



COUNCIL OF LEGAL EDUCATION

NIGERIAN LAW SCHOOL

BWARI - ABUJA

BAR EXAMINATION-PART II FINAL

FRIDAY, AUGUST 16, 2019

TIME ALLOWED: 60 MINUTES

INSTRUCTIONS: CANDIDATES ARE TO ANSWER ALL QUESTIONS.

**ALL ANSWERS MUST BE PROPERLY SHADED ON THE PROVIDED
COMPUTER SHEET. USE HB PENCIL ONLY.**

CLIVIL LITIGATION

Chief Apagu Agu is the landlord of a shopping mall popularly known as Buy one and get one free situate at No. 1 Ajayi Wafer's Close, Kuba, Abuja, Federal Capital Territory. Chief Ugoh Okaka rented a shop in the Mall Lunder a yearly tenancy commencing 1st January, 2018 with a clause in the tenancy agreement that "the tenant shall use the premises only for buying and selling". Since market was not moving as expected, Chief Ugoh Okaka has converted his shop to a religious worship centre. Chief Apagu Agu has instructed you to eject the tenant from the premises.

Answer the following questions:

1. What is the length of notice required to eject the tenant from the premises?

- (a) One month notice
- (b) A quarter notice
- (c) Six months notice
- (cd) One year notice

2. If the notice to quit is issued on the 1st June, 2018, when will the notice expire

- (a) 30th June, 2018.
- (b) 1st July, 2018
- (C) 1st December, 2018
- (d) 31 December, 2018

3. At the expiration of the notice to quit the landlord is further expected to issue_____Notice of owners intention to apply to court to recover possession.

- (a) 7 days.
- (b) 21 days.
- (c) 14 days.
- (d) 8 days.

4. Where the Magistrate Court has given order for possession to Chief Apagu Agu and Chief Ugoh Okaka is still in Occupation, what should the landlord do in the circumstance?

- (a) Throw the belongings of the tenant out of the premises.

- (b) Apply for warrant of possession.
- (c) Apply to court for Contempt for disobeying Court order.
- (d) Apply for summons to imprison the defendant.

5. The defendant (tenant) was not satisfied with the judgment of the Chief Magistrate and wants to appeal, where will the appeal be filed?

- (a) The Chief Magistrate Court.
- (b) The High Court.
- (c) The Rent Tribunal.
- (d) The Code of Conduct Bureau.

Following the death of Chief Awal Amadu, the Stool of the paramount ruler of Burugu Kingdom, Abuja Alhaji Awal Jauro became vacant. Alhaji AwalJauro from the Wambai ruling family was nominated by the Kingmakers to succeed the deceased paramount ruler. This did not go down well with the Dandam ruling family as they believed it was their turn to succeed the

deceased. They have approached you as a Counsel to seek legal redress on their behalf.

Answer the following questions:

6. Considering the number of your clients how will you institute the action?

- (a) The suit will be instituted in a representative capacity.

- (b) A Class action will be instituted.
- (c) Obtain Attorney-General instituting the action.
- (d) None of the above.

7. By what mode will you commence the action?

- (a) Originating motion.
- (b) Originating summons
- (c) Writ of summons.
- (d) Originating aPplication.

8. All the following documents will accompany the mode you have identified above except:

- (a) Statement of claim.
- (b) Copies of document to be relied on at the trial.
- (c) Affidavit in support of the application.
- (d) Certificate of pre-action counselling

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9. Assuming the defendants have been served with your originating process, they are expected to enter appearance

Within.....

- (a) 42 days.
- (b) 18 days.
- (c) 14 days.

(d) 12 days.

10. Assuming the matter goes to trial and both the claimants and the defendants called evidence, who is to file his final written address first and within how many days of the close of hearing?

- (a) The claimant within 14 days of close of hearing
- (b) The defendant within 14 days of close of hearing
- (c) The defendant within 21 days of close of hearing
- (d) The claimant within 21 days of close of hearing

On the fourth day of your externship programme at the Lagos State High Court presided over by Hon. Justice Jones, Counsel for the claimant after announcing his appearance informed the court of a pending motion for stay of proceedings. He further prayed the court to hear the motion. The defendant's counsel, on the other hand, argued that the motion was still unripe for hearing and he was still within time to respond to the motion. The court therefore denied leave for hearing of the application.

