

Law No.

Government Law

10TH ASSEMBLY, HOUSE OF ASSEMBLY, LAGOS STATE

**A LAW TO PROVIDE FOR LOCAL GOVERNMENT SYSTEM,
ESTABLISHMENT, ADMINISTRATION AND TO CONSOLIDATE
ALL LAWS ON LOCAL GOVERNMENT ADMINISTRATION IN
LAGOS STATE AND FOR CONNECTED PURPOSES.**

A LAW TO PROVIDE FOR LOCAL GOVERNMENT SYSTEM, ESTABLISHMENT,
ADMINISTRATION AND TO CONSOLIDATE ALL LAWS ON LOCAL GOVERNMENT
ADMINISTRATION IN LAGOS STATE AND FOR CONNECTED
PURPOSES.

THE LAGOS STATE HOUSE OF ASSEMBLY enacts as follows:

Interpretation.

1. (1) In this Law, unless the context otherwise requires-

“Appointment” includes appointment to an office, confirmation of appointment, promotion or transfer;

“Authority” includes Government;

“Electoral Commission” means the Lagos State Independent Electoral Commission;

“House” means Lagos State House of Assembly;

“Legislative Cadre” includes all officers that are designated to serve the Legislative Council of a Local Government in any capacity;

“Local Government Area” includes Local Council Development Areas;

“Oath” includes affirmation;

“Office” means any of the political offices, the appointment to which is by election, selection or nomination under this Law;

“Officer” means a person working in the Local Government/ Local Council Development Area who is not a political appointee;

“Political party” means a political party registered by the Independent National Electoral Commission;

“School Certificate or its equivalent” includes –

(a) A Secondary School Certificate or its equivalent, or Grade II Teacher’s Certificate, the City and Guilds Certificate; or

(b) Education up to Secondary School Certificate level; or

(c) Primary Six Certificate or its equivalent; and

(i) service in the public or private sector of the Federation in any capacity acceptable to the Commission for a minimum of ten (10) years; and

(ii) attendance at courses and training in such Institutions as may be acceptable to the Commission for periods totalling a minimum of one (1) year.

(d) Any other qualification acceptable to the Commission;

“Secret Society” includes any association, group or body of persons (whether registered or not) –

- (a) that uses secret signs, oaths, rites or symbols and which is formed to promote a cause, the purpose or part of the purposes of which is to foster the interest of its members and to aid one another under any circumstance without due regard to merit, fair play or justice to the detriment of the legitimate interest of those who are not members;
- (b) the membership of which is incompatible with the function or dignity of any public officer under this Law or any other enactment and whose members are sworn to observe oath of secrecy; and
- (c) the activities of which are not known to the public at large and the names of whose members are kept secret and whose meetings and other activities are held in secret; and

“State” means Lagos State of Nigeria.

(2) In this Law, references to a person holding an office includes references to a person acting in that office or holding that office for the time being.

PART I

LOCAL GOVERNMENT SYSTEM, ESTABLISHMENT AND ADMINISTRATION OF LOCAL GOVERNMENT COUNCIL

Local Government System, etc.

*Section 7 (1) 1999
Constitution of the Federal Republic
of Nigeria. (as amended) .*

- 2. (1) The Local Government system shall be by democratically elected Local Government Councils as guaranteed under the Constitution and the provisions of this Law.
- (2) All persons holding elective offices in the Local Government Areas specified in Section 7 of this Law, shall from the date of the coming into force of this Law, be deemed to have been duly and validly elected under this Law.
- (3) It shall be the duty of Local Governments within the State to participate in Economic Planning and Development of the Local Government Area and to this end, a Joint Economic Planning Board will be established by Law.

*Fourth Schedule 1999
Constitution of the Federal
Republic of Nigeria. (as amended)*

- (4) The functions of the Local Governments shall be as set out in this Law and the Fourth Schedule to the Constitution of the Federal Republic of Nigeria, 1999 (as amended).

Local Government Areas.

- 3. (1) There shall be twenty (20) Local Government Areas in the State as specified in the Constitution of the Federal Republic of Nigeria 1999 (as amended).
- (2) As from the commencement of this Law, the Lagos State Independent Electoral Commission shall conduct elections into the twenty (20) Local Government Areas and thirty-seven (37) Local Council Development Areas (LCDAs) in the State.

- (3) The twenty (20) Local Government Areas shall have designated Local Council Development Areas as listed in the 1st Schedule to this Law for effective and efficient Local Government Administration in the State.
- (4) Each Local Government Area will have its headquarters in the place named in Schedule I of this Law.
- Local Council Development Areas. 4. (1) There shall be thirty-seven (37) Local Council Development Areas in the State with the names specified in Schedule II of this Law.
- (2) Each Local Council Development Area shall be funded by the Local Government Area under which it falls.
- (3) Each Local Government Area has the power to delegate any of its functions to the Local Council Development Areas falling within the territory of the Local Government Area.
- (4) The functions of a Local Council Development Area shall include -
- (a) every duty of a Local Government in its area of delineation;
 - (b) any duty assigned to it by a Law of the House; or
 - (c) executive directives of the Governor.
- (5) Each Local Council Development Area may employ such staff as it may consider necessary for the optimal execution of its development programmes in accordance with the Local Government Service Commission Law and Regulation;
- (6) Notwithstanding anything to the contrary in any other Law, each Local Council Development Area will retain all the rights, interests, obligations and liabilities which became vested in or attached to it under any contract or instrument, or in law or equity;
- (7) Any contract or instrument referred to in subsection (6) of this section shall be of the same force and effect against or in favour of the Local Council Development Area to which it relates and shall be enforceable fully and effectively as if the relevant Local Council Development Area had been named in it or had been a party to it.
- Division of Local Government Areas into Wards. 5. (1) Subject to the provisions of the Independent National Electoral Commission Act, the Lagos State Electoral Commission (in this Law referred to as "the Commission") shall divide each Local Government Area into such number of wards, not being less than four (4) or more than forty (40), as the circumstances of each Local Government Area may require.
- (2) The boundaries of each ward will be such that the number of inhabitants of the ward is as nearly equal to the population quota of the ward as is reasonably practicable.
- (3) The Commission shall review the division of every Local Government Area into wards at intervals of not less than ten (10) years and may alter such wards in accordance with the provisions of this section to such extent as it may consider desirable.
- Establishment of Councils for Local Government Areas, etc. 6. (1) There shall be a Local Government Council (in this Law referred to as "the Council") for each Local Government Area of the State and the

