

LEGAL PRACTITIONERS BILL, 2025

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SCHEDULES

A BILL
FOR

AN ACT TO REPEAL THE LEGAL PRACTITIONERS ACT, CAP L11, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE LEGAL PRACTITIONERS ACT, TO PROVIDE FOR REFORMS, REGULATE THE LEGAL PROFESSION AND FOR RELATED MATTERS

Executive Bill

ENACTED by the National Assembly of the Federal Republic of Nigeria-

PART I - OBJECTIVES AND PROFESSIONAL PRINCIPLES

1. Objectives

The objectives of this Act are to-

- (a) maintain public confidence in the provision of legal services;
- (b) promote and protect public interest;
- (c) promote the rule of law and improve access to justice;
- (d) recognize and preserve the status of the legal profession;
- (e) ensure the independence, integrity and honour of members of the legal profession;
- (f) increase public understanding of citizens' legal rights and duties;
- (g) encourage an independent, strong, diverse and effective legal profession;
- (h) promote transparency, proportionality and efficiency in the regulation 'of the legal profession.

2. Professional Principles

A legal practitioner shall-

- (a) uphold the rule of law to facilitate the administration of justice in Nigeria;
- (b) maintain proper standards of work;
- (c) act in the best interest of the client and administration of justice;
- (d) comply with the legal practitioner's duty to the court or any other law;
- (e) act with integrity and independence in the interest of justice; and
- (f) keep the affairs of the client confidential.

PART II

ESTABLISHMENT, COMPOSITION, FUNCTIONS ETC. OF THE BODY OF BENCHERS

3. Establishment of the Body of Benchers

(1) There is established a body of legal practitioners of the highest distinction, in the legal profession in Nigeria known as "the Body of Benchers" which shall be responsible for performing the functions and duties imposed upon it under this Act.

(2) The Body of Benchers -

- (a) shall be a body corporate with perpetual succession and a common seal;
- (b) may sue or be sued in its corporate name; and
- (c) may own or dispose of property whether movable or immovable for the purpose of carrying out its functions.

4. Membership of the Body of Benchers -

(1) The Body of Benchers shall consist of -

- (a) the Chief Justice of Nigeria;
- (b) Justices of the Supreme Court;
- (c) the President of the Court of Appeal;
- (d) the Attorney General of the Federation

- (e) life Benchers;
 - (d) the chairman of the Council of Legal Education;
 - (g) the Presiding Justices of the Court of Appeal Divisions;
 - (h) the President of the Association;
 - (i) the Chief Judge of the Federal High Court;
 - (j) the President of the National Industrial Court;
 - (k) the Chief Judge of the High Court of the Federal Capital Territory, Abuja;
 - (l) the Chief Judges of the States of the Federation;
 - (m) the Administrator of the National Judicial Institute
 - (n) the Attorneys General of the States;
 - (o) the President of the Senate, where he is a lawyer of not less than 15 years post call;
 - (p) the Speaker 'of the House of Representatives, where he is a lawyer of not less than 15 years post call;
 - (q) the Chairman of the Senate Committee responsible for matters relating to the Judiciary, where he is a lawyer of not less than 15 years post call;
 - (r) the Chairman of the House Committee responsible for matters relating to the Judiciary, where he is a lawyer of not less than 15 years post call;
 - (s) 60 legal practitioners with a minimum of 15 years post call experience nominated by the National Executive Council ("NEC") of the Association; and
 - (t) such number of persons, not exceeding 30, who appear to the Body of Benchers to be eminent members of the Legal Profession in Nigeria of not less than 15 years post call standing, nominated by the Chairman, Body of Benchers.
- (2) Members of the Body of Benchers referred to in subsection (1) (o), (p), (q) and (r) of this section shall not hold the post of Chairman of the Body of Benchers or any of its Committees.
- (3) Except as provided under subsection (4) of this section or by regulations made under subsection (5) of this section, a Bencher shall vacate his office as a Bencher if he ceases to be the holder of any office by virtue of which he was appointed a Bencher.
- (4) Notwithstanding anything 'in subsection (3) of this section, the Chief Justice of Nigeria shall hold office as Bencher for life. '
- (5) The Body of Benchers may make regulations-
- (a) providing for an increase in the membership of the Body of Benchers as set out in subsection (1) of this section and the qualifications for and conditions applicable to such membership;
 - (b) providing for the tenure of office of Benchers including the conferment of life membership on any Bencher;
 - (c) providing for the appointment of persons of distinction in any country other than Nigeria as honorary members of the Body of Benchers and the conditions applicable to such appointment;
 - (d) providing for the composition and quorum of the Benchers for the purpose of the exercise of any of the functions conferred on the Benchers under this Act and for the determining in connection thereto of any matter which, in the opinion of the Benchers, requires to be determined; and
 - (e) providing, either generally or in respect of any particular case, for the discharge of the functions conferred on the Benchers under this Act.
- (6) Any Bencher may in such manner and subject to such procedure as may be prescribed

be removed from office for misconduct or on such other ground as the Body of Benchers may, in their discretion, determine to be sufficient.

(7) The Body of Benchers may make rules to provide for the -

(a) appointment of a Chairman, any other officer and for succession to any office of the Body of Benchers;

(b) removal of a member of the Body of Benchers for misconduct;

(c) convening of meetings;

(d) discipline of legal practitioners;

(e) tenure and quorum of Legal Practitioners' Disciplinary Committee; ,

(f) composition and quorum for any specific assignment.

(8) The disciplinary powers conferred on the Body of Benchers under section 5(b) of this Act shall be exercised in the manner prescribed by rules made by the Body of Benchers.

(9) The supplementary provisions set out in the First Schedule to this Act shall have effect with respect to the proceedings of the Body of Benchers, and other matters mentioned in it.

(10) In this section -

"functions" includes powers and duties; and,

"prescribed" means prescribed by regulations made by the Body of Benchers and the operation of section 1 (2) of the Interpretation Act, which deals with references in an enactment to acting appointments, is excluded. '

5. Functions of the Body of Benchers

The Body of Benchers shall -

(a) call eligible candidates to the Bar; and

(b) exercise disciplinary jurisdiction over members of the legal profession.

