

COMPARATIVE ANALYSIS OF LEGISLATIVE OVERSIGHT IN SOUTH AFRICA AND NIGERIA

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Abstract

Legislative oversight is the supervision of the Executive branch of government by the legislative branch. It includes the review, monitoring, and supervision of federal agencies, programs, activities, and policy implementations. Since the legislators are the representative of the people from their different constituencies, it is imperative that they see to the implementation of policies beneficial to the common man. As a result of legislative oversight, the legislators will be able to make new laws or amend the existing ones. Legislative oversight hinges on the principle and or doctrine of separation of powers and therefore serves as checks and balances for effective democracy. This work compares legislative oversight in Nigeria and South Africa. This is because of the peculiar background of the two countries. It must be recalled that South Africa was under the minority rule of Apartheid until they got their independence in 1994 and Nigeria on the other hand have been under military rule with intermittent democracy until 1999 when the military handed over the mantle of leadership to the civilian government. This work therefore among other methods of research adopt a comparative and historical approaches. It will discuss the methods of legislative oversight in the two jurisdictions under review and finally draw conclusions and make recommendations.

1.0 Introduction

The legislature is an essential and indispensable arm of the government in a democratic dispensation. Democracy as government of the people, by the people and for the people hinges on the principles of separation of powers and checks and balances. The three arms of government are the Executive, the Legislature and the Judiciary which act as checks and balances on each other so as to prevent tyranny as postulated by Montesquieu who improved on the work of Locke. The bedrock of every representative democracy is the institution of the legislature. This is the body empowered in law to enact legislation to the other in which the sovereignty is conducted¹. The Nigerian National Assembly performs the functions of legislating, controlling expenditure, representing citizens, calling government to account, and overseeing the performance of the public governance system in the interest of the people.² One of the cardinal functions or duties of the legislature is investigation in order to control the activities of the Executive. Oversight provides an invaluable mechanism or ensuring that democratic imperatives

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¹ National Assembly Statistical Information, A bi-annual publication of History, Research Statistical Department in conjunction with policy Analysis and Research Project (PARP) National Assembly Abuja Vol. 2 No. (2008) P.1.

² O. Oko, Legislators in Changing and Challenging Times, An Analysis of the Nigerian National Assembly, Goldline and Jacobs Publishing. New Jersey (2014) P. 95

of accountability and transparency are achieved³. Therefore if the legislature fails to carry out its oversight responsibility, the outcome will be corruption, waste, and mismanagement.

Consequently, Section 88 of the 1999 Constitution⁴ provides that subject to the provisions of this Constitution, each House of the National Assembly shall have power by resolution published in its Journal or in the Official *Gazette* of the Government of the Federation to direct or cause to be directed an investigation into-

- a. any matter or thing with respect to which it has power to make laws; and
 - b. the conduct of affairs of any person, authority, ministry or government department charged, or intended to be charged, with the duty of or responsibility for-
 - i. executing or administering laws enacted by the National Assembly, and
 - ii. disbursing or administering moneys appropriated or to be appropriated by the National Assembly.
2. The powers conferred on the National Assembly under the provisions of this section are exercisable only for the purpose of enabling it to-
- a. make laws with respect to any matter within its legislative competence and correct any defects in existing laws; and
 - b. expose corruption, inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it.

In South Africa, politicians elected by the people to represent them are expected to oversee the way government implements policy and spends tax revenue. The Executive is accountable to elected politicians- the legislature for fulfilling its responsibility. Thus oversight and accountability” are two sides of the same coin in South Africa⁵. Here, parliament consists of two Houses namely- the National Assembly (NA) and the National Council of Provinces (NCOP). The National Assembly is elected to represent the people and to ensure government by the people under the Constitution⁶.

The National Council of Provinces represents the Provinces to ensure that Provincial interests are taken into account in the National sphere of government⁷. There are elaborate constitutional provisions in South Africa for the oversight of the legislature. The most notable is section 55(2) which provides that the National Assembly must provide for mechanism

- a. To maintain oversight of-
 - i. the exercise of nation Executive Authority including the implementation of legislation; and
 - ii. any organ of State⁸

Therefore the legislature is the department, assembly or body of persons that makes statutory laws for a State or Nation, and sees to the implementation of the laws they have enacted so as to make sure that the intent and purpose of the law is achieved.

