

The local government system in

Nigeria



Key facts

POPULATION (Census 2006)¹: 140,431,790

AREA²: 923,768 sq km

CAPITAL: Abuja

LOCAL GOVERNMENT CONTRIBUTION TO GDP: -

CURRENCY: naira (NGN)

HEAD OF STATE AND GOVERNMENT:

President Goodluck Jonathan

FORM OF GOVERNMENT: republic

PARLIAMENTARY SYSTEM: bicameral

STATE STRUCTURE: federal

LANGUAGES: English (official)

Hausa, Igbo, Yoruba, Edo, Efik, Fulani, Idoma, Ijaw, Kanuri (recognised).

NATIONAL ELECTIONS: last: 2007; turnout: 57.5%; next: 2011

LOCAL ELECTIONS vary from state to state.

SUMMARY

Nigeria is a federal republic with three spheres of government; federal (central), state and local. Democratically elected local government is protected by provisions of the constitution while development areas and autonomous communities are created by individual state legislation. At the state level, the relevant ministry of local government and chieftaincy affairs or bureau of local government affairs is responsible for the administration of the state-level Acts governing local authorities. Local government exists in a single tier across all states. There are 768 local government authorities (LGAs) and six area councils. The funds raised by taxes are collected by all levels of government, with local government being responsible for collecting licence fees for haulage, trade and motor vehicles. All revenue collected is pooled into the Federal Account which is in turn split across the three spheres of government, approximately 20.60% is for local government. The core functions of local government include pre-school, primary and adult

education; public health; town planning; roads and transport; and waste disposal.

1. CENTRAL GOVERNMENT

Nigeria is a federal republic with a bicameral national assembly and 37 federal assemblies (36 for its federal states plus one for the federal capital territory (FCT)). The head of state and government is the president who is directly elected for a maximum of two four-year terms. The national assembly comprises an elected House of Representatives and an elected Senate. The House of Representatives has 360 members elected to represent single-member constituencies using the first-past-the-post system. The senate has 109 members, three elected from each of the 36 states and one elected from the FCT. The president appoints a cabinet, known as the Federal Executive Council (FEC), which must draw at least one member from each of the 36 states and is subject to the approval of the Senate. 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. Elections to each state assembly take place every four years.

2. LEGAL BASIS FOR LOCAL GOVERNMENT

2.1 Constitutional provisions:

The constitution guarantees a system of local government run 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.

2.2 Main legislative texts:

Each of the 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.

Table 1. Distribution of councils and population (Census 2006)

Region	LGA/area council	Population (Census 2006)	Region	LGA/area council	Population (Census 2006)
Abia	17	2,845,380	Katsina	34	5,801,584
Abuja (FCT)	6*	1,406,239	Kebbi	21	3,256,541
Adamawa	21	3,178,950	Kogi	21	3,314,043
Akwa Ibom	31	3,902,051	Kwara	16	2,365,353
Anambra	21	4,177,828	Lagos	20	9,113,605
Bauchi	20	4,653,066	Nassarawa	13	1,869,377
Bayelsa	8	1,704,515	Niger	25	3,954,772
Benue	23	4,253,641	Ogun	20	3,751,140
Borno	27	4,171,104	Ondo	18	3,460,877
Cross River	18	2,892,988	Osun	30	3,416,959
Delta	25	4,112,445	Oyo	33	5,580,894
Ebonyi	13	2,176,947	Plateau	17	3,206,531
Edo	18	3,233,366	Rivers	23	5,198,716
Ekiti	16	2,398,957	Sokoto	23	3,702,676
Enugu	17	3,267,837	Taraba	16	2,294,800
Gombe	11	2,365,040	Yobe	17	2,321,339
Imo	27	3,927,563	Zamfara	14	3,278,873
Jigawa	27	4,361,002	TOTAL	774	140,431,790
Kaduna	23	6,113,503	Largest	593,561*	9,401,288
Kano	44	9,401,288	Smallest	46,877 ^b	1,406,239

a)Ajeromio Ifelodun in Lagos state b) Kolokumao Opoum in Bayelsa state Source: National Bureau of Statistics

3. STRUCTURE OF LOCAL GOVERNMENT

3.1 Local government within the state:

There are three spheres of government: federal (central), state and local. Local governments are created by state legislation with the endorsement of the national assembly. All local governments are on a single tier and there is no difference between urban, rural or municipal councils.