6. Tenure of office

(1) Present and past Chief Justices of Nigeria are Life Benchers.

(2) A member who serves in the Body consistently, conscientiously and meritoriously for a period of five consecutive years is eligible to be appointed a Life Benchers, where there is a vacancy.

7. Cessation of membership

(1) Notwithstanding the provisions of section 6 of this Act, a member of the Body of Benchers shall cease to hold office as a member-

(a) immediately he leaves the office entitling him to be a member of the Body of Benchers;

(b) is of unsound mind;

(c) is convicted of a felony or any offence involving dishonesty or corruption; or

(d) is incapable of carrying out the functions of the office arising from infirmity of mind or body.

(2) A member of the Body of Benchers may be removed from office for misconduct or on any other ground in a manner or procedure as the Body of Benchers may determine.

8. Secretariat of the Body of Benchers

(1) There is established a Secretariat for the Body of Benchers.

(2) There shall be a Secretary of the Body of Benchers to be appointed by the Body of Benchers on the recommendation of its relevant Committee.

(3) The Secretary shall-

(a) be a legal practitioner with not less than 10 years post call experience;

- (b) be the accounting officer of the Body of Benchers;
- (c) be responsible for the day-to-day administration of the Secretariat, including keeping of the books and records of the Body of Benchers, ensuring statutory' compliance and submission of financial returns to relevant authorities; and perform any' other duty and function as may be required by the Body of Benchers.
- (4) The Secretary shall cease to hold office after attaining the age of 60 years or after completing 35 years of service, whichever occurs first.
- (5) Upon retirement, the Secretary shall be entitled to pension and other retirement benefits as are prescribed under the Pension Reform Act.
- (6) The Secretary shall be subject to the disciplinary authority of the Body of Benchers as provided under section 9 (1) (b) of this Act.
- (7) Any person holding the office of Secretary immediately before the commencement of this Act shall be deemed to have been appointed in accordance with the provisions of this section as from the date of commencement of this Act.

9. Appointment of Staff

- (1) The Body of Benchers -
 - (a) shall have powers to employ such number of persons as it deems necessary as its staff;
 - (b) may make staff regulations on the scheme and conditions of service of the employees of the Body of Benchers and without prejudice to the generality of the foregoing such regulations may provide for the appointment, promotion and disciplinary control including dismissal of any employee.
- (2) Service in the Body of Benchers shall be public service for the purpose of the Pension Reform Act and accordingly, staff of the Body of Benchers shall in respect of their service, be entitled to such pension and retirement benefit as are prescribed in the Pension Reform Act and any other law applicable to the Judiciary.
- (3) Notwithstanding the provision of subsection (2) of this section, nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of pension in respect of that office.

PART III

FINANCIAL PROVISIONS

10. . Fund of the Body of Benchers

- (1) There is established a Fund (lithe Fund") for the Body of Benchers into which shall be paid -
 - (a) budgetary allocation from the Federal Government through the National Judicial Council;
 - (b) fees or charges the Body of Benchers may collect and retain under this Act or its subsidiary legislation, for the purpose of subsection (2) of this section;
 - (c) any sum which accrues to the Fund by way of gift, endowment, bequest or other voluntary contribution by person or organization, where the terms and conditions attached to such gift, endowment, bequest or contribution is not contrary to its functions;
 - (d) any trust created for the benefit of the Body of Benchers; and
 - (e) any other money or asset that may, from time to time accrue to the Fund.
- (2) The Fund established under subsection (1) of this section shall be applied towards the
 - (a) advancement of the objectives of this Act;
 - (b) cost of administration of the Body of Benchers;

- (c) delivery of the services for which the fees or charges under subsection 1 (b) of this section were collected;
- (d) discharge of the functions of the Body of Benchers; and
- (e) development and maintenance of any property vested in or owned by the Body of Benchers.

11. Power to Accept Gifts

The Body of Benchers -

- (a) may accept gifts of land, money, or other property on such terms and conditions if any, as may be specified by the person or organization which makes the gift; and
- (b) shall not accept any gift if the conditions attached by the person or organisation which makes the gift are inconsistent with the functions of the Body of Benchers under this Act.

PART IV

GENERAL PROVISIONS

12. Eligibility for Call to the Bar

A candidate shall be eligible to be called to the Bar if the candidate satisfies the Body of Benchers that the -

- (a) Council of Legal Education has issued a Qualifying Certificate to the candidate;
- (b) candidate is of good character; and
- (c) candidate has satisfied all prescribed conditions by the Body of Benchers.

13. Certificate of Call

The Body of Benchers shall issue to any person called to the Bar a Certificate and keep record of the lawyers called to the Bar in Nigeria:

14. Enrolment

The Chief Registrar of the Supreme Court shall enroll any person who presents a Certificate of Call to the Bar issued to that person by the Body of Benchers.

15. Roll of legal practitioners

- (1) The Chief registrar of the Supreme Court shall maintain the Roll of legal practitioners kept in the Supreme Court and make a copy of the roll available to the Body of Benchers, provided that upon updating the Roll a copy shall be transmitted to the Body of Benchers.
- (2) The Roll shall be kept electronically and in hard copy.
- (3) The Chief Registrar shall make entries in the Roll available for inspection during office hours by any person who applies to inspect it.
- (4) On production of a certificate of Call to Bar issued by the Body of Benchers or an order of the Supreme Court for the restoration of the name of a person whose name has been struck off the Roll, the Chief Registrar shall cause the name of the person to be entered or restored on the Roll.

16. Practice as a legal practitioner

- (1) A person shall practice as a legal practitioner if his name is on the Roll of the legal practitioners kept at the Supreme Court of Nigeria and he meets the conditions for practice set out in this Act and any rules made by the Body of Benchers.
- (2) A legal practitioner shall -
 - (a) have the right of audience in all courts of law sitting in Nigeria; and
 - (b) not be accorded the right of audience in any court in Nigeria in any year unless they have paid to the Registrar the prescribed fee for that year.

(3) In this Act and any other law relating to the right of any person to practice law in Nigeria, the terms 'practice of law' and the 'provision of legal services' includes the provision of advice on, or the application of, legal principles and judgment to the circumstances of any person who requires the knowledge and skill of a person trained in the law.