- (3) In the absence of both the Leader and Deputy Leader, any other member of the Council as may be permitted by its Business Rules and Standing Orders, may preside.
- Quorum. 13 The quorum of the Council shall be by a simple majority of the Councillors.
- Voting. 14. Except as otherwise provided by this Law, a question proposed for decision in the Council shall be determined by a simple majority of the Councillors present and voting, and the person presiding shall have a casting vote.
- Proceedings of the Council. 15. Subject to the provisions of this Law, the Council shall regulate its own proceedings.
- Standing Committees of the Council. 16. (1) A Local Government Council may appoint a Committee of its Councillors for any special or general purpose as in its opinion would be better regulated and managed by means of such a Committee and may by resolution, regulation or otherwise as it deems fit, delegate any function exercisable by it to such a Committee.
- (2) The number of members of a Committee appointed under this section, their term of reference and quorum shall be fixed by the Council in accordance to its Business Rules and Standing Orders.
- (3) Nothing in this section shall be construed as authorising a Local Government Council to delegate to a Committee, the power to decide whether a bill will be passed into Bye-law or to determine any matter which it is empowered to determine by resolution under the provisions of this Law; but such a Committee of the Council may be authorised to make recommendations to the Council on any such matter.
- Dissolution of the Council and Issue of Proclamation. 17. (1) The Council shall stand dissolved at the expiration of a period of four (4) years commencing from the date when the Councillors take and subscribe to their Oath of Membership.
- (2) Subject to the provisions of this Law, the Clerk of the Council shall at the date and time agreed by Councillors-elect issue a proclamation for the holding of the first session of the Council of the Local Government concerned.
- (3) The date and time referred to in subsection (2) above shall be the day after the dissolution of the Council.
- (4) Such date and time as agreed in subsection (2) above shall be communicated by the Clerk of the Council to all councillors elect.
- (5) The proclamation of the Council and swearing in of Councilors-elect shall hold in the Hallow Chamber of the Council.

PART II
CHAIRMAN, VICE-CHAIRMAN AND OTHER OFFICERS OF THE LOCAL
GOVERNMENT AREA, ETC.

- Establishment of Offices of Chairman and Vice-Chairman. 18. There shall be for each Local Government Area, a Chairman and a Vice-Chairman.

- Qualification of Chairman. 19. A person will be qualified to hold the office of Chairman if the person-
- (a) is a citizen of Nigeria;
 - (b) has attained the age of twenty-five (25) years;
 - (c) is educated up to at least the School Certificate level or its equivalent; and
 - (d) is a member of a political party and sponsored by that party.
- Disqualification of Chairman. 20. (1) A person will not be qualified to hold the office of Chairman if the person-
- (a) under any law in force in any part of Nigeria, is adjudged to be a lunatic or is otherwise declared to be of unsound mind;
 - (b) is under a sentence of death imposed by any court of law or Tribunal in Nigeria or a custodial sentence for an offence involving dishonesty or fraud imposed by such a court or substituted by a competent authority for any other sentence imposed by that court;
 - (c) has been found guilty of contravention of the Code of Conduct under the Code of Conduct for Public Officers in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended);
 - (d) is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any part of Nigeria;
 - (e) is employed in the public service or civil service of the Federation or of any State, or of any Local Government and has not resigned, withdrawn or retired from such employment thirty (30) days before the date of election;
 - (f) is a member of a secret society; or
 - (g) has been indicted for embezzlement or fraud by a Judicial Commission of Inquiry or a Tribunal under the Tribunals of Inquiry Law or any other law set up by the Federal, State or Local Government.
- (2) Where in respect of any person who has been-
- (a) adjudged to be a lunatic;
 - (b) declared to be of unsound mind;
 - (c) sentenced to death or imprisonment; or
 - (d) adjudged or declared bankrupt,

*Fifth Schedule 1999
Constitution of the Federal Republic
of Nigeria. (as amended) .*

an appeal against the decision is pending in a court of law in accordance with a law in force in Nigeria, subsection (1) of this section will not apply during a period beginning from the date when the appeal is lodged and ending on the date when the appeal is finally determined or, as the case may be, the appeal lapses or is abandoned, whichever is earlier.

