

NIGERIAN LAW SCHOOL
BAR PART 1 EXAMINATION

CONSTITUTIONAL LAW

WEDNESDAY, OCTOBER 19, 2011

3 HOURS

ANSWER FIVE (5) QUESTIONS IN ALL
ALL QUESTIONS CARRY EQUAL MARKS

QUESTION 1

- (a) With the aid of relevant and judicial statutory authorities, explain the procedure for revenue allocation from the Federation Account.
- (b) Can the Federation make any grant in aid of any State within the Federation and external grants in aid of any foreign or International body? Explain your answer and give the circumstances that apply to your answer, if any.

QUESTION 2

Kunle Adams was born in Durban, South Africa on 30th September, 1978 to Prof. and Mrs. Abel Adams – South African Nationals. He was brought into Nigeria at the age of four years when his father came to assume a lecturing position at the Ahmadu Bello University and he remained in the country till 2009 when he returned South Africa to do a two year programme at the University of South Africa. He is currently married to a Nigerian, Amina Adams and they have two sons. He believes having lived in Nigeria for several years and being married to a Nigerian, he has become a Nigerian citizen.

- (a) Advise Kunle Adams on his status. Assuming he is not a citizen and he wishes to become one, advise him on the requirements he must fulfill to become a Nigerian citizen.

(b) What is the citizenship status of his children?

(c) If the situation was the reverse and Kunle Adams is a Nigerian, and his wife is a South African, what will be the status of his wife and how may she acquire Nigerian citizenship?

QUESTION 3

Briefly explain the following concepts:-

(a) Constitutionalism

(b) Federalism

(c) Separation of power

(d) The Rule of Law

QUESTION 4

(a) With the aid of statutory authorizes, describe the procedure for the authorization of expenditure from the Consolidated Revenue Fund of a State.

(b) What are the contents of the "State Joint Local Government Account"?

QUESTION 5

Lagoon State House of Assembly resolved to exercise its Legislative power to create more Local Governments and 21 Local Governments were immediately created. The State Governor officially notified the Federal Government two weeks after the 21 Local Governments were created to enable it get funding for the new Local Governments. The Federal Government refused to recognize the new Local Government Lagoon's State Attorney-General has decided to go to court. Advise him.

QUESTION 6

Executive immunity as provided in the 1999 Constitution has generated a lot of controversies. However, there are exceptions to the strict application of the

executive immunity clause. Briefly highlight the circumstances where the immunity clause will not apply and state the rationale for its inclusion in the constitution.

Use relevant statutory and (or) judicial authorities.

~~QUESTION 7~~

Briefly state the constitutional and statutory duties conferred on:

(a) The Nigerian Police Force. —

(b) The Nigerian Armed Forces. —

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