3.2 Ministerial oversight:

At the state level, the relevant ministry of local government and chieftaincy affairs or bureau of local government affairs is headed by a commissioner (state-level minister) for local government. The commissioner is responsible for the administration of the state-level Acts governing local governments. In several states elected councillors and the chair of local governments have been suspended by the state governor or state assemblies without due process of law or allowing the councillors to exercise their role. In such cases, the governors have appointed caretaker committees to replace them.

3.3 Council types:

Local government exists in a single tier across all states. There are 768 local governments and six area councils in the FCT, totalling 774 authorities.

3.3.1 Local governments:

Legislation requires governments to establish committees, but their remits are not specified. The executive committees are constituted by the

chairperson, with responsibilities determined by state government legislation.

3.4 Traditional leadership:

There is an extensive network of traditional leaders in Nigeria and the relationship with local government varies from state to state.

4. ELECTIONS

4.1 Recent local elections:

As legislation governing local governments varies across the states there is no uniformity in tenure or timing of local government elections.

4.2 Voting system:

Councillors and chairpersons of councils are elected directly by universal adult (over age 18) suffrage using the first-past-the-post system, usually for three-year terms of office. Local government is divided into wards across all states of Nigeria and each ward elects a single member to its local council.

4.3 Elected representatives:

Councils range in size from ten to 13 councillors depending on the number of wards. An elected council is made up of an executive chairman, vice chairmen and councillors. Councillors represent the legislative arm of the local council.

4.4 Women's representation:

Women represent less than 10% of elected local government councillors. Advocacy and awareness raising initiatives are being implemented to encourage the participation of women.

5. SYSTEMS FOR COMMUNITY INVOLVEMENT

5.1 Legal requirement:

There is currently no legal framework but awareness is being raised to address this.

5.2 Implementation:

Community involvement is achieved through a range of civil society actors including traditional rulers, community-based and cooperative organisations, NGOs and youth and women's development programmes.

5.3 E-government:

There is no e-government strategy for local authorities in Nigeria.

6. ORGANISED LOCAL GOVERNMENT

6.1 National local government association:

The Association of Local Governments of Nigeria (ALGON) is the representative body for local government and has the additional role of providing services to its members. It is funded by membership subscriptions. The association is registered under the relevant laws of the federation but its existence is not established under any statute nor the constitution.

7. INTERGOVERNMENTAL RELATIONS

Most intergovernmental interaction is between states and local governments, mediated by the individual state-level ministries of local government and chieftaincy affairs and coordinated by a commissioner for local governments. The secretary to the government of the federation and the designated permanent secretary of the presidency hold discussions on intergovernmental relations and local government issues. These relations are not formally structured and meetings deal primarily with state-federal matters. On discussion of matters of concern to local government, ALGON is frequently invited to participate.

8. MONITORING SYSTEMS

Each state has an auditor general to whom local authorities must submit their annual accounts. The state assemblies exercise oversight functions on the activities of local governments.

Table 2. An example of the proportional distribution of revenue and expenditure for one local government council (2002)

Revenue	%	Expenditure	%
Government transfers	59	Administrative and operational	30
Locally raised revenue	-	Democratic services	12
Rates	12	Education	6
Local licences, fees and fines	5	Health services	9
Profit from commercial undertakings	10	Environmental services	9
Tax	1	Miscellaneous	28
Interest on payments and dividends	2	Other	6
Other	11	-	-
TOTAL	100	TOTAL	100

Source: Ministry of Local Government and Chieftaincy Affairs¹

9. FINANCE, STAFFING AND RESOURCES

Local governments are not permitted to set deficit budgets.

9.1 Locally raised revenue:

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

9.2 Transfers:

Local governments receive funding from the Federal Account Allocation (FAA) and the state government. The federation account distribution is split approximately as follows: federal government 52.68%, state government 26.72% and local government 20.60%. Lobbying is ongoing to reduce the allocation to federal government and increase it for states and local governments.

9.3 Local government staff:

Council chairpersons serve full-time and are remunerated accordingly. Remuneration is set by a federal agency, the National Revenue Mobilisation, Allocation and Fiscal Commission. Senior staff are recruited by the Local Government Service Commission, a state body, while junior staff are hired by the individual local governments. 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 a director of administration, who is the head of the paid service.

planning; roads and transport; refuse collection and disposal; cemeteries and crematoria; environmental protection; sports; leisure and open spaces; and religious facilities.

References and useful websites

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10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

The core functions of local government are defined in the fourth schedule of the constitution. They include pre-school, primary and adult education; public health (including primary care and health protection); town and regional

Annex A. Summary of service provision in different spheres of government

Service	Delivering authority				Remarks
	Federal	States	LGAs	Area Council	
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 planning	■				
Trade and industry	■	■			
Tourism	■	■			