³ 1999 Constitution of the Federal Republic of Nigeria as Amended.

⁴ www.publiclaw.uct.ac.za/usr/public-lawbuilding/chapter%207.pdf (Accessed 10/07/2019 by 4.20pm).

⁵ Section 42(3) 1996 Constitution of Republic of South Africa.

⁶ *Ibid* section 42(4)

⁷ Section 55(2) of the 1996 Constitution of the Republic of South Africa

⁸ H.C. Black, Blacks lawdictionary. West Publishing Coy. St. Pau

Nigeria and South Africa were former colonies of foreign powers and experienced non democratic government for a long period of time. South Africa was ruled by authoritarian Apartheid and gained their independence in 1994. Nigeria, on the other hand, was under Military government for a long time though with intermittent democracy⁹.

1.1 Legislative Power in Nigeria

This is also called the investigative or oversight function of the legislature. It must be recalled that it is responsibility of the legislature to make laws for the peace, order and good government of the people. Their work however, does not stop at just making the laws, but also to follow up to make sure that the law being made by the legislature is properly implemented by the Executive whose task is to execute the law. This is of vital importance because if the intent and purpose of the law is not achieved the aim is defeated and therefore it becomes *null* and *void* and of no effect. Consequently, section 88 of the constitution of the Federal Republic of Nigeria 1999.

Added to its legislative power, each house of the National Assembly enjoys the power of conducting investigation in order to gather information needed to legislate, to propose constitutional amendments, or to perform other constitutional functions. Under this power, each House can conduct investigations to correct any defects in the existing law. Each House can expose corruption, inefficiency or waste in the spending of public funds and the administration of laws¹⁰.

1.1.0 The legislature as a check on the Executive

The Legislative branch acts as a check on the Executive branch of the government. It would appear that trying to control the Executive is the ordinary function of the Legislature. Therefore, the legislative branch must seek the control and oversee the Executive branch and administrative department of it to check and balance modern chief executive. The principle of checks and balances should however be complemented with cooperation and coordination. Thus, checks prevent one power from going out of track while balance reconciles them with one another. Cooperation and co-ordination ensure that government activities are not grounded by unnecessary conflicts resulting from separation of powers.

1..1.1 Power of Control over Public Funds

Section 81 of the constitution¹¹ provides as follows:

1. The President shall cause to be prepared and laid down before each House of the National Assembly at any time in each financial year estimates of the revenues and expenditure of the Federation for the next following financial year.
2. The head of expenditure contained in the estimates (other than expenditure charged upon the consolidated revenue fund of the Federation by this constitution) shall be included in a bill, to be known as Appropriation Bill, providing for the issue from the consolidated revenue fund of the sums necessary to meet that expenditure and appropriation of those sums for the purpose specified therein.
3. Any amount standing to the credit of the judiciary in the consolidated revenue fund of the Federation shall be paid directed to the National Judicial Council for disbursement to the

⁹ MINNC (1990) P. 900.

¹⁰ J.Akande, Introduction to the Constitution of the Federal Republic of Nigeria 1999, M/J Professional Publishers Limited, Lagos 2000p. 194192.

¹¹ Section 81

heads of the courts established for the Federation and the States under section 6 of this constitution¹².

4. If in respect of any financial year it is found that-
 - a. The amount appropriated by the Appropriate Act for any purpose is insufficient; or
 - b. A need has arisen for expenditure for a purpose for which no amount has been appropriated by the Act, a supplementary estimate showing the sums required shall be laid before each House of the National Assembly and the heads of any such expenditure shall be included in a Supplementary Appropriate Bill¹³.

A Bill may originate from either chamber of the National Assembly¹⁴. Provides that the Appropriation Bill may “originate” from either House¹⁵.

1.1.2 Audit Evaluation

This is one of the legislative oversight function. To enhance probity and accountability, the Public Accounts Committees of the National and State House of Assembly are regarded as the most powerful committees of the House. The Public Accounts Committees is a standing committee appointed under the standing orders. The main functions of this committee is to make sure that legislative grants for each financial year including supplementary grants have been applied to the object for which the legislature prescribed and to consider the matter brought to the notice of the House in the reports of the Director of Audit or the Auditor-General as a result of the audit. The committee also scrutinizes cases which led to any excesses over the legislative allocation. To ensure effective implementation of constitutional requirements by the executive, there are provisions in the audit laws of the states and of the Federation to enforce them¹⁶.

