

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

SEMESTER EXAMINATION

Programme: **MLL**

Session: **2018/2019**

Semester: **1st Semester**

Course Code: **MLL 811**

Course Title: - **Subsidiary Legislation and Amendment**

Instruction: i. Answer any **4 questions, each question carries equal marks.**

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

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

Question One

Highlight the key principles of plain language while critically evaluating its disadvantages.

Question Two

Section 2 of the Finance (Miscellaneous) Offence Act 2017 provides, "A member of a Board that approves a sum exceeding the mandatory limit under this Act is guilty of an offence punishable with imprisonment for a term not exceeding two (2) years". It is now proposed to amend the section to expressly state the aforesaid mandatory limit of N2,000.00 as well as provide for an option fine not exceeding N1,000.00.

Your superior, the Director of Drafting, is undecided as to which, textual or non-textual amendment to adopt and has directed you to draft both a textual and non-textual amendment for his consideration and approval. Oblige him.

Question Three

Discuss the form and content of a subsidiary instrument.

Question Four

Discuss the stages in the drafting process of subsidiary legislation.

Question Five

Explain in detail the grounds upon which a subsidiary instrument may be challenged for being *ultra vires*.

Question Six

Critically analyse the pros and cons of delegated legislation.