

FREEDOM OF INFORMATION ACT 2011: A VERITABLE INSTRUMENT FOR THE ENHANCEMENT OF LEGISLATIVE OVERSIGHT IN NIGERIA*

Abstract

Freedom of information, specifically provides access to information held by public authorities, is a fundamental element of the right to freedom of expression and vital to the proper functioning of a democracy. It is an act that makes provision for the disclosure of information held by public authorities or by person providing services for them. This means that the Act enables one to see a wide range of public information because it gives the right to ask any public body for all the information they have on any subject. On the other hand, legislative oversight is the review, monitoring and supervision of government and public agencies, including the implementation of policy and legislation. It involves keeping an eye on the activities of governmental agencies especially the executive branch on behalf of the Nigerian people. The objective of this work is to recognize and emphasize the importance of freedom of Information Act to the legislation in their oversight function. This is imperative because they need relevant information during their supervision of the ministries, departments and agencies. This will enable them either to retain the existing laws or make new laws to meet up with their findings. The work will discuss the significance of freedom of Information Act, rights of access to government information, prospects of freedom of Information Act and challenges of the Act. It will also discuss the legislative oversight and its limits. In conclusion the importance and need of freedom of Information Act and legislative oversight will be emphasized as indispensable tool for democracy.

Keywords: *Freedom of Information Act, Legislative Oversight, Nigeria, Instrument of Enhancement*

1. Introduction

Separation of powers is an influential concept in medium democracies. It denotes the practice of dividing the powers of a government among different branches thereof¹. A government of separated powers assigns different political and legal duties to the legislative, executive and judicial departments². The concept of parliamentary or legislative oversight is inextricably linked with the system of checks and balances as part of overall doctrine of separation of powers³. John Locke (1632-1704) and Montesquieu (16-1755) are the protagonists of the doctrine of separation of powers⁴. Section 4 of the 1999 Constitution⁵ of the Federal Republic of Nigeria vests the legislative powers in a National Assembly for the Federation which shall consist of a senate and a House of Representatives. The executive powers are provided for in section 5 which the powers of the judiciary are entrenched with section 6 of the said constitution. In *Jonathan v. National Assembly*⁶ the Supreme Court ordered the Federal Government and the National Assembly to maintain status quo in the ongoing constitutional amendment exercise. The court ruled in a suit brought by the Attorney General of the Federation and Minister of Justice, Mohammed Adoke, against the National Assembly over law-makers' insistence on amending the constitution despite President Goodluck Jonathan's objection. In *Agbakoba v Attorney General of the Federation*⁷ The legislative arm of the government in Nigeria is set up to represent the people and play central roles in a constitutional democracy. Legislators act as the people's representatives charged with law making and policy-formulating functions⁸.

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¹ Meaning of separation of powers in Nigeria, <https://www.google.com.ng>. Accessed on Friday the 8th of March 2019 by 10.am.

² *Ibid.*

³ R. Pelizzo, R. Stapenhurst et al (eds): *Trends in Parliamentary Oversight* (New York, World Bank 2004)

⁴ Montesquieu, *L'Esprit des lois* (1948) Book Xi, Chapter Vi (2nd ed) Vol. 1 219.

⁵ 1999 Constitution of Federal Republic of Nigeria.

⁶ *Jonathan v. National Assembly* 2NWLR pt. 492) p.260.

⁷ *Agbakoba v Attorney General of the Federation* 1999 3NWLR pt 595 p. 340.

⁸ O. Oko, *Legislators in changing and challenging times, An Analysis of the Nigerian National Assembly*. Goldline and Jacobs Publishing, New Jersey 2014)p

2. Oversight Function of the Legislature

The oversight function of the legislature plays a leading role in policy formulation and law making. The whole idea of democratic governance is that government should be accountable to the people. Accountability and restraint are generally regarded as the warp and woof of democratic governance. The legislature has the main functions namely, representation, law making and oversight of the executive⁹ Section 88 of the 1999 Constitution of the Federal Republic of Nigeria which deals on the oversight function of the legislature specifies as follows,

- 88(1) Subject to the provision of his Constitution, each House of National Assembly shall have power by resolution published in its journal or in the Official Gazette of the Government of the Federation in direct or cause to be directed as 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 a 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 his section are exercised only for the purpose of enabling into-
- (a). made 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 of funds appropriated by it.

