



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

**SEMESTER EXAMINATION**

Programme: **MLD**

Session: **2017/2018**

Semester: **2<sup>nd</sup> Semester**

Course Code: **MLD 802**

Course Title: - **Penal and Substantive Provisions**

**Instructions:** i. Answer any **4 Questions, each question carries 17.5 marks.**

ii Time allowed: **3hours.** iii Write your Matriculation Number **Only.**

v. Orderly arrangement and good presentation of materials will be considered.

**Question One**

Provide the meaning, definition and content of substantive provisions.

**Question Two**

- a. Defines Statutory Corporations and discuss what made them different from corporations registered by the Corporate Affairs Commission (CAC).
- b. Discuss the relevant section of the 1999 Constitution that covers the composition of membership of Governing Board of Statutory Corporations.

**Question Three**

What are the Three (3) elements of penal provisions and enumerate in no particular order, the check list and steps to be considered to determine the content of penal provisions.

**Question Four**

When is an instrument a subsidiary legislation and when are the delegated powers needed?

**Question Five**

- (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.

**Question Six**

What are the Methods of Creating Penal Provisions? Discuss them briefly.