Answer the following questions:

11. The statutory period between the service of a motion and the hearing of same is:

- (a) After two weeks of service on the Respondent.
- (b) After two months of service on the Respondent.
- (c) After two days of service on the Respondent.
- (d) None of the above.

12. Assuming the application for stay in the scenario above was heard and the trial court refused the application:

- (a) The applicant may apply to another High Court of co-ordinate jurisdiction.
- (b) The applicant may apply to the Court of Appeal.
- (c) The applicant may apply for injunction pending appeal against the High Court Judge.
- (d) The applicant may protest the refusal by the Judge.

13. Where no counter-affidavit is filed by the Respondent in an application for stay or any other motion in the High Court, the Respondent will only allowed to argue issues of:

- (a) Mixed law and fact.
- (b) Fact alone
- (c) Law alone
- (d) All of the above.

14. A Law School student on externship to one of the underlisted courts is most likely to witness cases involving petition for winding up of companies than his/her counterparts in other courts. Identify the court.

- (a) The Court of Appeal.
- (b) The High Court of State.

(c) The National Industrial Court.

(d) The Federal High Court.

15. In order to test your requisite knowledge of Case Management Conference, your field supervisor invited you to attend a Case Management Conference proceedings, he asked you some questions, among them:

(1) One of the following shall constitute an agenda for the Case Management Conference as stated under the Rules:

(a) Adoption of witness statement on oath.

(b) Registration of the judgment of the case management judge.

(c) Control and scheduling of discovery, inspection and production of documents.

(d) Media coverage of the case management proceedings

16. What are the processes that you need to file to commence the case management conference

(a) Statement of defence, affidavit in support, witness statement on oath and list of witnesses.

(b) Case management notice and case management information sheet

(c) Writ of summons, motion on notice and supporting affidavit

(d) Case management certificate and verifying affidavit

17. Assuming the claimant and his Counsel were absent on the date fixed for case management conference, which of following steps can properly be taken by the court?

- (a) Enter judgment against the defendant.
- (b) Dismissal of the action of the claimant.
- (C) Award cost against the defendant
- (d) Stay further proceedings in the matter until the claimant Comes to court.

18. During the cross-examination of the defendant witness in Incorporate Trustees of Child Rescue International US. Timini Jefferson, the claimant counsel asked questions on matters not stated in the witness statement on oath. Objection was raised by the defendant counsel and the court overruled the objection.

(1) Which of these statements correct about objection?

- (a) Objections can be raised at any time by either party during the course of proceedings.
- (b) Objections are restricted only to during examination-in-chief
- (C) Objections can only raised durng re-examination.
- (d) None of the above.

19. Also from the scenario above immediately counsel applied to tender a document as an exhibit during the trial, the next step is:

- (a) For the Registrar to mark the document as an exhibit.
- (b) For the Judge to inspect the document and make a note as to

its reception or rejection

(c) For the Judge to direct that document be shown to the opposing party for objection if any.

(d) For the Judge to direct that the document be shown to the witness for confirmation.

20. A competent witness is:

(a) A witness that is eligible to testify in a judicial proceeding.

(b) A witness that is obliged to give evidence in court.

(c) A Witness that has special knowledge in the area he is called upon to testify in court

(d) A witness that can be compelled by subpoena but summoned to give evidence.

CRIMINAL LITIGATION

Kalu Adeola and Musa went out to party at Jumpers Club, Enugu On the way back from the club, they kidnapped 3 girls who were going home from the club: Joy, Anita and Aisha. They took them to the hostel and raped them severally

Answer the following questions:

1. Which court has jurisdiction to entertain this case?

a Federal High Court, Enug

b. Magistrate Court

c Enugu State High Court

d. Enugu State Criminal Offences Tribunal

2. Which of the following statements is false

- a. Kalu can plead on behalf of the trio.
- b. the trio must plead individually
- c. the charge must be read and explained.
- d. the plea must be in respect of each count.