Thus in *El-Rufai v House of Representative*¹⁰ where the issue was whether it is part of constitutional duty and power of the defendant to investigate issues of alleged defamatory statement by the plaintiff. The court held that the power and duty of investigation constitutionally conferred on the legislative cannot extent to investigation of the alleged defamatory statements made by the plaintiff. This is because the defendant can only conduct the stated investigation in two situations for the purpose of enabling it to,

- a. Make laws with respect to any matter within its legislative competence and correct any defects on existing laws; and
- b. Expose corruption, inefficiency or waste in the execution or administration of laws within its administration of funds appropriated by it.

In *Military Governor of Lagos State v Ojukwu*¹¹ it was held that under the constitution of the Federal Republic of Nigeria, the executive, the legislative, and the judiciary are equal partners in the running of a successful government. The powers granted by the constitution to these organs by section 4(legislative powers) section 5 (Executive powers), and section 6 Judiciary powers) are classified under an omnibus umbrella known under part II to the constitution as powers of the Federal Republic of Nigeria. The organs wield these powers and one must never exist in sabotage of the order or else there is a chaos.¹² The supervisory powers of the legislature can also be called the investigative or oversight function of the legislature. It must be recalled that it is the responsibility of the legislative to make laws for the peace, order and good government of the people. Their work does not stop at just making the laws, but also to follow up to make sure that the laws being made by the legislature is properly implemented by the Executive whose task is to execute the law. The legislature makes the laws and appropriates the money required for running the government. It is therefore fair that, as the people's representative, it ask questions about how laws written by the legislature are being executed and how government agencies, department and ministries are spending the money appropriated to them¹³ Legislative oversight of the executive is designed to accomplish several objectives but underpin constitutional democracy. The main goals of legislative oversight are as follows: to obtain information or classification about the execution of laws, policies, and programmes authorized and funded by the legislature¹⁴; to obtain information that will enable it to institute corrective measures through new legislation or the appropriate of more money to help underperforming arms of government meet their obligation; and to shed light on the activities of the government to enable the public to obtain information upon which to evaluate the performance of their government.

⁹ *Ibid* p. 7.

¹⁰ *El-Rufai v House of Representative* (2003) FWLR (pt. 173) p. 163.

¹¹ *Military Governor of Lagos State v Ojukwu* (1986) AU N.L.R. 233 p. 18.

¹² *Ibid*.

¹³ O. Oko, *Legislators in changing and challenging times, An Analysis of the Nigerian National Assembly*. Goldline and Jacobs Publishing, New Jersey 2014)p. 96.

¹⁴ *Ibid*.

Oversight responsibilities enable law makers to ensure that the executive branch performs in a manner consistent into existing laws, regulations, and the activities of legislators. Oversight especially public investigation, provides information necessary for citizens to make informed judgments about their government such hearing uncover and expose errors fraud and waste no government and help the authorities concerned to avoid similar, mistakes. Oversight conducted objectively and in good faith enables the legislature to ask pertinent questions about government policies and programs, obtain vital information, and push for change whenever abuses or exercises are uncovered. Moreover, whenever public officials know that their actions will be subjected to public review and scrutiny by the legislature, they are likely to act with greater care and diligence¹⁵. Legislature oversight does not just identify problems but equally discourages deviation from policies and laws mandated by the legislature. Oversight has two broad components namely: Inquiring about past activities and actions address specific instances of wrong doing and examining ongoing activities to identify problems and recommend remedial measures. It may be formal or informal. Informal oversight occurs when the legislators ask for more information from government officials or agencies concerning the execution or implementation of projects or policies. Formal oversight typically involves writing public officials responsible for a ministry, agency or department under review to appear before the appropriate committee of the legislature to answer questions about how a project or program is being implemented. Prospects of submitting to legislature oversight challenge the executive to engage in self-examination, to reevaluate and reassess programs and policies to ensure that they in line with law and policy guideline. Oversight is not just about finding faults or castigating government functionaries rather it mostly engages in information-gathering upon which to evaluate the implementation of policies and the execution of projects authorize by the National Assembly through its appropriations¹⁶

