



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**14/16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS**  
**SCHOOL OF LAW**  
**SEPTEMBER 2013 EXAMINATION**

COURSE CODE: LAW 100.

COURSE TITLE: INTRODUCTION TO LAW.

TIME ALLOWED: 2 HOURS.

INSTRUCTION: ANSWER ANY FOUR QUESTION

1. Apart from the requisite academic qualification, a law student needs to be “fit and proper” to be called to the Nigerian Bar. Discuss any four of the under listed, in line with the requirement of being “fit and proper”. 16 Marks.

- i. Dinning Etiquette (4 Marks)
- ii. Dressing (4 Marks)
- iii. Self Comportment (4 Marks)
- iv. Misappropriation of funds (4 Marks)
- v. Sexual Orientation (4 Marks)

Bonus marks for neatness 0.5, articulation 0.5, flow of thought 0.5 – 1.5 marks.

2. Identify at least four legal issues from the passage below and discuss the legal principles guiding those issues. Peter a plumber, is asked by Bosun a mother of four young children to fix tiles in her three bedroom apartment at ₦ 25,000.00 (Twenty-five thousand naira) only per room. Peter says nothing, but goes ahead to purchase tiles from Ego, the only person who sells tiles from ‘*only good tiles for you U.K. Limited*’ in order to ensure quality. Whilst fixing the tiles he discovers he discovers that some are cracked. Annoyed he drops his work and marches out of the house to confront Ego. Whilst crossing the road he is almost struck down by Raji who races past in his new vehicle failing to stop at the traffic lights which are red. Peter is frightened and jumps back to avoid the oncoming vehicle. He mistakenly knocks over Mai shai’s table of hot eggs, indomie and tea and the tea scalds his foot! Mai shai, loses 10pacs of indomie, 20 eggs and two flasks of already prepared hot tea.

16 Marks.

Bonus marks for neatness 0.5, articulation 0.5, flow of thought 0.5 – 1.5 marks.

3. Bawa buys hot Swiss rolls from Raula’s shop. After eating them he develops a running tummy. Determined to get to the bottom of it he manages despite the odds to make it to Raula’s shop and confronts her with his condition. She refuses to accept responsibility insinuating he must have bought his Swiss rolls elsewhere and is now railing accusations in order to cheat her of her precious money. Bawa loses his temper and threatens to destroy everything in her shop if she does not return his money immediately. Raula is frightened for her safety, immediately returns Bawa’s money and gives him another set of Swiss rolls to pacify him. He takes them and storms out. Once outside he receives a call that Tervee his young daughter who is four years old and had some of the Swiss rolls too, has been vomiting and has been rushed to the hospital and has been admitted for food poisoning. Her mother Buchi is extremely angry, reports the matter at the local government food inspection unit (FIU) and is threatening to sue Raula for everything she owns. The food inspectorate team arrives on the scene and shuts down Raula’s shop for investigation. Raula breaks the locks claiming that they do not have a warrant. There is a by-law that permits the FIU to shut down business premises in order to forestall a food poisoning emergency. When Raula is notified of this, she adamantly states that local governments have no authority to make laws for Nigerian citizens. Please answer the following questions with reasons.

16 marks.

Bonus marks for neatness 0.5, articulation 0.5, flow of thought 0.5 – 1.5 marks.

- i. Can Bawa bring any legal action against Raula, if so what. (2.4marks).
- ii. Is Raula likely to have any legal remedy against Bawa? (2.4marks).
- iii. Can any legal action be brought by Tervee or on Tervee's behalf, if so what, and by whom. (2.4marks).
- iv. Does the FIU have the authority to shut down Raula's shop? (2.4marks).
- v. Has Raula committed any offence by breaking the locks? (2.4marks).
- vi. Explain the term 'breach of a duty of care' (4marks).

4. Discuss extensively two major obstacles to the enforcement of Legal Rights in Nigeria and three means of addressing the attendant problems they present. 16 marks.

Bonus marks for neatness 0.5, articulation 0.5, flow of thought 0.5 – 1.5marks.

5. Irene aged 18 fell off a tree and hurt her leg, because she feared the possibility of the pain involved in treatment, she hid it for two weeks at home till it became gangrenous. Her step mother a nurse Obuba observed her throughout the period knowing she had hurt her leg and did nothing. 16 marks.

Bonus marks for neatness 0.5, articulation 0.5, flow of thought 0.5 – 1.5marks.

5a. What legal issues if any are raised in this situation. What remedy maybe be sought in law if any? (4marks).

5b. If Obuba was a professional nurse, does it change anything. (2marks).

5c. Under what circumstances does a duty of care arise. (4marks).

5d. If Irene was 12 years old, does it change the situation and in what way. (2marks).

6. Timon was clearing his courtyard; he picked up a stick and immediately spotted a poisonous tarantula on it, known to cause massive hemorrhaging & eventual death to sting victims. He violently threw the stick which struck Pumba who was having a satisfying meal of corn & coconut at his backyard away from his wife & children. The spider was dislodged by the violence of the throw and angrily stung Pumba's wife who was sneaking up on him, which pleased Pumba. She screamed and threw the spider over Rafiki's fence, whom she had several times quarreled with and was quoted as saying she would deal ruthlessly with in the near future. Rafiki was terribly frightened but unhurt.

16 marks.

Bonus marks for neatness 0.5, articulation 0.5, flow of thought 0.5 – 1.5marks.

6a. Identify the legal issues raised in this scenario. (6marks).

6b. Assume you are Timon's counsel has any criminal offence been committed by him? If so what and what are the possible charge/s he may face? (10marks).

7. In what courts do you expect the following matters to be disposed of and why? 16 marks.

Bonus marks for neatness 0.5, articulation 0.5, flow of thought 0.5 – 1.5marks.

i. A murder charge. (4marks).

ii. A claim of bias of the electoral commission by a defeated presidential candidate. (4marks).

iii. A dispute in respect of states territorial waters. (4marks).

iv. A child custody dispute. (4marks).

8a. Describe the term bail and distinguish between a police and Court bail and discuss the criteria for granting bail. (10marks).

8b. Briefly discuss four grounds on which a bail maybe refused. (6marks).

16 marks.

Bonus marks for neatness 0.5, articulation 0.5, flow of thought 0.5 – 1.5marks.