- (3) A Chairman shall not hold any other executive office or paid employment in any capacity whatsoever during the tenure of office.
- (4) For the purposes of subsection (2) of this section- "appeal" includes any application for an injunction or an order of certiorari, mandamus, prohibition or habeas corpus, or an appeal from any such application.
21. Declaration of Assets
Liabilities and Oaths.
*Fifth Schedule 1999
Constitution of the Federal Republic
of Nigeria. (as amended) .*
- A person elected to the office of Chairman shall not begin to perform the functions of that office unless assets and liabilities have been declared as prescribed by the Code of Conduct for Public Officers in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended) and has subsequently taken and subscribed, before the Chief Judge of the High Court of the State, the Oath of Allegiance and the Oath of Office as prescribed in Schedule 1 to this Law.
22. Functions of the Vice-Chairman.
- The Vice-Chairman shall-
- perform the functions of the office of the Chairman where the Chairman is absent or in case of the inability of the Chairman to perform the functions;
 - preside over the Tender's Board;
 - be assigned a departmental portfolio; and
 - be assigned any other duties by the Chairman
23. Nomination of the Vice - Chairman.
- (1) A person shall be validly nominated as a candidate for office of the Chairman of a Local Government Area after winning the primary elections of the political party to which the person belongs.
- (2) The provisions of this Law relating to qualifications for election, tenure of office, disqualifications, declaration of assets and liabilities and Oaths of Chairman will apply in relation to the office of the Vice-Chairman as if references to Chairman were references to the Vice-Chairman.
- (3) The Chairman shall, subject to the political party's approval nominate an associate who shall be the Vice-Chairman and the person so nominated shall be deemed to have been duly elected to the office of the Vice-Chairman.
24. Impeachment of a Chairman or Vice-Chairman by the Legislative Council.
- (1) When the holder of the office of Chairman or Vice-Chairman acts in any way as to amount to misconduct in the performance of the functions of the office, a notice in writing signed by not less than one-half of the members of the Council stating the misconduct and detailed particulars of which must be specified, shall be presented to the Leader of the Council.
- (2) The Leader of the Council shall, within three (3) days of the receipt of the notice, cause a copy of the notice to be served on the holder of the office and on each member of the Council and shall also cause any statement made in reply to the allegation by the holder of the office to be served on each member of the Council.
- (3) The holder of the office shall respond immediately and after three (3) days of the presentation of the notice whether or not any statement was made by the holder of the office in reply to the

allegation contained in the notice, the Council will resolve by motion without any debate whether or not the allegation will be investigated.

(4) A motion of the Council that the allegation be investigated will not be declared as having been passed unless it is supported by the votes of not less than two-thirds majority of all the members of the Council.

(5) On passing of a motion under subsection (4) of this section, the Leader of the Council shall inform the House immediately and the House shall set up an Ad-hoc Committee to investigate the matter.

(6) Where the Chairman is found guilty of the allegations, the Chairman stands removed as Chairman, upon the Resolution of the House, where the Chairman is found not guilty of the allegations, the Chairman shall continue as Chairman of the Local Government Area.

Suspension of Elected Official after Investigation by the House.

25.

(1) The House may after necessary investigation pass a resolution by two-thirds (2/3) majority of members for the suspension of a Chairman, Vice-Chairman, any elected official or political appointee of any Local Government Area in the interest of peace, order and good governance of the State.

(2) The Governor shall be notified of the Resolution of the House passed in subsection (1) above.

(3) Where a Chairman, Vice-Chairman, elected official or political appointee is suspended by the House in accordance to this section, the affected Chairman, Vice-Chairman, elected official or political appointee shall at the expiration of such suspension, resume office and shall notify the House upon resumption of office.

(4) Where after due investigation a suspended Chairman, Vice-Chairman, elected official or political appointee is cleared of the allegation(s), the House may by Resolution of a simple majority reinstate such official to office.

(5) On the suspension of a Chairman, the Vice-Chairman shall take over and where the Vice-Chairman is not available to take over, the Leader of the Council shall take over pending the expiration of the suspension.

Permanent Incapacity of the Chairman and Vice-Chairman.

26.

(1) The Chairman or Vice-Chairman shall cease to hold office if-

(a) by a Resolution passed by two-thirds majority of all the members of the Council, it is declared that the Chairman or the Vice-Chairman is incapable of discharging the functions of the office; and

(b) the declaration under paragraph (a) of this subsection is verified after such medical examination as may be necessary by a medical panel established under subsection (2) of this section in its report to the Secretary to the Local Government.

(2) The medical panel referred to in this section shall be appointed by the Council and shall comprise of three (3) medical practitioners, amongst whom shall be-

- (a) Chief Medical Director of Lagos State University Teaching Hospital (LASUTH); and
- (b) two other Medical Directors recommended by the Chief Medical Officer LASUTH from Lagos State Hospitals.

(3) Where the medical panel certifies in the report that in its opinion, the Chairman or Vice-Chairman is suffering from such infirmity of body or mind as to render the Chairman or Vice - Chairman permanently incapable of discharging the functions of the office, a notice of the medical report signed by the Secretary to the Local Government will be published in the State Gazette.

(4) The Chairman or Vice-Chairman shall cease to hold office from the date of publication of the notice of the medical report pursuant to subsection (3) of this section.

(5) Where the Secretary to the Local Government performs the duties contrary to the provisions of subsection (3) of this section, it shall be deemed to be a misconduct which shall warrant suspension from office.

Discharge of Functions of
Chairman.

27.

(1) The Vice-Chairman shall hold office of Chairman of the Local Government if the office of the Chairman becomes vacant by reason of death, resignation or removal from office in accordance with the provisions of this Law.

(2) Where a vacancy occurs in the circumstances mentioned in subsection (1) of this section or for any other reason during a period when the office of Vice-Chairman is also vacant, the Leader shall hold the office of Chairman for a period of not more than three (3) months, during which there shall be an election of a new Chairman, who shall hold office for the unexpired term of office of the last holder of the office.

(3) Where the office of Vice-Chairman becomes vacant-

- (a) by reason of death, resignation or removal
- (b) by reason of assumption of the office of Chairman in accordance with subsection (1) of this section; or
- (c) for any other reason, the political party will nominate a person who is twenty-five (25) years or above to be the Vice-Chairman and such nomination shall be subject to ratification by the Council.

(4) The Commission shall conduct a bye-election to fill the vacant seat created in the ward from which the new Vice-Chairman has been appointed.

(5) The person elected to fill a vacancy under this section, shall only complete the unexpired term of office of the previous holder, which term shall be deemed as full term.

Tenure of Office of Chairman.

28.

