

PROPOSED AMENDMENTS TO THE
NIGERIAN BAR ASSOCIATION CONSTITUTION 2015
(IN HIGHLIGHTS)

NIGERIAN BAR ASSOCIATION CONSTITUTION 2015

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1. NAME

The Association shall be called the Nigerian Bar Association.

2. HEAD OFFICE/NATIONAL SECRETARIAT

The National Secretariat of the Association shall be situated at the Federal Capital of Nigeria, provided that the Association may maintain liaison offices in other cities/towns as the National Executive Committee may decide from time to time.

3. AIMS AND OBJECTS

The aims and objects of the Association shall be the:

- (a) Maintenance and defence of the integrity and independence of the Bar and the Judiciary in Nigeria.
- (b) Promotion and advancement of Legal Education, Continuing Legal Education, Advocacy and Jurisprudence.
- (c) Improvement of the system of administration of justice, its procedures and the arrangement of court business and regular law reporting.
- (d) Establishment, maintenance and operation of a system of prompt and efficient legal aid and assistance for those in need but who are unable to pay for same. (e) Promotion and support of law reform.
- (e) Maintenance of the highest standard of professional conduct, etiquette and discipline.
- (f) Promotion of good relation among the members of the Association and lawyers of other countries.
- (g) Promotion of co-operation between the Association and other National or International Law Organisations and such other bodies as may be approved by the National Executive Committee.
- (h) Encouragement and protection of the right of access to courts at reasonably affordable fees and of representation by counsel before courts and tribunals.
- (i) Encouragement of the establishment of a National Law Library.
- (j) Promotion and protection of the principles of the rule of law and respect for enforcement of fundamental rights, human rights and people's rights.

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- (k) Creation of schemes for the encouragement of newly qualified members and assistance to aged or incapacitated members of the Association.
- (l) Establishment of schemes for the promotion of the welfare, security and economic advancement of members of the legal profession.
- (n) Creation and maintenance of an Endowment Fund for the proper observance and discharge of any of these aims and objects.

4. MEMBERSHIP

(1) There shall be two categories of membership; viz

- (a) Full membership, and
- (b) Honorary membership

(a) FULL MEMBERSHIP

(i) A full member of the Association shall be any person duly enrolled at the Supreme Court of Nigeria as a legal practitioner and registered with a Branch of the Association.

(ii) Notwithstanding the provision of Section 4(a)(i), any member who fails or neglects to pay the prescribed Annual Practising Fees before the end of March in each year shall, for as long as he/she remains in default, have no right:

- (A) of audience in any court in Nigeria;
- (B) to prepare, authenticate or frank any legal documents including Memorandum and Articles of Association;
- (C) to hold any office whatsoever by virtue of his/her qualification as a legal practitioner;
- (D) to vote or be voted for at any election of the association;

(iii) A failure or neglect to pay the Annual Practising Fees and Branch Dues, as and when due, shall be deemed to be an act of professional misconduct.

(b) HONORARY MEMBERSHIP

(i) The honorary member of the Association shall be any member of the Legal Profession within or outside Nigeria who is admitted as such by the Annual General Meeting on the recommendation of the National Executive Committee, and shall include serving and retired judges, and magistrates.

(ii) Such an honorary member may attend and, if permitted by the presiding officer, speak at any Annual General Meeting or other meetings of the Association.

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(iii) An Honorary member of the Association shall not be required to pay any subscription, dues or levies, and shall not be entitled to be a National Officer of the Association.

5. SUPREME AUTHORITY

The Supreme Authority of the Association shall be exercised by the General Meeting.

6. GENERAL COUNCIL OF THE BAR

(1) The statutory powers of the General Council of the Bar as provided pursuant to the Legal Practitioners Act, Cap 207, Laws of the Federation of Nigeria, 1990 shall not include:

- (a) Any control over the budget or finance of the Nigerian Bar Association;
- (b) The power to appoint representatives of the Association to any Statutory, Executive/Judicial or other bodies;
- (c) The power to issue any statements purporting to express the view of the Association upon any matter of public interest or any matter affecting the interest of the Legal Profession generally;
- (d) The power to make any arrangements whatsoever (including the drawing up of an Agenda or choice of venue) for the Annual General Meeting or any other General Meeting of the Association.

(2) If at any time, due to unavoidable circumstances or any emergency, an election cannot be held at the appropriate time or the National Executive Committee is incapable of functioning, the General Council of the Bar shall be convened with powers to constitute a 10-member caretaker committee of members of the Association to run the affairs of the Association for not more than the unexpired tenure of the National Officers or until when new National Officers shall be elected.

(3) The General Council of the Bar acting under Section 6(2) hereto shall not be subject to any limitation of its powers as under section 1(1) of the Legal Practitioners Act, Cap. 207, Laws of the Federation of Nigeria, 1990 until the expiration of the unavoidable circumstances or emergency.

7. NATIONAL EXECUTIVE COMMITTEE

(1) The National Executive Committee shall comprise the following:

- (a) National Officers;
- (b) All past Presidents and General Secretaries;
- (c) All Chairmen and Secretaries of registered Branches;
- (d) One (1) other representative of each registered Branch;

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(e) Chairmen and Secretaries of Sections;

(f) Other deserving members of the Association co-opted by the National Executive Committee provided always that the total number shall not exceed 180 members in the following categories:

- i. Senior Advocates of Nigeria – 40;
- ii. Senior Members who are over 25 years post call – 40;
- iii. Special interest groups/active members who are over 10 years post call - 100

(2) The National Executive Committee shall meet at least once in a quarter at such time and place as may be decided by the National Executive Committee.

(3) The quorum for the meetings of the National Executive Committee shall be fifty (50) members, provided that there shall be representation from not less than one third (1/3) of the total registered Branches of the Association.

(4) On the requisition of at least seventy five (75) members of the National Executive Committee, which said requisition shall clearly state the matters sought to be considered, a meeting of the National Executive Committee shall be called by the President or the General Secretary within two (2) weeks of the receipt of the requisition.

(5) Subject to the provisions of the Legal Practitioners Act and other provisions of this Constitution, the National Executive Committee shall exercise and execute the following powers and functions:

- (a) Exercise control and management over the finances of the Association including the Appointment of suitable Banks for that purpose;
- (b) Exercise the powers of the Association with respect to the appointment of representatives to any Statutory, Executive/Judicial Commissions or other bodies;
- (c) Express the views of the Association upon any matters of public interest or upon any matters of general interest to the Legal Profession;
- (d) Make all necessary arrangements for the Annual General Meeting through the Membership directorate of the National Secretariat of the Association;
- (e) Appoint an Executive Director and such other staff for the Association, under such terms and conditions as may be prescribed in their respective letters of appointments. The Executive Director shall be a person who has been called to the Nigerian Bar or who holds a University Degree in any of the Social Sciences and, in either case, also has a post-

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graduate degree or professional certificate and experience in any of the following study areas: finance, accounting or business administration;

- (f) Cause the accounts of the Association to be audited annually by a professional firm of auditors, appointed by the Annual General Meeting;
- (g) Appoint one of their members or a suitable member of the Association to fill and/or perform the duties pertaining to a vacant national elected office, which said vacancy may occur due to mental or physical infirmity or any other cause;
- (h) Generally exercise all the powers vested in the Association (except those powers reserved for an Annual General Meeting or Extraordinary General Meetings of the Association) so as to promote and carry out the aims and objects of the Association as contained in this Constitution, and in particular, when the need arises, to apply for and receive donations on behalf of the Association.

(6) Consensus shall be the aim of the National Executive Committee but if it becomes necessary to put any questions to vote then it shall be decided by a simple majority based on a show of hands provided however that the National Executive Committee may resolve to decide any specific issue by secret ballot.

(7) Any member who is absent from three (3) consecutive meetings of the National Executive Committee shall cease to be a member of the National Executive Committee unless he/she shows reasonable cause for such absence to the satisfaction of the National Executive Committee.

8. NATIONAL OFFICERS

(1) The National Officers of the Association shall be elected as provided under this Constitution for a single term of two years.

(2) The National Officers of the Association shall be –

- a) The President
- b) The First Vice-President
- c) The Second Vice-President
- d) The Third Vice-President
- e) The General Secretary
- f) The Assistant Secretary
- g) The Treasurer

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h) The Welfare Secretary

i) The Financial Secretary

j) The Publicity Secretary

k) The Assistant Publicity Secretary

(3) Qualifications to hold a National Office – A member of the Association shall be qualified to hold a National Office if:

(a) He/She is a full member of the Association and has paid, as at the date of his/her nomination, his/her Practising fees and Branch Dues, as and when due, for three (3) consecutive years inclusive of the year of election;

(b) He/She is in private legal practice;

(c) He/She has at any time prior to his/her nomination been a member of the National Executive Committee or Branch Executive Committee as indicated hereunder:

i. For contestants for the offices of President, First Vice President, Second Vice President and Third Vice President - for not less than two (2) years at the National Executive Committee;

ii. For contestants for the offices of General Secretary, Treasurer, Financial Secretary, Publicity Secretary and Welfare Secretary - for not less than two (2) years at the National Executive Committee;

iii. For contestants for the office of Assistant Publicity Secretary on their Branch Executive Committee for not less than two (2) years.

(d) He/She has satisfied the post enrolment requirement specified hereunder, viz:

i. President, First Vice-President, Second Vice President and Third Vice President – not less than fifteen (15) years post call.

ii. General Secretary, Treasurer, Publicity Secretary, Financial Secretary and Welfare Secretary – not less than ten (10) years.

iii. Assistant Secretary – not less than eight (8) years.

iv. Assistant Publicity Secretary – not less than five (5) years.

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(e) The National Officers, and in particular, the President and the General Secretary, must be persons with proven administrative skills and experience and persons of means with demonstrable capacity to serve without expecting or having consideration for pecuniary rewards and/or remuneration.

(f) The Treasurer and the Financial Secretary must in addition to their law qualifications be persons with basic understanding and appreciation of finance and accounting.

(g) No serving President or other National Officer shall canvass or solicit for appointment in government; and if offered such appointment, must decline, otherwise he/she shall be deemed guilty of professional misconduct and shall not attend or speak at any meeting of the Association for such conduct provided that the provisions of this sub-section shall not apply to members of the Association who are serving as representatives of the Association on the Executive Bodies/Commissions established under the Constitution of the Federal Republic of Nigeria as well as members serving as non- Executive Directors/Board Members of Statutory Corporations and Government-owned Companies.

(4) Disqualification from holding any National Office – A member shall not be qualified to hold any national office in the Association if during election campaigns:

(a) There is evidence that he/she is sponsored by or has received any financial assistance or inducement from any government of the Federation, or members, organisations or bodies corporate;

(b) He/She sponsors or is associated with sponsoring a Newspaper or Magazine article or any electronic broadcast, vilifying other candidates or extolling a candidate's virtues;

(c) Any member who has held an elective office as a national officer for two (2) terms shall not be eligible to contest for a national office until at least ten (10) years after his/her last term of office.

