

## Towards Sustainable Economic Development and Security in Nigeria: The Public Sector Audit Perspective

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### Abstract

It is unarguable that Nigeria has not been able to achieve sustainable development and national security despite its enormous resources. It is against this backdrop that this paper examines the issue of sustainable development and national security in Nigeria from the perspective of public sector audit with particular reference to external audit. The paper draws from secondary data and extensive literature. It was revealed that statutory provisions on public sector audit in Nigeria are inadequate, some are inactive, and the practice as demonstrated by the operators leaves much to be desired. It is, therefore, recommended that the Audit Bill before the National Assembly should be passed into law without further delay, operators that violate statutory provisions on time frame for submission of accounting and audit reports and other aspects of audit statues should be duly and appropriately punished. Audit report should be well publicized, and relevant institutions such as the presidency, legislature, judiciary, the media, professional accountancy bodies, masses, etc must support the supreme audit institutions to stem the tide of corruption if Nigeria is to make any sustainable progress.

**Keywords:** Public Sector, Public Sector Audit, Sustainable Development, National Security, Supreme Audit Institutions and Pillar of National Integrity.

### Introduction

Nigerian vision 2020 which is critical to sustainable development has been described as a dream in several forums. This paper believes that the vision is achievable with sound financial management of the nation's abundant resources. However, in the recent past and for every government in Nigeria, the cry has always been the lack of accountability on the part of the public servant and political leaders. In spite of the numerous laws and relevant institutions, there has been an increase in the number of reported cases of all kinds of misappropriation of public funds and properties. Evidences abound that public funds are misappropriated and/or not well utilized. Brazen thefts of public fund are usual headlines of the country's dailies. Examples are, the police pension scandal, a fraud of over ₦40 billion (Daily Independent, 2013), pension scam of ₦5.6 billion involving Oyo State Head of Service (Uwujaren, 2013), \$1.6 million bullet proof BMW car in the Aviation Ministry (Alechenu, Ameh, Adetayo & Ogundele, 2013), just to mention a few. It was as a result of these developments that Inekwe (2012) contended that Nigeria governments cannot be said to have effectively and efficiently utilize its resources and report to the populace how well the resources have been used.

In the same vein, Efe (2006) lamented that a country with abundant human and material resources became the honey pot of predators in government – civil and military alike. A report by KPMG rated Nigeria as the most fraudulent country in Africa (*ThisDay*, 2013). The Firm put the cost of fraud during the first half of 2012 at ₦225 billion (\$1.5 billion). It is unarguable that sustainable development and security cannot be guaranteed under this situation. The question then is: why has auditing, an institutionalized control system put in place to ensure prudent use of public funds seems to have failed in achieving its objectives? The situation has reached the extent that the masses have lost faith in the



established control system and are beginning to seek spiritual solutions. This is evidenced by prayer against bribery and corruption, prayer for Nigeria in distress, prayer for peace and progress, etc by some religious denomination in the country. The objective of this paper is, therefore, to identify and assess the factors responsible for ineffective auditing in Nigeria public sector which to a large extent is responsible for the country's inability to achieve sustainable development.

## **Conceptual Issues**

### **The Concept of Public Sector and Public sector Audit**

Public sector can be defined "as that sector of the economy established and operated by the government or its agencies, distinguishable from the private sector, and organized on behalf of the whole citizens" (Ani & Ubaka, 2000, p.11). This presupposes that the public sector in Nigeria consists of the Federal, State, Local governments, and all government ministries, departments, parastatals, agencies, public enterprises, etc. According to Okoye and Ani (2004), there is widely held opinion by financial experts that the public sector in Nigeria controls about 70% of the asset base of this country. Public sector auditing may be internal or external. Internal audit which is usually undertaken by the staff of the organization being audited is outside the scope of this paper. External audit the main focus of this paper is generally defined as an independent examination of the financial statement of the organization by an appointed auditor with a view to expressing an opinion in pursuant of that appointment as to whether the statements give a true and fair view and comply with the relevant statutes. An embracing definition of Audit by Okolo (2001:5) states that:

An audit is a conscientious and objective examination of, and inquiry into, any Statement of Account relating to money or money's worth, the underlying documents and the physical assets where possible, as will enable the auditor to form an opinion as to whether or not the Statement of Account presents a true and fair view of whatever it purports to represent, and to report accordingly.