3. Assuming the suspects were arraigned before the Enugu State High Court and the accused persons want to appeal against their conviction, what is the length of time to appeal?

- a. 14 days
- b. 15 days
- c. 30 days
- d. 90 days

4. If the accused persons upon the reading of the charge refused to enter their plea, the court will_____

- a. inquire into the reason for their refusal to plead
- b. order them to take their plea,
- c. charge them for contempt
- d. enter into trial within trial

5. After conviction, the court would call for ----- before sentencing

- a. Plea bargain
- b. Allocutus
- c. Preliminary objection
- d. Any additional address.

Mr. Bobo Ikemson was flagged down by the police at 12.00am on August 1, 2018 at the popular Bakori junction, Maitama, Abuja. He was searched by a female Police Inspector, Josephine Johnson and some substance suspected to be heroine was found in his car. Bobo Ikemson was immediately arrested and taken to Maitama Police Station where he was detained for two (2) days without being arraigned in court and without access to his family or lawyers.

Answer the following questions:

6. A search of this nature should be conducted between the hours of:

- a. 5.00am-8.00pmn
- b. 6.00am-7.00pm
- C. 5.00am-9.00pmn
- d. at any time of the day or night.

7. The search conducted on Bobo Ikemson by Inspector Josephine Johnson may be held to be unlawful because:

- a. A search should be conducted by a person of the same sex.
- b. A woman can search a man.
- c. The search was conducted without a search warrant.

d. None of the above

8. Bobo Ikemson may regain his freedom where:

- a. He settles the police by giving them money.
- b. Writing a petition to the Inspector-General of Police complaining about his Arrest and detention.
- c. Apply to the court for bail.
- d. None of the above.

9. When Bobo Ikemson was arraigned in court, he had no counsel. What should the court do in the circumstance?

- a. Proceed with the hearing.
- b. Detain the accused person in custody until he is able to engage the services of a counsel.
- c. Detain the accused person in custody and advise his relations to arrange counsel for him.
- d. Stand down the matter until the accused person is able to engage the services of a counsel.

10. Bobo Ikemson when arraigned in court pleaded guilty to the offence. What should the court do in the circumstance?

- a. Sentence the accused person based on his plea of guilty.
- b. Send the drug (heroin) for forensic analysis.
- C. Ask the prosecution to prove his case.

d. Enter plea of not guilty for him.

Idoko Edet was arrested for being in possession of heroin by NDLEA officials. He was detained for 4 days without access to his lawyer. He was tried before the Chief Magistrate Court, Lagos. During his trial, his Lawyer applied for his bail but it was turned down. His lawyer intends to apply to the High Court for his bail.

Answer the following questions:

11. Assuming the counsel is to contest the jurisdiction of the court, which court has jurisdiction to try the offence:

- a. The State High Court
- b. The Federal High Court
- c. The Industrial Court
- d. The Magistrate Court.

12. The detention for 4 days without access to a lawyer is a violation of:

- a. Right to counsel of his choice only
- b. Right to personal liberty only.
- c. Right to humane treatment
- d. All of the above

13. One of the following is not a condition the court will consider in granting bail

- a the health of the accused

- b. whether the accused will Jump bail
- c. the prevalence of the crime
- d. the status of the accused in the society

14. Assuming the matter was brought before the Federal High Court, Lagos, which of the following is the proper mode of instituting an action at the Federal High Court.

- a. Charge
- b. Charge sheet
- c. Information Draft
- d. Complaint.

15. The trial of Idoko Sunny is said to commence at the point-

- a. he is led into the court
- b. When the charge is read and he takes his plea.
- c. the prosecution calls its first witness
- d. the defence calls its first witness

During your externship programme in April 2019 you witnessed a criminal trial at the Federal High Court Abuja. The defendant was standing trial for treason for trying to overthrow the government. He was alleged to have committed the offence in August 2016. The defendant pleaded guilty and the court consequently convicted him.

16. One of the following is correct about the court

- a. The court lacks jurisdiction because the offence is a military offence.

- b. The court lacks jurisdiction because the action is statute barred.
- c. The court lacks jurisdiction to entertain a charge of treason.
- d None of the above.