(5) Duties of National Officers

(a) The President – The duties of the President shall include:

(i) Presiding at Annual General Meeting or Extraordinary and other General Meetings of the Association and Meetings of the National Executive Committee;

(ii) Directing the summoning of Meetings of the National Executive Committee either on his/her own initiative or in accordance with the decision of the National Executive Committee or on the requisition of members in accordance with Section 7(4) of this Constitution;

(iii) Directing all other Officers of the Association in the performance of their duties and coordinating the activities of all Branches of the Association;

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(iv) Providing direction and leadership to all Committees of the Association;

(v) Presenting at the Annual General Conference, a presidential address in writing to highlight the accomplishments, problems, prospects and future direction of the Association;

(vi) Acting as the principal spokesman of the Association;

(vii) Ensuring, with the assistance of the General Secretary and the Treasurer, the efficient and economic use of the Association's assets and resources through prudent investments, acquisitions and disposals as may be necessary from time to time subject however to the overall approval of the National Executive Committee.

(b) The First Vice President:

(i) Shall in the absence of the President preside at all meetings in which the President is empowered to preside by the provisions of this Constitution;

(ii) Shall be responsible for the coordination of the activities of the group of Branches as may be assigned to him/her by the National Executive Committee **or the President** and shall pay periodic visits **as necessary and/or required** to the Branches so assigned to him/her and shall make periodic reports to the National Executive Committee on such visits;

(iii) Shall encourage and supervise the formation of new Branches within his/her zonal supervisory jurisdiction in line with the guidelines set out in this Constitution.

(iv) Shall perform all other duties as he/she may be directed by the President or the National Executive Committee or the **Annual General Meeting** or which the President is unable to perform owing to ill health, old age, absence from the country or any other reason.

(c) The Second Vice President

(i) Shall in the absence of the President and First Vice President preside at all meetings of the Association in which the President is empowered to preside by the provisions of this Constitution;

(ii) Shall be responsible for the coordination of the activities of the group of Branches as may be assigned to him/her by the National Executive Committee **or the President** and shall pay periodic visits **as necessary and/or required** to the Branches so assigned to him/her and shall make periodic reports to the National Executive Committee on such visits;

(iii) Shall encourage and supervise the formation of new Branches within his/her zonal supervisory jurisdiction in line with the guidelines set out in this Constitution;

(iv) Shall perform all other duties as he/she may be directed by the President or the National Executive Committee or the **Annual General Meeting**.

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(d) The Third Vice President

(i) Shall in the absence of the President, 1st Vice President, and 2nd Vice President preside at all meetings in which the President is empowered to preside by the provisions of this Constitution;

(ii) Shall be responsible for the coordination or the activities of the group of Branches as may be assigned to him/her by the National Executive Committee or the President and shall pay periodic visits as necessary and/or required to the Branches so assigned to him/her and shall make periodic reports to the National Executive Committee on such visits;

(iii) Shall encourage and supervise the formation of new Branches within his/her zonal supervisory jurisdiction in line with the guidelines set out in this Constitution;

(iv) Shall perform all other duties as he/she may be directed by the President or the National Executive Committee or the Annual General Meeting.

(v) In the absence of the President and the Vice Presidents, the most senior member of the National Executive Committee present shall preside at any meeting of the Association at which the President is entitled to preside.

(e) The General Secretary - The General Secretary under the overall direction of the President shall be in charge of the National Secretariat and other offices of the Association and his/her duties shall include the following:

(i) He/She shall, on the instruction of the President or in accordance with a previous decision of the National Executive Committee or pursuant to a requisition made in accordance with the provisions of this Constitution, summon the Annual General Meeting, Meetings of the National Executive Committee or other meetings of the Association;

(ii) He/She shall record and keep the minutes including attendance and summary of all decisions taken thereat;

(iii) He/She shall write and dispatch circulars, letters, and other correspondence of the Association including that of the National Executive Committee;

(iv) He/She shall keep a roll of members and an up-to-date list of Branches of the Association;

(v) He/She shall furnish an annual return or special reports of the activities of the Association or any of its organs at the Annual General Meeting;

(vi) He/She shall be an ex-officio member of all committees of the Association;

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(vii) He/She shall perform all other duties as may be assigned to him/her by the President or the National Executive Committee or the Annual General Meeting.

(f) Assistant Secretary

(i) He/She shall assist the General Secretary in the performance of his/her duties and shall in the absence of the General Secretary act in his/her place;

(ii) He/She shall perform all other duties as may be assigned to him/her by the President, the General Secretary, the National Executive Committee or the Annual General Meeting.

(g) Treasurer - The duties of the Treasurer shall be as follows:

(i) He/She shall receive, collect and pay to the Association's bankers all monies collected for the Association or paid to the Association from any source whatsoever;

(ii) He/She shall carry out any decision or directive of the Annual General Meeting in matters relating to the budget or finances of the Association;

(iii) He/She shall prepare or cause to be prepared and submitted to the **last Quarterly Meeting** of the National Executive Committee **in any Calendar Year** an annual budget containing the estimated revenue and expenditure of the Association for the **succeeding Financial Year covering the period January to December of any Calendar Year**;

(iv) He/She shall invest the monies of the Association in such securities as may be approved by the National Executive Committee;

(v) He/She shall cause to be prepared and presented to the National Executive Committee at its quarterly meetings the Management Report and Accounts of the Association for the preceding quarter. The said Quarterly Management Report and Accounts shall be published and circulated to all members of the Association upon adoption by the National Executive Committee;

(vi) He/She shall circulate to every member of the National Executive Committee the audited accounts and balance sheet for the preceding **Financial Year**;

(vii) He/She shall submit an annual report to the Annual General Conference to which shall be attached the audited accounts and balance sheet for the preceding **Financial Year**;

(viii) In respect of any Election Year, he/she shall, in addition to the audited financial statements for the preceding year, also present to the Annual General Meeting the following financial statements and reports:

a. Half-Year (January-June) Audited Financial Statements; and

b. Unaudited Management Report for the period ended one week to the Annual General Meeting date.

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(ix) He/She shall circulate to every member of the National Executive Committee the financial statements and reports specified in sub-paragraph (vii) above prior to the Annual General Meeting.

(x) He/She shall perform all other duties as may be assigned to him/her by the President or the National Executive Committee or the Annual General Meeting.

(h) Welfare Secretary – The duties of the Welfare Secretary shall be as follows:

(i) He/She shall monitor the welfare and interest of members of the Association;

(ii) He/She shall bring to the notice of the National Officers and the National Executive Committee any matter concerning the welfare of any member of the Association whether within or outside the country with a view to protecting and preserving their rights, privileges and welfare;

(iii) He/She shall be responsible for managing the programme of assistance for incapacitated or aged members of the Association

(iv) He/She shall be responsible for supervising the insurance and endowment programmes of the Association

(v) He/She shall perform all other duties as may be assigned to him/her by the President or the National Executive Committee or the Annual General Meeting.

(i) Financial Secretary – The duties of the Financial Secretary shall be as follows:

(i) He/She shall be in constant touch with the Branches and their Officers to ensure that all their members pay their annual dues, practicing fees, subscriptions and levies, as and when due;

(ii) He/She shall compile and circulate a list of members who have paid or are in default in respect of their practicing fees in each year and take steps to circulate such list at the Annual General Meeting, the National Executive Committee, the various courts in the country, Corporate Affairs Commission and statutory bodies as may be decided from time to time by the National Executive Committee;

(iii) He/She shall collect and pay all monies of the Association to the Treasurer promptly and keep records of such receipts and payments;

(iv) He/She shall perform all other duties as may be assigned to him/her by the President or the National Executive Committee or the Annual General Meeting.

(j) Publicity Secretary – The duties of the Publicity Secretary shall be as follows:

(i) He/She shall ensure adequate and prompt publicity of the activities of the Association;

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(ii) He/She shall present a good and progressive image of the Association to the public;

(iii) He/She shall issue releases and statements on matters of general interest to the Association and the public after consultation with the President or the National Executive Committee;

(iv) He/She shall perform all other duties as may be assigned to him/her by the President or the National Executive Committee or the Annual General Meeting.

(k) Assistant Publicity Secretary - The duties of the Assistant Publicity Secretary shall be as follows:

(i) He/She shall assist the Publicity Secretary in the performance of his/her duties and shall in the absence of the Publicity Secretary act in his/her place;

(ii) He/She shall perform all other duties as may be assigned to him/her by the President or the National Executive Committee or the Annual General Meeting.

(6) Meetings of National Officers

(a) The National Officers shall meet once in every calendar month at such time and place as the president may direct provided that such meetings may be held via teleconference, video conference, or by any other electronic medium, means or platform. Subject to the further provisions of this Constitution, the President shall preside at the National Officers' Meetings.

(b) The quorum of the National Officers Meeting shall be seven (7) members present in person.

(c) Decisions of the National Officers shall be by consensus but where not so reached, by simple majority based on a show of hands provided that the Meeting may resolve to vote by secret ballot on any issue.

(d) The National Officers shall have power to take decisions on behalf of the Association in all cases of emergency and report to the next National Executive Meeting for ratification.

9. ELECTION INTO NATIONAL OFFICES

(1) There shall be established an Electoral Committee comprising of a minimum of three and a maximum of five Electoral officers, one of whom shall preside, shall be appointed by the National Executive Committee at its meeting held in the first quarter of an election year, to conduct elections into National Offices;

(2) The procedure for the appointment of the members of the Electoral Committee, nomination of candidates for election, withdrawal of nominations and disqualification from election shall be as set out in the Second Schedule to this Constitution.

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(3) For the purposes of election into National Offices, the country shall be divided into three zones as set out in the Second Schedule.

(4) Election into National Offices shall be by universal suffrage and electronic voting as set out in Second Schedule.

10. GENERAL MEETINGS

(1) There shall be a general meeting held annually called Annual General Meeting. Any other general meeting shall be called an Extraordinary General Meeting.

(2) The Annual General Meeting shall hold on such dates and place as may be determined by the National Executive Committee.

(3) The following business shall be transacted at Annual General Meetings:

(a) receive and consider reports of the National Officers;

(b) receive and consider reports of Statutory Bodies;

(c) receive and consider audited accounts; and such other business as has been listed on the notice of the General Meeting.

(4) An Extraordinary General Meeting to deliberate on specific issues may be summoned at such time and place as may be decided by the National Executive Committee or requisitioned in accordance with Section 10(7).

(5) The quorum at any General Meetings shall be at least three hundred (300) members from at least one-third (1/3) of the registered Branches of the Association.

(6) Attendance at the Annual General Meetings shall be open to all members of the Association save those in default of payment of their appropriate Practicing Fees and Branch Dues as at when due.

(7) On the receipt, at the National Secretariat of the Association, of a requisition, which shall state in clear details the matters that need to be deliberated upon, signed by not less than 100 members of the Association from not less than one-third (1/3) of the registered branches of the Association, calling for an Extraordinary General Meeting of the Association, the President shall direct, in writing, the General Secretary to summon an Extraordinary Meeting of the Association.

(8) Such an Extraordinary General Meeting shall hold within two weeks of the date of the receipt of the requisition.

