



**NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW
2025_1 EXAMINATION...**

COURSE CODE: LED706

COURSE TITLE: LED 706 PARTICULAR CASES IN DRAFTING

TIME ALLOWED: 3 HOURS

INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY 2 (TWO) OTHER QUESTIONS.

(QUESTION 1 (ONE) ATTRACTS MAXIMUM OF 30 MARKS AND EVERY OTHER QUESTION ATTRACTS MAXIMUM OF 20 MARKS)

1 Draft a contractual clause that reflects the following scenario: The client is required to pay all invoices within 30 days of the invoice date. If the client fails to do so, the service provider has the right—but not the obligation to suspend services until payment is received. Using appropriate legal drafting techniques, write a clause or clauses that express these terms clearly, employing **mandatory** and **conditional** language as required. Then, briefly explain the legal significance of using the correct form in such clauses, and discuss what risks could arise from incorrect or ambiguous use of conditional or mandatory terms. 30 marks

2. Discuss the key factors a drafter should consider when opting to use alternatives to penal provisions in legal or regulatory documents. In your answer, explain why such alternatives might be preferred, the potential legal and practical implications, and how the chosen alternatives can ensure compliance and enforceability without relying on punitive measures. 20 marks

3 To prevent the creation of ultra vires legal instruments, certain key questions must be considered during the drafting process. Outline these questions and explain how each helps ensure that the instrument remains within the legal powers and authority of the issuing body. 20 marks

4 Identify and explain the two main stages involved in the process of treaty negotiation and drafting. In your answer, describe the key activities that take place at each stage and their significance in the formation of a binding international agreement. 20 marks

5 Explain the process by which treaties are enforced in Nigeria. In your answer, discuss the constitutional and legal framework governing treaty implementation, including the role of the National Assembly and the distinction between different categories of treaties. 20 marks