However, a definition peculiar to public sector offered by the Canadian Comprehensive Auditing Foundation (as cited in Jacques, 2008) was that public sector audit is "... the independent, objective assessment of the fairness of management's representations on performance or the assessment of management's systems and practices, against criteria, reported to a governing body or others with similar responsibilities."(The Role of Audit in the Public Sector Section, Para.3)

External audit is an audit by an outside accounting firm or Supreme Audit Institutions (SAI) such as Auditor General of the Federation or State, and the Auditor General for Local Governments. It is usually undertaken by a professional accounting firm or SAI on an annual basis, to check the organization's financial statements. The results are usually disclosed publicly, usually in annual reports or published financial statements (Wilkins, 2012).

### **The Concept of Sustainable Development and Security**

The World Commission on Environment and Development also known as the Brundtland Report (as cited in The World Bank Group, 2001, para. 1), defined sustainable development "as development that meets the needs of the present without compromising the ability of future generations to meet their own needs". In alignment with this definition Odiba (2007) maintained that the 3Ps of sustainable development are:

- People

- Prosperity
- Posterity

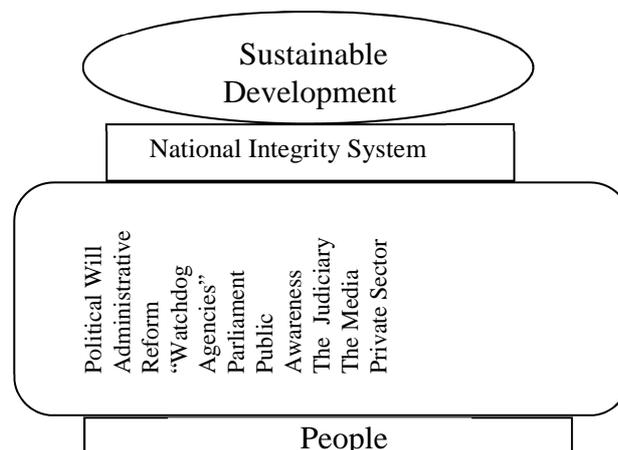
From the foregoing, our past experiences show that the present and future needs of the Nigerian masses have long been compromised and are presently being compromised. It is clear from the above that there cannot be sustainable development without security. A review of the concept of national security clearly shows this relationship. For instance, Aliyu (2012:8) states that:

we may consider National security not only as the physical protection and defense of our citizens and our territorial integrity, of which it is a part, but also the promotion of the economic well being and prosperity of Nigerians in a safe and secure environment that promotes the attainment of our national interests and those of our foreign partners.

In the same vein, Osisioma (2011) maintained that security translate into the ability of government to protect lives and property, provide food and employment, reduced level of poverty, and raise the quality of life of the ordinary Nigerian. This means that proper utilization of the nation’s resources will engender sustainable economic development and by extension the security of the populace is assured.

### Concept of National Integrity System

This paper is built on this concept. The concept sees auditing as one of the key “pillars” of integrity and by extension an important tool in curbing corruption. The concept as put forward by Langseth et al. (as cited in Kenneth & Rick, 1998) identified eight interdependent institutions which together support the notion of “national integrity” much the same way pillars might support the roof of a house. Pushing the analogy further, if any one of these “integrity pillars” weakens an increased load is thrown onto the others. If several weaken, their load will tilt, so that the round ball of “sustainable development rolls off”. This is depicts below:



\*Anti- Corruption agencies; Ombudsman; Auditor General.

Source: Kenneth & Rick, 1998

The above model for ensuring sustainable development is the same structure that exists in Nigeria. Can one then say that sustainable development have eluded Nigeria because a number of these pillars of integrity are weak? Even though this might be the case, this paper

specifically focuses on the watchdog agencies aspect which to a large extent depends on the other pillars to be effective and efficient.

