



NATIONAL OPEN UNIVERSITY OF NIGERIA
PLOT 91, CADASTRAL ZONE, NNAMDI AZIKWE EXPRESS WAY,
JABI, ABUJA
FACULTY OF LAW
2021_2 EXAMINATION

COURSE CODE: PPL344

COURSE TITLE: FAMILY LAW 11

TIME ALLOWED: 3 HOURS

INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY 3 (THREE) OTHER QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS)

QUESTION 1

a. Femi and Yemi lived together as husband and wife for a period of ten years before they separated. Femi has other wives, and so is not bothered that one of them had to leave. Femi is about to marry another wife to replace Yemi. Yemi left with her two children, aged 7 and 9 years with no means of taking care of them. For many years, Femi refused to be involved in the welfare of his children after he separated from Yemi. Femi recently changed his mind to have his children back, but their mother, Yemi will not release the children, except on a condition. Yemi is requesting for the payment the cost of maintenance for her children and also for herself, since the time they separated. Femi is not ready to honour the request of Yemi. Advise Yemi from the legal point of view.

b. John is a military officer in the Nigerian Army. He has been deployed to different parts of the country as one of the soldiers in the fight against terrorism and insurgency. Recently he was deployed outside the country on a special assignment. While on the assignment, John met a friend that encouraged him to make a Will. You and John agreed to meet two weeks ago, but he had an accident last week and he was rushed to the hospital, and hospitalized for two days, but he did not survive the accident. Before his death, he was able to put into writing how he wants his property to be shared among his children on the wall beside his hospital bed. Justify the making of John's Will.

QUESTION 2

JJ and **PP** got married in a new Church Building donated by Chief Solo, in Ebuta Meta Area of Lagos State. This is because they do not want to go through the Church rigours, which may take more than six months before, if at all they will approve their wedding. **JJ** and **PP** cannot afford to sacrifice that kind of time, because they want to settle down fast, but not without being married to each other. The wedding will be taking place in the said venue. Earlier this year, **JJ** informed a vibrant Minister of God, who is yet to be ordained, from another Church for the solemnization. **JJ** and **PP** were joined in holy matrimony last Saturday. The Minister conducted the wedding ceremony 7:00pm that day, based on the couples' request. With relevant sections of the Act, examine the type of defect in this marriage and also clearly explain the effect of minor and major defects as regards the celebration of statutory marriage, without listing these defects.

QUESTION 3

Agbeke, a 22 year old girl completed her primary school education 12 years ago. She could not go to secondary school because her parent believes that, it is a waste of money and resources to send a girl-child to further her education. One day, Agbeke, met Patrick an Indian man, who came to eat in the Fast Food Restaurant, where she works. Agbeke and Patrick entered into a relationship for few weeks and decided to get married under the customary law, as requested by Agbeke's father. On the day of the ceremony, Patrick brought various foreign gifts items, excluding the bride price. Reluctantly, the ceremony was carried out, but Patrick left Agbeke in her father's house. A month after, Agbeke's father refused to hand over her daughter to Patrick. Patrick is very annoyed, and he wants your intervention in this matter: Clearly discuss citing the relevant case law.

QUESTION 4

Udosi, (23) concluded her secondary education in 2017. In 2018, Udosi decided to further her education in National Open University, because of its flexibility and convenience, so that she could work and learn. While processing her admission to the school, Udosi met Chief Jate, a 50 year old man. Udosi and chief Jate started a love relationship which lasted for some months and they got married in January 2019 in accordance with the statute. One year after this marriage, Chief Jate met another woman, Peru and started another love relationship with her. Chief is now planning to celebrate a customary marriage with his new found love next month. Advise Chief Jate.

QUESTION 5

Joseph will be ordained as a minister of God by December 31st of this year, but for more than two years, he has been conducting church services in one of the biggest event center in Lagos Nigeria. In addition to his ministerial work, he has been conducting marriage ceremonies. Pele has just given you a wedding invitation card, with this address and the name of the said minister. As a legal mind, advise Tade on the legal implication of his action.

QUESTION 6

The celebration of non-statutory marriage depends on the parties involved, because there are no specific laws or legal framework that regulates them. How true is this assertion?