

---

# NIGERIAN BAR ASSOCIATION

## CONSTITUTION

2015

(as amended in 2025)



**THE NIGERIAN BAR ASSOCIATION CONSTITUTION 2015**  
(as amended in 2025)  
**Arrangement of Sections**

PART I – Establishment, Objects, Membership.....	4
1. Name.....	4
2. National Secretariat.....	4
3. Aims and Objectives.....	4
4. Membership.....	5
5. Affiliations.....	6
PART II – Governance, Management & Elections.....	6
6. Supreme Authority.....	6
7. General Council of the Bar.....	6
8. National Executive Council.....	8
9. National Executive Committee.....	11
10. Election to National Offices and General Council of the Bar.....	20
11. NBA National Secretariat.....	20
12. General Meetings.....	22
13. Annual General Conference.....	23
14. Committees.....	24
15. Editorial Board.....	30
16. Branches.....	31
17. Sections.....	32
18. Institutes.....	33
19. Fora.....	33
20. Discipline.....	33
21. Dispute Resolution.....	34
22. Funds of the Association.....	35
23. Finance.....	36
24. NBA Stabilisation Fund.....	38
25. Trustees.....	38
PART III – Savings and Transitional Provisions.....	39
26. Amendment Procedure.....	39
27. Interpretation.....	40



28. Amendment.....	41
29. Citation and Commencement.....	41
FIRST SCHEDULE – STANDING ORDERS .....	42
SECOND SCHEDULE - ELECTIONS .....	45
PART I - CODE OF CONDUCT FOR ECNBA.....	45
PART II - APPOINTMENT OF SERVICE PROVIDER.....	47
PART III - ELECTION OF NATIONAL OFFICERS.....	49
PART IV - ELECTION OF NBA REPRESENTATIVES TO THE GENERAL COUNCIL OF THE BAR.....	51
PART V - ELECTRONIC VOTING.....	53
PART VI - PRELIMINARY NOTICE OF ELECTION.....	53
PART VII - DISQUALIFICATION OF CANDIDATES.....	53
PART VIII - APPEALS BY DISQUALIFIED CANDIDATES .....	54
PART IX - RESULT OF ELECTIONS.....	54
THIRD SCHEDULE – THE NIGERIAN BAR ASSOCIATION UNIFORM BYE-LAWS FOR BRANCHES .....	55
FOURTH SCHEDULE - THE NIGERIAN BAR ASSOCIATION UNIFORM BYE-LAWS FOR SECTIONS .....	79
FIFTH SCHEDULE – UNIFORM BYE-LAWS FOR INVESTIGATION OF COMPLAINTS OF PROFESSIONAL MISCONDUCT AGAINST MEMBERS .....	100
SIXTH SCHEDULE - OATH OF OFFICE FOR NATIONAL OFFICERS.....	101
SEVENTH SCHEDULE - NBA JOURNAL.....	101
EIGHTH SCHEDULE - LIST OF SECTIONS .....	101
NINTH SCHEDULE - LIST OF INSTITUTES.....	102
TENTH SCHEDULE - LIST OF FORA.....	102



## **PART I – ESTABLISHMENT, OBJECTS, MEMBERSHIP**

### **1. Name**

The Association shall be called the Nigerian Bar Association.

### **2. National Secretariat**

The National Secretariat of the Association shall be situated in the Federal Capital Territory. The Association may maintain liaison offices in other cities/towns as the National Executive Council may decide.

### **3. Aims and Objectives**

The aims and objects of the Association shall be the:

1. Maintenance and defence of the integrity and independence of the Bar and the Judiciary in Nigeria.
2. Promotion and advancement of Legal Education, Continuing Legal Education, Advocacy and Jurisprudence.
3. Improvement of the system of administration of justice, its procedures, and the arrangement of court business and regular law reporting.
4. 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.
5. Promotion and support of law reform.
6. Maintenance of the highest standard of professional conduct, etiquette and discipline.
7. Promotion of good relations among members of the Association and lawyers of other countries.
8. 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 Council.
9. Encouragement and protection of the right of access to courts at reasonably affordable fees and of representation by counsel before courts and tribunals.
10. Encouragement of the establishment of a National Law Library.
11. Promotion and protection of the principles of the rule of law and respect for fundamental rights, human rights, and peoples' rights.



12. Creation of schemes for the empowerment of newly qualified members and members living with disabilities, and for the provision of assistance to aged or incapacitated members of the Association.
13. Establishment of schemes for the promotion of the welfare, security, and economic advancement of members of the legal profession.
14. Creation and maintenance of an Endowment Fund for the proper observance and discharge of any of these aims and objects.