### **Statutory Basis of Public Sector Audit**

Recognizing the importance of auditing in the public sector, there are a number of statutes relating to auditing, accountability and transparency in Nigeria. For instance, Section 85 of the 1999 Constitution provided for the post of Auditor General of the Federation. In order to ensure the independence of the auditor General, Section 86 provided that he shall be appointed by the president on the recommendation of the Federal civil service commission subject to the confirmation of the senate. Section 87 further provided that a person holding the office of the Auditor-General for the Federation shall not be removed from office before such retiring age as prescribed by law except he is removed by the president acting on an address supported by two-third majority of the senate praying that he is so removed for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misconduct. Similar provisions for the appointment of State Auditor- General existed in Section 125,126 and 127 respectively.

On its responsibility, Section 85(2) provided that the public accounts of the federation shall be audited and reported on by the Auditor-General, who shall submit his reports to the National Assembly, and for that purpose, the Auditor General or any person authorized by him in that behalf shall have access to all the books, records, returns and other documents relating to those account. According to subsection 3 of this section, the provision of Section 85(2) does not empower the Auditor- General to audit the accounts of or appoint auditors for government statutory corporations, commissions, authorities, agencies, including all persons and bodies established by an Act of the National Assembly, but the Auditor-General shall:

- (a) provide such bodies with
  - i. a list of auditors qualified to be appointed by them as external auditors and from which the bodies shall appoint their external auditors, and
  - ii. guidelines on the level of fees to be paid to external auditors; and
- (b) comment on their accounts and auditor's report thereon.

Section 85(4), however, provided that the Auditor-General shall have power to conduct periodic checks of all government statutory corporations, commissions, authorities agencies, including all persons and bodies established by an Act of the National Assembly.

Also Section 108 of 2009 Financial Regulations in addition to confirming the Auditor-General as responsible for audit of public account of the federation gave the purpose of the audit when it stated that the Auditor-General shall examine and ascertain in such manner as he may deem fit the account relating to public funds and property and shall ascertain whether in his opinion:

- a) the accounts have been properly kept; b) all public monies have been fully accounted for, and the rules and procedures applied are sufficient to secure an effective check on the assessment, collection and proper allocation of revenue; c) monies have been expended for the purposes for which they were appropriated and the expenditure has been made as authorized;
- d) essential records are maintained and the rules and procedures applied are sufficient to safe-guard and control public property and funds.

Another important institution in public Sector audit is the Public Account Committee (PAC). It is a Committee of the National Assembly or State House of Assembly.

It is founded on the Public Accounts Committee Act No.8 of 1987. According to Oshisami (2004) PAC is the legacy which the British parliamentary system of government gave to Nigeria and which in spite changes in the Legislative system over the years has itself not changed. He further stated that it is one of the measures taken to give Parliament better control over the expenditure of public funds. This may explain why the Section 82(5) provided that the Auditor-General shall within ninety days of the receipt of the Accountant-General's financial statement, submit his reports to each House of the National Assembly and each House shall cause the reports to be considered by the Committee of the House of the National Assembly responsible for public accounts. Johnson (1992) has it that the three main role of PAC are, to:

- i. provide a forum, in which the Accounting Officers are called upon to explain in public, matters on which their departments had been queried by the Auditor-General;
- ii. inform the National Assembly and the general public of defects in financial administration, and the explanation of Accounting Officers when confronted with them;
- iii. serve as a vital link between the Auditor-General and the National Assembly.

There is also the Audit Alarm Committee, which is the creation of the Civil Service (Re-organization) Decree 1988. It gave the Auditor-General of the Federation or State or for Local Government the power to sanction any officer and to alert the President or Governor of any audit alarms of significant importance, and any serious prepayment audit query for which the Accounting Officer of the Ministry is liable or responsible.