17. On the plea of the defendant, the court will do one of the following:

- a. Enter his plea of guilty.
- b. Conduct an inquiry as to his mental condition.
- c. Enter a plea of not guilty
- d. Enter a plea of not guilty with reason

18. The Federal High Court sitting over the matter will be properly constituted if it sits with....

- a. one judge
- b. at least one Judge
- c Two Judges
- d. Three Judges

19. One of the following is correct about the punishment the court can impose on the defendant

- a. Life imprisonment
- b. Beheading
- c. Death by electrocution

d. Death by lethal injection.

20. An appeal against the judgment of the court should be made within

a. 3 months of the judgment

b. 14 days of the judgment

c. 30 days of the judgment

d. 90 days of the judgment.

CORPORATE LAW PRACTICE

Niyi Dapo, Grace Anyarwu and Abdul Ahned are shareholders and directors of Rubby Nigeria Limited. Niyi Dapo and Abdul Ahmed conspired and shut out Grace Anyanwu from the Management of the company. She was no longer invited to attend board meetings of the company. Niyi Dapo and Abdul Ahmed withdrew huge sums of money from the company's account without reference to the Accountant and Auditor of the company. They neither convened Annual General Meeting nor file Annual Returns. They allotted new shares to themselves. Only Grace Anyanwu wants to bring an application to the court on grounds of unfairly prejudicial and oppressive conduct.

Answer the following questions

1. The specific application Grace.Anyanwu will bring to the.Court on grounds of unfairly prejudicial and oppressive conduct is

(a) Originating summons.

(b) Originating motion

(c) Petition

(d) Writ of summons

2. The reliefs the court may grant when an application on ground of unfairly prejudicial and oppressive conduct is brought are the following except:

(a) Winding up of the company.

(b) Directing that an investigation of the company be conducted by the Corporate Affairs Commission

(c) Appointing a Receiver or a Manager of the property of the company.

(d) Order for a derivative action to be brought before the court.

3. Applications under Companies and Allied Matters Act may be made by the following except

(a) Writ of summons.

(b) Petition.

(c) Originating summons

(d) Originating motion.

4. The Companies Proceeding Rules apply to all proceedings taken out or arising from any provision of any section in:

(a) The Companies and Allied Matters Act.

(b) Part A of Companies and Allied Matters Act.

(c) Part B of Companies and Allied Matters Act.

(d) Part C of Companies and Allied Matters Act.

The Law Firm of your field supervisor is the Company Secretary of the recently incorporated Centre Point Telecommunications Plc. The Board of Directors is made up of five (5) Directors. The Board is preparing to hold its first meeting and your field supervisor has asked you to prepare the notice of meeting and also attend the meeting as scheduled.

Answer the following questions:

5. The agenda for the meeting shall include all but one of the following:

(a) Election of the Chairman of the Board.

(b) Appointment of the first Auditors of the company.

(c) Fixing the remuneration of the Directors.

(a) Preparation for the holding of the statutory meeting.

6. The length of notice required under Companies and Allied Matters Act to validly convene the meeting is:

(a) 21 days.

(b) 7 days.

(c) 14 days

(d) Any number of days indicated in the notice of meeting

7. The number of Directors that would be present to form a quorum is:

(a) 2

(b) 3

(c) 4

(d) Any Director present within time of the minutes scheduled for the holding of the meeting

8. One of the following is the legal implication of a failure to have a quorum at the meeting

(a) The meeting will stand adjourned to the same place, day and time the following week.

(b) The Chairman of the Board will take decisions that will be binding on the Board.

(c) The general meeting may act in place of the Board.

(d) An application may be made to court for an order directing one Director to take decisions on behalf of the Board.

Rosemary Akpan sold all her shares in Temple Hill Limited to Isaiah Ehikioya and handed over the share certificate to him. The instrument of transfer was executed by both parties on the 19th July, 2019. Isaiah Ehikioya gave the instrument of transfer to the bank to effect changes in its register of members. On the 10th of August, 2019, the company issued bonus shares to its members and the share certificate for the bonus shares was written in the name of Rosemary Akpan forwarded to him.

