



NATIONAL OPEN UNIVERSITY OF NIGERIA
14/16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS
FACULTY OF LAW
JANUARY / FEBUARY 2018 EXAMINATION
COURSE CODE: LAW 521
COURSE TITLE: LEGAL DRAFTING AND CONVEYANCING 1
TIME ALLOWED: 2 ½ hrs
INSTRUCTION: ANSWER FOUR QUESTIONS IN ALL

QUESTION 1 IS COMPULSORY AND ANY OTHER THREE QUESTIONS

Question 1 carries 25 marks and others carry 15 marks each, total 70marks

1. Mallam Dogo Aliyu is a Director of Engineering Services in the Federal Capital Development Authority[FCDA], Abuja. He is aware of a Bill currently before the National Assembly which seeks to restrict Public Officers from acquiring more than one property within the Federal Capital Territory. The Bill also provides for the forfeiture of any property acquired in violation of the proposed legislation. Dogo Aliyu has approached you on the following :
 - a. Set out briefly the stages you will have to take in drafting the proposed Bill.
 - b. As the legislative draftsman instructed to draft the above Bill, draft the following clauses in their appropriate order.
Enacting Clause
Long Title
Short Title
 - 1c. List any seven (7) qualities of a good draftsman.
 - 1d. List five (5) sources of materials for drafting.
 - 1e. Mention some of the challenges facing legislative draftsman in Nigeria.
2. Chief Babatunde Johnson of 10, Uromi Lane, Abeokuta owns No. 10 Eko Drive, Ajah Lagos, 47 Akwa Road, Port Harcourt, Rivers State as well as several properties in Ibadan, Oyo State, and Oshogbo, Osun State. On December 2005, he invited his Solicitor Mr. Kogberegbe to see him to take instruction for his Will and other matters connected to his vast estate.
In December 2006, Chief Johnson died at the age of 85yrs leaving behind a Son and two daughters. The Will was executed on April 17, 2007. The Will contains the following Clauses:
Clause 1: I give my Lexus Jeep with Reg. No EKY 240 DD to my son Ade.
Clause 2: One of my houses at Banana Estate, Ibadan to my first daughter Becky
Clause 3 My money in Skye Bank to Lydia my Second daughter

Clause 4 All my property, not otherwise disposed of in this Will to be shared equally among my children.

Answer the following questions

- a. State the type of gifts in Clauses (1), (2), (3) and (4).
- b. Mention the nature of properties that will constitute the gift in clause (4) of the Will.
- c. What is the effect if the above clause was not included in the Will?
- d. List any six (6) advantages of making a Will.
- e. Highlight and discuss the formal requirements of a Will.

3. George Edema is an Electrical Technician working with Sunlight Energy Limited. On July 25, 2012 he was injured by one of the Company's trucks at the Transport Unit of the Company. He lost the use of his two legs to the accident. Three months after the incident, his appointment with the company was terminated.

Aggrieved by the action of the company, George has approached you to write to the company demanding N 20, 000 (Twenty Thousand Naira) for the injuries he sustained. The company's address is plot 55 Victoria Island, Lagos.

Answer the following questions

- a. Write a letter to the company asking for compensation for injuries suffered by George Edema.
- b. Assuming that the letter is marked "WITHOUT PREJUDICE" what is the evidential import of that.
- c. Mention any four (4) importance of letter writing.
- d. With the aid of judicial authorities, briefly discuss the following rules of interpretation
 - Literal Rule
 - Golden Rule
 - Ejusdem Generis Rule

4a. Distinguish between Legislative drafting and Legislative process.

b. Distinguish between Legacy and Device

5. English Language is the official Language of law in Nigeria. With the aid of decided authorities, discuss.

6. Discuss the following under the customary tenancy:

- i. Pawn
- ii. Kola Tenancy

b. Critically discuss how a customary tenancy may be brought to an end.