(9) The National Secretariat of the Association shall not be obliged to act on any requisition received less than eight weeks before the date of the Annual General Meeting of the Association

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but may instead include such matters stated in the requisition as part of the business to be deliberated upon at the Annual General Meeting.

(10) Decisions at General Meetings shall be by a simple majority on a show of hands of members present and voting except on any other issues as may be decided by the Meeting or National Executive Committee, when it shall be by secret ballot.

(11) Notices of motions or resolutions other than those proposed for amendment of the Constitution shall reach the General Secretary on or before 30th June every year.

(12) Notices or circulars of Annual General Meeting and Annual General Conference together with agenda and resolution shall be dispatched to Branches at least 30 days before the date of the Meeting and Conference.

(13) The Standing Order set out in the First Schedule shall govern the conduct and deliberations at General Meetings.

11. ANNUAL GENERAL CONFERENCE

(1) The Annual General Conference shall hold on such dates as may be determined by the National Executive Committee provided that the Annual General Meeting shall be held in the course of the Annual General Conference.

(2) The President, in consultation with the National Executive Committee, shall set up an Annual General Conference Planning Committee.

(3) The National Executive Committee shall determine the business to be transacted at the Annual General Conference.

12. COMMITTEES

(1) Standing Committees:

The Association shall have the following Standing Committees:

- (a) Judiciary Committee;
- (b) Law Reform Committee;
- (c) Human Rights Committee;
- (d) Disciplinary Committees;
- (e) Legal Education Committee;

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- (f) Dispute Resolution Committee;
- (g) Electoral Committee;
- (h) Welfare Committee;
- (i) Finance Committee;
- (j) Editorial Board Committee;
- (k) General Purposes Committee;

and such other committees as may be created by the National Executive Committee or General Meeting from time to time.

FUNCTIONS OF STANDING COMMITTEES

(2) The functions of the Standing Committees shall be as outlined hereunder:

(a) Judiciary Committee

- (i) Shall investigate allegations of corruption or misconduct involving any member and members of the judiciary;
- (ii) Shall ensure maintenance of good relationship between the Bar, the Bench and Judiciary staff;
- (iii) Shall investigate and recommend to the Association through the President any issue of intimidation, disrespect and oppressive conduct against any lawyer by the Bench or other Judiciary staff or vice versa that may occur howsoever in the course of their professional activities;
- (iv) Shall carry out any other function that may be assigned to it by the President or the National Executive Committee

(b) Law Reform Committee

- (i) Shall liaise with and make inputs into laws being contemplated or considered by the National Assembly, subject to coordination with the Association;
- (ii) Shall be responsible for the promotion and support of law reform and advise the NEC on laws to be proposed to the Federal Government for promulgation or reform; (iii) Shall liaise with bodies and/or groups working on aspects of law reform;

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(iv) Shall carry out any other function that may be assigned to it by the President or the National Executive Committee

(c) Human Rights Committee

(i) Shall promote and protect the principles of the rule of law and fundamental human rights and liberties in such manner, including the prosecution and defence of law suits, as may be determined by the Committee with the approval of the National Executive Committee from time to time;

(ii) Shall provide free legal aid services in suitable circumstances.

(iii) Shall carry out any other function that may be assigned to it by the President or the National Executive Committee

(d) Disciplinary Committee

(i) Shall investigate all cases of complaint of professional impropriety or other misconduct made against members as may be referred to the Committee by the President or the National Executive Committee and make appropriate recommendations thereon;

(ii) Shall carry out any other function that may be assigned to it by the President or the National Executive Committee

(e) Legal Education Committee

(i) Shall be responsible for the promotion and advancement of legal education, advocacy and jurisprudence;

(ii) Shall organise seminars, workshops, symposia, conferences and promote legal publications including Law Reports;

(iii) Shall carry out any other function that may be assigned to it by the President or the National Executive Committee

(f) Dispute Resolution Committee

(i) Shall receive, investigate and determine complaints by members of the Association applying the principles of arbitration, mediation and reconciliation. Provided that every such complaint of any member shall be determined by the Committee within sixty (60) days of receipt of the complaint

(ii) Shall carry out any other function that may be assigned to it by the President or the National Executive Committee

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(g) Electoral Committee – The functions of the Committee shall be as outlined in the Second Schedule to this Constitution.

(h) Welfare Committee

(i) Shall be responsible for the administration of any Welfare Scheme established by the Association;

(ii) Shall be responsible for other welfare matters;

(iii) Shall carry out any other function that may be assigned to it by the President or the National Executive Committee

(i) Finance Committee

(i) Shall prepare the annual financial proposals for consideration by the National Executive Committee;

(ii) Shall explore ways and means of raising funds for the Association;

(iii) Shall pursue recovery of all dues, debts and pledges owed to the Association;

(iv) Shall advise on investment of the funds of the Association;

(v) Shall receive and examine the Financial Statements prepared periodically by the Head of Finance;

(vi) Shall liaise with external auditors for the audit of the Accounts of the Association;

(vii) Shall carry out any other function that may be assigned to it by the President or the National Executive Committee

(j) Editorial Board Committee – The functions of the Committee shall be as outlined in the Fourth Schedule to this Constitution.

(k) The General Purposes Committee

(i) shall be responsible for the screening of prospective candidates for the award of the rank of the Senior Advocate of Nigeria in accordance with the Legal Practitioners Act, Cap. 207, Laws of the Federation of Nigeria;

(ii) may request the appearance before the Committee of any prospective candidate where the Committee determines that his/her appearance would facilitate the decision of the Committee;

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(iii) shall forward its recommendations on the prospective candidates to NEC through the President within seven (7) of the completion of deliberations of the Committee or such time as the President may from time to time specify.

(iv) Shall carry out any other function that may be assigned to it by the President or the National Executive Committee

(3) Membership of Standing Committees

(a) The Committees shall be constituted by the National Executive Committee on the advice of the President;

(b) The Chairman of each Committee shall be a member of not less than 10 years post call while the Secretary shall be a member of not less than 5 years post call;

(c) Each Committee shall present a written report to the National Executive Committee Meeting;

(d) The decisions of each Committee shall be taken by a simple majority

(4) Ad Hoc Committees:

The National Executive Committee may constitute Committees other than the Standing Committees to deal with such issues and matters as circumstances may dictate; and the Committees so constituted shall have such powers and exercise such functions as the National Executive Committee may determine.

(5) Membership of each Committee shall be determined by the President with the ratification of the National Executive Committee from time to time.

13. BRANCHES

(1) There shall not be more than one Branch of the Association in any Judicial Division of the High Court of any State.

(2) Nothing in this Constitution shall debar all the Branches in any State from holding joint meetings/consultations to discuss matters of common interest for the overall good of the Nigerian Bar Association and its members.

(3) A Branch of the Association shall consist of not less than fifty (50) registered members who have their principal places of practice or residence within the Judicial Division where the Branch is situated.

(4) A member shall join the Branch within the judicial division where he/she has his/her principal place of practice or residence, provided that no member shall belong to more than one Branch.

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- (5) A member having his/her place of practice or residence in a Judicial Division in which there is no Branch shall register as member in a Branch nearest to him/her.
- (6) An application to form a Branch shall be signed by not less than fifty (50) members and submitted to the General Secretary.
- (7) The National Executive Committee shall consider and if satisfied approve the application.
- (8) The National Executive Committee may withdraw the recognition of any Branch where the membership falls below fifty members. Provided that where the Branch is dormant for a period of three years, the National Executive Committee may dissolve the Executive of that Branch and conduct a fresh election.
- (9) Every Branch shall hold a General Meeting monthly and a biennial general meeting at which Branch Officers shall be elected and a return of same made to the General Secretary.
- (10) Every Branch shall forward a programme and record of its activities to the General Secretary quarterly.
- (11) Every Branch shall carry out the directives of the General Meetings or the National Executive Committee of the Association or the President.
- (12) Every Branch shall have a Chairman and Secretary and such other officers as may be provided by its Bye Law.
- (13) Branches shall have the power to impose levies or subscriptions to defray the expenses for running their affairs, and a member in default shall be subject to the same sanction as provided under this Constitution.
- (14) Every Branch shall keep an up-to-date list of its members and forward such list to the General Secretary before the end of July in each year.
- (15) The Uniform Bye-Laws set out in Part I of the Third Schedule of this Constitution shall be applicable to every Branch. Any Bye-Laws previously approved for a Branch by the National Executive Committee shall cease to have any effect whatsoever.
- (16) No Branch, officer, or member thereof shall hold itself/himself out as representing the Association in any respect or take any action in the name of the Association without the prior consent and approval of the National Executive Committee save as it relates to matters that affect the Branch directly.

14. SECTIONS

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- (1) The National Executive Committee of the Association may form sections to advance the aims and objects of the Association.
- (2) The Uniform Bye-Law set out in Part II of the Third Schedule of this Constitution shall be applicable to Every Section of the Association.
- (3) No section, section committee or any of their officers or other representatives, shall represent the Association or hold themselves out as representing the Association in any respect, or take any action in the name of the Association except as authorised by the National Executive Committee or the Bye-Law.
- (4) No activity of any Section shall take place at the same time as the General Meetings or Annual General Conference.

15. DISCIPLINE

- (1) A National Officer may be removed from office where he/she commits fraud or becomes bankrupt or insolvent.
- (2) A National Officer may be removed from office where he/she accepts appointment from any Government (except as a member of an Adhoc Committee or Panel).
- (3) A National Officer may be removed from office where he/she is convicted of any offence by a competent court.
- (4) A National Officer may be removed from office where he/she breaches any provision of the Code of Conduct for Officers duly approved by National Executive Committee.
- (5) A National Officer may be removed from office where he/she publicly misconducts himself/herself owing to intoxication by alcohol, drugs or other intoxicants or stimulants, or any bestial acts.
- (6) A National Officer may be removed from office for an act or behaviour that brings or is likely to bring the Association into disrepute.
- (7) A National Officer may be removed from office for acts of disobedience to the Association, National Executive Committee, the President or any other of its organs or professional misconduct; provided however that such officer may only be removed from office by two-third (2/3) majority of National Executive Committee members present at a meeting of the National Executive Committee where the matter is raised save also that such National Officer shall have been given the right of fair hearing.
- (8) Without prejudice to the preceding provisions of sub-paragraph (7), the National Executive Committee may, as necessary and required, impose sanctions upon the President and the Treasurer in the event of a failure by the Treasurer (a) to prepare and publish any of the financial statements

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and reports that are incumbent upon the Treasurer to publish under this Constitution; and/or (b) prepare and present to the National Executive Committee the Annual Budget of the Association as mandated by this Constitution.

(9) Branches shall have the power to investigate reports of professional misconduct against their members and shall send a report of a finding of a prima facie case against a legal practitioner to the Chairman of the Disciplinary Committee as provided under the Legal Practitioners Act and the General Secretary of the Association.

16. DISPUTE RESOLUTION

No aggrieved member shall resort to the court unless his/her complaint must have been considered and disposed of by the Dispute Resolution Committee; provided that such complaint of member shall be decided by the Committee within sixty (60) days of receipt of the complaint.

