



ELIZADE UNIVERSITY, ILARA-MOKIN ONDO STATE
PROF YEMI OSINBAJO FACULTY OF LAW
SECOND SEMESTER 2017/2018 ACADEMIC SESSION
BACHELOR OF LAWS (LL.B) DEGREE EXAMINATION

NIGERIAN LEGAL SYSTEM - PIL 204

INSTRUCTION: Question One is Compulsory and Answer Any Other Three (3)
Time Allowed: Three (3) Hours
TIME: 2pm– 5pm

SECTION A

1. Deacon Aladura and some persons were elected as trustees of a Christian centre, known as '*Jesus Is Coming Soon Centre*'. The centre is established mainly for religious purposes. The centre is also located at a residential area somewhere within the Akure Community. The residents have complained severally about the noise that comes from the centre building each time services are on-going. Mr. Kogbokogba who has his house built within the community had approached you on the same complaint. He alleged that the continuous noise, most especially at night is affecting his deteriorating state of health, being a hypertensive patient. One of the reliefs he intends to seek from the court is for a perpetual injunction restraining the centre from further use of its sound system located outside its building.

- a) Advise him on the appropriate court wherein he could file this action.
- b) Advise him on the mode of commencement he could employ and why you have chosen that mode.
- c) Advise him also with the aid of judicial authorities on the capacity in which the centre could be sued.

2. Mr. Kenneth Chukwudi had been charged with a one count offence of treason before the Federal High Court. Mr Kenneth and his co-liberation fighters had sought help from among the indigenous people of their community to levy war against the Federal Republic of Nigeria if the President fails to listen to their outcry. The prosecution sought for amendment of charges to make it a two count offence after the accused had been arraigned and trial commenced.

Advise the prosecution on the type of application to be filed in the circumstance and draft same.

- 3a) Mr. Ajibole had been charged to court for the offence of Money laundering under the Money Laundering (Prohibition) Act. The matter was instituted by the Department of Public

Prosecution of the Federal Ministry of Justice. The Attorney General of the Federation had applied to discontinue the proceedings.

With the aid of judicial and statutory authorities, discuss the power of the Attorney-General of the Federation to discontinue criminal proceedings.

b) Mr. Ajibole after a period of two years was again arraigned in court for the prosecution of that same offence. He then contended in court that he can no longer be tried for that same offence. With the aid of judicial and statutory authorities, advise him on this contention.

4. With the aid of judicial authorities explain aspects of *internal conflicts of law* under the Nigerian Legal System.

5a) '*The right to practise as a solicitor and advocate of the Supreme Court of Nigeria is not automatic*'.

Discuss the conditions to be satisfied before one could be entitled to this right.

b) Are there impediments to the exercise of this right? Discuss them.

6. Write comprehensive notes on any two of the following:

- i. History of the legal profession in Nigeria
- ii. No case submission in civil and criminal proceedings
- iii. Council of Legal Education
- iv. Appointment of judicial personnel in Nigeria.