#### 4. Membership

There shall be three categories of membership: Full Membership, Honourary Membership, and International Membership.

##### (1) Full Membership

- a. 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.
- b. Notwithstanding the provision of Section 4(1) (a), any member who fails or neglects to pay the prescribed Annual Practising Fees on or before the 31<sup>st</sup> of March in each year shall have no right to vote or be voted for at any election of the Association.
- c. Failure or neglect to pay the Annual Practising Fees and Branch Dues, as and when due, shall disentitle such member from the benefits and privileges accruing to members of the Association.

##### (2) Honourary Membership

- a. On the recommendation of the National Executive Council, the Annual General Meeting may admit into the Association as an Honourary Member, any of the following:
  - i. Any member of the legal profession who is called to the Bar or qualified to practice as a lawyer in any jurisdiction other than Nigeria; or
  - ii. Serving or retired Judicial Officers including other legal practitioners exercising full time judicial functions.



- b. A honorary member may attend and, if permitted by the presiding officer, speak at any Annual General Meeting or other meetings of the Association.
- c. A honorary member of the Association shall not be required to pay any subscription, dues, or levies, and shall not be entitled to vote and be voted for at any election of the Association.

### (3) International Membership

- a. Any person who is called to the Bar or qualified to practice as a lawyer in any jurisdiction other than Nigeria may apply to be admitted as an international member of the Association upon the payment of a prescribed subscription fee.
- b. An international member may attend and, if permitted by the presiding officer, speak at any Annual General Meeting or other meetings of the Association.
- c. An international member shall not be entitled to vote and be voted for at any election of the Association.

### 5. Affiliations

In furtherance of its aims and objectives, the Association may from time-to-time affiliate itself with organisations with which it shares similar aims and objectives.

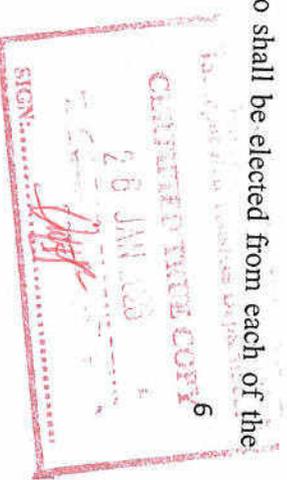
## PART II – GOVERNANCE, MANAGEMENT & ELECTIONS

### 6. Supreme Authority

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

### 7. General Council of the Bar

- (1) Composition of the Representatives of the Association in the General Council of the Bar
  - (a) Pursuant to Section 1(2)(c) of the LPA, the members representing the Association in the General Council of the Bar shall be comprised of the following:
    - (i) The President of the Nigerian Bar Association
    - (ii) The General Secretary of the Association and
    - (iii) Eighteen Members of the Association who shall be elected from each of the



three Zones for a term of two (2) years. Provided that each zone shall produce not less than six members.

(2) Qualifications for Election into the General Council of the Bar

Any member of the Association seeking election into the General Council of the Bar shall be qualified for such election if he/she:

- a. is a full member of the Association; provided that at least two of the prospective candidates from each of the Zones are not less than 10 years post call.
- b. has paid, as at the date of his or her nomination, Bar Practising Fees and Branch Dues as and when due, for three (3) consecutive years inclusive of the year of the election;
- c. is in private legal practice; and
- d. has at any time, not less than two (2) years prior to his/her nomination, been a member of the National Executive Council or served as a National Officer in the National Executive Committee or served as a Branch Executive Officer or Member of Executive Committee/Governing Council of a Section or Forum in the Association, unless he is a Senior Advocate of Nigeria.

(3) A member of the Association can only be elected as a member of the General Council of the Bar for two terms only.

**8. National Executive Council**

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

- a. National Officers;
- b. All past Presidents and General Secretaries;
- c. All Chairmen and Secretaries of registered Branches;
- d. Chairmen and Secretaries of Sections and Fora;
- e. Other deserving members of the Association co-opted by the National Executive Council provided always that the total number of the co-opted members shall not exceed 150 (one hundred and fifty) the composition of which shall be as follows:
  - i. Senior Advocates of Nigeria – 30;
  - ii. Senior Members, other than Senior Advocates of Nigeria, who are over 25 years post call – 30;