Consequently, freedom of information plays a very important and significant role to enhance and facilitate the legislative oversight. This is because without information, oversight may be impeded and the people to be supervised may be reluctant to provide relevant information as this may reveal some of their secret activities which they may not be willing to uncover as it will unmask them. Freedom of information specifically access to information held by public authorities is a fundamental element of the right to freedom of expression and vital to the proper functioning of legislative oversight. It is an act that makes provision for the disclosure of information held by public authorities or by persons providing services for them¹⁷. This means that the act enables one to see a wide range of public information because it gives the right to ask any public body for all the information they have on a subject¹⁸ Again, it has been contended that unchecked Executive action in a of emergency (actual or perceived is undesirable, a it tends to endanger individual rights to unnecessary degree¹⁹. The legislative oversight was the key feature of a meaningful representative assembly is to watch and control the government²⁰ oversight is necessary to ensure the triumph of representative government by lines of accountability running through the organ that embodies popular sovereignty. Representatives, rather than effectiveness is the irreducible core²¹. The oversight functions of the legislature under the 1999 Constitution of the Federal Republic of Nigeria can also be discussed under the following heads: Oversight of public funds, Oversight of appointments; and Investigative powers.

Oversight of Public Funds

The Constitution mandates the President to prepare and lay before each House of National Assembly at any time in each financial year, estimates of the revenues and expenditure of the Federation for the next following financial year²², and such monies can only be utilized through an Appropriation Act passed by the National Assembly pursuant to Section 81 of the Constitution²³. The passing into law of the Appropriation Bill is a very significant aspect of legislative oversight because the process enables the legislature to act as watching over public funds. As a result the

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ A. Afolagon, A critical Analysis of Freedom of Information Act in Nigeria, <https://odinakadotnet.wordpress.com/2012/08/01/a-critical-analysis....> Accessed 6/3/2019,9:48PM.

¹⁸ *Ibid.*

¹⁹ Londrass, and FF Davis: 'Controlling the Executive in terms of Terrorism: completing perspective on effective oversight mechanism' (2010) 30 *Oxford Journal of Legal Studies* (1) 19, 20-21

²⁰ J.S. Mill, *Consideration on Representative Government Considerations on Representative Government* (London: Parker, Son and Bourn 1861 (104)

²¹ N.A Inegbedion, Scope of legislative oversight, *NIALS Journal of Constitutional Law*, NIALS Press, Abuja 2013 pg 49

²² Section 81(1) 1999 Constitution as Amended

²³ *Ibid.*

Constitution has given the legislature to raise alarm of the approved estimate is executed poorly or improperly²⁴. The legislative oversight over public funds is a phenomenal legislature tool that can ensure accountability of government of the people²⁵.

Oversight of Appointments

The senate which is upper chamber of the National Assembly is empowered to confirm the appointments of key officers in the public services of the Federation²⁶. These include the appointment of the Auditor-General of the Federation, the Chief Justice of Nigeria²⁷, the Justice of the Supreme Court, President of the Court of Appeal²⁸, Ministers of the Government of the Federation²⁹, Ambassadors, High Commissioners or other principal Representatives of Nigeria abroad³⁰ and the appointments of Governors and Deputy Governors of the Central Bank of Nigeria³¹. The power of the legislature to scrutinize these appointments is probably to check and curb the excesses of the Executive but the situation is completely different in Nigeria now where the President does anything he wants, and from all indications we are heading to rule of terror.