(3) In this section - 'I'

(a) "adjudicative body" includes a court, a mediator, an arbitrator, a legislative body, administrative agency or any other body acting in an adjudicative capacity; and

(b) a legislative body, administrative agency or any other body acts in an adjudicative capacity when a neutral official, after the presentation of evidence or legal argument by a party, renders a binding legal judgment directly affecting a party's interests in a particular matter.

The practice of law and the provision of legal services in -

(a) Nigeria;

(b) relation to any matter of Nigerian law; or

(c) relation to any dispute or transaction with substantial nexus to Nigeria, shall be carried on only by persons entitled to practice law in Nigeria.

(5) A person who engages in any of the following conduct on behalf of another is presumed to practice law or provide legal services -

(a) gives advice or counsel to any person on their legal rights or responsibilities;

(b) selects, drafts, or completes legal document or agreement that affect the legal right of a person;

(c) represents a person before an adjudicative body, including to prepare or file documents or conduct discovery; or

(d) negotiates any legal right or responsibility on behalf of a person.

(6) Notwithstanding the provisions of subsection (1) of this section, the following are permitted whether they constitute the practice of law or not -

(a) serving as arbitrator, mediator, conciliator or expert determiner; and

(b) trainee law student who works under the direct supervision of any person entitled to practice law in Nigeria in strict compliance with the Rules of Professional Conduct.

PART V

DISCIPLINARY COMMITTEE AND PENALTIES

17. Establishment of the Disciplinary Committee

(1) There is established a Committee by the Body of Benchers known as the Legal Practitioners Disciplinary Committee (the Disciplinary Committee).

(2) The Disciplinary Committee shall-

(a) consider and determine any case where it is alleged that a person who is a member of the legal profession has -

(i) engaged or is engaging in misconduct in his capacity as legal practitioner,

(ii) been convicted of a felony, or any crime deemed by the Disciplinary Committee to be incompatible with the status of a legal practitioner, and no appeal is pending; been fraudulently enrolled, ,

(iii) violated any provision of this Act or any rule of professional conduct for legal practitioners;

(iv) been professionally negligent;

(v) engaged in a conduct that is incompatible with the status of a legal practitioner;

- (vi) willfully refused or failed to pay costs imposed personally on him by a Court or obey an order of the Disciplinary Committee,
 - (vii) obstructed the Ethics Adherence and Compliance Committee in the carrying out of its functions or fails to comply with a notice under section 21 (9) of this Act,
 - (viii) misappropriated or misused funds of the Association entrusted to the person at any level; and
 - (b) perform any other duty assigned to it by the Body of Benchers.
- (3) The Disciplinary Committee shall consist of-
- (a) a Chairman who is not the Chief Justice of Nigeria or a Justice of the Supreme Court and
 - (b) such additional number of members as the Body of Benchers may appoint for the effective conduct of the business of the Disciplinary Committee.
- (4) The Disciplinary Committee shall have more than one panel at a time and may empanel its members to sit in divisions across the country as may be required for effective performance of its functions.
- (5) The quorum of the Disciplinary Committee shall be three members and no decision or proceeding of the Disciplinary Committee shall be rendered invalid on the ground of quorum other than as set out in the Interpretation Act.
- (6) The powers of the Disciplinary Committee under subsection (2) of this Section shall be exercised in such manner as may be prescribed by Rules made by the Body of Benchers.
- (7) The rules referred to in subsection (6) of this section, shall make provision to -
- (a) secure the notice of the proceedings given at such time and in a manner specified by the rules, to the person against whom the proceedings are brought;
 - (b) determine the person who shall be a party to the proceedings;
 - (c) secure any party to the proceedings if he so requires, be entitled to be heard by the Disciplinary Committee;
 - (d) enable any party to the proceeding be represented by a legal practitioner;
 - (e) the costs of proceedings before the Disciplinary Committee;
 - (f) require, in a case where it is alleged that the person against whom the proceedings are brought is guilty of infamous conduct in any professional respect, that where the Disciplinary Committee adjudges that the allegation has not been proved, it shall record a finding that the person is not guilty of such conduct in respect of the matter to which the allegation relates; and
 - (g) publish in the Federal gazette notice of any direction of the Disciplinary Committee which has taken effect which provides that a person's name shall be struck off the roll or that a person shall be suspended from practice ; I ,
- (8) A person appointed by the Body of Benchers as a member of the Disciplinary Committee shall hold office for such term as may be specified in his instrument of appointment.
- (9) The Disciplinary Committee may act notwithstanding any vacancy in its membership and no proceedings of the Disciplinary Committee shall be invalidated by - I
- (a) any irregularity in the appointment of a member;
 - (b) reason of the fact that any person who was not entitled to do so took part in the proceedings; or

(c) virtue of any variation in the composition of the membership of the panel in the course of proceedings.

(10) Any document authorized or required by this Act to be served on the Disciplinary Committee shall be served on the Secretary, Body of Benchers.

18. Penalties for unprofessional conduct, etc.

(1) Subject to subsection (2) of this section, The Disciplinary Committee may impose the following sanctions on a legal practitioner who is found to have engaged in any activity under section 17(2) of this Act-

(a) direct the Registrar of the Supreme Court to strike off the affected legal practitioner's name off the Roll of legal practitioners;

(b) suspend the affected legal practitioner from law practice for a stated period, or until a specified event;

(c) in the case of fraud, corrupt or unjust enrichment, diversion of funds, or withholding of property, materials or documents, direct the affected legal practitioner to make full restitution to affected persons or aggrieved parties;

(d) in appropriate cases, direct the affected legal practitioner to compensate affected persons or aggrieved parties in cash or kind or in the manner set out in the directive;

(e) direct the affected legal practitioner to issue an apology to persons' affected or aggrieved by the conduct of the legal practitioner in the form or manner stipulated in the directive;

(f) issue a direction warning the affected legal practitioner to cease the misconduct; and

(g) issue a direction to the affected legal practitioner to pay costs.

(2) The Disciplinary Committee: shall impose the sanction under subsection 1 (a) of this section in the case of legal practitioner who has been fraudulently enrolled.