1.1.3 Confirmation of Nomination of Appointments

This is one of the areas where the doctrines of checks and balances operates actively in the National and State House of Assembly. Here, the legislature exercises its power of confirmation of the appointments of ministers and commissioners of government at the state level. This is captured in sections 147(2) and 192 (2) of the constitution.

1.1.4 Power of Impeachment

Power of impeachment is another area in which the legislature exercises oversight function. Sections 143 and 188 of the constitution vest impeachment powers in the legislature for the removal of the President or Governor as the case may be. The President or his Vice and the Governor or his Deputy may be impeached for “Misconduct”. Misconduct is defined as a breach of the oaths of office or oath of allegiance of a member or a breach of the provisions of the constitution or a misconduct of such a nature as amounts to bribery or corruption or false declaration of assets and liabilities or conviction for treason or treasonable felony.

¹² 1999 Constitution of the Federal Republic of Nigeria (As Amended).

¹³ *ibid*.

¹⁴ Section 58 (2)

¹⁵ In the Uk all Financial Bills had to be introduced in the Houses of Commong. See Act 1, s.7Ch 2 of the Constitution of the U.S A which provides that all Bills for Raising Revenue must Originate from the House of Representatives

¹⁶ E.Okon, and A.Essien Law-Making Processes in Nigeria at the National and State Houses of Assembly, spectrum Books Limited. Ibadan 2005 p. 48-49.

1.2 Similarities of legislative Oversight in Nigeria and South Africa South

The aim of the supervisory powers of the legislature is separation of powers which plays out in checks and balances of the three arms of government. In Nigeria section 4 of the 1999 Constitution of the Federal Republic of Nigeria¹⁷ provides *inter-alia* for the legislative powers which is vested in the National Assembly. It shall consists of a Senate and a House of Representative, with power to make laws for the peace, order and good government of the Federation. Section 5 of the same constitution¹⁸ provides among other things that the Executive powers shall be vested on the President at the National Level and Governor on State level. Judicial powers is enumerated under section 6 of the above mentioned constitution to be vested in the courts to which this section relates, being courts established for the federation and the States.

In South Africa, Section 42 of the constitution provides among other things that the parliament shall consist of the National Assembly and the National Council of Provinces¹⁹. The National Assembly and the National council of Provinces participate in the legislative process in the manner set out in the constitution.

Section 83 of the said constitution²⁰ provides for the powers and functions of the President and National Executive. In the same vain, section 104 of the same constitution²¹ provides for the legislative authority of the Provinces which is vested in the Provincial legislature. Section 125 of the South African constitution²² stipulates that executive authority of a Province is vested in the premier of that Province. Section 165 of the South African Constitution vested judicial authority in the court²³.

Their sovereignty resonates in the following words “We, the people”. It opened the preamble of the constitutions of the two countries. The two countries were former colonies of foreign powers, and secondly South Africa was ruled by authoritarian Apartheid and long military regimes ruled in Nigeria before transition to democratic rule²⁴.

A common feature in the governing systems of South Africa and Nigeria is the preeminent position of the legislature as the symbol of the people. The instruments of government are the laws passed by the legislatures²⁵

1.3 Differences

In South Africa, which also operates a written Constitution that has been hailed as the most progressive in the world, adopts a different approach. Under the South Africa Constitution, the

¹⁷1999 Constitution of the Federal Republic of Nigeria of Nigeria (as Amended)

¹⁸ *Ibid.*

¹⁹ *Constitution of the Republic of South Africa 1996.*

²⁰ 1999 Constitution of the Federal Republic of Nigeria of Nigeria (as Amended)

²¹ *Ibid.*

²² *Ibid.*

²³ Constitution of the Unites States of America 1789

²⁴ Springer International Publishing AG, part of Springer Nature 2017 O. Fagbadebo, F. Ruffin (eds), perspectives on the legislature and prospects of Accountability in Nigeria and South Africa *Advances in African Economics, Social and Political Development* p.19 <https://org/1007/1978-3-319-93509-6>

²⁵ *Ibid.*

oversight function is explicitly stated together with its objectives and principles beyond any controversy. Section 42 of the South African constitution which delineates the powers of Parliament provides that:

The National Assembly is elected to represent the people and to ensure government by the people under the Constitution. It does this by choosing the President, by providing a national forum for public consideration of issues, by passing legislation and by scrutinizing and overseeing executive action. This is also buttressed by section 55 (2) of the same constitution.