17. FUNDS OF THE ASSOCIATION

(1) The funds of the Association may be derived from the following sources:

- (a) Bar practising fees payable by members;
- (b) Levies as may be approved by the National Executive Committee;
- (c) Grants;
- (d) Donations;
- (e) Endowment funds as may be approved by the National Executive Committee; and
- (f) Investments of the Association.

(2) Practising Fees

- (a) Every full member shall pay annually, by the 31st day of March, his/her practising fees as may be determined from time to time by the National Executive Committee of the Association.
- (b) The National Executive Committee may from time to time and as may be approved by the Annual General Meeting, add to, review, amend or alter the annual practising fee payable by full members of the Association.

(3) Other Subscriptions, Branch Dues and Levies

- (a) Other subscriptions payable by members shall include fees and levies as may be approved by the Annual General Meeting or the National Executive Committee.

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(b) Any Branch of the Association may impose and charge dues and levies payable by its members thereof for the purpose of running the Branch.

18. FINANCE

(1) All monies belonging to the Association shall be kept in its name with such reputable bankers as the National Executive Committee shall appoint.

(2) There shall be three Principal signatories to the Association's accounts namely, the President, the General Secretary and the Treasurer, any two of whom may sign.

(3) Without prejudice to the preceding sub-paragraph (2), the President shall be the final authorizing person in respect of all electronic banking payments. Provided that all payments, electronic or not, shall be vetted and recommended for payment by the Treasurer and/or the General Secretary prior to the President's approval and subsequent uploading (in the case of electronic payments) and payment authorization.

(3) No expenditure shall be incurred for any purpose unless such expenditure has been approved generally by the National Executive Committee in the annual budget or any supplementary budget of the Association. Provided that in any case of serious urgency, the President in consultation with the General Secretary and the Treasurer may authorise such expenditure in their discretion and afterwards seek covering approval from the National Executive Committee, provided further, always, that the exercise of such discretion shall be limited to the recurrent expenditure of the month immediately preceding.

(4) The General Secretary may hold as imprest such amount as may be approved by the National Executive Committee from time to time.

(5) The National Executive Committee may invest the funds of the Association in government securities or such other securities.

(6) If the Auditor surcharges any officer or member of the Association with the payment of any amount, the National Executive Committee may serve a notice upon such person to pay the amount surcharged within a period not being less than fourteen days after service of such notice upon him/her. Upon such person failing to pay the amount, the National Executive Committee may authorise that legal proceedings be taken to enforce payment.

19. TRUSTEES

(1) Subject to the ratification of the Annual General Meeting, the National Executive Committee is empowered to appoint Trustees;

(2) Trustees (hereinafter referred to as "the Trustees") shall not be more than nine in number and shall be known as "THE INCORPORATED TRUSTEES OF THE NIGERIAN BAR ASSOCIATION in accordance with the provisions of Part C of the Companies and Allied Matters

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Act, Cap C20 Laws of the Federation of Nigeria 2004 (“CAMA”, as may be amended from time-to-time);

(3) The Trustees shall hold office for a term of six years and shall be eligible for re-election for one more term only;

(4) A Trustee shall cease to hold office if he:

(a) resigns his/her office in writing;

(b) ceases to be a member of the Branch;

(c) becomes insane;

(d) is officially declared bankrupt;

(e) is convicted of a criminal offence involving dishonesty by a court of competent jurisdiction;

(f) is removed from office by a two-thirds majority vote of financial members present and voting at a General Meeting of the Association;

(g) ceases to reside in Nigeria;

(h) absents himself/herself from three consecutive general meetings of the Branch without good cause acceptable to the Branch

(5) The number of Trustees shall be nine;

(6) All properties of the Association, freehold or leasehold, or other interest in land acquired for the use and benefit of the Association shall be vested in them;

(7) The Trustees shall deal with the property of the Association as directed in writing by a Resolution of the Annual General Meeting;

(8) Upon a vacancy occurring in the number of Trustees, the National Executive Committee shall fill the vacancy pending ratification by the General Meeting;

(9) The powers vested in the Trustees by or under CAMA shall be exercised subject to the directions of the General Meeting;

(10) The Trustees shall have a common seal which shall be kept in the custody of the Secretary (or such other person as the Trustees may decide) who shall produce it when required for use by the Trustees.

20. AMENDMENT

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(1) This Constitution shall not be amended except at an Annual General Meeting of the Association by a two-thirds (2/3) majority of those present and entitled to vote, provided that two-thirds (2/3) of the Branches of the Association are represented AND provided further that at least sixty (60) days' notice of the proposed amendment shall have been given to the General Secretary who shall have circulated same to delegates at least thirty (30) days before the proposed amendment is tabled for discussion at the Annual General Meeting.

(2) For the avoidance of doubt, two thirds majority of members present and voting shall be approximated to the nearest whole number.

21. TRANSITIONAL PROVISIONS

(1) The occupants of the National Officers of 1st Assistant Secretary, 2nd Assistant Secretary, Assistant Financial Secretary and Legal Advisers as at the commencement of this Constitution shall continue to occupy and perform the functions of those offices as specified in the Nigerian Bar Association Constitution 2015 up to the completion of their respective terms of office.

(2) Upon the expiration of the tenure of the occupants of the offices specified in the preceding sub-paragraph (1) hereof, the said offices shall no longer exist as offices of the Association and shall no longer be contested for in the National Elections of the Association.

21. REPEAL AND RE-ENACTMENT

The Nigerian Bar Association Constitution 2015 is hereby repealed.

22. CITATION AND COMMENCEMENT

This Constitution may be cited as the Nigerian Bar Association Constitution 2019 and shall come into effect upon its being approved by the General Meeting.

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FIRST SCHEDULE
STANDING ORDERS

For the purpose of effective conduct of proceedings at Annual General Meeting, General Conference or other Conferences or Meetings and matters relating thereto these Orders shall be read together with the Constitution of the Association.

1. These Standing Orders are made by the Annual General Meeting of the Nigerian Bar Association in exercise of its powers under Section 5 of the Constitution of the Nigerian Bar Association and other enabling powers in that behalf.

2. An Annual General Meeting and Extraordinary General Meeting shall transact such business as is determined by this Constitution.

3. Notice of meeting shall be supplied in advance to every Branch of the Association at least twenty one (21) days before the date of the meeting, which shall make such notice available to its members.

4. The President shall preside at the meeting and in his absence the first, second or third Vice Presidents shall in order of priority preside failing that the members present shall elect a Chairman from among themselves.

5. Any member who wishes to speak shall hold up his hand to attract the President's attention.

6. No member shall commence to speak on any topic until recognised to do so by the President.

7. No two members shall stand up to speak simultaneously during discussion at a meeting.

8. The order of speaking shall be determined by the President in his/her absolute discretion without fear or favour but he/she shall give a reasonable opportunity for divergent views to be heard.

9. The President in his/her discretion may stop a debate even when there are members still anxious to speak on the subject if he/she considers that there has been sufficient discussion on the matter under consideration.

10. A member who has any relevant and pertinent information to give during the course of a speech by another may raise a "point of information" which he may only proceed to give if permitted to do so by the President.

11. A member may raise a plea of "point of order" which when raised shall only be sustained by the President where he/she accepts that there is deviation by a speaker from the subject matter.

12. A member who claims that he/she has been misquoted or misrepresented may raise the plea on "point of correction" and if allowed by the President shall correct same.

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13. In the event of proposition to proceed to the next business of for progress being moved and seconded it shall, after the proposer and seconder of the resolution have been heard, be put to the vote. If carried, the matter under debate shall immediately be put to the vote and once carried the subject voted upon shall not again be introduced during the meeting.

14. No motion or amendment shall be discussed unless it is seconded, save the proposals of the Executive Committee or the report of a Committee of the Association which shall be taken as having been moved and seconded. No second amendment or rider shall be voted upon until the first amendment is disposed of.

15. On any issue, every member present shall have one vote at a time, but the President shall have a casting vote in the event of equality of votes.

16. The President shall have power to ask anyone found engaging in distractive or destructive acts to leave the Conference.

17. The General Meeting or the National Executive Committee shall have the power to appoint Committees or Commissions for the furtherance of its business. Such Committees or Commissions may sit during the hours of the Meeting should it be necessary for them to do so.

18. The President shall give directions or adopt measures reasonably necessary in the interest of the Association or reasonably conducive to the conduct of proceedings of any Meeting or Conference. The procedure at a meeting of any Committee shall be determined by that Committee.

19. The ruling of the President on matters provided for in these STANDING ORDERS shall be obeyed.

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SECOND SCHEDULE
ELECTIONS

2.1 ESTABLISHMENT, APPOINTMENT AND DUTIES OF THE ELECTORAL COMMITTEE

(a) There shall be established a body to be known as the Electoral Committee of the Nigerian Bar Association (ECNBA).

(b) The Electoral Committee shall be responsible for the conduct of elections of National Officers of the Nigerian Bar Association.

(c) The National Executive Committee of the Nigerian Bar Association shall be responsible for the appointment of the members of the ECNBA.

(d) Completed nomination forms received in respect of elections to the national offices shall be forwarded to the National Secretariat and thereafter referred to the Electoral Committee.

(f) The Electoral Committee shall upon consideration of the nominations it receives determine the qualifications of the candidates concerned not later than one month before the election.

(g) The Electoral Committee may reject nomination papers which do not comply with any of the requirements for nomination and election to offices within the Association, or which are otherwise not duly completed.

(h) A candidate for election shall upon request by the Electoral Committee permit the Electoral Committee to screen him with regard to his qualification for the office concerned.

2.2 ELECTION OF NATIONAL OFFICERS

(a) The Association shall for the purpose of elections of National Officers be divided into three geographical zones namely – Northern zone, Eastern zone and Western zone.

(b) The positions of the President, 1st Vice President, 2nd Vice President, 3rd Vice President and General Secretary shall rotate among the three zones. In determining the eligibility of a candidate to contest for any of the rotated offices, regard shall be had to a candidate's Geographical Zone of origin and not the geographical Zone where he/she carries on legal practice.

(c) The Geographical Zone that produces the President of the Association shall also produce the 1st Vice President.

(d) Where a position is zoned to any particular geographical zone, the position shall be rotated and held in turn by the different groups and/or sections in the geographical zone. (e) A list of the states that make up the zones shall be as follows:

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(i) Northern zone – Adamawa, Bauchi, Benue, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Kogi, Kwara, Nasarawa, Niger, Plateau, Sokoto, Taraba, Yobe, Zamfara, and Abuja

(ii) Eastern zone – Abia, Akwa Ibom, Anambra, Enugu, Bayelsa, Ebonyi, Cross River, Imo, and Rivers

(iii) Western zone – Delta, Edo, Ekiti, Lagos, Ogun, Ondo, Osun, and Oyo

(f) All members of the Association shall be eligible to vote at the general election for National Executives, provided that such members must belong to a branch and must have paid both their Practising Fees and Branch Dues as at when due and are duly registered to vote at that election.