(3) In striking off the name of a legal practitioner from Roll, the Disciplinary Committee shall -

(a) submit a report of its findings to the Body of Benchers and serve a copy of the report on the affected legal practitioner within 48 hours after it is submitted to the Body of Benchers;

(b) serve a copy of the direction on the affected legal practitioner within ~8 hours after it is issued to the Registrar in a manner prescribed by Rules made by the Body of Benchers.

(4) Where a legal practitioner fails to comply with a direction imposing a sanction under subsection (1) (c), (d) or (e) of this section, the funds, property, materials or documents shall be recoverable under the Sheriffs and Civil Process Act.

(5) The person to whom a direction under this section relates may, at any time within 28 days from the date of service on him of the directive, appeal against the directive to the Supreme Court; and the Disciplinary Committee may appear as respondent to the appeal and', for the purpose of enabling directions to be given as to the costs of the appeal and of proceedings before the Disciplinary Committee, shall be deemed to be a party thereto whether or not it appears on the hearing of the appeal.

(6) A direction of the Disciplinary Committee under subsections (1) and (2) of this section shall take immediate effect unless an order of the Supreme Court directs otherwise.

(7) Where a direction is given under subsection (1) or (2) of this section for the refund of any money paid, the handing over of document or any other thing and the legal practitioner fails to comply with the direction, the Disciplinary Committee may, within

28 days of the date of the direction or where an appeal is brought, on the dismissal of the appeal, consider the case as amounting to misconduct by the legal practitioner in his professional capacity.

(8) Where a direction given under subsection (1) or (2) of this section is affirmed by the Supreme Court, the direction shall be published by the Body of Benchers in the Federal Government Gazette and copies shall be issued to the Chief Justice of Nigeria, President of the Court of Appeal, Chief Judge of the Federal High Court, President of the National Industrial Court, Chief Judges of State High Courts, Attorney General of the Federation, Attorneys General of States, Association, Inspector General of Police, Nigerian Law School and any other relevant body or agency.

19. Disciplinary Jurisdiction of the Supreme Court

(1) Where it appears to the Supreme Court that the person whose name is on the Roll is guilty of infamous conduct in any professional respect with regard to any matter of which the court is seized, the Supreme Court may if it thinks fit, after hearing any representation made and evidence adduced by or on behalf of the person and any other persons as the court considers appropriate, impose any of the sanctions provided in section 18(1) of this Act.

(2) Except in the case of the issuance of a warning under section 18(1) (D) of this Act, the court shall cause notice of the direction under subsection (1) of this section to be served on the Body of Benchers for publication in the Federal Government Gazette and website of the Body of Benchers.

20. Restoration of Names to Roll, etc.

(1) Where either before or after the commencement of this Act, the name of any person is struck off the Roll or a person is or is deemed to have been, suspended from practice, He may, subject to the provisions of subsection (2), of this section, make an application for the restoration of his name on the Roll or the cancellation of the suspension- I

(a) if the striking off or suspension is ordered by the Chief Justice or the Supreme Court, to that Court and

(b) in any other case, to the Disciplinary Committee.

(2) A direction under section 18(1) or section 19(1) of this Act, may prohibit an application under subsection (1) of this section until the expiration of the period specified in the direction; and where such an application is duly made to the Supreme Court or the Disciplinary Committee, the Court or Disciplinary Committee may direct that no further application shall be made under subsection

(1) of this section until the expiration of the period specified in the direction under this subsection.

21. Ethics, Adherence and Enforcement Committee

(1) There is established a Committee of the Association known as Ethics, Adherence and Enforcement Committee.

(2) The Committee shall consist of twelve members appointed by the National Executive Council NEC of the Association and such appointments shall be guided by the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership, provided that -

(a) The chairman must be an active member of the Association with at least 20 years' post-call experience, who has acquired special knowledge or experience in the regulation of the legal profession in any jurisdiction.

- (b) the other members must be active members of the Association each with at least 15 years' post-call experience.
- (c) members must be persons who have experience in or knowledge of some of the following-
 - (i) the provision of legal services;
 - (ii) legal education and legal training;
 - (iii) consumer affairs;
 - (iv) administrative, arbitral, civil or criminal proceedings;
 - (v) the maintenance of the professional standards of persons who provide legal services; .
 - (vi) the maintenance of standards in professions other than the legal profession;
 - (vii) the handling of complaints;
 - (viii) commercial affairs;
 - (ix) non-commercial legal services; and
 - (x) the differing needs of consumers ..
- (3) Members of the Committee shall hold office for a single term of 3 years.
- (4) A member of the Committee may be removed from office by the Association's NEC for incapacity, incompetence or misconduct.
- (5) The Committee may with the approval of NEC-
 - (a) employ staff and engage lawyers as investigators and prosecutors; and
 - (b) pay fees to the investigators and prosecutors.
- (6) The objects for establishing the Committee are to -
 - (a) give consumers and users of legal services an independent, timely, fair and reasonable means of redress for complaints;
 - (b) promote, monitor and enforce high standards of conduct in the provision of legal services and advance integrity in the legal profession;
 - (c) protect and promote public confidence in the legal system, the legal profession, the administration of justice and the rule of law;
 - (d) increase public understanding of the client's rights and duties; and
 - (e) promote and maintain adherence to the professional principles.
- (7) The functions of the Committee are -
 - (a) investigating the conduct of legal practitioners;
 - (b) receiving and investigating complaints against legal practitioners;
 - (c) inspecting documents, facilities, files, materials, offices, premises and records of legal practitioners to ascertain their statutory compliance status and profile;
 - (d) reporting, presenting, and prosecuting instances of professional misconduct to or before the Legal Practitioners Disciplinary Committee;
 - (e) enforcing decisions, directions and orders of the Legal Practitioners Disciplinary Committee;
 - (f) deploying or encouraging ADR for minor complaints against legal practitioners; and
 - (g) advising and educating legal practitioners on proper professional conduct and statutory compliance.
- (8) The Committee may, by written notice, require a legal practitioner whom the Committee is investigating or whose office the Committee has inspected to produce or provide -
 - (a) a full written explanation of the legal practitioner's conduct in respect of specified matters relevant to the investigation or discovered from the inspection; and

(b) documents, materials and records; or a category, class or range of documents, materials and records specified in the notice.