Thus, the South African position makes it mandatory that the National Assembly should create an enabling structure that would facilitate the monitoring of the executive²⁶. This implies that the National Assembly could be compelled by judicial action to act where it fails to so act on its own will. In Nigeria's case however, the problem is not so much a lack of an express obligation to exercise its oversight role over the executive as it is a lack of the will to do so. It is doubtful whether the adoption of the South African model would make much difference if the other inhibiting factors like corruption and lack of a proper perception of their role on the part of the legislature are not addressed. With the right attitude and will, the legislature could adequately monitor the executive within the current statutory framework. This is because the oversight role of the legislature can be unambiguously inferred from the provisions of the Constitution. In Nigeria the word oversight is not mentioned in our Constitution specifically but it can be inferred from the provisions²⁷.

Section 4 provides for the main function of the legislature at both the Federal and State levels, and that is to make laws for the peace, order and good governance of the federation or any part thereof. The representative functions are not spelt out but arise from the fact that members of the legislature are *ipso facto* the elected representatives of the people. They are therefore under a duty to be constantly conscious of the feelings and needs of their constituency and address them through their engagements on the floor of the house²⁸. To properly exercise its oversight functions, the legislature is assigned powers relating to legislative, judicial and policy-making. Also in Nigeria, oversight is indispensable with investigation, while in South Africa oversight is tied to accountability.

The legislative powers of the legislature in Nigeria is not unlimited but restricted to any matter or thing with respect to which it has power to make laws, the conduct of affairs of ministries, departments and agencies charged with executing or implementing the laws enacted by the National Assembly, and for disbursing fund appropriated by the National Assembly. The supervisory power of the legislature is only exercisable for the purpose of making laws and to correct defect in existing laws. And this is solely for the purpose of exposing corruption, inefficiency or waste in the execution or implementation of laws within its legislature competence²⁹. Again in Nigeria, the committee that carry out investigation during oversight is

²⁶ See Hugh Corder, SarasJagwanth& Fred Solthau: Report on Parliamentary Oversight and Accountability, University of Cape Town, 1999.

²⁷ Sections 4, 81-89, and 120-129.

²⁸ Newsletter, Office of the Speaker of the House of Representatives, "the House: Roles and Functions."

²⁹ 1999 Constitution of the Federal Republic of Nigeria as amended

usually ad-hoc. Nevertheless all these limitations found out in Nigeria is absent in South Africa. Rather in the 1996 Constitution of South Africa, oversight is directly and expressly entrenched and provided for the legislature to oversight the executive³⁰. In Nigeria, the word oversight is not mentioned in the constitution on like South Africa

1.4 Limits of legislative oversight

The legislature is authorized by the constitution to conduct investigation into matters falling within its legislature competence. The 1999 constitution in section 88 and 89 provides for investigation in aid of legislation and the legislative oversight of administrative operations. By section 88(1) each House of National Assembly has the power- to direct or cause to be directed an investigation into-

- a. any matter or thing with respect to which it has power to make laws, and
- b. the conduct of affairs of any person, authority, ministry or government department charged, or intended to be charged, with the duty of or responsibility for-
 - i. executing or administering laws enacted by the National Assembly, and
 - ii. disbursing or administering moneys appropriated or to be appropriated by the National Assembly.
2. The power conferred on the National Assembly under the provisions of this section are exercisable only for the purpose of enabling it to-
 - a. make laws with respect to any mater within its legislative competence an correct any defects in existing laws; and
 - b. prevent and expose corruption, inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it.

The legislative powers of the legislature, though extensive and broad are very much restricted by subsection (2) of section 88. It is not to be used for the purpose of witch-hunting. It must be exercised solely for the purpose of either clearing the ground for making laws or exercised so as not to interfere unduly with the rights or interests secured to the citizens by the constitution or to pry into matters that are outside the competence of the legislature. The supremacy of the constitution therefore, serves to restrict each legislature to the legislative limits set by the constitution to which both governments are subordinated. To guard against legislating inconsistently with the constitution the court are interposed between the government and the immutability of the constitution. The courts are therefore imbued with powers to investigate the legality of legislative (as well as executive) actions as against the provisions of the constitution, such that laws made by the legislature are valid and if made within the authority conferred upon it by the constitution, but invalid or unconstitutional if they go beyond the limits of such authority.