Investigative Powers

The most visible oversight function of the legislature is its power to conduct investigations³². This power has been defined as a formal inquiry conducted by a legislative body incident to its legislative authority. The legislature has many of the same powers as a court to support a legislative inquiry. Including the power to sub-poena and cross-examine a witness and to hold a witness in contempt³³. This include the power to investigate any matter or thing with respect to which it has power to make laws and the conduct of affairs of any person, authority, ministry or government department charged or intend to be charged, with the duty of or responsibility for executing or administering laws enacted by the National Assembly, and disbursing or administering moneys appropriated or to be appropriated by the National Assembly³⁴. For any investigation to be effective and proffer permanent solution to the problem sought to be solved, there must be source and availability of relevant information. This is the gap to which Freedom of Information Act 2011 sought to bridge and therefore remains a veritable instrument for effective and successful oversight function of the legislature.

3. Limits of Legislative Oversight

Though the investigative powers of the legislature is wide and quite overwhelming it is not without limit. That power is limited to where public funds are involved and does not extend to private enterprises or where the subject of the probe is outside its legislative competence or is not with a view to exposing corruption, inefficiency and waste. Legislative oversight is restricted where the inquiries is into the private and personal life of an individual just to expose for the sake of exposure or acting outside its terms of reference as contained in the resolution published in Government Gazette or asking questions that are irrelevant to the subject matter of investigation which has been described as jurisdictional concept of 'pertinency' or convert itself into roving commission³⁵. Thus in *oil Palm v Attorney General Bendel State* where the then Bendel State House of Assembly attempted to investigate the functions of a limited liability company. The court held that the question that immediately arises is; has the House of Assembly any power to make laws with respect to Oil Palm Company Ltd (the Plaintiff/Applicant). The answer is unequivocally 'No'. Also an attempt by the National Assembly under the second Republic to investigate the source of a news item published in a newspaper was met with judicial disavowal when the court held that such an attempt was a breach of the constitutionally guaranteed right of freedom of information³⁶. Therefore in the case of *Tony Momoh v. Senate of*

²⁴ M.G. Yakubu, 'The Legislature as the Watchdog Of Public Funds' in IA Umezurulike (ed), *Towards the Stability of the 3rd Republic* (Lagos, Federal Ministry of Justice, 1993) p. 62,66.

²⁵ Op. Cit. (No, 20).

²⁶ Section 231(1) 1999 Constitution as Amended

²⁷ Section 231(2) 1999 Constitution as Amended

²⁸ Section 238(1) 1999 Constitution as Amended

²⁹ Section 147(2) 1999 Constitution as Amended

³⁰ Section 171(4) 1999 Constitution as Amended.

³¹ See Section 8(1) of the Central Bank of Nigeria (Establishment) Act, cap. C4 laws of Federation of Nigeria 2004.

³² Section 88 1999 Constitution as Amended .

³³ B.A Garner, *Black's Law Dictionary* (7th ed, Minn: Klest Group, 1999.

³⁴ Op Cit (No.)

³⁵ *Oil Palm v. Attorney General Bendel State* (1985) 6 NWLR 334.

³⁶ *Tony Momoh v. The Senate of the National Assembly* (1981) 1NCLR

the National Assembly and Ors³⁷, the Supreme Court held that the Senate would be acting ultra vires its powers under the constitution to summon an editor for the purpose of asking him to disclose the sources of his information in respect of publications in his newspaper. In summary, though the legislative oversight is essential and wide in scope but then it is not unlimited. Consequently the oversight function of the legislative is limited and confined to the provisions of Section 88 of the 1999 constitution of the Federal Republic of Nigeria.