9. The period provided under the Companies and Allied Matters

Act for share certificate to be issued to Isaiah Ehikioya after the transfer is:

(a) 1 month.

(b) 2 months

(c) 3 months.

(d) 4 months.

10. Assuming Isaiah Ehikioya became a member of the company through public offer of shares, the share certificate must be issued to him within:

(a) 6 months.

(b) 2 months.

(c) 3 months.

(d) 1 month.

11. Allotment of shares to the existing shareholders in the proportion of their existing shareholding for which the company will pay for such shares allotted is:

(a) Bonus issue

(b) Right issue.

(c) Allotment issue.

(d) Hybrid issue.

12. The following statements are true in respect of bonus shares except:

(a) Payment for bonus share can be made from the capital redemption reserve fund.

(b) Payment for bonus shares can be made from the share premium account.

- (c) Bonus shares are issued to members of the company in the proportion of their existing shareholding
- (d) Payment for bonus shares can be made from the sinking account.

13. is not a function of a share premium account

- (a) Paying up right issue that is issued to directors of the company.
- (b) Writing off preliminary expenses of the company.
- (c) Paying up bonus issued to members of the company.
- (d) Paying for commission and discount allowed.

Tozal Oil & Gas Limited has recently run into some liquidity issues. The company is experiencing some difficulty in discharging its liabilities which have now fallen due. The company desires to remain a going concern.

Answer the following questions:

14. Which of the following restructuring options will not likely help the company out of its situation?

- (a) Arrangement on sale.
- (b) Arrangement and compromise.
- (c) Increase of share capital.
- (d) Take over.

15. Tozal Oil & Gas Limited can effect one of the following re-registration except:

- (a) Re-register as a public limited company.
- (b) Re-register as a private unlimited company.

- (c) Re-register as a public unlimited company.
- (d) None of the above

Following the withdrawal of the operation license of Equity Bank Plc by the Central Bank of Nigeria, the Bank summoned a meeting of stakeholders in the bank to consider suitable options that can preserve investors and depositors fund since the bank is now moribund:

16. Which of the following is most appropriate?

- (a)Arrangement and compromise.
- (b)Wind up voluntarily.
- (c) Merge with another bank with operation licence.
- (d)Purchase and assumption.

17. Assuming the bank is still a going concern, all but one of the following can validly oppose a resolution to alter the object clause of the bank.

- (a) Corporate Affairs Commission.
- (b) Minority shareholders with atleast 15% of the paid-up share capital who abstained from voting in support of the resolution.
- (c) Debenture holders secured by floating charge.
- (d) None of the above.

18. Any objection opposing the alteration of the object clause shall be filed in court within:

- (a) 28 days after the date of passing the resolutions.

(6) 21days after the date of passing the resolution

(c) 14 days after the date of passing the resolution.

(d) None of the above

19. The process by which a body corporate is put under a voluntary Winding up vide a special resolution without going through a formal dissolution is:

(a) Arrangement and compromise.

(6) Arrangement on sale.

(c) Management Buy-out.

(d) None of the above.

20. If the bank desires to wind up voluntarily, one of the following documernts would be unnecessary:

(a) Declaration of Solvency

(b) Statement of Assents and Liability.

(c) Advertisement on newspaper

(d) Board Resolution.

20. A period of..... days must be given from the date of passing of the resolution for any objection.

(a) 21

(b) 28

(c) 23.

(d) 25.

PROPERTY LAW AND PRACTICE

Mallam Buba Kawuche of No. 33 Cole Street, Wuse Abuja FCT is a civil servant in the Federal Ministry of External Affairs. He has just been posted to the Nigerian Embassy in London, UK. To ensure that his properties are taken care of while he is away, he has decided to authorize Mrs Masuku Abamba of No.107 Akukwu Estate, Jabi, Abuja FCT to manage his Property at No. Al Unguhu street, Kubwa Abuja and another one at No. 234, Azikwe street, Enugu State for a consideration of N50 Million only. Part of the authority granted to Mrs. Masuku Abamba is the right to sell and convey the interests to any purchaser.