(9) In issuing a notice under subsection (8) of this section, the Committee must stipulate a timetable for compliance not less than 14 days and not longer than 28 days, and the legal practitioner must comply accordingly unless he satisfies the Committee that he has cogent reasons to delay in which case the Committee may extend the timetable, but no such extension may be longer than an additional month.

(10) A legal practitioner who obstructs the Committee in the carrying out of its functions or fails to comply with a notice under subsections (8) and (9) of this section commits a professional misconduct.

22. Liability for Negligence

(1) Subject to the provisions of this section, a person shall not be immune from liability for damage attributable to his negligence where he acts as a legal practitioner, and any provision purporting to exclude or limit the liability in any contract is void.

(2) Nothing in subsection (1) of this section shall -

(a) prevent the exclusion or limitation of liability where a legal practitioner gives his services without reward by way of fees, disbursements or otherwise; and

(b) affect the application to a legal practitioner of a law which exempts barristers from liability where the rule applies to the conduct of proceedings in the face of any court, tribunal or other body.

PART VI

GENERAL COUNCIL OF THE BAR

23. The General Council of the Bar

(1) There is established a body known as the General Council of the Bar ("the Bar Council")

(2) The Bar Council shall consist of-

(a) the Attorney-General of the Federation, who shall be the President of the Bar Council;

(b) the President of the Association, who shall be the Vice-President of the Bar Council;

(c) twelve Attorneys-General of the States to be nominated by the Attorney-General of the Federation, two from each Geo-political zone of the country on rotational basis; and

(d) fifteen members of the Association of not less than 10 years post call, appointed by the NEC of the Association and a local branch shall not have more than one representative.

(3) The Bar Council shall -

(a) be charged with the functions conferred on it by this Act; and

(b) make rules for the regulation of professional conduct and ethics in the profession.

(4) The members of the Bar Council specified in subsection (2) (c) and (d) of this section shall serve for a period of three years. I

(5) The quorum of the Bar Council shall be fifteen including the President and at least fourteen other members, six of whom shall be from each of the membership specified under subsection 2(c) and

(d) of this section.

(6) The Bar Council may-

(a) make standing orders regulating its procedure subject to the provisions of any order; and

(b) regulate its own proceedings.

(7) The proceedings of the Bar Council shall not be invalidated by any vacancy in its membership, or by the fact that a person who took part in the proceedings is not entitled to do so.

24. Inner Bar and docket priority

(1) A Court shall accord the officers listed in subsection (2) of this section, the privileges mentioned in subsection (3) of this section.

(2) The officers referred to in subsection (1) of this section are -

- (a) the Attorney General of the Federation;
- (b) Attorneys General of States;
- (c) Senior Advocates of Nigeria in order of seniority;
- (d) Life Benchers;
- (e) President of the Association;
- (f) Solicitor - General of the Federation; and
- (g) Solicitors - General of the States.

(3) The privileges referred to in subsection (1) of this section are -

- (a) to sit in the Inner Bar or front row of the seats available in a court for legal practitioners;
 - (b) without prejudice to the priority of criminal and human rights cases, the privilege to mention their cases out of turn; and
 - (c) such other privileges as the Legal Practitioners Privileges Committee may from time to time, confer;
- (4) The supplementary provisions set out in the Second Schedule to this Act shall have effect with respect to docket priority.

25. Mandatory pupillage

(1) A person -

- (a) called to the Nigerian Bar shall undergo a mandatory pupillage for two years except in circumstances which may be permitted by the Body of Benchers in consultation with the Association; and
- (b) who has not undertaken the mandatory two years' pupillage shall not commence practice as sole practitioner or set up a law firm either alone, in partnership or other arrangement with any other legal practitioners.

(2) The Body of Benchers in consultation with the Nigeria Bar Association may make regulations and set up the criteria for the conduct of pupillage for new entrants to the Bar.

(3) The Body of Benchers shall develop and maintain rules and guidelines which shall provide for -

- (a) the structure, duration of the pupillage programme and allowances of pupils;
- (b) fair treatment and selection of pupils;
- (c) duties, training and responsibilities of pupil supervisors;
- (d) support and advice for pupils; and
- (e) complaints procedures and remuneration of the pupil.

(4) The Body of Benchers shall have -

- (a) a division responsible for pupillage programme; and
- (b) qualified legal practitioners as pupil supervisors.

(5) Participation and contribution as pupil's supervisor shall be one of the criteria for conferment of

legal practitioners' privileges under this Act.

(6) This section shall commence on issuance of the appropriate rules stipulated in subsection (2) of this section.

26. Mandatory continuing professional development

(1) There shall mandatory continued professional development programme for legal practitioners by the Association.

(2) the Association shall make rules and regulations for mandatory continuing professional development and the accreditation of professional programmes of any other organization that offers continuing legal education programmes.

27. Inspection and accreditation

The General Council shall set standards for law offices of legal practitioners in Nigeria.

28. Practicing license and practicing fees

(1) Subject to the regulations made by the Nigeria Bar Association, a person whose name is on the Roll shall practice as a legal practitioner where, he obtains a practicing licence from the Association certifying that he is entitled to practice as a legal practitioner in accordance to the provisions of this section before offering any form of legal service.

(2) The practicing licence shall be issued or renewed at intervals as prescribed under the regulations made from time to time by the Nigeria Bar Association. I .

(3) The practicing licence shall be issued or renewed by the Association if satisfied that the applicant has -

(a) paid annual practicing fees as may from time to time be prescribed by the Bar Council stipulated in this Act for the year the application is made;

(b) satisfied the Nigeria Bar Association that he is a person of good character; and

(c) in the case of renewal, obtained the required number Of credits under a Mandatory continuing Professional Development programme administered or approved by the Association.

(4) A person without a valid licence shall not act or permitted in any way to-

(a) present himself before a court, Tribunal or Arbitrator as a legal practitioner; or

(b) act as in-house counselor be so employed or continue to be employed by any person; or

(c) act as a legal practitioner or hold himself out as such where he is not, including preparing or signing or filing any contract, memorandum, deed, will, lease, assignment, power of attorney, mortgage, title deed, notice, warrant, bond, legal opinion, affidavit or any other document.

