministries, and phase two, pertaining to the development of state capital intranets are already underway. Phase three will provide a similar infrastructure within each local government authority. Once these three networks have been completed they will be integrated.

There is currently a training programme underway for public servants regarding the utility and applications of e-government.

There were estimated to be 5 million internet users, or 3% of the population in 2005.⁴

11 ENVISAGED REFORMS

In mid-2003 the Technical Committee on the Review of Local Government Councils was set up, completing its work in November 2003. At present it is not clear what the main thrust of the reforms will be, but they are expected to address current imbalances in federal/state/local relations including issues relating to fiscal decentralisation.

12 SUMMARY

Elected local government is enshrined in the federal constitution of Nigeria. At the same time it is established by state legislation. Local government is single-tier and established throughout the country.

References

- 1 CIA World Factbook 2007
- 2 Chief Rob Ezeife, Former Secretary-General, Association of Local Government of Nigeria
- 3 Local Government Yearbook 1998, Federal Government of Nigeria
- 4 CIA World Factbook 2007.



Service	Delivering authority				Remarks
	Federal	States	LGAs	Area councils	
GENERAL ADMINISTRATION					
Police	●				
Fire protection	●	●			
Civil protection	●				
Criminal justice	●	●			
Civil justice		●			
Civil status register			●		
Statistical office	●	●			
Electoral register	●	●			
EDUCATION					
Pre-school			●		
Primary		●	●		
Secondary	●	●			
Vocational and technical		●			
Higher education	●	●			
Adult education		●	●		
SOCIAL WELFARE					
Kindergarten and nursery			●		
Family welfare services					
Welfare homes		●			
Social security					
PUBLIC HEALTH					
Primary care			●		
Hospitals	●	●			
Health protection			●		
HOUSING AND TOWN PLANNING					
Housing	●	●			
Town planning		●	●		
Regional planning		●	●		
TRANSPORT					
Roads	●	●	●		
Transport	●	●	●		
Urban roads	●	●			
Urban rail	●				
Ports	●				
Airports	●				
ENVIRONMENT AND PUBLIC SANITATION					
Water and sanitation		●	●		
Refuse collection and disposal			●		
Cemeteries and crematoria			●		
Slaughterhouses			●		
Environmental protection		●	●		
Consumer protection	●	●			
CULTURE, LEISURE AND SPORTS					
Theatre and concerts	●	●			
Museums and libraries	●	●			
Parks and open spaces			●		
Sports and leisure	●	●	●		
Religious facilities	●	●	●		
UTILITIES					
Gas services					
District heating					
Water supply		●			
Electricity	●				
ECONOMIC					
Agriculture, forests and fisheries	●				
Economic promotion	●				
Trade and industry	●	●			
Tourism	●	●			