Answer the following questions:

1. The specifics of what Mrs. Masuku can do will be contained in theclause.

- (a) Testimonium clause
- (b) Charging clause
- (c) Power clause
- (d) Appointment clause

2. For Mrs Masuku to be able to carry out this assignment, Mallam Buba Kawuche Must execute a

- (a) Deed of right
- (b) Deed of pledge
- (C) Deed of Power of Attorney.
- (d) Deed of charge

3. One of the following is not a part of the document to be executed by parties.

- (a) Habendum
- (b) Testimonium
- (c) Execution
- (d) Alteration.

4. The document to be executed by the parties is classified as:

- (a) Deed of indenture
- (b) Deed Poll
- (c) Deed of Conveyance
- (d) Deed of Transfer

Mr. Johnson of 35 Royal Road, Ikorodu, Lagos is a businessman who deals with the importation and sale of cars in Nigeria. He also owns a block of 5 flats at No 35 Royal Road Ikorodu Lagos as well as a vegetable farm on 5 acres of land in Epe Lagos State. Mr. Johnson died on the 13th day of July 2019 after he executed his will giving all his properties to his wife Beatrice.

Answer the following Questions:

5.is not a means by which Mr. Johnson can execute his Will.

- (a) By signing the will personally
- (b) By authorizing a third party to sign the will in his absence
- (c) By authorizing a third party to sign the will in his presence
- (d) By authorizing a third party to sign the will in writing

6.tax is applicable in the administration of Mr. Johnson's will.

- a) Consent fee
- (b) Stamp Duties
- (c) Estate Duties
- (d) Companies Income Tax

7. The administrator of Mr Johnson's will is expected to file account within duration.

- (a) Every month
- (b) Every 12 months
- (c) Every 3 months
- (d) Every 24 months

8. DEVASTAVIT means.....

- (a) Liability for conversion only
- (b) Liability for waste and conversion
- (c) Liability for conflict of interest
- (d) Liability for fraud.

9.is not a content of the account to be filed by the personal representatives of Mr. Johnson's will.

- (a) Full inventory of assets in the estate.
- (b) Vouchers in the possession of the persornal representatives
- (c) Copy of the will or letters of administration.
- (d) All incomes and expenditures incurred in the course of

administration.

10. Assuming Mr. Johnson's child is dissatisfied that as a dependant, he was not given any provision in his father's will, the son has within.....to institute an action in court.

- (a) 6 days
- (b) 6 weeks
- (c) 6 years
- (d) 6 months.

11.Special grant can be obtained in respect of Mr. Johnson's estate.

- (a) Probate
- (b) Letter of Administration
- (c) Ad Coligenda Bona
- (d) Letters of Administration with the will annexed.

12.....Can demand for the inspection of the accounts by the administrator.

- (a) A beneficiary
- (b) A creditor
- (c) An interested party
- (d) All of the above.

In June, 2017 Mrs Osehun Moses bought a duplex at 10 Lawrence Road Ikoyi, Lagos State. The Purchase price was N1,000,000 million naira only. She renovated the property for N500,000 and sold the property for N6,000,000 million naira after advertising for N500,000.

Using the scenario, answer questions 13-16:

13. Which of the following taxes is payable on the transaction to the Federal Government

- (a) Companies income tax
- (b) Capital Gains tax
- (c) Right of occupancy fees
- (d) None of the above.

14. What could exempt Osehun Moses from paying tax?

- (a) Ecclesiastical or charitable organization.
- (b) Disposition by way of gift
- (c) Gains accruing to Local Government
- (d) None of the above.

15. What formula will be applied in computing Capital Gains tax

- (a) 10 per cent of Gain
- (b) Consideration minus allowable income
- (c) All of the above
- (d) None of the above

16. The following is incorrect concerning personal income tax.

- (a) Taxable persons include individuals, trustees, charitable entities and communities
- (b) Chargeable income of partners include salary, interest and share profit.

(c) Rents paid in advance are chargeable.

(d) All of the above.

Linus Ezenna owns a property at Surulere Lagos. Due to old age and failing health he is relocating back to his hometown in Abia State. Otunba Akindawon has agreed to buy the property. Both parties have approached you for advice.