(5) The Association shall -

(a) issue to any legal practitioner who pays the practicing fee in respect of any year, a receipt for the fee in the prescribed form; and

(b) as soon as practicable after the end of April in each year and thereafter from time to time during the year as it considers appropriate cause to be printed in the prescribed form and put on a sale a list of the legal practitioners who paid the practicing fees in respect of the year.

29. Stamp and seal

(1) The Document referred to in section 28(4)(c) of this AQt, signed by a legal practitioner which purports to affect the rights, interests, estate or liability of a person shall be evidenced by affixing a stamp and seal issued to' individual legal practitioners by the Nigeria Bar Association.

(2) The Association shall constitute a standing committee to issue and renew stamp and seal.

PART VII

FOREIGN LAWYERS AND UNAUTHORISED PRACTICE OF LAW

30. Rules to allow practice by foreign lawyers .

(1) The Body of Benchers may, subject to terms and conditions as it may prescribe, grant a licence for a specific cause or matter to any person who is authorized by law to practice as a member of the legal profession in any country where, in the opinion of the Body of Benchers, such person is afforded special facility to carry out the specific cause or matter.

(2) Without prejudice to the generality of the power conferred by the provision of subsection (1) of this section, the Body of Benchers may require an applicant for a licence to pass an examination and pay the prescribed fees.

(3) Where a foreign legal practitioner has been afforded special facility to practice as a member of the legal profession in Nigeria, he can only provide legal services or represent a client in Nigeria, if he first enters into a partnership or collaboration agreement with a legal practitioner duly authorized to practice law in Nigeria.

(4) The provisions of the Professional Bodies (Special Provisions) Act, Cap P33, Laws of the Federation of Nigeria, 2004 shall cease to apply to the legal profession, and the enrolment and practice of law by legal practitioners in Nigeria shall be in accordance with this Act.

31. Unauthorized practice of law

(1) A person who is not a legal practitioner who-

(a) engages in the practice of practices law, or offers himself out as practicing law by performing any act or rendering services reserved for regulated persons under this Act without appropriate licence or approval;

(b) attempts to carryout or carries out any act that constitutes the practice of law;

(c) assumes, takes or uses in the context of law business the title of legal practitioner, or any addition, appellation, appendage, description, label, name, prefix, or suffix which implies or suggest! that he is a legal practitioner;

(d) pretends to be a legal practitioner, or presents himself as qualified or recognized to act as a legal practitioner;

(e) does anything, or makes an omission, with intention to imply that he is a legal practitioner; or

(f) prepares any document or instrument relating to movable or immovable property, goods or services, probate or letters of administration, or court proceedings ,in expectation of reward or consideration, commits an offence and is liable on conviction to imprisonment for a term not less than three years or a fine of N5,000,000:00 or both.

(2) Nothing in subsection (1) of this section shall prevent a person from being punished for contempt of court, and a proceeding for an offence under this section shall not be brought or continued against a person in respect of any act of which he has been for contempt of Court.

(3) Nothing in subsection (1)(d) of this section shall make it an offence where a person prepares an instrument-

(a) in the course of his activities as a pupil of a legal practitioner;

(b) which relates to property in which he has or claims an interest including an interest as a personal representative or as a person entitled to any part of the estate of a deceased person;

(c) which relates to any proceedings to which he is a party, or to which he may be a party;

(d) to record information or expert opinion intended for use in, or with a view to, any proceeding;

(e) which is, or is intended to be, a will or any other testamentary instrument; and

(f) of a class or description as the Attorney- General may by order determine.

(4) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of any legal practitioner, director, manager, secretary or any other similar officer of the body corporate, the culprit and the body corporate deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(5) An agreement to transfer, directly or indirectly, any money or thing in consideration of any act which constitutes an offence under this section is void; and any money or thing so transferred, or the value of the thing, shall be recoverable by the transferor from the transferee or from any other person who committed the offence, whether or not any proceedings is brought in respect of the offence or the time for bringing such proceedings has expired.

(6) An agreement to transfer, directly or indirectly, any money or thing in consideration of any act which constitutes an offence under this Item of this schedule is void; and any money or thing so transferred, or the value of the thing, is recoverable by the transferor from the transferee or from any other person by whom the offence was committed, whether or not any proceedings have been brought in respect of the offence or the time for bringing proceedings has expired.

(7) Any document or instrument prepared contrary to this section is void.

PART VIII

RANK OF SENIOR ADVOCATE OF NIGERIA

32. Legal Practitioners Privileges Committee

(1) There is established the Legal Practitioners Privileges Committee which shall consist of -

(a) the Chief Justice of Nigeria as the Chairman; .

(b) the Justice of the Supreme Court next in seniority to the Chief Justice;

(c) the Attorney-General of the Federation;

(d) the President of the Court of Appeal;

(e) the President of the Association, where he is a Senior Advocate of Nigeria;

(f) the Chief Judge of the Federal High Court;

(g) the President of the National Industrial Court;

(h) six Chief Judges of the High Courts appointed by the Chief Justice of Nigeria in rotation from among states which constitute each of the six geographical zones; and

(i) six Senior Advocates of Nigeria, one of whom shall be a professor of law of not less than six years, appointed by the Chief Justice of Nigeria in consultation, in writing, with the Attorney - General of the Federation.

(2) The members appointed under subsection (1) (h) and (i) of this section shall hold office for a term of two years, renewable once and no more.

(3) Quorum for proceedings shall be the Chairman and 12 other members.

(4) The proceedings of the Privileges Committee shall not be invalidated by any vacancy in its membership, or by the fact that a person who took part in the proceedings is not entitled to do so.

33. Senior Advocate of Nigeria'

(1) The Legal Practitioners Privileges Committee may by instrument confer on a legal practitioner the rank of Senior Advocate of Nigeria (SAN).

(2) A candidate for a rank of SAN shall be a legal practitioner with at least 5 years' post-call experience, who has achieved distinction in the legal profession,

(3) A legal practitioner shall not be eligible for conferment of the rank of SAN unless the legal practitioner-

(a) has under his employment, not less than five junior lawyers; and

(b) has undergone an induction course before the conferment of the rank.

(4) The Legal Practitioners' Privileges Committee may approve, direct or order such other training at intervals for Senior Advocates of Nigeria.