4. Significances of the Freedom of Information Act

The Freedom of Information Act is not meant to witch-hunt government and public officials, but to provide the foundation for an open system of governance and consequently an open society, which will be for the benefit of all sectors of the society, including the government Devasher³⁸ explain that ‘a freedom of Information Law can bolster the effectiveness of development and poverty alleviation strategies’. Devasher attributed some failure in development strategies to ‘non consideration of citizens input to whom such policies are targeted’. Access to information makes government more sensitive and responsive to the needs and demands of the ordinary people. A Freedom of Information Law increases public participation because the public can regularly engage with government officials and parliamentary representatives which can be crucial to national stability. Information sharing and openness help bolster public trust in the political system, by establishing a two-way information flow between citizens and the state. Devasher³⁹ advocates that ‘such dialogue can combat feelings of exclusion, fear and victimization and reduce the risk of agitation of marginalization’. According to Devasher⁴⁰, the Act would among other things:

- Promote the oversight role of the National Assembly, by facilitating access to public documents and information necessary for the work of the National Assembly and its committees.
- Improve the record-keeping practices of public institutions. It will ensure that government records and documents are properly kept and reasonably guarantee the integrity of such records and documents.
- Enhance the realization of the economic reform agenda of the Federal Government as provided for in the National Economic Empowerment and Development Strategy (NEEDS) document, which provides for the adoption of an access to information law as flagship legislation required for its successful implementation.
- Promote transparency and accountability in governance as government policies and activities will become more open and available to the public.
- Ensure that government institutions work better and more efficiently as public institutions become aware that their decision will be made public and have to be based on objective and justifiable reasons.
- Enhance participatory democracy in Nigeria, enabling citizens to make informed decisions, promote compliance, monitor distortions in policy implementation and where necessary, improve the quality of governmental decisions and policies. This possibility in itself will give citizens a greater sense of belonging and ownership and ensure public confidence in the government.

5. Rights of Access to Government Information

In the light of the Freedom of Information, Ogbonda⁴¹ wrote on the need for the law. According to him, ‘the need for the law arises because the 1999 Constitution of Nigeria does not guarantee the press and members of the public the right to access to government-held information. As a result of the absence of this type of law, a handsome volume of public affairs conducted in secrecy. Government records and documents belong to the people, should members of the public not be entitled to have access to their property’. Also quoting President Lyndon, B. Johnson of the United States of America on July 4, 1996 when he signed the Freedom of Information Act. Amadi⁴² did note that ‘This legislation springs from one of our most essential principle. A democracy works best when the people have all the information that the security of the nation permits. No one should be able to pull curtains of secrecy around decisions, which can be revealed without injury to the public interests’. Yalaju⁴³, notes ‘a popular government without people information or means of acquiring. It is but a prologue to a farce or tragedy or perhaps both ‘Yalaju, averred that: ‘In the draft it is safe to hypothesize that the drafters intended partly to provide the citizenry access to information. This is to be expected to have access to information that would enable them evaluate the performance of the government’. The hearing lacuna in our constitution is the absence of a specific provision for a free press. Like the United States Constitution, there was no original openness in the constitution with regard to citizen’s right to know’ to affirm this

³⁷ *Ibid.*

³⁸ M. Devasher, *Freedom of Information: The key to democracy reform in the Maldives 2006* available on www.dhivehiobeserver.com. Accessed 10/03/2019 6 PM.

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ C.W Ogbonda *State-Press Relationships in Nigeria (1993-1998)* 2003 Ibadan: Spectrum Books Ltd.

⁴² F.Amadi *Sights and Struggles in Nigeria Development Communication* Port Harcourt: Smart Publishing 2003