(1) A person elected as Chairman shall hold office for a term of four (4) years commencing from the date Oath of Allegiance and the Oath of Office are administered, unless the person-

- (a) becomes President, Vice-President, Governor, Deputy-Governor or a Minister of the Government of the Federation or a Commissioner of the Government of a State;
- (b) becomes a member of a legislative house;
- (c) whose election was sponsored by a political party, resigns from that political party or becomes a member of another political party before the expiration of the period for which the Chairman was elected;
- (d) dies whilst holding that office;
- (e) resigns from office;
- (f) is proven to be a current member of a secret society; or
- (g) otherwise ceases to hold office in accordance with the provisions of this Law.

(2) A person elected as Chairman in furtherance to subsection (1) above may be elected into office for another term of four (4) years only.

(3) The Secretary to the Local Government shall upon satisfactory evidence immediately notify the Local Government Council that any of the provisions of subsection (1) has become applicable in respect of the Chairman and failure to do of this section so shall be deemed a misconduct.

(4) Where the Vice-Chairman or any person takes over the office of the Chairman on the death or impeachment of the Chairman for the remainder of the term in office, such term shall be counted as a full term for the person taking over the office of the Chairman.

Death of Chairman/Vice-Chairman Elect.

29.

(1) If a person duly elected as Chairman dies or otherwise declines to take and subscribe to the Oath of Allegiance and the Oath of Office, the person elected as Vice-Chairman will be sworn in as Chairman and a new Vice-Chairman shall be nominated by the party.

(2) Where the Vice-Chairman is appointed from among the Councillors as the new Vice-Chairman, the Commission shall conduct a bye-election to fill the vacant seat created in the ward from which the new Vice-Chairman has been appointed.

(3) Where the persons duly elected as Chairman and Vice-Chairman of the Local Government dies before taking and subscribing to the Oath of Allegiance and Oath of Office during which period the Local Government or Commission has not been inaugurated, the political party who won the election shall substitute new names for the deceased Chairman and Vice-Chairman, the substituted person(s) shall be duly sworn in.

- (4) Where a person duly elected as Chairman dies before the presentation of the Certificate of Return, the person elected as Vice-Chairman shall be presented with the Certificate of Return.
- Local Government Area Supervisors/ Political Appointees. 30. (1) The Chairman shall appoint the following political appointees subject to the confirmation of the Council-
- (a) five (5) supervisors;
 - (b) two (2) special advisers;
 - (c) one Secretary to the Local Government Area; and
 - (d) one Chief of Staff.
- (2) An appointment to the office of Supervisor of a Local Government Area must-
- (a) be sponsored by a political party; and
 - (b) the nomination of any person to such office shall be in accordance with the provisions of section 14(4) of the Constitution of the Federal Republic of Nigeria 1999 (as amended).
- (3) In appointing Supervisors, the Local Government Councils shall consider eligible persons living with disability.
- Schedule 3*
- (4) An elected Councillor who is appointed as a Supervisor of a Local Government will be deemed to have resigned the seat as a Councillor on taking the Oath of Office of Supervisor as prescribed in the Schedule to this Law.
- (5) A person shall not be appointed as a Supervisor of a Local Government unless the person is qualified to be a Councillor of that Local Government Area.
- Secretary to the Local Government. 31. (1) There shall be a Secretary to the Local Government (in this Law referred to as "the Secretary") who shall be appointed by the Chairman of the Local Government Area subject to the confirmation of the Council.
- (2) The Secretary shall be a person who is qualified for election as Chairman of the Local Government and ceases to hold office when the Chairman ceases to hold office or as may be determined by the Chairman.
- Fifth Schedule 1999
Constitution of the Federal
Republic of Nigeria. (as amended)*
- (3) The Secretary shall declare assets and liabilities as prescribed by the Code of Conduct for Public Officers in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended) and will take and subscribe to the Oath of Allegiance and Oath of Office as prescribed in the Schedule 3 to this Law.
- Functions of the Secretary to the Local Government. 32. The Secretary shall-
- (a) serve as the Secretary to the meetings of the Executive Committee of the Local Government and shall keep records of the Committee including the production of Exco Extract;
 - (b) keep Exco register;
 - (c) liaise with the Secretary to the State Government and other State functionaries on State/Local Government matters;
 - (d) be responsible for all communications between the Executive and the Council; and

- (e) perform such other duties as may be assigned by the Chairman of the Local Government.
- Chief of Staff to the Chairman. 33. (1) There shall be a Chief of Staff to the Local Government to be appointed by the Chairman.
- (2) The Chief of Staff shall be responsible for the following -
- (a) protocol and administration of Local Government house;
 - (b) maintenance of Local Government guest houses;
 - (c) political intelligence;
 - (d) coordinate the schedule of the Chairman; and
 - (e) any other duty as may be assigned by the Chairman.
- Departments/Units of the Local Government Area. 34. The Local Government Area shall have the following Departments/Units -
- (i) Personnel;
 - (ii) Finance;
 - (iii) Planning;
 - (iv) Budget and statistics Departments
 - (v) Legal;
 - (vi) Information;
 - (vii) Audit; and
 - (viii) Any other Department/Units as may be approved by the Commission.
- Council Manager. 35. (1) The Council Manager shall be the Chief Administrative and Accounting Officer of the local government Area, coordinate all departments/units activities of the Local Government and be responsible to the Chairman.
- (2) The Council Manager shall be in charge of -
- (i) the formulation, execution and review of Local Government Policies in conjunction with the Secretary to the Local Government;
 - (ii) Administrative management and supervision of all staff of the Local Government;
 - (iii) Coordination of activities of all Departments/Units of the Local Government as directed by the Chairman;
 - (iv) Ensuring monthly bank reconciliation of statement and signing of bank confirmation with the Chairman;
 - (v) Attending Executive Council meetings;
 - (vi) Keeping proper records of all Local Government properties and to ensure prompt retrieval of such properties from members when they cease to be members of the Local Government;
 - (vii) Co-ordinating Chieftaincy matters in the Local Government in line with Chieftaincy laws; and
 - (viii) Performing such other related duties as may be assigned by the Chairman;
- Council Treasurer. 36. (1) The Council Treasurer who shall be a qualified accountant shall be the Head of Finance and Supplies Department of the Local Government.
- (2) The Council Treasurer shall -
- (i) serve as the Chief Financial Adviser to the Local Government;