In *Balewa v. Doherty*³¹, the Federal parliament had enacted the Commission of Inquiry Act of 1961 under which the Prime Minister was by section 3 thereby authorized to appoint a Commission of Inquiry into any matter or thing within federal competence anywhere within the federation. Pursuant to that provision, the Prime Minister appointed a tribunal to inquire into the

³⁰ Section 55 (2)

³¹ (1963) 2SCNLR 155, (1963) 1 WLR 949

affairs of the National Bank. Chief Adebayo Doherty, a Director of the National Bank sought an injunction from the High Court to restrain the tribunal from conducting the inquiry. The High Court stated a case to the Supreme Court on issues touching on the constitutionality of the Act. In consulting the question referred to it, the Supreme Court held *inter alia*, and which was later affirmed by the Judicial Committee of the Privy Council, that in so far as the Act purported to have effect in relation to matters and things within federal legislative competence anywhere in the federation, the Federal Parliament exceeded the limits of its legislative powers and the Act was *void*. It was further held that section 8 (d) 15 (a) and 18 (1) (b) which purported to cloth the commissioners with power to impose a sentence of fine or imprisonment were *pro tanto void* being provisions made upon an *ultra vires* exercise of federal legislative powers. The provisions granting powers to compel attendance and to impose a sentence would have been *intra vires* the parliament were they geographically confined to the Federal Capital Territory, but their extension to “anywhere within the federation”. They had torn down the constitutional barriers set against the powers of the Federal Parliament and encroached upon areas of exclusive regional competence³². In *Ganjifawehinmi v. Babangida*³³, the President of Nigeria by an instrument constituted a judicial commission of inquiry to investigate human right abuses in Nigeria. The commission issued summons for service on persons to testify as witnesses prompting the resort to court by some of the target persons, to challenge the constitutionality of the 1966 Act. The trial court on application to it by all the parties, stated a case to the Court of Appeal whose decision gave rise to an appeal to the Supreme Court. The Supreme Court held that the power to make a regulation of tribunals of inquiry in the form of the Tribunals of Inquiry Act 1966 is now a residual power under the 1999 constitution belonging to the States and the Federal legislature has no power to legislate on the subject under the Act. It should not have effect throughout the federation except in so far as it can legislate for the Federal Capital Territory, Abuja as if it were a State by virtue of sections 4(4) (b) and 299 of the 1999 constitution.

In enacting Electoral Act of 2001 under the current constitutional regime, the National Assembly again transgressed its legislative powers to encroach on the powers reserved for State legislatures. This was the decision of the court in *Attorney-General of Abia State and 35 Ors v Attorney-General of the Federation*³⁴. In consequence of their inconsistency with constitutionally reserved powers of exclusive legislative competence of State House of Assembly over residual matters, the Supreme Court voided certain provisions of that Act which *inter-alia*, purported to prescribe tenure of office for elected local government council officials. Also the creation of law, of offences is general within the exclusive legislative competence of States, because it is residual law under the 1999 constitution. The constitutionality of the Independence Corrupt Practices and other Related Offences Commission (I.C.P.C) Act 2000, made to operate in all the States of the Federation came under intense contest in *Attorney-General of Ondo State v. Attorney-General of the Federation and 35 Ors*³⁵. Among many grounds upon which the I.C.P.C. was impugned is that the Federal government lacked the power under the constitution to create offences to operate all over the Federation since it is a residual matter, not being an item in any of the two legislative lists. Therefore it is power reserved exclusively for the states except that the federal government can legislate on offences in so far as the same is restricted to its enumerated areas of legislative

³² *Ibid.*

³³(2003) 1 SCNJ 231 .

³⁴ (2002) 3 SCNJ 158.

³⁵ (2002) 6 SCNJ 1.

competence. The Supreme Court held that the community reading of section 15(5) which directs the stated (Federal and State governments) to abolish all corrupt practices and abuse of power; items 60 (a) and 68 of the exclusive legislative list which authorize the National Assembly to establish and regulate authorities to promote and enforce the observance of the fundamental objectives and Directive Principles of state policy contained therein.