Answer the following questions:

17. At what stage would Ezenwa be required to deduce title.

(a) During the contract

(b) Before the completion

(c) After completion

(d) During completion.

18. At the execution of the transaction Ezenna and Akindawo would be referred to as:

(a) Lessor and Lessee

(b) Testator and beneficiaries

(c) Assignor and Assignee

(d) Mortgagee and Mortgagor

19. What will be the correct order of the conveyance transaction between Ezenna and Akindawon?

(a) Preliminary enquires----Contract- ---perfection.

(b) Investigate title ----execute contract ----execute assignment.

(c) Contract ---preliminary---enquires---- assignment.

(d) Preliminary enquiries---Contract- ----deduction of title.

20. The clause that will connect/parties to the content and/covenants in the Deed of Assignment is:

(a) Testimonium

(b) Attestation

(c) Execution

(d) Testatum

PROFESSIONAL ETHICS

On recovering her professional fees, in a transaction, one of Uduak's friends visited him in order to celebrate with him. The friend was curious about the legal profession and wanted to know certain facts about lawyers engaging in business, advertising, and persons that constitute the membership of the body in the profession that confers the rank of senior advocate to deserving members. Uduak responded thus: A lawyer, practicing as a legal practitioner is prohibited from engaging in trade or business. However, he shall not be regarded as participating in trade or business if he is a-- **(1)**.

Moreso, generally speaking, a lawyer may advertise under the Rules of Professional conduct. However,- **(2)** falls short of the proper way to advertise under the Rules. On the issue of regulatory bodies in the legal profession, Uduak told his friend that the---- **(3)** is responsible for the

Call to Bar of lawyers and the body that confers the rank of senior advocates on deserving members is the---(4) and ----(5) is not a member of that regulatory body.

1. a. Secretary of a company

b. Commission agent of a company

c. Shareholder of a company

d. Non-executive member of Board of Directors of a company.

2. a. A lawyer may advertise for witness to testify to a particular event or transaction.

b. A lawyer may advise if it is fair and proper in all circumstances.

c. A lawyer may advertise by including any statement about the quality of his work and size of his practice.

d. A lawyer may advertise by publishing a brief biographical or informative data of himself in a law directory.

3. a. Nigerian Bar Association

b. Body of Benchers

c. Legal Practitioners Privileges Committee.

d. Council of Legal Education

4. a. Legal Practitioners Remuneration Committee

b. Legal Practitioners Privileges Committee

- c. Legal Practitioners Disciplinary Committee
- d. General Council of the Bar

5. a. Attorney-General of the Federation.

b. Chief Justice of Nigeria

c. President of the Court of Appeal

d. Presiding Justice of a Court of Appeal Division.

In the course of your externship in Court 5 of the Jarawa high Court, you witnessed the following in open Court on July 3, 2019. Hon. Justice Kings cautioned I.Z Akan, Esq. over his use of unsavoury words on Ms. Fyneface (the opposing Counsel) with regards to her failure to produce a key witness for cross examination. Mr. Akan not heeding the caution, continued to berate Ms. Fyneface. According to him, the absence of the key witness was a calculated ploy to deny his client of a well-deserved justice. Mr. Akan insisted that this be placed on record but Hon. Justice Kings informed him that "you do not think for a moment that I'm listening to you. All you are saying is entering into one ear and going out through the other ear."

To the amazement of the court, Mr. Akan replied "I am not surprised! After all, what is to stop it from going out? Visibly angry, Hon. Justice Kings ordered him to enter the dock but Ojomo SAN, made a plea of leniency on his behalf.

(6) The conduct of LZ. Akan, Esq is best described as

a. Contempt of procedure

b. Contempt ex facie curiae

C. Civil contempt

d. Contempt in facie curiae

(7) The Judge's order for I.Z. Akan, Esq to "enter the dock" means

a. He should give evidence

b. He should face trial

c. Render apology

d. He should enter the dock to show cause.

(8) Cross-examination is important to I.Z Akan Esq's case for all of the following reasons except:

a. To put across the case of his client.

b. To discredit the testimony of the witness under cross examination.

c. to elicit facts favourable to his client's case

d. To clear ambiguities arising from witness testimony.