### **The Importance of Audit in the Public Sector**

External audit is very important in public sector administration just as it is in the private sector, if not much more. The need for external audit in the private sector is based on the fact that Shareholders (Principal) need to be assured that the account given by the Management (Agent) is accurate and correct. This principal agent relationship does exist in the public sector. The elected people (agents) need to account to the people (Principal) how well the resources entrusted into their hand are used. It is the audit institutions that "police" the people entrusted with the custody and use of public fund to ensure that resources are judiciously used. That explain why Audit and Review constitute the fourth phase in government's financial management cycle. It is an external control function because it is expected to be independent of the executive and to serve as an outwardly imposed system of check on the decisions and actions of government (Oshisami, 2004). Kenneth and Rick (1998) equally emphasize this point when they stated that, among public institutions, the Supreme Audit Institutions (SAI) play a critical role, as they help promote sound financial management and thus accountable and transparent government. They further maintained that audit can help curb corruption and act as a potent deterrent to waste and abuse of public funds by, for example, helping restrain any tendency to divert public resources for private gain. Having come to terms with the roles audit has played in the Chinese economy; Liu (n.d) contended that:

Auditing is an indispensable component of national governance and an important check and balance in execution of power by institutions in accordance with the law; by its nature auditing serves as the immune system ensuring healthy economic and social development (para. 2)

Rafiu and Oyedokun (2007) also lend their voice on the importance of audit in the public sector when they stressed that a proper audit has a distinct role in promoting accountability and ensuring the best use of public money by providing credibility to the information

reported by or obtained from management through objectively acquiring and evaluating supporting evidence.

The foregoing shows the indispensability of public sector audit in the prudent management of the public sector. However, there are a number of happenings in Nigeria public sector that evidence that the country's Supreme Audit institutions are weak and/or lack the political will in support of these institutions. For instance, Nigeria Extractive Industries Transparency Initiative (NEITI) (2013) has it that it was until 2005 that the first financial, process and physical audits of the petroleum industry covering the period 1999 – 2004 was commissioned by NEITI. The audit that was conducted by a UK audit firm revealed a difference between revenues paid by oil companies and those received by government agencies between 1999 and 2004 to the tune of \$300 million which was later revised by the auditors to \$6 million. From the foregoing, it may be argued that the issues of oil subsidy and the associated consequences of the public protest, including the Farouk/Otedola \$620,000 bribe saga would have been civilly handled by a proper audit. Daily Independent (2013) mini catalogue on missing billions as revealed by BBC website on October 25, 2012 in the wake of oil subsidy protest and the attendant financial probe further confirms this. These include:

- Statement by Oby Ezekwesili in August that \$400 billion is estimated amount of Nigeria oil revenue stolen or misspent since independent in 1960.
- Parliamentary report in April said \$6.8 billion was to fuel subsidy scam over the last two years.
- Leaked Petroleum Revenue Special Task Force report in October that \$29 billion is lost by the treasury in the last decade on apparent gas price fixing scam.

Also, astonishing and revealing was the fact that Nigeria Telecommunication (NITEL), then a government parastatal, never had any statutory audit until it was forced to do so as a requirement for privatization when it declared a loss of ₦19 billion in 2003 (Achua, 2009). Nwogwugwu (as cited in Achua, 2009) captured this sorry and worrisome state thus:

The truth of the matter is that NITEL, and its managers had no way of knowing if it was operating profitably or not. Prior to 2003, the company's accounts had not been audited for over a decade, nor had it paid an iota of dividend to its owner, the Federal Government of Nigeria, for ages. As a statutory corporation belonging to the Federal Government, NITEL, is in fact obliged to audit its accounts annually and make them public. (p.5)

The recent judgment in the Ibori \$15 million bribe money brings to the fore the importance of audit and the cost of its neglect. According to the judge, Justice Gabriel Kolawole:

Delta State government has failed to establish that \$15 million was Corruptly removed by Ibori between the period of May 2007 to 2009, or that an independent audit or inquiry carried out by the State has record to show that the said sum of \$15 million belonging to the State was corruptly removed or is missing between the said period (Ireport-NG.com, 2013, para. 6).