- (ii) ensure that Accounting Systems as laid down in the Revised Financial Memoranda for Local Government are complied with by all the Departments;
- (iii) supervise the accounts of all departments, to ensure conformity with financial memoranda and other regulations.
- (iv) prepare and publish monthly and annual financial statements of the Local Government;
- (v) be in charge of revenue collection in the Local government;
- (vi) be signatory to all Local Government cheques and other Financial Instruments/documents;
- (vii) appoint an Accounts Officer not below Grade level 10 to serve as second signatory in addition to the schedule of duties;
- (viii) be the custodian of security documents of the Local Government;
- (ix) perform such other related functions as laid down in the Financial Memoranda; and
- (x) perform any other duties as may be assigned.
- Local Government Guidelines / Regulations. 37. The Ministry of Local Government, Chieftaincy Affairs and Rural Development of the State or any nomenclature that may be ascribe to it may issue Administrative Guidelines/ Regulations subject to the approval of the House in accordance with the Regulations Approval Law 2015, to Local Government Areas in the State to ensure uniformity in the Administration of Local Government in the State.
- Meetings of the Local Government Area. 38. (1) The Chairman shall hold regular meetings with the Vice-Chairman and all the cabinet members of the local government for the purpose of-
- (a) determining the general direction of the policies of the Local Government;
- (b) coordinating the activities of the Local Government; and
- (c) generally discharging the executive functions of the Local Government.
- (2) A meeting to which subsection (1) of this section relates shall be held not more than one (1) month from the date of the previous meeting.
- Attendance of Chairman at Sitting of the Council. 39. (1) The Chairman of a Local Government shall on invitation attend a meeting of a Local Government Council either to address the Council on the Local Government affairs or to make or respond to such statement on the policy of the Local Government as may be considered to be of importance to the Local Government.
- (2) A Supervisor/ Special Adviser of a Local Government shall attend a meeting of the Council if invited, to explain to the Local Government Council, the conduct of the department/unit and especially when the affairs of that department/unit are under discussion.

(3) Where a political appointee or official refuse or fail to honour an invitation of the Council, such refusal or failure shall be deemed as misconduct.

(4) Any political appointee who fails to honour the invitation of the Council at least three (3) times commits a misconduct and shall be suspended or removed from office.

(5) A Council Manager, Council Treasurer, Head of department/unit or any official that fails to honour the invitation of the Council at least three (3) times shall by resolution be recommended for disciplinary action and such resolution shall be communicated to the Local Government Service Commission for immediate implementation.

(6) A person who is unable to attend a meeting of the Council upon invitation shall duly notify the Council and if the excuse given is accepted, then such person will be excused but if not accepted such person shall be required to honour the invitation. The response shall be duly communicated to the invitee.

(7) Nothing in this section shall enable a person who is not a member of the Council to vote in that Council or in any of its committees.

PART III COUNCILLORS

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| Wards' Councillors. | 40. | In each Local Government Area and its respective Local Council Development Areas, there shall be a minimum of four (4) Councilors and maximum of forty (40) Councillors representing the wards as created under the provisions of this Law. |
| Qualification of Councillors. | 41. | Subject to the provisions of this Law, a person will be qualified for election as Councillor if the person- <ul style="list-style-type: none"> (a) is a citizen of Nigeria; (b) has attained the age of twenty-five (25) years; (c) has been educated up to at least the School Certificate level or its equivalent; and (d) is a member of a political party and sponsored by the party. |
| Disqualification of Councillors. | 42. | (1) A person shall not be qualified for election as Councillor if the person - <ul style="list-style-type: none"> (a) under any Law in force in any part of Nigeria, is adjudged to be a lunatic or otherwise declared to be of unsound mind; (b) is under a sentence of death imposed by any Court of Law or Tribunal in Nigeria or a custodial sentence for an offence involving dishonesty or fraud imposed by the court or substituted by a competent authority for any other sentence imposed by that court; (c) has been found guilty of contravention of the Code of Conduct under the Code of Conduct for Public |

Officers in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended);

- (d) is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any Law in force in any part of the Federation;
- (e) is employed in the public service of the Federation or of any State, or of any Local Government and has not resigned, withdrawn or retired from such employment thirty (30) days before the date of election;
- (f) is a member of a secret society; or
- (g) has been indicted for embezzlement or fraud by a Judicial Commission of Inquiry or a Tribunal under the Tribunals of Inquiry law or any other Law or Act passed by the Federal, State or Local Government.

- (2) Where in respect of any person who has been-
- (a) adjudged to be a lunatic;
 - (b) declared to be of unsound mind;
 - (c) sentenced to death or custodial sentence; or
 - (d) adjudged or declared bankrupt,

an appeal against the decision is pending in Court in accordance with any law in force in Nigeria, subsection (1) of this section will not apply during a period commencing from the date when the appeal is lodged and ending on the date when the appeal is finally determined or, as the case may be, the appeal lapses or is abandoned, whichever is earlier.

- (3) For the purpose of subsection (2) -appeal includes an application for an injunction or an order of certiorari, mandamus, prohibition or habeas corpus, or an appeal from any such application.

Declaration of Assets and Liabilities.

*Fifth Schedule 1999
Constitution of the Federal Republic of Nigeria. (as amended).*

43. A person elected as Councillor shall before taking the seat as a member of a Local Government Council declare all assets and liabilities as prescribed in the Code of Conduct for Public Officers in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended).

Oaths of Office.
Schedule 3.

44. The Chairman of the Local Government shall conduct an Oath of allegiance and membership on an elected Councilors before taking the seat as a member of a council as prescribed in Schedule 3 to this Law.

Cessation of Office of Councillors.