⁴³ J.G. Yalaju *Media Law (2nd ed.)* Port Harourt: Kanitz Repronics 2006

right the American congress passed the Freedom of Information Act. (FolA) in 1965 and has been amended several times. The decision-making Federal Administrative Agencies to the public, the Nigeria FoIA is intended to achieve the same purpose. From the above stated by Ogbonda, C. and Yalaju, J, it is imperative to note that the right of access to government information is very important as the constitution itself for the enlightenment of the general public especially the media. From Ogbonda's description, our government records and documents belong to us and we should not be restricted from knowing how things are being done, if a there must be a transparent governance. We must be allowed access to the occurrence in the government. This is a typical example of what the media have been fighting for. There is no how the citizen will be held to ransom, by the secrecy of the government and yet be expected lie low. Yalaju also emphasized it that 'the citizen is therefore expected to have access to information, that would enable them evaluate the performance of the government. In this case, there is no how the Freedom of Information Act will function effectively in Nigeria if the above stated points are not put into consideration. Amadi⁴⁴ asserts that 'freedom of Information Act in Nigeria is still a pawn in the political chessboard of Nigerian politicians. Such legislation in Nigeria may not be farfecched...such a powerful pro-people legislation will constitute an effective check on their verality...anything that takes off this veil can burst corruption in Nigeria. And that is why politician will continue to bulk at it'.

Any government that wants to keep secret of their performance would not want the passage of the Freedom of Information Act. Dominick⁴⁵ stated, 'reporting the doings of the government can be a frustrating task if the government insists that information about its activities be kept secret'. Justice P.B Sawani in his persecution titled: 'Media and Democracy. A Global View' (32), noted that, 'if appears that out of 117 democratic countries, only 12 countries have a legislation ensuring access to government-held information. He further stated that if the media is to discharge its function in democracy properly, it must have access to all authentic information from the primary sources, except the people themselves do not find interest in it'. Judging from the fact that democracy gives a clear access to Freedom of Information and Nigeria practicing democracy is a great opportunity to pass this Act into law as that will grant the citizenry easy and quick access to government-held information else the government want to uphold to its secret code thereby ruling the people arbitrarily.

6. Prospect of Freedom of Information Act in Nigeria

The denial of access to information and the attendant widespread ignorance in the society does more harm to the society than any harm that could possibly arise from granting access to members of the public. Analysts have identified that the Freedom of Information Act is a vital tool to ensure democracy and responsible governance in Nigeria. This is because it will curb executive, judicial and legislative recklessness. The rot in governance will start to be made known just as we are being duly informed of the rot on mismanagement of fuel subsidy. Although the media deal in information more than any other segment of the society, the Freedom of Information Act is not a law for the Nigerian media alone. Rather, it is a law that guarantees a right of access to information to everyone in the country as such, places enormous responsibility on those who hold information⁴⁶. With the Information Act in practice, there will be openness, transparency and good governance thereby complementing government's avowed commitment to stamping out corruption in Nigeria, and in particular, will assist various government agencies such as the National Human Rights Commission (NHRC), the Independent Corrupt Practices and Other Related Offences Commission (ICPC), the Economic and Financial Crimes Commission (EFCC), the Code of Conduct Bureau and Code of Conduct Tribunal, as well as security and other law enforcement agencies, in the performance of their duties.⁴⁸ Enoche is also of the opinion that the Freedom of Information Act will enhance the speedy dispensation of justice, especially when complemented with a Whistleblowers Act. This is because the law will facilitate the investigation of cases by law enforcement agencies and make it possible to secure the cooperation of witnesses. He further stated that the Act will also strengthen the democratic process as it will make it possible for citizens to hold the government accountable and be involved in all facets of policy formulation and implementation. This will trigger a number of social changes which will be a catalyst for more rapid social and economic development.

7. Challenges of Freedom of Information Act in Nigeria

In discussing the Act and its challenges, several questions need to be addressed including the following: Should the public know everything? If the answer to the above question is no, what are the exceptions? Are there other laws or

⁴⁴ F. Amadi *Sights and Struggles in Nigeria Development Communication* Port Harcourt: Smart Publishing 2003
Accessed 10/03/2019 6.30PM.

⁴⁵ J.R. Dominick *The Dynamics of Mass Communication*, New York MacGraw-Hill company. Accessed 10/03/2019. 6,45Pm.

