



UNIVERSITY OF BENIN

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

SEMESTER EXAMINATION

Programmes: **LLM**

Session: **2020/2021**

Semester: **1st Semester**

Course Code: **MLL 805**

Course Title: - Bill Process, Analysis / Scrutiny

Instruction:

- i. Answer any **Four** Questions, each question carries 17.5marks
- ii. Time allowed: **3hours**
- iii. Write your **Matriculation Number Only**
- iv. Orderly arrangement and good presentation of materials will be considered.

Question One

Punctuation in legislative draft is a device of syntax to make the draft apparent to a reader"-
G.C. Thornton:

- (a) Explain the purposes of punctuation in a legislative draft.
- (b) Mention and briefly explain the punctuation marks that the legislative drafter must use in drafting a Bill.

Question Two

- (a) Every good drafted Bill is composed of major parts. Mention and explain these major parts.
- (b) Preliminary provisions are important components in the structure of a Bill. List and explain the functions of Preliminary and Final Provisions of a Bill.

Question Three

- (a) The Enacting Formula and the Marginal Note are essential features of a Bill. Explain.
- (b) Draft Enacting formula of: A Bill for consideration by the National Assembly; A Bill for consideration by the State House of Assembly; and A Bill for consideration by a Local Government Legislative Council.
- (c) Draft a Long Title of a Bill to prohibit open defecation in all parts of the Federal Capital Territory of Nigeria.
- (d) Paragraphing is very important in a draft legislation. Explain why this is so with examples of paragraphs in a draft Bill.

Question Four

Write brief explanatory notes on the following concepts:

- (a) Marginal Notes
- (b) Purpose Clause
- (c) Preamble
- (d) Recitals
- (e) Commencement
- (f) Enacting Formula
- (g) Explanatory Memorandum

Question Five

The Federal Government of Nigeria has introduced a new social welfare policy to mitigate the impact of increase in prices of essential commodities and worsening poverty. The new policy will be implemented on the following conditions:

- a) Any person who qualifies as indigent shall be entitled to allowance of N10,000.00 per month.
- b) To qualify as an indigent, a person must be unemployed, aged above 60 years, physically challenged, widowed or any other person that is by law declared indigent.
- c) A special committee shall be established by Federal Ministry of Humanitarian Affairs and Disaster Management.
- d) Registration is permissible by person, proxy or even on-line on condition that relevant documents to establish qualification as beneficiary shall be attached.
- e) Beneficiaries may be disqualified on grounds of double registration, change domicile or evidence of improved socio-economic condition of living.
- f) The Federal Government shall commence payment of such allowance as soon as registration of qualified beneficiaries is completed.

- g) Any officer who paid allowance to unqualified beneficiary commits an offence and on conviction, liable to fine of N50, 000.00 or a term of imprisonment not exceeding 1 month or both where the number of unqualified beneficiaries exceeds 2.

Draft the section, sub-sections and marginal notes as appropriate.

Question Six

(a) Enumerate and explain the factors that must be borne in mind when drafting a paragraph.

(b) Re-draft the following paragraphs:

- i. A minister ceases to hold office if he or she ceases to be a member of the Assembly for any reason other than its dissolution.
- ii. If, at the first sitting of the Assembly after a general election of members, a Minister is not a member of the Assembly, he or she must vacate the office of Minister.
- (iii) if a person is the holder of a licence and:
 - a) The licence is due to expire within 3 months; and
 - b) The person wishes to renew the licence;the person may make an application for renewal of the licence at any time within the 3 months.

A person who procures:

- a) his or her name to be registered on the roll of persons qualified to practice law;
- or
- b) a copy of certificate of Call to Bar of any person on that register, by wilfully making or producing, either orally or in writing, a declaration or representation that he or she knows to be false or

A member of a council who:

- a) has pecuniary interest, direct or indirect, in the contract or other matter; and
- b) is present at a meeting of the council at which the contract or other matter is to be considered,
Must
 - aa) when the matter comes under consideration by the meeting; or
 - bb) at such earlier time, as the presiding officer, directs, disclose that interest and withdraw from the meeting.