45. (1) A Councillor shall vacate the seat in the Council -
- (a) after becoming a member of a legislative house other than the Council into which the member was elected;
 - (b) on the date when the Councillor's letter of resignation takes effect;

- (c) on becoming President, Vice-President, Governor, Deputy Governor or a Minister of the Government of the Federation or a Commissioner of the Government of a State or appointee of any Ministry, Department or Agency;
- (d) being a person, whose election was sponsored by a political party, resigns from that party or becomes a member of another political party before the expiration of the period for which the Local Government Council was elected:

Provided that membership of the latter political party is not as a result of a division in the political party of which the person was previously a member or a merger of two (2) or more political parties or factions by one of which the Councillors was previously sponsored;

- (e) on becoming a member of a secret society or doing any other thing disqualifying the person from holding the office of Councillor under this Law; or
- (f) if the Chairman of the Local Government Area receives a certificate under the hand of the Chairman of the Commission stating that the provisions of this Law have been complied with in respect of the recall of that member.

Recall.

46.

(1) A Councillor of a Local Government Council may be recalled if-

(a) there is presented to the Chairman of the Commission a petition in that behalf signed by more than one-half of the persons registered to vote in that Councilor's ward alleging their loss of confidence in that Councilor; and

(b) the petition is approved, in a referendum conducted by the Commission within ninety (90) days of the date of the receipt of the petition by a simple majority of the votes of the persons registered to vote in that Councilor's ward.

PART IV
EXERCISE OF EXECUTIVE AND LEGISLATIVE POWERS AND FUNCTIONS
BY A LOCAL GOVERNMENT

Executive Powers of the Local Government.

47.

(1) Subject to the provisions of this Law, the executive powers of a Local Government shall be vested in the Chairman of the Local Government.

(2) The executive powers vested in the Chairman under subsection (1) of this section shall subject to the provisions of this Law be exercised either directly or through -

- (a) the Vice-Chairman or Supervisors of the Local Government; or

(b) officers in the service of the Local Government.

(3) The executive powers of the Local Government under this section shall -

- (a) include the execution and maintenance of this law, all Bye-laws made by the Council. And shall extend to all matters with respect to which the Council has power to make Bye-laws;
- (b) not be exercised so as to impede or prejudice the exercise of the executive powers of the Federation or the State in which the Local Government Area concerned is situate or to endanger any asset or investment of the Government of the Federation or of the State Government in the Local Government Area.

Responsibility of Vice-Chairman and Supervisors. 48.

(1) The Chairman shall assign to the Vice-Chairman, specific responsibilities in respect of the business of the Local Government in accordance to the provision of this Law.

(2) The Chairman shall assign to a Supervisor of the Local Government, responsibility for any business of the Local Government, including the administration of any department of the Local Government as listed in the Local Government Administration Guidelines.

(3) The Chairman shall hold regular meetings with the Vice-Chairman and all the Supervisors for the purpose of-

- (a) determining the general direction of the policies of the Local Government;
- (b) co-ordinating the activities of the Local Government; and
- (c) generally discharging the executive functions of the Local Government.

(4) A meeting to which subsection (3) of this section relates shall be held not more than one (1) month from the date of the previous meeting.

Functions of a Local Government Area. 49.

(1) The main functions of a Local Government Area shall include -

- (a) the formulation of economic plans and development schemes for the Local Government Area;
- (b) collection of rates and issuance of radio and television licenses;
- (c) establishment and maintenance of cemeteries, burial grounds and homes for the destitute or infirm;
- (d) licensing of bicycles, trucks (other than mechanically propelled trucks), canoes, wheel barrows and carts;
- (e) establishment, maintenance and regulation of slaughter houses, slaughter slabs, markets, motor parks and public conveniences;

- (f) construction and maintenance of roads, street lights, drains, parks, gardens, Oba's Palace, open spaces or such public facilities as may be prescribed from time to time by the House;
- (g) naming of roads and streets and numbering of houses;
- (h) provision and maintenance of public conveniences, sewage and refuse disposal;
- (i) assessment of privately-owned houses or tenements for the purpose of levying such rates as may be prescribed by the House;
- (j) control and regulation of-
 - (i) out-door advertising and boarding;
 - (ii) movement and keeping of pets of all descriptions;
 - (iii) shops and kiosks;
 - (iv) restaurants, bakeries and other places for sale of food to the public;
 - (v) laundries;
 - (vi) licensing, regulation and control of the sale of liquor;
- (k) registration of all births, deaths and marriages.
- (l) the provision and maintenance of primary, adult and vocational education;
- (m) the development of agriculture and natural resources, other than the exploitation of minerals;
- (n) the provision and maintenance of health services; and
- (o) such other functions as may be conferred on a Local Government by the House.

(2) The Local Government may enter into an agreement with the State Government in respect of the performance of any of its functions under this Law.

(3) Where there is a joint agreement between the State and the Local Government, the Local Government shall honour and ensure compliance in respect of any of its functions of all joint obligations.

Street Naming.

50.

(1) As from the commencement of this Law, street naming by the Local Government shall be considered and done on the basis of philanthropy, contributions to the development of the Local Government, historical achievements in consultation with the royal father in that locality of the person whom the street is sought to be named after subject to the approval of the Chairman of the Local Government Area.

(2) A person who is granted the approval referred to in subsection (1) of this section, shall pay all necessary fees and dues to the Local Government.

(3) A street naming approval may be revoked by the Chairman, if the person to which the approval is granted acts in a manner contrary to the provision of subsection (1), of this law, or any other law or it is deemed to be in the public interest to do so.