(9) Ms. Fyneface's key witness was taken through a process that qualified him to be cross-examined. What is that process referred to in trial advocacy? .

a. Oral examination

b. Final address

c. Examination in-chief

d. Re-examination.

(10) Ojomo SAN's plea for leniency is best described as the act of:

- a. An interpreter
- b. An arbitrator
- c. A plea bargainer
- d. An Amicus curiae

(11) Assuming I.Z. Akan, Esq refuses to apologise to the court, the court may order that:

- a. He be kept in police custody until he purges himself.
- b. He kept in prison until he purges himself.
- c. He be kept under house arrest until he purges himself.
- d. All of the above.

I.Z. Akan, Esq. as (12)--owe a duty to -----

(12) a. a minister in the temple of Justice.

b. a lawyer in a reputable Law firm

c. an officer of the court

d. a and c above.

(13) a. air his grievances against the Judge.

b. communicate with the Judge.

c. treat the court with respect, dignity and honour.

d. solicit for the Judge's assistance in winning his case.

Anthony Uchenna a legal practitioner of 5 years standing was briefed by Mrs Mary Ikenga to represent her at negotiation proceeding for the purchase of her plot of land by Zion bank for the purpose of building a branch of the bank in Bwari. The sum of N10,000,000.00 (Ten Million Naira) was paid by the barnk to Anthony as the negotiated purchase price for the land. Immediately the money was paid to him, he bought a Toyota Camry Car worth N5,000,000 (Five Million Naira) and gave the remaining N5,000,000 to Mrs Ikenga contending that the money he took was his professional charges.

Using the scenario, answer questions

(14) Anthony Uchendu ought to pay the money into:

- a. Trust Account
- b. Client Account
- C. Personal Account
- d. Firm's Account

(15) One of the following was violated by Anthony:

- a. the legal practitioner's account Rules 1964.
- b. The Rules of Professional Conduct 2007.
- c. All of the above
- d. None of the above.

(16) As a statutory requirement, Uchendu could only have obtained his professional fee if:

- a. Serves a bill of charges on Mrs Ikenga.

- b. Writes a letter to Mrs Ikenga.
- c. Sends a text message to Mrs Ikenga.
- d. None of the above

(17) The major Rule of professional conduct breached by Anthony can be found in Rule-----

- a. Rule 22 of rules of professional conduct
- b. Rule 23
- c. Rule 24
- d. Rule 25

(18) The money given to Anthony Uchendu may not be paid into the appropriate account, if:

- a. Mrs Ikenga instructed him.
- b. The General Bar Council permits.
- c. If the money is to be paid to Mrs Kenga direct.
- d. All of the above.

During your court externship you noted the following in your logbook.

(19) That counsel introduced themselves to the court by:

- a. Entering appearances
- b. Introduce their appearances
- c. Exhibit their appearances
- d. Announcing their appearances

(20) Counsel did not leave the courtroom once the number of counsel would otherwise be reduced to 2 because, counsel would not want to:

- a. empty the court
- b. annihilate the court
- c. disgrace the court
- d. undress the court.

**NIGERIAN LAW SCHOOL
BAR PART 2
EXAMINATION (AUGUST
2019)**

**MULTIPLE CHOICE
QUESTIONS (MCQ)**

ANSWERS

S/N	CIVIL LITIGATION N	CRIMINAL LITIGATION N	CORPORA TE LAW PRACTICE	PROPERTY LAW PRACTICE	PROFESSIO NAL ETHICS & SKILLS
1	C	C	C	C	Bonus
2	D	A	D	C	C
3	A	D	A	D	B
4	B	A	B	B	B
5	A	B	C	B	D
6	A	D	C	C	D
7	C	A	A	B	D
8	C	C	C	B	D
9	C	D	C	C	C
10	C	B	B	D	D
11	C	B	A	C	B
12	B	D	D	D	D
13	C	D	A	B	C
14	D	A	C	B	B
15	C	B	D	A	C

16	B	B	D	A	A
17	B	C	A	B	B
18	A	B	A	C	D
19	C	D	B	D	D
20	A	D	D	A	D