The dusts from the above have not really settled when another revelation came up. Okaforadi (2013) has it that revelations from the Senate indicates that both the Central Bank of Nigeria (CBN) and the Nigerian National Petroleum Corporation (NNPC) have not accounted for a whopping sum of ₦500 billion subsidy funds out of the ₦800 billion realized from the Subsidy Reinvestment and Empowerment Programme (SURE-P) in twenty-one month period. The question that is begging for an answer from the foregoing is:

who is to be blamed for these developments? Is it the laws or institutions or the operators (which is tagged the Nigerian Factor most often).

### **Challenges of Public Sector Audit in Nigeria**

There are a number of challenges facing the public sector audit institutions in Nigeria, which to a large extent are responsible for the country not reaping the full benefit of an audit in the Nigerian public sector. The challenges include the following among others:

**Auditor's Independence:** Without independence audit is a mirage. Although the constitution has provisions that are supposed to guarantee the independence of the auditor, the Auditor General in Nigeria cannot be said to be truly independent. That may be why Dikki (2003) asserts that, in Nigeria, the government has a lot of influence on public sector and that auditor's independence is illusory. Adekeye (as cited in Inekwe, 2012) has it that Vincent Azie, the then acting Auditor-General of the Federation was hastily retired for disclosing in his audit report that Obasanjo Ministers allegedly stole more than ₦23 billion from the public coffers. Even the institutions that are responsible for financial crimes are not immuned from this problem. For instance, in the case involving the purchase of bullet proof car by the Minister of Aviation, the setting up of three-man Committee while the EFCC and ICPC are there to do the job undermine the independence of these bodies.

Abiodun (as cited in Inekwe, 2012) aptly capture the predicaments of Nigerian public sector auditors as revealed by Kogi State Auditor-General for Local government thus;

Part of my constraints are poor funding, poor response of the council Chairman to auditing and threat to life of my staff ... For instance, somebody you are going to audit is the one to pay your transport and every other thing: my resident auditors obtain impress from them. How do you expect them to turn around and give negative reports on the chairman (p. 120).

**Financial Autonomy:** The audit institutions are to be financial independent if their integrity is to be assured. Making the emolument of the Auditor-General a direct charge on the Consolidated Revenue Fund (CRF) is not enough. The office of the Auditor-General should be granted first line charge on the CRF. As senator Attai Aidoko observed:

...the office of the Auditor- General of the Federation which is established in the constitution occupies a rented space in Abuja F.C.T., while the Accountant-General's which is not mentioned in the Nigerian Constitution occupies an edifice. ...he concluded that there appears to be an attempt to frustrate the efforts of the Auditor- General (Senate News, 2013, line 23-27).

**Belated Financial Statement:** It is generally observed that most tier of government do no prepare their financial statement as at when due. This to a large extent is responsible for belated audit report while, in some cases, audit is not carried out at all. For instance, it was earlier reported in this paper that, for a decade, NITEL as a public corporation was not audited. In a study of ethical issues in the work of Accountant-General with reference to Kano State, Ahmed (2003) revealed that, from May 29, 1999 to 2003, Kano State Government (KSG) has not produced and published it annual reports and accounts for the general public to see and make assessment. As at May 2009 the Accountant-General of the Federation has not submitted his report for 2007 and 2008 financial year to the Auditor-General talk more of the submission to the PAC.

This tends to justify the assertion of Zarman (as cited in Dikki, 2003), that:

the economic implication of audit in Nigeria is a disgrace. Government accounts are never prepared on time and the auditor seems to be on

holiday as there is nothing to audit. The result is those frauds which have taken place during those periods passed unpublished and unreported.  
(p.238)

**Ineffective Public Account Committee:** The Public Accounts Committee seems to be consistently inactive notwithstanding the fact that Auditor-General report may be delayed. For example, Achua (2009) has it that as at July 2008 the Auditor-General of the Federation has sent 2002 to 2006 financial year report to the National Assembly but the PAC was yet to issued report on any as at May 2009. This tends to confirm the observation of Oshisami (2004) that the audit report seems to hammer on the same issues from one year to another year. Recognizing this problem, Auditors-General in the country in 2012 recommended that it should be made mandatory for the account committees at the Federal and State levels to complete the consideration of the Auditors-General reports within three months of receiving them (Nwogu, 2012).