EXERCISE OF LEGISLATIVE POWERS AND FUNCTIONS BY A LOCAL GOVERNMENT COUNCIL

- Local Government Councils Declared to be Legislatures. 51. (1) The Council is declared to be the legislature of a Local Government Area.
- (2) Pursuant to subsection (1) of this section, the Council shall exercise legislative powers in the Local Government Area.
- Mode of Exercising Legislative Powers. 52. (1) The legislative powers vested in the Council shall be exercised by Bye-laws passed by the Council and except as otherwise provided by this law, assented to by the Chairman of the Local Government Area.
- (2) Where a Bye-law has been passed by the Council, it shall be presented to the Chairman of the Local Government Area for assent.
- (3) Where a Bye-Law is presented to the Chairman for assent, the Chairman shall within twenty (20) days signify whether assent is given or withheld.
- (4) A Bill shall not become a bye-law unless it has been duly passed and assented to in accordance with the provisions of this section.
- (5) Where the Chairman withholds assent and the Bill referred to in this Section is again passed by the Council by two-thirds majority, the Bill shall become a bye-law and the assent of the Chairman shall not be required.
- Power and Control over Public Funds. 53. (1) The Chairman shall cause to be prepared and laid before the Council not later than 15th December of every year, estimates of revenues and expenditure of the Local Government Area for the following year and the Council shall approve such budget by the first quarter of the following year.
- (2) The Council shall have power to debate, amend and approve the estimates referred to under subsection (1) of this section.
- (3) Monies will not be withdrawn from any public fund of the Local Government Area unless such withdrawal has been authorised by the Council.
- Penalty and other Provisions on Bye-laws. 54. (1) There may be provided in or by any Bye-law a penalty not exceeding One Hundred Thousand Naira (N100,000.00) or custodial sentence not exceeding three (3) months or both as the Council making the Bye-law may deem fit on any person who fails to take action required by, or who disobeys the Bye-law.
- (2) A Bye-law may specify a further penalty not exceeding One Thousand Naira (N1,000.00) for each day for which a breach of the Bye-law is committed after a written notice has been served on the offender.
- (3) Where an enactment confers power on a Council to make Bye-laws and make provision in respect of fees or charges, the Council may provide in the Bye-laws for -

- (a) certified fees or charges;
- (b) maximum or minimum fees or charges;
- (c) the payment of fees or charges either generally or under specified conditions; and
- (d) the reduction, the waiver or the refund in whole or in part of any such fees or charges either upon the happening of certain events or in the discretion of any person.

(4) Where any reduction, waiver or refund in whole or in part of any fee or charge is provided, such reduction, waiver or refund may be made to apply either generally or specifically in respect of:

- (a) certain matters or classes of matters;
- (b) certain documents or classes of documents;
- (c) any event that happens or ceases to happen;
- (d) certain person or classes of persons; and
- (e) any combination of such matters, persons, documents or events, and may be made to apply subject to such conditions as may be set out in the Bye-laws or in the discretion of any specified person.

(5) The Local Government in the enforcement of this Law or Bye Laws made pursuant to this Law may arrest through the Law enforcement agencies and prosecute accordingly.

Local Government Service.

55.

(1) There is established for the State a Local Government Service.

(2) The staff of the Local Government shall be appointed by the Local Government Service Commission established pursuant to this Law.

PART VI

REVENUE AND ACCOUNT OF LOCAL GOVERNMENT

Allocation of Revenue to Local Government.

56.

(1) The State will -

- (a) maintain a special account to be called State Joint Local Government Account into which will be paid all allocations to the Local Government of the State from the Federal Account and from the Government of the State; and
- (b) pay to each Local Government such proportion of its total revenue in such manner as may be prescribed by the House of Assembly.

(2) The amount standing to the credit of the Local Government will be distributed among the Local Government of the State in such manner as may be prescribed by the House of Assembly.

Appointment of Auditor-General.

57.

There shall be an Auditor-General for the Local Governments who shall be appointed by the Governor subject to the confirmation of the House.

- Auditing of Account
Local Government.
58. (1) The accounts of the Local Government and all other offices of the Local Government shall be audited annually in accordance with the provisions of this section.
- (2) The Auditor-General shall, within six (6) months from the end of each financial year, submit a report to the House.
- (3) Upon submission of the Auditor-General's report to the House, the Speaker shall cause the report to be considered by the appropriate committee of the House which shall submit its findings and recommendations to the House for its resolutions.
- (4) Where the recommendations of the appropriate committee indict-
- (a) a Civil Servant, the Speaker shall cause the Clerk of the House to notify the Chairman of the Local Government Service Commission of the resolution of the House for necessary disciplinary action and the decision of the Service Commission shall be communicated to the House;
- (b) a political office holder, the provisions of section 25 of this Law shall apply.
- Savings.
59. (1) All existing assets of a Local Government Area/ Local Council Development Area shall continue to vest in that Local Government/ Local Council Development Area.
- (2) As from the commencement of this Law, all undischarged liabilities and obligations of a Local Government Area shall continue to be discharged by that Local Government Area.
- (3) Nothing in this Law shall invalidate any act done or purported to have been done before the repeal of the Laws mentioned in this law.
- Budgetary Expenditure.
60. (1) As from the commencement of this Law, a Chairman of a Local Government shall hold budgetary meeting(s) to determine the revenue and expenditure of the Local Government and arrive at a budget estimate to be forwarded to the Council for deliberation and approval.
- (2) No political appointee shall expend any funds outside the budgetary approval.
- (3) As from the commencement of this Law a Local Government Chairman shall not incur expenditure outside the Budgetary allocation or exceed the Budget approved by the Council.
- Repeal.
61. The Local Government Administration Law Ch. L89 Laws of Lagos State 2015 and the Local Government Administration (Amendment) Law 2016 are repealed.
- Citation and Commencement.
62. This Law may be cited as the Local Government Administration Law and shall come into force on the day of 2025.

