



NATIONAL OPEN UNIVERSITY OF NIGERIA
14/16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS
FACULTY OF LAW
20191_1 SEMESTER EXAMINATION

COURSE CODE: PPL343

COURSE TITLE: FAMILY LAW I

CREDIT UNIT: 4

Instruction: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS WHILE OTHERS CARRY 15 MARKS EACH)

Question 1

- a. The concept and scope of immovable properties vary from custom to custom. With the aid of judicial and statutory authorities, discuss the immovable property viewpoints of hausa, ibo and Yoruba customs in Nigeria.
- b. What are the rights of family members to immovable property.

Question 2

Madu (an indigene of Ebonyi) and Obi, (from Anambra) have been friends from childhood. Now into their late 60s, they decided to consolidate their friendship by getting their children Obinna, 17years and Amaka aged 15years married to each other. When Amaka refused to consent to the marriage, her father threatened to stop paying her tuition fees to the University College in London. He also drove Amaka's mother out of the home saying 'don't come back into this house until you have talked sense into your daughter's head.' After much talking and coercing, Amaka has given her consent to marry Obinna. Obinna, on the other hand, is secretly engaged to Obiageli and does not wish to break his engagement to her. He intends to go and perform the customary rites without his parents.

Discuss all the legal issues in this case.

Question 3

The child is not without rights as there are legal instruments, national, regional and international on the rights of the child. Discuss the rights relating to sexual abuse and the rights of the child in Nigeria.

Question 4

Kunle and Kike are married under the Act and have a daughter named Doyin. Two years ago, Kunle lost his job and shortly after, Kike too was relieved of her job. When things became unbearable for the couple, Kunle heeded the advice of his friend and travelled out of the country. In order to secure full residency rights, he married Dora, a Nigerian born American citizen. Since his marriage, he has cut off all ties with Kike. Kike is frustrated and has come to you to advise all on the status of her marriage with Kunle as well as the options open to her. Advise Kike.

Question 5

Didi and Vivian got married in December 2016. Two weeks after the marriage, Didi left for Germany on a two-year training course. Two months later, Vivian called Didi and told him she is pregnant. Didi was happy and processed her travel papers so she could have her baby in Germany. On the 18th of July, 2017, Vivian delivered a baby boy. The same evening, the doctor discharged her from the hospital. A bit apprehensive, Didi approached the consultant to know why the baby would not be put in an incubator since he was pre-term. He received the shock of his life when the Doctor told him the baby was actually 9months two weeks before delivery. Didi refused naming the child since, according to him, the child was not his. He intends sending Vivian back to Nigeria and has come to you to know the options available to him under the law. Advise him.

Would your answer be different if, after his suspicion that the child was not his, he named the child and continued to have sexual intercourse with Vivian?

Question 6

Write short notes on consortium, enticement and harbouring.