**Inactive Audit Alarm Committee:** This Committee was established to strengthen accountability in the public sector. However, since inception nothing much have been heard about this Committee (Inekwe, 2012). The reasons may be that those that are to raise the alarm are afraid to do so or may not be aware of the existence of the provision in law.

**Inability to implement its Report:** The Auditor- General report is usually submitted to the Legislature who through its PAC produces its own report. That is why the Auditor- General is helpless most times and merely cry out sometimes. For instance, The Auditor- General laments the fact that a number of Nigeria embassies abroad have not remitted money collected for visa fees into the country treasury as at 2008 (Nairaland Forum, 2013). Apart from this, from regime to regime they have raised the issue of excess expenditure without proper and adequate authorization, indifference to audit queries by Ministries/Departments, late submission of accounts for audit by the Treasury, etc, without a visible solution.

**Inadequate Personnel:** To successfully carry out its assignment, the Public sector audit institutions need to be equipped with the right staff in terms of number, professionalism, and integrity. A close look at our systems today shows that it falls short of these best practice requirements.

**Inability to Properly Carryout Value-for Money Audit:** Despite the provision in Section 109 of the 2009 Financial Regulation giving the Auditor-General the power to, in addition to Financial Audit and Appropriation Audit, do Value- for-Money Audit not much have been seen in this direction. It is unarguable that cases of overvalued contract, payment for contracts not executed, overpricing of purchases, employment of more staff than the required need of the organization, outrageous emoluments that are not in tandem with responsibilities, retention of redundant staff, etc transverse the length and breadth of this country. This is major the bane of Nigeria's underdevelopment.

**Corruption:** Corruption is one of the major challenges of public sector audit. The populaces are constantly asking why audit reports of most public institutions are always clean audit despite flagellant show of wastage, misappropriation and fraud.

### **Conclusion and Recommendations**

This paper has shown that public sector audit is a key determinant of sustainable development and national security because, without an effective and efficient utilization of scarce resources, there can be no sustainable development and sustainable development engender, to a large extent national security. Recognizing the importance of public sector and the impact of the sector on the private sector, statutory provisions are made for public

sector audit. However, the analysis in this paper indicates that the supreme audit institutions in Nigeria fall short of expectation both in terms of the enabling instruments and its operators. In order to reap the full benefits of public sector audit it is recommended as follows: The National Assembly should pass the Audit Bill that has been before it without further delay. This will to a large extent guarantee the independence of the Auditor General office. This will equally enable the Auditor General office to employ the required staff for its assignments. The State Houses of Assembly should do likewise.

The National Assembly and State Houses of Assembly Public Account Committee should live up to their responsibility by sitting and issuing their report as at when due. To this end, there should be statutory provisions for sanctioning Accountant-General and Auditor General that fail to meet the statutory requirements for submission of a report. Value-for-Money Audit should be made one of the cornerstones of public sector control measures. A distinct Value-for- Audit report should be required bi-annually or annually for government MDGs. However, to be able to carry out an effective value-for-money audit, there must be in existence relevant professional from diverse fields.

The Audit Alarm Committee system needs to be reviewed to make it functional because it is a whistle blowing instrument. Whistle blowing is well known all over the World as an instrument of ensuring accountability. Unfortunately, Nigeria lacks whistle blowing Act. Public Accounts, Auditor's report and PAC's report should be well disseminated to the populace. Although, it is unarguable that the Freedom of Information (FOI) Act is a strong instrument in achieving financial transparency and accountability, Nigerians are yet to see the benefits of Nigeria's FOI Act 2011. Considering the importance of the audit report, there should be a law making non publication of these reports an offence punishable under the Audit Act. For this purpose, there should be a dedicated website, in addition to other media., The violators of statutory accounting and audit provisions should be duly and appropriately punished and relevant institutions such as the presidency, the legislature, judiciary, media, the masses, etc, must support the supreme audit institutions as a veritable tool to stem the tide of corruption in this country. Once that is guaranteed sustainable development and security is assured.

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