CONSTITUTIONAL LAW

CONSTITUTIONAL LAW – Federation consisting of several State whether there can be boundary dispute between Federation and component States – whether Supreme Court has jurisdiction – A.G OF FED V A.G OF ABIA STATE 2001 89 LRCN 2413; A.G OF FED BENDEL STATE V A.G OF FED & 220BS (1981) 10 S.C.I; AG OF FED V A.G OF IMO STATE & ORS (1983) 4 NCLR 178.

CONSTITUTIONAL LAW – Need for a referral question from the High Court to the Court of Appeal – Circumstances and conditions – BAMAIYI V A.G OF FED 2001 90 LRCN 2738

CONSTITUTIONAL LAW – Interpretation of the Constitution – Guiding Principles – Party enjoying immunity under section 308(1) 1999 Constitution – Same party appealing from a decision against him in personal capacity – Held that he cannot – I.M.B. SECURITIES V TINUBU 2001 91 LRCN 3000.

CONSTITUTIONAL LAW – CONSTRUCTION OF CONSTITUTION – The court are enjoined to adopt a liberal approach – RANIU V STATE 1980 8 – 11 S.C 130; A.G. ONDO STATE V A.G. EKITI STATE 2001 91 LRCN 3065.

CONSTITUTIONAL LAW – SUPREMACY OF CONSTITUTION – POWERS OF S.I.E.C. – LEGISLATIVE POWERS OF NATIONAL, STATE ASSEMBLIES – LOCAL GOVT. COUNCILS – AG. ABIA STATE V A.G. FED 2002 95 LRCN 407.

CONSTITUTIONAL LAW – REVENUE ALLOCATION – SEAWARD BOUNDARY OF A LITTOTAL STATE – NATURAL RESOURCES – A.G. FED V A.G. ABIA STATE & ORS 2002 96 LRCN 573.

CONSTITUTIONAL LAW – S 308 (3) 1999 CONST. – IMUNITY – The immunity does not prevent the police from investigating only from prosecuting the holders of the offices named – FAWEHINMI V IGP 2002 98 LRCN 1165; ASAKITIPI supra.

CONSTITUTIONAL LAW – RIGHT TO PRIVACY AND FREEDOM OF RELIGION – A Patient has a constitutional right to object to medical treatment, particularly blood transfusion – M.D.P.D.T V OKONKWO 2001 85 LRCN 908.

CONSTITUTIONAL LAW – INDEPENDENT CORRUPT PRACTICES COMMISSION – POWER OF A.G. TO PROSECUTE – A.G ONDO STATE V A.G. FED 2002 99 LRCN 1330.

CONSTITUTIONAL LAW – RIGHT TO PRIVACY AND FREEDOM OF THOUGHT. CONSCIENCE OR RELIGION – IMPLICATIONS – MDPDT V OKONKWO supra.

CONSTITUTIONAL – FREEDOM OF ASSOCIATION – No one can be forced to join a club or society – NKPA V NKUME 2001 Pt. 710 NWLR 543 at 588 Rat.5

CONSTITUTIONAL LAW – EXCLUSIVE, CONCURRENT & RESIDUAL LISTS – Any matter not mentioned either in the exclusive or concurrent list becomes a residual matter exclusively for the State House of Assembly by

virtue of S.4(7)a and a residual matter exclusively for the National Assembly in regard to the Federal Capital Territory by virtue of S.299 Constitution see AG LAGOS STATE V A.G. FEDERATION 2003 FWLR Pt. 168 P. 909 at 953; 2003 111 LRCN; P. 1867.

CONSTITUTIONAL LAW – FEDERALISM – URBAN AND REGIONAL PLANNING – LEGISLATIVE COMPETENCE – LAND USE ACT – AG LAGOS V A.G. FED Supra.

CONSTITUTIONAL LAW – LEGISLATIVE AUTHORITY OF NATIONAL ASSEMBLY OR STATE HOUSE OF ASSEMBLY NOT CONFINED TO LEGISLATIVE LISTS ALONE – A.G. LAGOS supra.

CONSTITUTIONAL LAW – LEGISLATIVE LISTS – RESIDUAL ITEMS – Solely reserved for the States A.G LAGOS STATE V A.G. FEDERATION 2003 111 LRCN 1868A.

CONSTITUTIONAL LAW – RETROSPECTIVE LAWS – There is no prohibition against retrospective legislation except in respect of criminal matters – Section 4(9) 1999 Constitution – GEORGE OBAYUWANA V GOVERNOR OF BENDEL STATE 1981 1 NCLR 174 at 180 – 181; THE KING V KIDMAN & ORS 1915 20 CLR 425;

CONSTITUTIONAL LAW – OATH OF OFFICE OF PUBLIC OFFICER – ADMINISTERED BY PERSON NOT COMPETENT – It is a mere irregularity which cannot vitiate the appointment see A.G. ANAMBRA STATE V A.G OF FEDERATION & ORS 2005 9 NWLR Pt. 931, 572 at 587.

SUPREMACY OF THE CONSTITUTION – CONFLICT BETWEEN CONSTITUTION AND LAW - The provisions of the 1999 Constitution are

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