

**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 806**

Course Title: - **Comparative Legislative Drafting**

**Instructions:** i. Answer any other **four (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**

The Financial Memorandum or estimates of financial implication of a proposed legislative Bill is a supporting document that legislative drafters are required to submit alongside Bills, provide the correct citation and the relevant section of the relevant legislation or Standing Orders that contains this requirement in the following jurisdictions:

- (a) Nigeria's National Assembly-Standing Orders of the Senate (as amended), 2015.
- (b) House of Commons, Parliament of the United Kingdom.
- (c) Parliament of the European Union.
- (d) Provide a brief description of the contents and justification for financial memorandum or estimates of financial implication of a proposed Bill or legislation.

**Question Two**

(a) Section 7 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides the legal basis or pre-requisite requirement before drafting of Local Government Bye-Laws of a State. Provide brief description of this section and its requirements.

(b) Write two Enacting Formulas for LGAs when:

- (i) There is only a Sole Administrator/Caretaker Chairman Legislative Assemblies;
- (ii) When there is a duly elected LGA Legislative Assembly.

**Question Three**

(a) Provide brief description of the major similarities and differences in terms of drafting personnel, structure of legislation, legislation for drafting and requirement for publication between the Legislative Drafting styles in the National Assembly and a State House of Assembly within Nigeria.

**Question Four**

(a) Provide brief description of the major similarities and differences in terms of drafting personnel, structure of legislation, legislation for drafting and requirement for publication in the United Kingdom and the National Assembly of Nigeria respectively.

(b) Write the Enacting Formulas for the United Kingdom and the National Assembly, of Nigeria respectively.

**Question Five**

(a) In the civil law drafting tradition practiced in France, civil servants are the legislative drafters, provide an explanation of how this is different from the common law drafting tradition practiced in the United Kingdom and in Nigeria.

(b) Why do the legislative drafters in France use "Purpose Clause" while it is not used in Nigerian legislative drafting style? Draft a sample of a "purpose clause".

(c) What is a "travaux preparatoires" and how is it used by legislative drafters in France?

**Question Six**

(a) Write brief notes and description of the major similarities between the drafting personnel, legislation governing legislative drafting, structure of legislation and requirement for publication of legislation between Islamic Law, Customary Law, and Biblical law.

(b) Draft samples of the Enacting Formulas for the Customary Law, Islamic Law, and Biblical Law, respectively.