- iii. Active members of 10 years post call but below 25 years post call – 45
  - iv. Past National Officers other than Past Presidents and General Secretaries – 10
  - v. Special interest groups – 20
  - vi. Active members who are less than 10 years post call – 15
- (2) The National Executive Council shall meet at least once in a quarter at such time and place as may be decided by the National Executive Council.
- (3) The quorum for the meetings of the National Executive Council 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 at any time.
- (4) The President may direct the General Secretary to convene an emergency meeting of the National Executive Council where the situation so demands.
- (5) On the requisition of at least seventy-five (75) members of the National Executive Council, the President or the General Secretary shall convene a meeting of the National Executive Council within two (2) weeks of the receipt of the requisition.
- (6) Subject to the provisions of the Legal Practitioners Act and other provisions of this Constitution, the National Executive Council shall have the powers to:
- a. Exercise control and management over the finances of the Association including the Appointment of suitable Bankers 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 National Secretariat of the Association;
  - e. Cause the accounts of the Association to be audited annually by a professional firm of auditors, appointed by the Annual General Meeting;
  - f. 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 objectives 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;



- g. Entertain petitions and complaints pertaining to disputes arising from the administration of Branches, and take such decisions or give such directives as may be necessary; and
- h. Investigate or appoint one or more competent persons to investigate the affairs of the Association or any of the Branches of the Association and to report to the Council or the Annual General Meeting or an Extra-Ordinary General Meeting of the Association in such manner as the Council may direct.
- (7) Decision making at the meetings of the National Executive Council shall, where practicable, be by consensus but where it becomes necessary to put any question to vote then it shall be decided by a simple majority based on a show of hands provided however that the National Executive Council may resolve to decide any specific issue by secret ballot.
- (8) Any member who is absent from three (3) consecutive meetings of the National Executive Council shall cease to be a member of the Council unless he/she shows reasonable cause for such absence to the satisfaction of the Council.
- (9) Attendance at meetings of the Council may be by physical presence, by virtual means through a designated electronic medium as may be stated in the Notice of Meeting and hybrid, that is, by both in-person and virtual means and attendance by virtual means shall be accounted as attendance for the purpose of subsection (8) of this section.

**9. National Executive Committee**

- (1) The National Executive Committee shall consist of National Officers of the Association who 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 General Secretary
  - g. The Treasurer



- h. The Welfare Secretary
- i. The Publicity Secretary
- j. Assistant Publicity Secretary

(3) Qualifications to hold a National Office

A member of the Association shall be qualified to hold a National Office if he/she:

- a. 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. With respect to the office of the President, 1<sup>st</sup> Vice President and General Secretary, is in private legal practice.
- c. Has at any time prior to his/her nomination been a member of the National Executive Council or the Executive Committee of a Branch or Section or Forum of the Association as indicated hereunder:
  - i. For contestants for the offices of President, Vice Presidents, and General Secretary, – he/she shall have been a member of the National Executive Council of the Association for not less than two (2) years at the time of nomination.
  - ii. For contestants for the offices of Treasurer, Publicity Secretary and Welfare Secretary - he/she shall have been a member of the National Executive Council or the Executive Committee of a Branch or Section or Forum of the Association for not less than two (2) years at the time of nomination.
  - iii. For contestants for the offices of Assistant General Secretary and Assistant Publicity Secretary, he/she shall have been a member of the Executive Committee of a Branch or Section or Forum of the Association or have been a member of the National Executive Council of the Association for not less than two (2) years at the time of nomination.
- d. Has satisfied the post-call enrolment requirement specified hereunder:
  - i. President, First Vice-President, Second Vice President, Third Vice President, and General Secretary – not less than fifteen (15) years post-call.
  - ii. Treasurer, Publicity Secretary, and Welfare Secretary – not less than ten (10) years post-call.
  - iii. Assistant General Secretary and Assistant Publicity Secretary – not less than



five (5) years post-call.

- e. In reckoning post-call years, a person shall be regarded as having attained a post-call year on each succeeding anniversary of his/her call to the Bar and not sooner.
- f. The National Officers, and in particular, the President and the General Secretary, must be persons with proven integrity, administrative skills and experience and with demonstrable capacity to serve without expecting or having consideration for pecuniary rewards and/or remuneration.
- g. No serving President or other National Officer shall canvass or solicit for appointment in the Government of the Federation of Nigeria or of a State in Nigeria; 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. Provided that the provisions of this sub-section shall not apply to members of the Association who are serving as representatives of the Association in any Commission, Agency or other Executive Bodies established under the Constitution of the Federal Republic of Nigeria as well as members serving as non-executive directors 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 the Government of the Federation or any of the Ministries, Departments or Agencies of the Government of the Federation, or the Government of a State or any of the Ministries, Departments or Agencies of the Government of a State, or a Local Government Council or any of its Departments, Organs or Agencies, or any public or private organisation or body corporate.
- b. He/she sponsors or is associated with sponsoring a newspaper or magazine publication or 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. Provided that the election into the General Council of the Bar shall not be regarded as election into an elective office within the meaning of this



provision.