SCHEDULES

Schedule 1

NO.	LOCAL GOVERNMENT AREA	HEADQUARTERS
1.	AGEGE	AGEGE
2.	AJEROMI-IFELODUN	AJEGUNLE
3.	ALIMOSHO	IKOTUN
4.	AMUWO-ODOFIN	FESTAC TOWN
5.	APAPA	APAPA
6.	BADAGRY	BADAGRY
7.	EPE	EPE
8.	ETI-OSA	IKOYI
9.	IBEJU/LEKKI	AKODO
10.	IFAKO-IJAIYE	IFAKO
11.	IKEJA	IKEJA
12.	IKORODU	IKORODU
13.	KOSOFE	KOSOFE
14.	LAGOS ISLAND	LAGOS ISLAND
15.	LAGOS MAINLAND	EBUTE-METTA
16.	MUSHIN	MUSHIN
17.	OJO	OJO
18.	OSHODI-ISOLO	OSHODI
19.	SOMOLU	SOMOLU
20.	SURULERE	SURULERE

Schedule 2

NO.	LOCAL COUNCIL DEVELOPMENT AREAS	HEADQUARTERS
1.	AGBADO OKE-ODO	ABULE-EGBA
2.	AGBOYI-KETU	ALAPERE
3.	APAPA IGANMU	BADIYA
4.	AYOBO-IPAJA	IGBOGILA
5.	BADAGRY WEST	KANKON
6.	BARIGA	PEDRO
7.	COKER-AGUDA	AGUDA
8.	EGBE-IDIMU	ISHERI-OLOFIN
9.	EJIGBO	EJIGBO
10.	EREDO	EREDO
11.	ETI-OSA WEST	IGBO EFON
12.	IBA	OYONKA
13.	IFELODUN	AMUKOKO
14.	IGANDO-IKOTUN	IKOTUN
15.	IGBOGBO-BAYEKU	IGBOGBO
16.	IJEDE	MADAN
17.	IKORODU NORTH	ODOGUNYAN
18.	IKORODU WEST	OWUTU
19.	IKOSI-EJINRIN	AGBOWA
20.	IKOSI-ISHERI	IKOSI
21.	IKOYI/OBALENDE	OBALENDE
22.	IMOTA	EBUTE-AJEBO
23.	IRU-VICTORIA ISLAND	VICTORIA ISLAND
24.	ISOLO	ISOLO
25.	ITIRE-IKATE	ITIRE
26.	LAGOS ISLAND WEST	ISALE-EKO
27.	LEKKI	LEKKI
28.	MOSAN-OKUNOLA	AKIN-OGUN
29.	ODI-OLOWO/OJUWOYE	ILUPEJU
30.	OJODU	OKE IRA
31.	IJAYE/OJOKORO	IJAIYE
32.	OLORUNDA	IWORO
33.	ONIGBONGBO	OPEBI
34.	ORIADE	IJEGUN EGBA
35.	ORILE-AGEGE	ABEKOKO
36.	OTO AWORI	IJANIKIN
37.	YABA	ADEKUNLE

Schedule 3

OATHS

OATH OF ALLEGIANCE

I,do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria and that I will preserve and defend the Constitution of the Federal Republic of Nigeria 1999 (as amended) and other relevant laws.

OATH OF OFFICE OF THE CHAIRMAN

I, do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria: that as the Chairman of.....Local Government, I will discharge my duties to the best of my ability, faithfully and in accordance with the provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended) and the Local Government (Administration) Law and all relevant Laws, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria 1999 (as amended); that I will exercise the authority vested in me as Chairman so as not to impede or as not to endanger the continuance of Federal Government in Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will to the best of my ability, preserve, protect and defend the Constitution of the Federal Republic of Nigeria 1999 (as amended) ; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended), that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as Chairman of Local Government, except as may be required for the discharge of my duties as Chairman; and that I will devote myself to the service and well-being of the people of Nigeria.
So, help me God.

OATH OF OFFICE OF THE VICE-CHAIRMAN, SUPERVISORS
AND SECRETARY TO THE LOCAL GOVERNMENT

I,..... do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the of Local Government, I will discharge my duties to the best of my ability, faithfully and in accordance with the provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended) and the Local Government (Administration) Law and all relevant Laws and always in the interest of the, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria and Lagos State, that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria 1999 (as amended); that I will exercise the authority vested in me as.....so as not to impede or prejudice the authority lawfully vested in the President of the Federal Republic of Nigeria and the Governor of Lagos State so as not to endanger the continuance of Federal Government in Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will to the best of my ability, preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended), that in all circumstances, I will do right to all manner of people according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me asof Local Government, except as may be required for the discharge of my duties as..... and that I will devote myself to the service and well-being of the people of Local Government/Local Council Development Area.
So, help me God.

OATH OF A MEMBER OF THE LOCAL
GOVERNMENT COUNCIL

I, do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as a member of Local Government Council, I will perform my functions honestly to the best of my ability, faithfully in accordance with the provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended) and rules of the Local Government Council and always in the interest of the integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria and Lagos State, that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria 1999 (as amended), and that I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria 1999 (as amended) and that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria 1999 (as amended).

So, help me God.

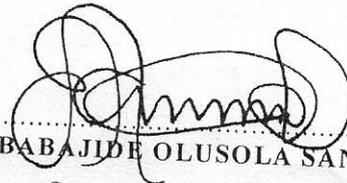
This printed impression has been compared by me with the Bill which has been passed by the Lagos State House of Assembly and found by me to be a true and correctly printed copy of the said Bill.



.....
MR. OLALEKAN B. ONAFEKO

Clerk of the House of Assembly

Assented to by me, this 7th day of MAY 2025



.....
MR. BABAJIDE OLUSOLA SANWO-OLU

Governor of Lagos State

Assent withheld by me, this.....day of.....20.....

.....
MR. BABAJIDE OLUSOLA SANWO-OLU

Governor of Lagos State

Passed again by the Lagos State House of Assembly by two-thirds majority,
this.....day of20.....

.....
RT. HON. MUDASHIRU A. OBASA

Speaker of the House of Assembly