(5) The Legal Practitioners' Privileges Committee shall, with the approval of the Body of Benchers make rules on -

(a) the privileges to be accorded to Senior Advocates of Nigeria,

(b) the functions of a legal practitioner which are not to be performed by a Senior Advocate of Nigeria,

(c) the mode of appearance before courts by a Senior Advocate of Nigeria, and

(d) generally to ensure the dignity of the rank of Senior Advocate of Nigeria.

(6) The Legal Practitioners Privileges Committee with the approval of the Body of Benchers shall make, retain or review rules and criteria for conferment of the rank of SAN, and may stipulate the conditions for withdrawal of the rank.

PART IX

REMUNERATION

34. Remuneration of legal practitioners

(1) There is established the Legal Practitioners Remuneration Committee which shall consist of-

(a) Attorney-General of the Federation and Minister of Justice as Chairman;

(b) President of the Association as Alternate Chairman;

(c) six States Attorneys-General, one from each geopolitical zone; and

(d) six members of the Association nominated by the NEE of the Association.

(2) Quorum for proceedings is nine members.

(3) The Legal Practitioners Remuneration Committee may make rules to regulate the remuneration and charges of legal practitioners.

(4) Notwithstanding the provision of subsection (3) of this section, the Committee may make any order -

(a) to determine the terms on which a legal practitioner shall accept work or brief;

(b) to determine and recommend minimum remuneration for young lawyers;

(c) to determine the charges appropriate for any transaction or activity by reference to such consideration as may be specified;

(d) on the taking by practitioners of security for the payment of their charges and the allowance of interest with respect to the security;

(e) on the agreement between practitioners and clients, with respect to charges; and

(f) to advise the Association in respect of pension and insurance issues.

(5) This section shall not affect the law on remuneration of the legal practitioners in Nigeria, until the first order made pursuant to this section comes into force. '

35. Recovery of charges

(1) Subject to the provisions of this Act, a Legal Practitioner shall be entitled to recover his charges by action in any Court of competent jurisdiction.

(2) Notwithstanding the provision of subsection (1) of this section, a legal practitioner shall not be entitled to begin an action to recover his charges unless-

(a) bill for the charges containing particulars of the principal items included in the bill and signed by him, or in the case of a firm, by one of the partners or in the name of the firm, has been served on the client personally or left for him at his last address as known to the Practitioner or sent by post addressed to the client at that address; and

(b) the period of 30 days beginning with the date of delivery of the bill has expired.

(3) Where a legal practitioner satisfies the court, through an application made *ex parte* or the court so directs after giving the prescribed notice that -

(a) a bill of charges is delivered to the client;

(b) the charges appear to be proper in the circumstances; and

(c) there are circumstances which indicates that the client is about to engage in an act which may prevent or delay the payment to the practitioner of the charges, the court may order that the legal practitioner be authorized to bring and prosecute an action to recover the charges unless the client gives such security for the payment of the charges as may be specified in the direction.

(4) The Court may, on the application of the client-

(a) order a legal practitioner to deliver his bill of charges to the client;

(b) make an order for the delivery of any documents in the control of the practitioner which belongs to or is received by him from or on behalf of the client, and

(c) without prejudice to the generality of the powers of the Court to punish for contempt or to the provisions of this Act relating to the discipline of a legal practitioner, punish any practitioner who refuses or fails to comply with an order under this 'subsection for contempt.

(5) The value of any consideration received by a person for anything done by a legal practitioner shall, where the value exceeds the minimum charges to which by virtue of this Act, the practitioner is entitled to in respect of that thing, be recoverable from -

(a) any person who" received the consideration; or

(b) the practitioner by the person from whom the consideration moved directly or indirectly.

36. Supplementary provisions as to remuneration

(1) In this part -

"bill of charges" means a bill mentioned in section 36(2) of this Act;

"charges" means any charges whether by way of fees, disbursements, expenses or otherwise in respect of anything done by a legal practitioner in his capacity as a legal practitioner;

"client" means a person alleged to be liable to pay the charges of a legal practitioner;

"the court" means -

(i) the High Court of the State in which the legal practitioner in question carries on his practice or resides or in which the client in question resides or has his principal place of business; or

(ii) in the case of a legal practitioner authorized to practice by warrant, the High Court of the State in which the proceedings specified in the application for the warrant commenced; and

(2) For the purposes of remuneration provisions, a bill of charges is delivered if it is served on, left for or sent to the client as mentioned in section 36(3)(a) of this Act and, in relation to a bill of charges, "deliver and cognate" expressions shall be construed.

(3) The remuneration provisions shall apply to a firm consisting of legal practitioners in partnership as it applies to a legal practitioner.

(4) For the purposes of the remuneration provisions, a person is deemed to be a legal practitioner in relation to any charges if he was a legal practitioner when he performed the services to which the charges relate.

PART X

SAFEGUARDS FOR CLIENTS, ETC

37. Clients' Accounts

(1) Subject to subsection (2) of this section, the Bar Council may from time to time make rules-

(a) on the opening and keeping of account by a legal practitioner at a bank for clients' money;

(b) on the keeping of records of particulars and information of any money received, held or paid by the legal practitioner for or on account of the client;

(c) on the opening and keeping of account for money of any trust at a bank by a legal practitioner who is the sole trustee, or who is a co-trustee with one or more of his partners, clerks or servants;

(d) on keeping of records of particulars and information of any money received, held or paid by legal practitioner for or on account of any trust by such a practitioner as is mentioned

in subsection (1)(c); and

(e) to empower the Bar Council to take such action as it thinks necessary to enable it to ascertain whether the rules are complied with.

(2) Rules under this section shall not require the keeping of account or records-

(a) by a legal practitioner in respect of any money received, held or paid by him as a member of the Public Service of the Federation or a State; or

(b) in any other circumstances as may be specified by the rules.

(3) For the purposes of this section, "trustee" includes personal representatives, and in relation to a personal representative, any reference to a trust shall be construed as a reference to the deceased's estate.

38. Special Provisions as to client accounts with banks

(1) A bank at which a legal practitioner keeps an account for clients' money shall not, in respect of any liability of the legal practitioner to the bank which does not arise in connection with the account, have or obtain any recourse or right, whether by way of set-off, counter-claim, charge or otherwise, against any money standing to the credit of the account.

