

**NATIONAL INSTITUTE FOR LEGISLATIVE STUDIES/
UNIVERSITY OF BENIN POST GRADUATE PROGRAMMES**

**MASTERS IN LEGISLATIVE DRAFTING (MLD)
SEMESTER EXAMINATION**

Programmes: **MLD**

Session: **2016/2017**

Semester: **2nd Semester**

Course Code: **MLD 802**

Course Title: **Penal and Substantive Provisions**

Instructions:

- i. Answer any **4** questions
- ii. Time allowed: **3hours**
- ii. Write your Registration Number **only**
- iv. Each question carries 17.5marks
- iii. Orderly arrangement and good presentation of materials will be considered.

Question One

What are the three elements of penal provision? Enumerate in no exact order the checklist or steps to be considered to determine the content of Penal Provisions. **(17.5marks)**

Question Two

What are the Methods of Creating Penal Provisions? Discuss them briefly. **(17.5marks)**

Question Three

- a) Kindly draft a sample of Penal Provision with mandatory sentence.
- b) Kindly draft a sample of Penal Provision with fixed sentence.
- c) Kindly draft a sample of Penal Provision with discretionary sentence.

(17.5marks)

Question Four

When is an instrument a subsidiary legislation? Discuss with illustrations. **(17.5marks)**

Question Five

Provide the definition, meaning and contents of substantive provision. **(17.5marks)**

Question Six

Enumerate the main heads in a check list for legislation establishing statutory corporations; and further discuss briefly the relevant section of the 1999 Nigerian Constitution, as amended, that covers the composition of the membership of the Governing Boards of statutory corporations.

(17.5marks)