⁴⁶ L. Arogundade, 'Constitutional Recognition for press/media freedom'. A conference paper presentation delivered during the preview of 1999 Constitution in Ibadan. Accessed On 9/05/2019. At 3.PM.

regulations in place which prevent public institutions to disclose details of their activities, operations and businesses? There are always limitations as to what can be accessed in the operation of Freedom of Information, even in developed countries where Freedom of Information Act has been in practice for long. This type of information must have been taken care of in the Bill and they are always in few cases. In Nigeria, the case is different as the Freedom of Information Act, according to Ogbuokiri⁴⁷ contains more exemption sections and clauses than sections that grant access to information. This means that some mischievous public officers can use these sections for unjust and mischievous purposes. For instance, Ogbuokiri added that only Sections 1 and 3 grant access to information; but as many as ten sections (Sections 7, 11, 12, 14, 15, 16, 17, 18, 19 and 26) are meant to deny the public access to information.

However, the omnibus proviso against denial of information that says ‘where the interest of the public would be better served by having such record being made available, this exemption to disclosure shall not apply’ is commendable, with the expectation that the Judiciary would interpret the proviso liberally for the public good. Another fundamental issue that will affect The Freedom of Information Act is the Act in some laws that are still fully operational in Nigeria. For example, we have the Official Secrets Act, Evidence Act, the Public Complaints Commission Act, the Statistics Act and the Criminal Code; all aimed at suppressing the free flow of information. All these laws may affect the effectiveness of the Act in the long run as some mischievous public officers can use these aspects of the Acts for their selfish purposes just like what happened in the United Kingdom Parliament in 2009. Members of the UK Parliament (MPs) had misused the permitted allowances and also claimed some unlawful expenses; members now bank on Freedom of Information Legislation to prevent disclosure of the atrocity. Though the Freedom of Information Legislation was eventually negated (because of some sections in their Freedom of Information status that nullified the freedom of Information Legislation) and the issue subsequently published by The Telegraph Group in 2009, it would have been a different thing if it was in Nigeria. There are other challenges of complying with the FIA. Some of these include poor culture of record keeping/maintenance and retrieval, capacity challenge in many public institutions, frustrating and time consuming bureaucracy in public service as well as widespread corruption and the high level of ignorance among the work force in the public sector. Veritable means intensifier, usually qualifying a word used metaphorically. It can also be defined as rare, genuine or true, proper.⁴⁸ Veritable accurately described as such real⁴⁹. Harrap’s French-English dictionary also defines veritable as true, real and genuine⁵⁰.

8. Conclusion

The legislative oversight of the legislature is a very important and indispensable aspect of a healthy democracy. Democracy as government of the people by the people for the people is made manifest in the representation of the people’s interest at the National Assembly. The duty of the legislature can be grouped into three namely; Representation, law making and oversight. For an effective oversight to take place there must relevant information which will enable a particular committee to carry out their work properly. Information Act makes public records and information more freely available, provides for public access to public records and information, protect public records and information to the extent consistent with the public interest and the protection of personal privacy, protect serving public officers from adverse consequences for disclosing certain kinds of official information without authorization, and established procedures for the achievement of those purposes and, for related matters. In a country where ‘freedom of information Act is in operation, anyone can make a request for information, there is no restriction on your age, nationality or where you live. You can ask for any information at all, but some information might be withheld to protect various interests which are allowed by the Act. In other words, from the foregoing freedom of information is an indispensable and veritable instrument for effective legislative oversight

⁴⁷ K Ogbuokiri, ‘Nigeria: The limit of Information Act in freedom of Information Act 2011 and The Fight against corruption and Corporate fraud in governance’ 2001. Retrieved from <http://odinakadotnet.worldpress.com2012/08/01a-critical-analysis-of-freedom-of-Information>

⁴⁸ *Collins English Dictionary*, 10th Edition Harpercollins publishers, Glasgow 2009 (1808)

⁴⁹ *Chambers 21st Century Dictionary* (edited) Allied Chambers Ltd New Delhi India 2007 (p.1577)

⁵⁰ *Harrap’s French English Shorter Dictionary* (edited) chambers Harrap publishers Ltd, England (1991) p. 793.