2.3 HOLDING OF ELECTIONS

(a) Election of National Officers shall be held in the month of July of the election year of the Association or at such time and place as may be ratified by National Executive Committee.

(b) A full list of properly nominated candidates shall be circulated by ECNBA to all Branches and candidates by email as well as displayed on the NBA website at least twenty one (21) days before the date of the election.

(c) The Electoral officers shall control, conduct and manage the elections for which they were appointed. During the elections the Presiding Electoral Officer shall have the powers of a presiding officer under these Standing Orders.

(d) The full list of all legal practitioners qualified to vote shall be published by ECNBA in conjunction with the National Secretariat of the NBA at least twenty eight (28) days before the date of the election.

(e) A candidate for any elective national office shall be nominated or proposed in writing by a member and seconded by another both of whom shall be qualified like the candidate in accordance with the provisions of the Constitution for the equivalent office and in good standing with their practising fees and all other Branch levies.

(f) Candidates shall submit by email not more than four pages of A4-size electronic copy of their Curriculum Vitae, comprehensive manifestoes and other campaign material to the Electoral Committee for publication in the NBA website, not later than the day fixed by the Electoral Committee.

(g) The publication, printing or distribution of any campaign material, gifts and any form of souvenir whatsoever by a candidate or his supporter(s) is hereby prohibited and any candidate who contravenes this provision shall be disqualified from being voted for.

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(h) The Electoral Committee shall collate all materials, arrange them in alphabetical order without regard for the position being sought and publish them in an electronic Election Magazine to be hosted on the NBA website at least twenty-one (21) days before the election.

(i) Offices shall be vacant by effluxion of time, death, resignation, removal, or for any other reasonable cause.

(j) Any vacancy occurring in any office after a Biennial General Conference may be filled by the National Executive Committee

2.4 ELECTRONIC VOTING

(a) Voting at the election shall be by electronic means (E-Voting).

(b) Elections shall be conducted electronically, and eligible voters shall cast their vote electronically in accordance with the guidelines stipulated by the ECNBA.

(c) The ECNBA shall issue guidelines for conduct of electronic voting, which shall amongst other things provide for verification of voters, place, time and platform to be utilised for electronic voting for each particular election year taking into consideration the state of available technology and Information Technology infrastructure of the branches in order to afford all registered voters the opportunity to vote.

2.5 PRELIMINARY NOTICE OF ELECTION

(a) Preliminary notice of election shall be communicated to all the branches constituting the geographical zones of the Association at least 70 clear days before the election date.

(b) The preliminary notice for the election shall state the following:

(i) The offices to be filled by each zone by virtue of the zoning arrangement.

(ii) The date, at least 42 clear days before the election date, by which nominations of candidates must be received.

2.6 DISQUALIFICATION FOR ELECTION

Subject to the provisions of this constitution, a member shall not be eligible for election as a National Officer if:

(a) He/she is not a Nigerian Citizen;

(b) He/she is a member of a political party in Nigeria.

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(c) He/she has been adjudged bankrupt or has made a composition or arrangement with his creditors;

(d) He/she is adjudged mentally unfit to take up the position by a competent medical authority;

(e) He/she has been convicted of a crime or has been indicted by the disciplinary committee for an alleged offence or professional impropriety.

2.7 APPEALS BY DISQUALIFIED CANDIDATES

(a) A candidate dissatisfied with the decision of the Electoral Officer or an Assistant Electoral Officer in respect of his nomination, may within seven days of the communication of the decision, appeal against the decision to the ECNBA.

(b) The ECNBA shall upon receipt of an appeal made by a candidate, take a decision thereon within fourteen (14) days thereof.

2.8 RESULTS OF ELECTIONS

The results of elections shall be announced within twenty-four (24) hours of the conduct of elections upon collation and verification of the votes

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THIRD SCHEDULE
PART I

THE NIGERIAN BAR ASSOCIATION UNIFORM BYE-LAW FOR BRANCHES

1. NAME

The Branch shall be called the Nigerian Bar Association - Branch (hereinafter called “the Branch”).

2. OBJECTS

The objects of the Branch shall be:

(1) The maintenance of the honour and independence of the Bar and the Judiciary, and the defence of the Bar in its relations with the Judiciary, the Executive and the Legislature particularly in the State where the Branch is situate;

(2) The maintenance and enforcement of the highest standards of professional ethics, conduct, etiquette and discipline;

(3) The promotion and protection of the public right of access to the Courts and of representation by Counsel before Courts and Tribunals;

(4) The promotion of the principles of the Rule of Law, respect for, and enforcement of fundamental liberties;

(5) The improvement of the administration of Justice, its procedures and the arrangement of court business;

(6) The promotion and advancement of legal education, continuing legal education, advocacy, jurisprudence and law reporting;

(7) The encouragement of the establishment and maintenance of a system of prompt and efficient legal advice and aid for those persons in need thereof but who are unable to pay for the same;

(8) The promotion and support of law reform;

(9) The protection and assistance of newly qualified, incapacitated and aged members of the Branch;

(10) The encouragement of social interaction and mutual help among members; (11) The promotion of cooperation and interaction between the Branch and Lawyers of other Branches and similar organisations within and outside Nigeria;

(12) The institution and maintenance of a welfare scheme for the benefit of members;

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(13) The institution and promotion of programmes for the recognition of distinguished service to the Branch by its members;

(14) The acquisition of property and assets and engagement in activities calculated to enhance the professional, financial and social well-being of the Branch;

(15) To do all such other things as are incidental or conducive to the achievement of any of the above objects.

3. MEMBERSHIP

(1) Every Legal Practitioner who resides practices and/or works in the State where the Branch is situate may be a member of the Branch;

(2) Every member shall meet his financial obligations to the Branch by paying, as and when due, all dues, levies and contributions as may be imposed by the Branch from time to time;

(3) A financial member is a member who by the 31st of March of the relevant year has paid all branch dues or subscriptions, levies, including practice fees and other contributions imposed by the Branch from time to time.

4. GOOD STANDING

A member is in good standing and, if he so desires, shall be entitled to a certification of that status signed by the Chairman of the Branch if:

(1) In addition to his Bar Practicing Fees, he has paid his annual dues and all other financial obligations to the Branch as and when due for at least the immediate preceding three years, unless he was enrolled or had relocated to the State where the Branch is situate within a shorter period which shall then be the threshold point instead of three years; and,

(2) He/She has in the past one year in question participated in at least three or more activities of the Branch, including attendance at Branch meetings or the sponsorship thereof. Provided that one or more of these requirements may be waived upon proof of temporary relocation to a place outside in the State where the Branch is situate and/or serious and prolonged illness.

5. ANNUAL BRANCH DUES AND LEVIES

Annual branch dues and other levies shall be as fixed by the Branch in General Meeting on the recommendation of the Executive Committee of the Branch from time to time.

6. OFFICERS & MEMBERSHIP OF THE EXECUTIVE COMMITTEE

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(1) The Officers of the Branch shall be elected every two (2) years at an election preceding or at the Annual General Meeting for the election year;

(2) The Officers of the Branch shall be as follows: (a) Chairman (b) Vice-Chairman (c) Secretary (d) Assistant Secretary (e) Treasurer (f) Financial Secretary (g) Social Secretary (h) Publicity Secretary (i) Welfare Secretary (j) Legal Adviser (k) Provost

(3) No member of the Branch shall occupy the same office for more than two (2) years (one term); and any member who has held elective offices as a Branch officer for two (2) terms shall not be eligible to contest for a Branch office until at least five (5) years after his/her last term of office.

(4) A person who is not disqualified from occupying an elective office as a Branch officer under Article 6(3) may with the approval of NEC granted prior to the Branch election, hold office as Chairman or Secretary for a further two (2) year term, if it is satisfactorily proved that the Branch does not have requisite qualified persons to stand for election to any of those offices. Provided, that no application to hold office for more than two terms shall not be entertained by NEC.

(5) Offices shall be vacant by expiration of time, death or as provided in Section 15 of this Bye-Law.

7. DUTIES OF OFFICERS

(1) CHAIRMAN

(a) To preside at all Annual General Meetings and other meetings of the Branch and at the Executive Committee meetings;

(b) To direct and motivate the Executive Committee and members generally towards the achievement of the aims and objects of the Branch as set out herein or as may be determined from time to time;

(c) To provide direction and leadership to all Committees, Officers and members of the Branch, ensure the efficient utilization of the resources of the Branch subject to the approval of the Executive Committee or the General Meeting and direct all other officers of the Branch in the performance of their duties;

(d) To serve as the official spokesperson for the Branch;

(e) To be ex-officio member of all Committees of the Branch;

(f) To cause the summoning of the monthly and Annual General Meetings or other meetings in accordance with the provisions of this Bye- Law;

(g) To present the Chairman's Address at the Annual General Meeting;

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(h) To perform such other functions as may be in the interest of the Branch;

(i) To represent the Branch at the National Executive Committee of the Nigerian Bar Association (“the Association”).

(2) VICE-CHAIRMAN

(a) To, in the absence of the Chairman, preside at all meetings over which the Chairman by this Bye-Law has power to preside;

(b) To be chairman of the Human Rights Committee;

(c) To perform all other duties which the Chairman, owing to ill- health, or absence is unable to perform or as shall be delegated to him/her by the Chairman, the Executive Committee or the General Meeting.

(3) SECRETARY

(a) To summon, on the instructions of the Chairman or on requisition, the monthly and Annual General Meetings, the Executive Committee Meetings, and other Meetings of the Branch in accordance with the provisions of this Bye-Law;

(b) To record and keep minutes of all meetings including an executive summary of all decisions taken thereat and a register of attendance thereof;

(c) To write and dispatch circulars, letters and other correspondence of the Branch or the Executive Committee and disseminate to all members all information from the National Secretariat of the Association;

(d) To keep an up-to-date directory of members of the Branch;

(e) To maintain an imprest account of an amount to be determined from time to time by the Executive Committee and render regular returns thereof to the Executive Committee;

(f) To furnish annual or special reports of the activities of the Association and the Branch to members;

(g) To perform all other duties as may be assigned to him by the Chairman or the Executive Committee;

(h) To be responsible for the general management of the Secretariat of the Branch and to keep inventory of all properties of the Branch;

(i) To be an Ex-officio member of all the Committees of the Branch;

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- (j) To submit a general report of the activities of the Branch at the Annual General Meeting
- (k) To represent the Branch as a member of the National Executive Committee of the Association.

(4) ASSISTANT SECRETARY

The Assistant Secretary shall assist the Secretary in the performance of all his duties and carry out all such duties as the Secretary may assign to him. In the absence of the Secretary, the Assistant Secretary shall act in his place.

(5) TREASURER

- (a) To promptly pay all monies collected by him from members of the Branch or from any person or body to the Branch's Bankers;
- (b) To keep, in safe custody, the bank tellers, cheque books and all other documents relating to the Branch's bank account(s) and maintain an accurate and up-to-date statement of all monies received or paid out by him and the authorisation for such payments;
- (c) To carry out any decision or directive of the Annual General Meeting, Executive Committee and the general meeting in matters relating to the budget or finances of the Branch;
- (d) To prepare or cause to be prepared and circulate to every member of the Branch at or before every Annual General Meeting, the Audited Statement of Accounts as at the 31st day of May preceding such Annual General Meeting;
- (e) To invest the funds of the Branch in such securities as may be approved by the Executive Committee and/or the General Meeting;
- (f) To be a signatory to all bank accounts of the Branch.

