CONSTITUTIONAL LAW


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


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
supreme, in the event of conflict between the provisions of the Constitution and
a State Law, the provisions of the Constitution shall prevail – AINABEHOLO
V E.S.U.W.F.M.P.C.S. LTD. 2007 2 NWLR Pt.1017, p.33 at p.37