(5) Duties of National Officers

- a. The President – The duties of the President shall include:
  - i. Directing the summoning of Meetings of the National Executive Council of the Association 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 8 (5) of this Constitution.
  - ii. Presiding at the Annual General Meeting or Extraordinary and other General Meetings of the Association and Meetings of the National Executive Council and the National Executive Committee of the Association.
  - iii. Directing all other Officers of the Association in the performance of their duties and coordinating the activities of all Branches of the Association.
  - iv. Providing direction and leadership to all Committees of the Association.
  - v. Presenting at the Annual General Conference of the Association, 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 disposal of assets as may be necessary from time to time subject to the overall approval of the National Executive Council.
  - viii. Shall be an ex-officio member of all Committees of the Association, provided that the President shall not be a member of the Electoral Committee of the Nigerian Bar Association (ECNBA) and any of the Elections Appeal Committees.
  - ix. By virtue of his/her election into the office of the President, shall be a member of the General Council of the Bar and shall lead other representatives of the Association in the General Council of the Bar.
- b. The First Vice President:
  - i. Shall in the absence of the President preside at all meetings of the Association in



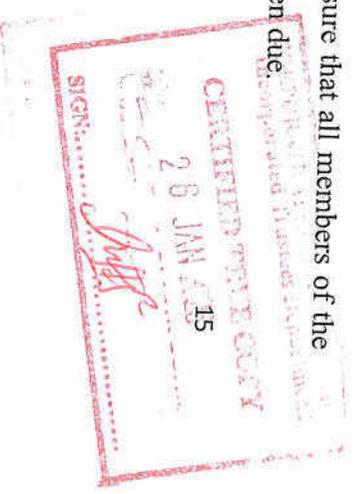
- which the President is empowered to preside by the provisions of this Constitution.
- ii. Shall be responsible for the coordination of the activities of the group of Branches as may be assigned to him/her by the National Executive Council or the National Executive Committee or the President of the Association 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 Council or 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 Council or the National Executive Committee or the Annual General Meeting of the Association or such other duties which the President is unable to perform owing to ill health, old age, absence from the country or any other reason.
  - v. Shall be the Chairman of the Human Rights Institute of the Association.
- 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 Council or the National Executive Committee or the President of the Association 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 Council or 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 Council or the National Executive Committee or the Annual General Meeting of the Association.



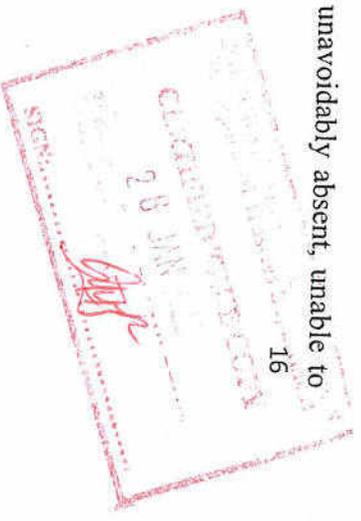
- d. The Third Vice President:
- i. Shall in the absence of the President, First Vice President, and Second Vice President, preside at all meetings of the Association in which the President is empowered to preside by the provisions of this Constitution.
  - ii. Shall be responsible for the coordination or the activities of the group of Branches as may be assigned to him/her by the National Executive Council or the National Executive Committee or the President of the Association 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 Council or 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 Council or the National Executive Committee or the Annual General Meeting of the Association.  
Provided that in the absence of the President and the Vice Presidents at any meeting of the Association at which the President is entitled to preside, the most senior member of the Association present and entitled to attend the said meeting shall preside.
- e. The General Secretary:
- i. Shall, on the instruction of the President or in accordance with a previous decision of the National Executive Council or pursuant to a requisition made in accordance with the provisions of this Constitution, summon the Annual General Meeting, Meetings of the National Executive Council, or other meetings of the Association.
  - ii. Shall record and keep the minutes including attendance and summary of all decisions taken thereat.
  - iii. Shall write and dispatch circulars, letters, and other correspondence of the Association including that of the National Executive Council or the National Executive Committee.
  - iv. Shall keep a roll of members and an up-to-date list of Branches of the Association.