(6) FINANCIAL SECRETARY

- (a) To collect and record all dues, levies and other contributions or any donations or sundry payments made by the members or any other persons or body either corporate or incorporate and issue official receipts promptly thereof;
- (b) To ensure that all members pay their dues, levies, etc as prescribed by this Bye-law or as resolved at General Meetings from time to time;
- (c) To prepare quarterly the list of financial members and defaulters and to present such lists to the Executive Committee and circulate same at the General Meetings;
- (d) To promptly handover all monies collected by him/ her to the Treasurer for deposit into the Branch's bank accounts and keep periodic records of the Branch account balance.

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(7) SOCIAL SECRETARY

- (a) To be responsible for the organisation of all social functions of the Branch and to initiate and promote social activities and programmes designed to ensure the sustained interest of the Branch in the affairs and entertainment of members at events;
- (b) To make arrangements for the provision of recreational facilities for the use of members of the Branch;
- (c) To perform such other functions as may be provided in this Bye- Law, directed by the Executive Committee or the General Meeting.

(8) PUBLICITY SECRETARY

- (a) To publicise the activities of the Branch and if the need arises to assist the National Publicity Secretary of the Association in matters relating to events within the jurisdiction of the Branch;
- (b) To present a correct and positive image of the Branch to the public;
- (c) To on the direction of the Chairman, issue Press Releases and Statements on matters of general interest to the Branch as approved by the Executive Committee or, in case of emergencies, by the Chairman.

(9) WELFARE SECRETARY

- (a) To oversee all matters pertaining to the welfare of Legal Practice and practitioners generally in the Branch;
- (b) To keep the Branch informed of any threat to the welfare of the legal profession and of members and for this purpose to gather such data as may be deemed necessary from time to time;
- (c) To monitor and report on all matters affecting the welfare of members and means of enhancing same;
- (d) To safeguard and protect the interest of the profession in all ramifications in the Branch;
- (e) To perform such other functions as may be provided in this Bye-Law or directed by the Executive Committee or the General Meeting.

(10) LEGAL ADVISER

The Legal Adviser shall:

- (a) Advise the Branch, its Officers, Committees, organs or agents on all legal matters;

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(b) Represent or protect the interest of the Branch in Courts, Tribunals, Judicial Inquiries or Proceedings, provided that the Executive Committee may engage any other Counsel of its choice as the need arises from time to time; and

(c) Perform all other duties as may be assigned to him/her by the Chairman or the Executive Committee or the General Meeting.

(11) PROVOST

The Provost shall maintain order and discipline at meetings

8. EXECUTIVE COMMITTEE

(1) The Executive Committee shall consist of:

- (a) All elected officers of the Branch;
- (b) The four (4) co-opted members; and
- (c) The immediate past Chairman and Secretary.

(2) The Executive Committee shall meet at least once in every calendar month at such time and place as the Executive Committee or the Chairman may direct.

(3) The Chairman shall preside at the Executive Committee Meetings and in the absence of the Chairman, the Vice-Chairman and failing him the most senior member of the Branch present shall preside.

(4) The quorum of the Executive Committee Meeting shall be seven (7) members present in person.

(5) Decisions of the Executive Committee shall be by consensus but where not so reached, by simple majority based on a show of hands, provided that the Committee may resolve to vote by secret ballot on any issue.

(6) The Executive Committee shall have power to take decisions on behalf of the Branch in all cases of emergency and report to the next General Meeting of the Branch for ratification.

(7) Subject to the provisions of this Bye-Law and the Constitution of the Association, the Executive Committee shall have the following powers, functions and duties:

- (a) To exercise control and management over the affairs of the Branch in such manner as to effectively implement its aims and objects;

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- (b) To initiate and promote programmes and projects calculated to enhance the professional and social wellbeing of members and the financial viability of the Branch;
- (c) To express the views of the Branch upon any matter of public interest or upon any matter of interest to the legal profession generally;
- (d) To appoint fit and proper persons as Administrative Secretary and other staff of the Branch;
- (e) To exercise the powers of the Branch with respect to the appointment of representatives to any statutory or other body subject to the approval of the appointments by the general meeting;
- (f) To appoint any suitable bankers for the Branch;
- (g) To make all necessary arrangements for Annual General Meetings or for any other general meeting of the Branch.

9. NATIONAL EXECUTIVE COMMITTEE REPRESENTATIVE

In addition to the current Chairman and the Secretary, each Branch shall, during its general election, elect a Branch National Executive Committee Representative, from among the two preceding past Chairmen and Vice- Chairmen, who shall be a representative of the Branch at the National Executive Committee Meetings of the Association; provided that where he/she declines to act or is otherwise unavailable, the Executive Committee shall appoint another person of not less than ten (10) years post call to represent the Branch.

10. STANDING COMMITTEES

The following Standing Committees (“Committee”) shall be established for the Branch by the General Meeting:

(1) Advisory Committee:

- (a) Shall consist of all past Chairmen, past Secretaries, Senior Advocates of Nigeria in the Branch, Benchers, Professors of Law and five (5) co-opted members;
- (b) Shall advise the Executive Committee of the Branch.

(2) Finance and General Purposes Committee:

- (a) Shall prepare the annual budget of the Branch for consideration by the Executive Committee and subsequent approval by the Branch in General Meeting;
- (b) Shall explore ways and means of raising funds;
- (c) Shall pursue recovery of all dues, debts and pledges owed to the Branch;

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- (d) Shall advise on investment of the funds of the Branch;
 - (e) Shall receive and examine the Management/Financial Accounts prepared periodically by the Treasurer;
 - (f) Shall liaise with external auditors for the audit of the Accounts of the Branch;
 - (g) Shall deal with any matters that the Branch or the Executive Committee may refer to it from time to time.
- (3) Election Committee:
- (a) Shall be composed of five members;
 - (b) Shall make arrangements for election of officers of the Branch in the month of June as the Executive Committee may determine and shall, inter alia, undertake due publicity for the elections and nominations thereto, the printing of ballot papers and compilation of the list of eligible candidates and voters.
- (4) Continuing Legal Education Committee:
- (a) Shall be responsible for the promotion and advancement of legal education, advocacy and jurisprudence, and liaise with the Association on these matters as and when necessary;
 - (b) Shall organise seminars, workshops, symposia, conferences and promote legal publications including Law Reports.
- (5) Welfare Committee:
- (a) Shall administer a Welfare Scheme which shall be established by the Branch
 - (b) Shall be responsible for other welfare matters.
- (6) Human Rights Committee:
- (a) Shall promote and protect the principles of the rule of law and fundamental human rights and liberties in such manner, including the prosecution and defence of law suits, as may be determined by the Committee with the approval of the Executive Committee from time to time;
 - (b) Shall provide free legal aid services in suitable circumstances.
- (7) Disciplinary Committee:

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Shall investigate all cases of complaint of professional impropriety or other misconduct made against members as may be referred to the Committee by the Branch, the Executive Committee or the Chairman and make appropriate recommendations thereon.

(8) Law Reform Committee

(a) To liaise with and make inputs into laws or by-laws being contemplated or considered by Local Governments, the State House of Assembly and, in applicable circumstances, the National Assembly, subject to coordination with the Association;

(b) To advise the Branch on laws to be proposed to the State Local Governments, State Government and the Federal Government, subject to coordination with the Association;

(c) To liaise and/or work with anybody or group on all aspects of law reform;

(d) To be responsible for the promotion and support of law reform.

(9) Bar/ Bench Relations Committee:

(a) Shall investigate any allegations of corruption or misconduct within the Branch involving any member or members of the judiciary;

(b) Shall ensure maintenance of good relationship between the Bar, the Bench and Judiciary staff;

(c) Shall investigate and recommend to the Association through the Chairman any issue of intimidation, disrespect and oppressive conduct against any lawyer by the Bench or other Judiciary staff or vice versa that may occur howsoever in the course of their professional activities;

(d) Shall carry out any other function that may be assigned to it by the Chairman, the Executive Committee or the General Meeting.

(10) Membership of Standing Committees

(a) The Committees shall be constituted by the General Meeting on the advice of the Executive Committee;

(b) A Committee shall have a member of not less than 10 years post call as its Chairman while the Secretary shall be a member of not less than 5 years post call;

(c) Each Committee shall present a monthly written report to the General Meeting;

(d) Each Committee shall have a minimum of 5 members each of whom must be a financial member of the Branch;

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(e) Each Committee, after submitting an advance report to the Chairman, shall give account to the General Meeting of any money or material allocated to it;

(f) The decisions of each Committee shall be taken by a simple majority;

11. AD HOC COMMITTEES

(1) Caretaker Committee:

(a) Shall be composed of at least three past Chairmen of the Branch (unless impracticable due to a recent founding of the Branch, in which case, at least one past Chairman and Secretary and, if not available, as composed by the President of the Association) and its duties shall be to take over and protect the property and estate of the Branch in the interim and forthwith arrange for the holding of an Annual General Meeting wherein officers of the Branch shall be elected;

(b) Shall automatically function in a crisis situation within the Branch, such as a stalemated Annual General Meeting, or where the tenure of office of the immediate preceding Executive Committee has expired and no arrangements could be made for an Annual General Meeting or the circumstances of such crisis render any arrangement for an Annual General Meeting impossible;

(c) Where the Caretaker Committee assumes functions as herein provided it shall have an initial tenure of three months which may be extended for a period of not more than three months by the Branch in General Meeting by which time it shall conclude its functions;

(d) The Caretaker Committee may co-opt such members as it deems necessary to enable it discharge its functions effectively.

(2) The Branch and/or the Executive Committee may from time to time appoint such other ad-hoc committees as they may deem necessary or expedient and may delegate to them such powers and duties as the Branch or Executive Committee may determine.

(3) Where an ad-hoc committee is appointed; the appointing body shall name the Chairman and the Secretary of such committee and shall appoint any other officers as it deems necessary or expedient for the efficient discharge of its function.

(4) An ad-hoc committee once appointed shall be free to co-opt further members of the Branch into the committee as it deems fit.

12. GENERAL MEETINGS

(1) The supreme authority of the Branch shall be vested in the General Meeting whose decision on all matters affecting the Branch shall be final.

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(2) The meetings shall be held at such time and place as the Branch, the Executive Committee or the Chairman may designate from time to time. If for any reason, a General Meeting could not hold on the designated meeting day, the meeting shall be rescheduled for another day by the Executive Committee.

(3) An Extra-Ordinary General Meeting is to deliberate on specific issues may be summoned at such time and place as the Executive Committee or the Chairman may direct.

(4) Upon the requisition of at least twenty five (25) financial members of the Branch, the Chairman shall direct the Secretary to summon an Extra-Ordinary General Meeting of the Branch within 7 days of the receipt of such requisition.

