

**NATIONAL INSTITUTE FOR LEGISLATIVE STUDIES,
ABUJA**
**UNIVERSITY OF BENIN/NILS MASTERS IN LEGISLATIVE DRAFTING
(MLD)**
1st Semester Examination, September 2016.

COURSE TITLE: Legislative Structure and Arrangement

COURSE CODE: MLD 805

COURSE LECTURERS: Dr. Shuiabu Danwanka and Dr. Tonye Clinton Jaja

MARKING SCHEME: Continuous Assessment (class assignments) = 30%;

Semester Examination=70% (each questions carries 23%)

Answer any THREE Questions

Section "A"

1. (a) The modern structure and arrangement of legislation in the Common law has benefitted from contributions of Lord Henry Thring, the First Parliamentary Counsel of the United Kingdom, please provide a list and brief description of Lord Thring's five (5) Rules of the structure of legislation.
(b) provide a brief description of the history of legislative drafting from ancient times until modern times including the history of legislative drafting in Nigeria. How has the history of legislative drafting influenced the structure and arrangement of legislation?
2. Provide a list and brief description of the major components of Preliminary, Principal, Miscellaneous and Final Provisions within a legislation.
3. Write brief explanatory notes on the following:
 - (a) Marginal Notes;
 - (b) Purpose Clause;
 - (c) Preamble;
 - (d) Recitals;
 - (e) Commencement
 - (f) Enacting Formula

(g) Explanatory Memorandum

Section “B”

4. The Federal Government of Nigeria has introduced a new social welfare policy to mitigate the impact of dwindling oil price that plunged the country into recession. The new policy will be implemented based on the following conditions:

a) Any person who qualifies as indigent shall be entitled to allowance of N5,000.00 per month.

b) To qualify as an indigent, a person must be unemployed, aged above 60 years, physically challenged, widowed or any other person that is by law declared indigent.

c) A special committee shall be established by Federal Ministry of Social Welfare Youths and Sports Development to register those who qualified as indigents.

d) Registration is permissible by person, proxy or even on-line on condition that relevant documents to establish qualification as beneficiary shall be attached.

e) Beneficiaries may be disqualified on grounds of double registration, change of domicile or evidence of improved socio-economic condition of living.

f) The Federal Government shall commence payment of such allowance as soon as registration of qualified beneficiaries is completed.

g) Any officer who paid allowance to unqualified beneficiary commits an offence and on conviction, liable to fine of N20,000 or a term of imprisonment not exceeding 1 month or both where the number of unqualified beneficiaries exceeds 2.

Draft the sections, sub-sections and marginal notes as appropriate.

5. a) Enumerate and explain the factors that must be borne in mind when drafting a paragraph.

b) Re-draft the following paragraphs:

i) a) A minister ceases to hold office if he or she ceases to be a member of the Assembly for any reason other than its dissolution.

b) If, at the first sitting of the Assembly after a general election of members, a Minister is not a member of the Assembly, he or she must vacate the office of Minister.

ii) If a person is the holder of a licence and:

- a) the licence is due to expire within 3 months; and
- b) the person wishes to renew the licence;

the person may make an application for renewal of the licence at any time within the 3 months.

iii) A person who procures:

- a) his or her name to be registered on the roll of persons qualified to practice law;
or
- b) a copy of certificate of Call to Bar of any person on that register, by willfully making or producing, either orally or in writing, a declaration or representation that he or she knows to be false or fraudulent commits an offence.

iv) A member of a council who:

- a) has pecuniary interest, direct or indirect, in the contract or other matter; and
- b) is present at a meeting of the council at which the contract or other matter is to be considered,

Must:

- aa) when the matter comes under consideration by the meeting; or
- bb) at such earlier time, as the presiding officer directs, *disclose that interest and withdraw from the meeting.*

6. Write short explanatory note on all the following:

- a) Numbering of sections, sub-sections, paragraphs, sub-paragraphs and sub-subparagraphs.
- b) Sandwich clauses
- c) Umbrella words
- d) Running on
- e) Section note.