(2) A bank shall not, in connection with any transaction in respect of an account of a legal practitioner kept for clients' money other than an account kept by him as a trustee for a specified beneficiary, incur any liability or be under any obligation to make any inquiry, or be deemed to have any knowledge of any right of a person to any money paid or

credited to the account, which it may not incur 'or be deemed to have in the case of an account kept by a person entitled to all the money paid or credited to the account.

PART XI

MISCELLANEOUS PROVISIONS

39. Pre-action Notice

(1) No civil action shall be- commenced against the Body of Benchers or its authorised officers until the expiration of a period of 30 days after written notice of intention to commence the suit shall

have been served on the Body of Benchers by the intending plaintiff or their agent, and the notice shall clearly state the-

- (a) cause of action;
- (b) particulars of the claim;
- (c) name and place of abode of the intending plaintiff; and
- (d) relief sought.

(2) A notice, summons or other document required or authorized to be served upon the Body of Benchers under the provisions of this Act or any. other law or enactment may be served by delivering it to the Office of the Secretary.

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40. Power to make regulations

The Body of Benchers may make regulations generally to give to the provisions of this Act

41. Repeal

The Legal Practitioners Act, CAP L 11, Laws of the Federation of Nigeria, 2004, is repealed.

42. Savings and transitional provisions

(1) The repeal of the Act under section 43 of this Act shall not affect anything done or purported to have been done under the repealed Act.

(2) Any person who held office or served under the repealed Act and existing before the commencement of this Act, shall continue in office and be deemed to have been appointed under this Act in accordance with the same terms and conditions.

(3) There is vested in the Body of Benchers all assets, funds, resources and other immovable property, which immediately before the commencement of this Act were vested in the Body of Benchers under the repealed Act.

(4) All rights, interests, obligations and liabilities of the Body of Benchers under the repealed Act existing immediately before the commencement of this Act under any contract or instrument, in law or in equity shall by virtue of this Act be assigned to and vested in the Body of Benchers established under this Act.

43. Interpretation

In this Act-

"Association" means the Nigerian Bar Association;

"Bar Council" means the General Council of the Bar;

"Bencher" means a member of the Body of Benchers established under this Act;

"Chief Justice" means the Chief Justice of Nigeria;

"client" means a person to whom a Legal Practitioner provides Legal services;

"Direction includes order;

'foreign lawyer" means a person entitled to practice law in a foreign jurisdiction;

'former Act" means the Legal Practitioners Act 2004 as amended;

'functions" includes duties and powers;

"him" includes female gender and vice versa;

'instrument" in relation to immovable property, means any document which confers, transfers, limits and

charges or extinguishes any interest in the property or which purports to do so;

"Laws of the Federal Republic of Nigeria" means the laws of the Federal Republic of Nigeria in force

on the commencement of this Act;

'legal practitioner" means a person whose name is on the Roll of Legal Practitioners kept at the Supreme

Court of Nigeria and the Body of Benchers;

"notice" means notice in writing;

"Person includes natural and artificial entities;

"prescribed" means prescribed by statute or regulations;

"President of the Association" means the person who is President of the Association in accordance with its Constitution;

"property" includes rights, liabilities and obligations;

"regulated person" means a legal practitioner, a person who seeks to be a legal practitioner or a person to whom a legal practitioner may delegate any duty;

'the Roll" means the Roll of legal practitioners maintained under Section 16 of this Act;

"SAN" means a legal practitioner who has been elevated to the rank of Senior Advocate of Nigeria; and

'theft" means to steal and includes fraudulent conversion or misappropriation.

44. Short title

This Act may be cited as the Legal Practitioners Act, 2025.

FIRST SCHEDULE

[Section 4(9)]

SUPPLEMENTARY PROVISIONS RELATING TO THE BODY OF BENCHERS, ETC

1. Proceedings of the Body of Benchers

(1) Subject to this Act and section 26 of the Interpretation Act which provides for decisions of statutory body to be taken by a majority of its members and for the person presiding at any meeting, when a vote is ordered, to have a second or casting vote, the Body of Benchers may make standing orders to regulate its proceedings or that of any of its committees.

(2) At any meeting of the Body of Benchers, the Chairman shall preside and in his absence, the Vice Chairman shall preside and in his absence, members present at the meeting shall appoint one of their numbers to preside at the meeting.

(3) Except as may be provided by regulations made under section 4 (5) of this Act quorum for any meeting of the Body of Benchers shall be 10 members, which shall include the presiding Chairman and two private practice representatives.

(4) The Body of Benchers shall for the purpose of this Act, meet not less than four times each year at places as may be convenient for them and may, in such manner as they think fit, prescribe the procedure for their meetings.

(5) Subject to the provisions of subparagraph (4) of this paragraph, the Body of Benchers shall meet

(a) where it is summoned by the Chairman; and

(b) if required to do so by notice given to the chairman by not less than 1/3 of members, within fourteen days from the date in which the notice is given.

(6) Where the Body of Benchers desires to obtain the advice of any person on any particular matter, the Body of Benchers may co-opt such person for such period as it thinks fit, but a person co-opted pursuant to this paragraph shall not vote at any meeting of the Body of Benchers and shall not count towards a quorum. . I

(7) The validity of any proceedings of the Benchers shall not be affected by any -

(a) vacancy or variation in the membership of the Benchers;

(b). defect in the appointment of a member; or.

(c) irregularity in the proceedings of any of their meetings.

2. Committees

(1) Subject to its standing orders, the Body of Benchers may appoint such number of standing or adhoc committees as it thinks fit to consider and report on any matter with which the Body of Benchers is concerned.

(2) A committee appointed under this paragraph shall-

(a) consist of such number of persons as may be determined by Regulations of the Body of Benchers

(b) be presided over by a member of the Body of Benchers.

(3) The quorum of any committee set up shall be determined by the Body of Benchers.

(4) The decision of any committee set up shall constitute a recommendation to the Body of Benchers.

Explanatory Memorandum

This Bill seeks to Repeal the Legal Practitioners Act, Cap L11, Laws of the Federation of Nigeria, 2004 and Enact the Legal Practitioners Act, to provide for Reforms, Regulate the Legal Profession and for Related Matters.