(5) An Extra-Ordinary General Meeting shall be held at such time and place as may be decided upon by the Executive Committee or the General Meeting and shall transact such business as may be placed before it by the Executive Committee or the General Meeting or the Requisitionists.

(6) The Annual General Meeting of the Branch shall be held on such date or dates as may be determined by the Executive Committee.

(7) The Chairman shall preside at the Annual General Meeting and other General Meetings of the Branch, and at Executive Committee Meetings and in the absence of the Chairman, the Vice-Chairman and failing him, the Secretary shall preside. In the absence of the Chairman, Vice-Chairman and Secretary, the most senior member (in position and age at the bar) of the Executive Committee present at the meeting shall preside.

(8) Decisions at any General Meeting shall be by a show of hands, unless a secret ballot is directed by the Chairman or demanded by at least 10 (ten) financial members.

(9) The Branch shall as a matter of permanent record bring to the notice of the judiciary within the State the date, time and place of its regular monthly meetings with a view to enlisting the co-operation of all judges and magistrates to take cognisance of the date and time of such meetings.

(10) All Legal Practitioners are enjoined to take due cognisance of the date and time of Branch Meetings and to permit and indeed encourage lawyers in their chambers to attend all Branch meetings and engagements.

(11) The quorum at all General Meetings including Annual General Meetings shall be 25 or one third of financial members for branches with membership of about fifty members.

(12) Meetings of the Branch shall be conducted in accordance with the Standing Orders set out in the First Schedule herein.

13. FINANCE

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- (1) The funds of the Branch shall consist of annual membership dues, fines, levies, contributions, donations, grants, proceeds from the sale of any items whatsoever, rents and any other money as shall accrue to the Branch howsoever and provided that the Branch shall not receive money from any source that may be inimical to the interest of the Branch.
- (2) All monies belonging to the Branch shall be kept in bank accounts to be opened in its name with such reputable banker(s) as the Branch Executive Committee shall decide PROVIDED that the Executive Committee shall not open any new bank account without the approval of the General Meeting.
- (3) The signatories to the Branch's bank accounts shall be: (a) The Chairman and the Treasurer (who shall keep custody of all cheque books; or (b) The Chairman and the Secretary, where the Treasurer is unavailable
- (4) No transactions or discussions with any of the Branch's bankers in respect of the bank accounts of Branch shall be carried out without the involvement of the Treasurer.
- (5) The Treasurer and the Financial Secretary shall present a written report of income and expenditure and the bank balances at every monthly meeting of the Executive Committee and of the Branch.
- (6) No expenditure shall be incurred for any purpose unless such expenditure has been approved generally by the General Meeting of the Branch in the annual budget or any supplementary budget of the Branch. All disbursement of funds already approved in any annual budget or supplementary budget shall be approved by Executive Committee; provided that in any case of clear emergency, the Executive Committee may authorise an unbudgeted expenditure (the limits of which are to be determined from time to time by the General Meeting) and afterwards seek the ratification of the General Meeting.
- (7) The Secretary shall hold as imprest such amount as shall be approved by the Executive Committee from time to time provided that he/ she shall render account of any expended imprest.
- (8) The Executive Committee shall ensure that the Branch receipt is issued for all monies received for the Branch from any source whatsoever.
- (9) The Financial Secretary shall keep custody of all unused and duplicates of used receipt booklets and ensure the keeping of clear records of all income and expenditure of the Branch.
- (10) Where any Committee is likely to receive money for the Branch from whatever source, the Financial Secretary shall make available to the Secretary of such Committee a receipt booklet which shall be issued by the Committee for all monies received and the Chairman and Secretary of such Committee shall render monthly accounts of all monies received to the Financial Secretary who shall report same to the Branch Executive Committee.

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(11) The Annual Branch Membership dues shall be fixed at the General Meeting on the advice of the Executive Committee.

(12) The Branch shall at its General Meeting in the month of April of each year appoint a fit and proper person who shall be an accountant or a firm of Accountants to audit the accounts of the Branch for the preceding year and to present his report to the Branch at its Annual General Meeting for consideration and approval.

14. REMOVAL OR RESIGNATION OF OFFICERS

(1) An elected officer of the Branch or a member of the Branch Executive Committee shall cease to hold office or continue to be a member of the Executive if he/she:

- (a) resigns his office in writing;
- (b) ceases to be a member of the Branch;
- (c) becomes insane;
- (d) is officially declared bankrupt;
- (e) is convicted of a criminal offence involving dishonesty by a court of competent jurisdiction;
- (f) is removed from office by a two-thirds (2/3) majority vote of financial members present and voting at a General Meeting of the Branch;
- (g) ceases to reside in Nigeria;
- (h) absents himself or herself from three consecutive Executive Meetings or General Meetings of the Branch without good cause acceptable to Executive Committee or the Branch as the case may be.

(2) Where an officer of the Branch resigns or is removed from office: (a) the position shall be held in an acting capacity by the Vice or Assistant if he or she is qualified for the position; and (b) a By-election shall be held to fill the position for the remainder of the term provided that the Executive Committee may appoint any qualified financial member of the Branch to fill such vacancy in the interim for a period not exceeding two months pending the by- election.

(3) Any officer or member of the Executive Committee, who wishes to resign his office, shall submit his letter of resignation to the Chairman of the Branch who shall immediately bring the resignation to the attention of the Executive Committee and, thereafter, to the next General Meeting. In the case of a resigning Chairman, he shall submit his letter of resignation to the Secretary with a copy to the Vice Chairman.

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(4) The letter of resignation shall be submitted at least fourteen days before its effective date during which period the resigning officer shall submit a handover note and surrender all documents or property of the Branch under his care or in his possession to the Chairman or Secretary as the case may be.

(5) Any proposal or motion to remove any officer or member of the Executive Committee before the expiration of his term of office shall be in writing stating the grounds, signed by at least five financial members, and forwarded to the Secretary at least 21 days to the General Meeting at which the proposal or motion is to be tabled for discussion.

(6) The Secretary shall notify the officer or members concerned in writing of the receipt of any such proposal or motion at least fourteen (14) days to the said General Meeting, and list the proposal or motion on the agenda of the meeting.

(7) Any proposal or motion to remove any officer of the Branch shall be considered by the General Meeting which shall have the right to determine same or refer the matter to a special committee for investigation.

15. ELECTIONS

To be eligible to stand for election into an office, a member must:

(1) Be validly nominated in writing by two members who are eligible to vote herein and who must themselves be qualified for the particular office as provided for in these By-Laws;

(2) Have attended a minimum of five (5) monthly meetings of the Branch within the twelve (12) months prior to the close of nominations for the election;

(3) Attain the post-enrolment qualification requirement for the affected office as at the date of the election as follows:

(a) Chairman and Vice-Chairman, ten (10) years;

(b) Secretary, Treasurer, Financial Secretary, Social Secretary, Publicity Secretary, Welfare Secretary, Legal Adviser and Provost, eight (8) years;

(c) Assistant Secretary, five (5) years; and

(4). Be a financial member of the Branch and shall have paid his/ her bar practicing fees and annual branch dues as and when due for at least the three (3) years preceding the election or since enrolment, if less than three (3) years post-call, and must be in legal practice.

(5) The Election Committee's decision as to eligibility of any candidate to stand for election shall be final.

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(6) A candidate for any elective national office shall be nominated or proposed in writing by a member and seconded by another both of whom shall be qualified like the candidate in accordance with the provisions of this Bye-laws for the equivalent office and in good standing with their practising fees and all other Branch levies.

(7) Candidates shall submit by email not more than four pages of A4- size electronic copy of their Curriculum Vitae, comprehensive manifestoes and other campaign material to the Electoral Committee for publication in the Branch website or the NBA website, not later than the day fixed by the Electoral Committee.

(8) The publication, printing or distribution of any campaign material, gifts and any form of souvenir whatsoever by a candidate or his supporter(s) is hereby prohibited and any candidate who contravenes this provision shall be disqualified from being voted for.

(9) The Electoral Committee shall collate all materials, arrange them in alphabetical order without regard for the position being sought and publish them in an electronic Election Magazine to be hosted on the NBA website and or the Branch website at least twenty one (21) days before the election.

(10) Offices shall be vacant by effluxion of time, death, resignation, removal, or for any other reasonable cause.

(11) Any vacancy occurring in any office after a Biennial General Meeting may be filled by the General Meeting of the Branch.

16. ELIGIBILITY TO VOTE

(1) To be eligible to vote, a member shall be a financial member of the Branch and shall have paid his/her bar practicing fees and annual branch dues, as and when due, for the two (2) years preceding the election or since enrolment, if less than two (2) years post-call, and shall have attended a minimum of five (5) monthly general meetings of the Branch within the twelve (12) months preceding the date of the election.

(2) The member's name must appear in the final list of eligible voters as compiled by the Election Committee and published not later than fourteen (14) days before the date of election.

17. DUTIES OF THE ELECTION COMMITTEE

(1) Not later than the thirty (30) days to the day of the election year, the Election Committee shall announce the date of the election as fixed by the Executive Committee and invite nominations for candidates for office, and shall publicise the provisions of the Bye- Law relating to eligibility to contest and eligibility to vote and also issue election and campaign guidelines; provided that no candidate shall commence any form of public campaign until the campaign guidelines are issued or released.

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(2) The Election Committee shall scrutinise all nominations to ensure that they comply with the provisions herein and shall notify candidates who fail to qualify of their disqualification within seven (7) days of any decision to such effect; provided that such a disqualified candidate may apply to the Committee for a review of the decision within seven (7) days.

(3) Where there is no qualified candidate to fill an office, the Election Committee shall fix a date for a By-election in respect of that office and shall call for fresh nominations thereto.

(4) Not less than thirty (30) days prior to the election, the Election Committee shall cause a list of the candidates for election to various offices to be publicised by the same being displayed at the Branch Secretariat and pasted at the venue of the election and the Notice Boards of the High Courts and such other places as it may deem fit.

(5) Upon the close of nominations, the Election Committee shall cause ballot papers to be printed for the election with funds to be provided by the Branch.

18. PROCEDURE AT ELECTION

(1) Voting at elections shall be either by electronic voting or physical voting by secret ballot, as may be determined by the Election Committee.

(2) Where electronic voting method is adopted, the Election Committee shall engage the services of competent and credible service providers to provide the electronic voting platform and shall conduct the elections in a transparent and fair manner in accordance with clear published guidelines.

(3) Where physical voting by secret ballot method is adopted, the Election Committee shall engage such security and other adjunct personnel as may be necessary to ensure a transparent, free, fair and orderly conduct of the elections in accordance with clear published guidelines.

(4) Votes at elections shall be counted immediately after the close of voting and the result shall be declared immediately by the Chairman of the Election Committee.

(5) To the extent of their functions, the decision of the Election Committee shall be final.