The primary objective of legislative power is to lay down, by their decision, rules or conduct of rules. This is the decision in *Guardian Newspaper Ltd v. Attorney General of the Federation*³⁶ and to carry out oversight and investigative function. It must however be recognized that the legislative power to investigate is not absolute as it has some legal impediments. In *Tony Momoh v Senate of the National Assembly*³⁷, it was held by the Court of Appeal that section 82 of the 1979 constitution³⁸ is not designed to enable the legislature usurp the general investigating functions of the executive nor the adjudicative functions of the judiciary. Any investigation by the legislature to any person outside the purpose defined by section 88 of the 1999 constitution is invalid. In *Obayuwana v Alli and Ors*³⁹ it was held that the power of investigation by the legislature cannot be invoked to apply to issues that are outside the purview of the legislature in the exercise of the power to make law. This is also the principle in *EL-Rujai v House of Representatives*⁴⁰. In *Mc Grain v Daugherty*⁴¹ the United States Supreme Court settled the question of the right of the U.S. congress to conduct investigation when it said that the power of congressional inquiry with the process to enforce it is an essential and appropriate auxiliary to the legislative function. Also in *MatKins v United States*⁴², the U.S. Supreme Court said that the powers of the congress to conduct investigations are inherent in legislative process

1.5 Conclusion/Recommendation

Constitutional democracy requires separation of powers between the three arms of government⁴³ the executive, the legislature and the judiciary. The constitution and the doctrine of separation of powers deny the President the power of arbitrary action that marked and deformed the military dictatorships that ruled Africa in the past. The constitution equally provides for checks and balances and consequently giving the legislature and the executive arm the power to check each other in order to avoid executive or legislative tyranny⁴⁴. This work has discussed the legislative check on the executive on the two jurisdictions under review to wit: Nigeria and South Africa. Both have similar features. South Africa was under the minority rule of “Apartheid” until they got independence in 1994. Nigeria has been under the military rule for a long period of time, until 1999 when it went back to democracy. The two countries entrenched the principles of separation of powers and checks and balances in their constitutions.

³⁶ *Guardian Newspaper Ltd v Attorney General of the Federation* (1999) 9 NWLR (Pt 618) 187 at p 249 – 250.

³⁷ *Tony Momoh v Senate of the National Assembly* (1982) NCLR, 105.

³⁸ Section 88 of the 1999 constitution as amended.

³⁹ *Obayuwana v Alli and Ors* (1983) 12 SC 147 at 191 - 192.

⁴⁰ *EL – Rujai v House of Representative* (2003) 12 WRNI (SC).

⁴¹ *Mc Grain v Daugherty* 273 US 135 (1927).

⁴² *Matkins v United States* (1957) 354 US 178.

⁴³ The executive, the legislature and the judiciary

⁴⁴ O. Oko, *Legislators in Changing and Challenging Times, An Analysis of the Nigerian National Assembly*. Goldline and Jacobs Publishing, New Jersey (2014) P.115.

The legislative houses of the two countries attached great importance to legislative oversight. However, it was discovered in the course of the study that in Nigeria, legislative oversight is not as elaborate as in South Africa as manifested in the two constitutions. For instance, the word “oversight” is not mentioned anywhere in the 1999 constitution of the Federal Republic of Nigeria (as amended) rather the word “investigation” was used which do not seem to capture the weight of oversight. Again in South Africa, “oversight” is attached to “Accountability”. This signifies a sense of responsibility on the legislators reminding them that they are stewards accountable to the people they represent.

Finally, in Nigeria Constitution only Section 88⁴⁵ mentioned investigation but in South African Constitution there are many sections on oversight function of the legislature. It is therefore recommended that in Nigeria the legislative oversight should be properly entrenched in the constitution⁴⁶so that people will know and understand the relevance, importance, and weight of the oversight function of the legislature. It is also important to concretize the legislators in Nigeria that their function goes with accountability and transparency. Based on that I am of the view that transparency be attached to legislative oversight in Nigeria.

⁴⁵ 1999 constitution of Federal Republic of Nigeria (as amended)

⁴⁶ 1996 of South Africa Constitution