



UNIVERSITY OF BENIN

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

### SEMESTER EXAMINATION

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

Session: 2021/2022  
Course Code: **MLL 802**

Course Title: **Penal and Substantive Provisions**

#### Instructions:

- i. Answer Four (4) Questions, each question carries
- ii. Time allowed: **3hours**
- iii. Write your **Name and Registration Number Only**
- iv. Orderly arrangement and good presentation of materials will be considered.

#### Question One

In criminal sentencing it is trite law that a Trial Court must not impose any sentence in excess of that provided by law. Examine this proposition. **(17.5marks)**

#### Question Two

The punishment of wrongdoings is usually classified under four major justifications. Identify and critique these justifications. **(17.5marks)**

#### Question Three

- (a) The fact that legislation designates a contravention to be an offence does not necessarily diminish the propensity for its contravention. Adumbrate. **(10 Marks)**
- (b) Briefly discuss the three elements of penal provisions **(7.5 Marks)**

**Question Four**

As important as the need for punishments are the determinants of the measures of penal liabilities. Expatiate. **(17.5marks)**

**Question Five**

Examine the use and practice of Sentencing Guidelines in Nigerian law courts. **(17.5marks)**

**Question Six**

- (a)** Identify the various purposes that may necessitate the establishment of statutory authorities or corporations. **(9 Marks)**
  
- (b)** Provide a sample checklist or steps to be considered by a draftsman in determining the content of penal provisions. **(8.5 Marks)**