19. SWEARING-IN OF NEWLY ELECTED OFFICERS/ ASSUMPTION OF OFFICE AND HANDING OVER

(1) Following the declaration of the results, the newly elected officers shall be sworn-in at the Annual General Meeting immediately following the elections by the administration of the Oath of Office contained in the Second Schedule herein on them by a serving Judge or Notary-Public. All elected officers shall be deemed to have assumed office immediately after being sworn in.

(2) Except otherwise resolved at a General Meeting, all Standing and Ad-hoc Committees of the Branch shall automatically become dissolved upon the swearing-in of the new elected officers.

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(3) All vacating officers and committee secretaries of the Branch shall handover all records, monies, receipts, cheque books and any other property of the Branch in their possession to the newly elected Branch Chairman within seven (7) days of assumption of office by the incoming officers.

(4) It shall amount to an act of gross misconduct for any member or former officer of the Branch to violate sub-section (3) above and any such case shall be referred to the Disciplinary Committee.

20. WELFARE SCHEME

(1) A Welfare Scheme for the Branch shall be established for the following purposes:

- (a) To encourage wider participation of members in the affairs of the Branch;
- (b) To assist the sick, the aged, the disabled and newly qualified members of the Branch;
- (c) To provide assistance to members in case of accidents;
- (d) To provide assistance to families of deceased members;
- (e) To organise valedictory sessions for retiring and/or deceased members.

(2) The Welfare Scheme shall be financed as follows:

- (a) It shall be funded by direct levies and/or donations from members and from the Branch and by direct donations from organisations or such other manner as the Branch shall decide.
- (b) The funds of the Welfare Scheme shall be maintained separately from other funds of the Branch in a dedicated account.

(3) Eligibility for benefits under the Welfare Scheme shall be limited to financial members.

(4) Decisions as to eligibility shall be taken by the Welfare Committee, and in case of doubt or difficulty, by the Executive Committee and the General Meeting whose decision shall be final.

22. AMENDMENT

The Bye-Law shall not be amended except at an Annual General Meeting or an Extra-Ordinary General Meeting of the Nigerian Bar Association by a two- third (2/3) majority of those financial members present and entitled to vote; provided that notice of such amendment shall have been served on the General Secretary in line with the procedure for the amendment of the NBA Constitution.

23. APPLICABILITY

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The Bye-Law shall apply to the Branch to the exclusion of any other Bye- Law.

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FIRST SCHEDULE TO THE BYE-LAW
STANDING ORDERS
(Referred to in Section 12)

1. All General Meetings of the Branch shall transact such business as are on the agenda or any business decided by the Branch or the Executive Committee or the Chairman.
2. The agenda of the business of the meeting shall be settled by the Executive Committee or the Secretary at the direction of the Chairman.
3. Any member who wishes to speak shall hold up his hand to attract the Chairman's attention.
4. No member shall rise or commence to speak on any topic until recognised to do so by the Chairman.
5. No two members shall stand up to speak simultaneously during deliberations at a meeting.
6. The order of speaking shall be determined by the Chairman in his absolute discretion without fear or favour but the Chairman shall give a reasonable opportunity for divergent views to be heard.
7. The Chairman may use his discretion to stop a discussion when there are members still anxious to speak on a subject, if he considers that there have been sufficient discussions on the matter under consideration.
8. A member who has any relevant and pertinent information to give during the course of a speech by another may raise a "point of information". He shall only give such information, if permitted to do so by the Chairman.
9. A member may raise a plea of "point of order" which when raised shall only be sustained by the Chairman where he accepts that there is a deviation by the speaker from the subject matter.
10. A member who claims that he has been misquoted or misrepresented may raise the plea of "point of correction" and if allowed by the Chairman, shall correct same.
11. In the event of a proposition to proceed to the next business or for progress being moved and seconded, it shall after the proposer and seconder of the motion have been heard, be put to vote, if agreed to, the matter under debate shall immediately be put to vote; once a subject has been discussed and voted or ruled upon, it shall not be re-introduced during the meeting.
12. No motion or amendment shall be discussed unless it is seconded except that proposals of the Executive Committee or the report of any Committee of the Branch shall be taken as having been moved and seconded. No second amendment or rider shall be voted or ruled upon until the first amendment is disposed of.

PROPOSED AMENDMENTS TO THE
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(IN HIGHLIGHTS)

13. On any issue, every member present shall have one vote but the Chairman shall have casting vote.

14. The Chairman shall have the power to ask anyone found engaging in destructive and distractive acts to leave the meeting.

15. The Annual General Meeting shall have the power to appoint Committees or commissions for the furtherance of its business and such committees may report at an adjourned date for the conclusion of the Annual General Meeting or as they may be directed.

16. The Chairman may give directions or adopt measures reasonably necessary in the interest of the Branch or reasonably conducive to the conduct of proceedings of any meeting. The procedure of a meeting of any Committee may be determined by that Committee.

17. Validity of proceedings of any Annual General Meeting or any other meeting shall not be affected by any office vacancy or by any defect in the appointment or election of members or officers or by any irregularity in the proceedings.

18. The ruling of the Chairman on all matters shall be final.

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SECOND SCHEDULE TO THE BYE-LAW
OATH OF OFFICE OF THE OFFICERS
(Referred to in Section 19)

I..... (full name) do solemnly swear/affirm that I will bear true allegiance to the Nigerian Bar Association Branch and discharge my duties faithfully and in accordance with the Nigerian Bar Association Constitution and Branch Bye-Law and always in the best interest, integrity and wellbeing of the Branch and the Association, that I will not allow my personal interest to influence my official decisions and I will strive in all circumstances to defend the ethics of the profession, the rule of law and the independence of the Bar. SO HELP ME GOD!

PROPOSED AMENDMENTS TO THE
NIGERIAN BAR ASSOCIATION CONSTITUTION 2015
(IN HIGHLIGHTS)

PART II
NIGERIAN BAR ASSOCIATION

**UNIFORM BYE-LAWS OF SECTIONS,
INSTITUTES AND FORA 2015**

Arrangement of Articles

- I. Name
- II. Application
- III. Aims and Objects
- IV. Membership
- V. Section Council
- VI. Officers
- VII. Management of Section and Administrative Assistance
- VIII. Nominations, Elections and Vacancies in respect of Section Officers and Council, and Co-Option of Additional Council Members
- IX. Election
- X. General Meetings of the Section
- XI. Section Committees
- XII. Dues
- XIII. Accounts
- XIV. Funding
- XV. Activities
- XVI. Supervision/Report
- XVII. Miscellaneous
- XVIII. Definition
- XIX. Adoption Column

PROPOSED AMENDMENTS TO THE
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(IN HIGHLIGHTS)

Schedules

FOURTH SCHEDULE
Oath of Office of Officers

FIFTH SCHEDULE
Journal

SIXTH SCHEDULE
List of Sections

SEVENTH SCHEDULE
List of Institutes

EIGHT SCHEDULE
List of Fora

NINTH SCHEDULE
List of Specialised Law and International Affiliated Law Forum

Article I – Name

The Bye law of (State Section, Institute or Forum’s Name)

Article II – Application

The Bye law shall be applicable to all NBA established Sections, Institutes and Fora as may be listed in the Schedules from time to time. Each Section, Institute or Forum set out in the First, Second and Third Schedules, shall adopt the provisions in their respective Bye-Law, provided that any other specialised law group or International co-operating law Forum affiliated with the NBA as set out in the Forth Schedule from time to time, may adopt the provisions of the Bye-law.

Article III – Aim and Objects

The Aim and Objects of each Section, Institute and Forum shall be decided by the Council and adopted at the General Meeting of Members of any such Sections, Institute and Forum.

Article IV – Section, Institutes and For a Members

Any member of the Association shall be eligible for membership of any Section, Institute or Forum and upon request and payment of the Annual Dues for the year of application, shall be enrolled by the Association as a member of a Section, Institute or Forum of his choice.

Article V – Annual Dues

PROPOSED AMENDMENTS TO THE
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(a) Upon payment of the Annual Dues as may be prescribed from time to time by the Council of the Section, Institute or Forum (delete as appropriate), for the year, each member of the Section shall be entitled to join one Committee of the Section. Any member wishing to join additional Committees shall pay such further annual dues as shall be fixed from time to time by the Council.

(b) All Section's, Institute's or Forum's (delete as appropriate) Annual Dues shall be paid into such Accounts as may be determined by the Council from time to time.

Article VI – Cessation of Membership

Any member who resigns from the Section, Institute or Forum (delete as appropriate) or whose Annual Dues are in arrears for such period [not being less than six months] as the Treasurer of the Section shall determine [why the Treasurer?], shall cease to be a member of the Section, Institute or Forum (delete as appropriate). Such a member can apply for re- admission upon payment of all outstanding arrears.

Article VII – Accounts

(a) The Section, Institute, Forum (delete as appropriate) Account's Signatories shall be the Section's, Institute's or Forum's (delete as appropriate) Chair, Secretary, Treasurer and or the National Treasurer of the Association. Additional Signatory may be added subject to approval of Council for administrative purposes or as may be required in furtherance of its Program.

(b) Special Accounts may be approved by the Council when in collaborative or partnership programs with funders, partners and other organisation(s).

(c) Annual Report of financial statement shall be presented to General Meeting

Article VIII – Officers

The Officers of each Section, Institute or Forum shall be the Chair, Vice- Chair, Secretary and Treasurer. Additional Officers may be approved by the Council as may be necessary. Only members in good standing in the Section, Institute and Forum shall be eligible to hold an office.

Article IX – Tenure

(a) An officer shall hold Office for a term of two years and he or she shall not be eligible for re-election to the same office.

(b) If at the end of the tenure of office of the leadership of a Section, Institute or Forum, a new leadership has not been elected, the President of the Association shall set up a three-person Committee from among the members of the Section, Institute or Forum (delete as appropriate) to administer the affairs for a period not exceeding six weeks. The Committee shall take steps to conduct election, failing which the President would set up a six-person election committee to conduct the election within three weeks, to elect new officers and report to NEC.

PROPOSED AMENDMENTS TO THE
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(c) Any Officer filling in a vacancy of a retired, resigned or removed Officer for a period of less than 12 months shall be eligible for election for a further full tenure of the same office. No member shall be nominated for an election to or serve concurrently in more than one office and as an elected or co-opted non-officer of the Council.

Article X – Management of Section, Institute or Forum (delete as appropriate) and Administrative Assistance

(a) The Director or any such Officer of the Association shall render to the Section, Institute or Forum (delete as appropriate) and its Officers and Council all possible administrative assistance.

(b) The President of the Association shall appoint any senior Staff of the Association as a liaison Officer to the Section, Institute or Forum (delete as appropriate)

(c) The Liaison Officer shall report to the President of the Association as well as provide where required of him or her information required by officers of the Section, Institute or Forum (delete as appropriate) in support of their duties.

Article XII–Section, Institute or Forum (delete as appropriate) Council

(a) Composition There shall be a Section’s, Institute’s or Forum’s (delete as appropriate) Council which shall consist of:

(i) The Officers of the Section, Institute or Forum (delete as appropriate);

(ii) The immediate past Chairman and Secretary of the Section, Institute or Forum (delete as appropriate);

(iii) Not more than Five (5) nominated members and