- v. 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. Shall be the Head of the Secretariat Management Committee of the Association.
  - vii. Shall be an ex-officio member of all Committees of the Association, provided that the General Secretary shall not be a member of the Electoral Committee of the Nigerian Bar Association (ECNBA) and any of the Elections Appeal Committees.
  - viii. Shall perform all other duties as may be assigned to him/her by the President or the National Executive Council or the National Executive Committee or the Annual General Meeting.
  - ix. By virtue of his/her election into the office of the General Secretary, shall be a member of the General Council of the Bar.
- f. The Assistant General Secretary:
- i. 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. Shall perform all other duties as may be assigned to him/her by the President, the General Secretary, the National Executive Council, the National Executive Committee, or the Annual General Meeting.
- g. The Treasurer:
- i. 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 and keep records of such receipts and payments.
  - ii. Shall carry out any decision or directive of the Annual General Meeting in matters relating to the budget or finances of the Association.
  - iii. Shall, on the directive of the National Executive Committee, prepare or cause to be prepared, and submitted to the last Quarterly Meeting of the National Executive Council 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. Shall be in constant touch with the Branches to ensure that all members of the Branches pay their annual practising fees as and when due.



- v. Shall compile and circulate a list of members who have paid or are in default in respect of their practising fees in each year and take steps to circulate such list at the Annual General Meeting; the meeting of the National Executive Council, the various Heads of Courts in the country, Corporate Affairs Commission and such statutory bodies as may be decided from time to time by the National Executive Council.
- vi. Shall, in conjunction with the National Executive Committee, invest the monies of the Association in such securities as may be approved by the National Executive Council.
- vii. Shall cause to be prepared and presented to the National Executive Council 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 Council.
- viii. Shall circulate to every member of the National Executive Council the audited accounts and balance sheet for the preceding Financial Year.
- ix. Shall submit an annual report to the Annual General Meeting to which shall be attached the audited accounts and balance sheet for the preceding Financial Year.
- x. 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:
1. Half-Year (January-June) Audited Financial Statements; and
  2. Unaudited Management Report for the period ended one week to the Annual General Meeting date.
- xi. Shall circulate to every member of the National Executive Council the financial statements and reports specified in sub-paragraph (vii) above prior to the Annual General Meeting.
- xii. Shall be a member of the Secretariat Management Committee.
- xiii. Shall perform all other duties as may be assigned to him/her by the President or the National Executive Council or the National Executive Committee or the Annual General Meeting.
- xiv. In the event that the Treasurer is incapacitated, unavoidably absent, unable to



present the audited account to the Members at the Annual General Meeting; the "the Auditor who prepared the account" shall present the audited account at the General Meeting.

h. The Welfare Secretary:

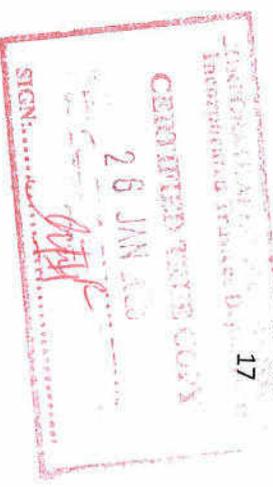
- i. Shall monitor the welfare and interest of members of the Association.
- ii. Shall bring to the notice of the National Executive Council or the National Executive Committee any matter concerning the welfare of any member of the Association whether within or outside the country with a view to protecting and preserving their rights, privileges, and welfare.
- iii. Shall be responsible for managing the programme of assistance for incapacitated, aged, or other disadvantaged members of the Association.
- iv. Shall be responsible for supervising the insurance and endowment programmes of the Association.
- v. Shall perform all other duties as may be assigned to him/her by the President or the National Executive Council or the National Executive Committee or the Annual General Meeting.

i. Publicity Secretary:

- i. Shall ensure adequate and prompt publicity of the activities of the Association.
- ii. Shall present a good and progressive image of the Association to the public.
- iii. 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 Council or the National Executive Committee.
- iv. Shall perform all other duties as may be assigned to him/her by the President or the National Executive Council or the National Executive Committee or the Annual General Meeting.

j. Assistant Publicity Secretary:

- i. 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. Shall perform all other duties as may be assigned to him/her by the President or the National Executive Council or the National Executive Committee or the



Annual General Meeting.

(6) Meetings of the National Executive Committee

- 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 other provisions of this Constitution, the President shall preside at the National Executive Committee Meetings.
- b. The quorum of the National Executive Committee Meeting shall be five (5) members present in person or attending through any virtual or electronic means.
- c. Decisions of the National Executive Committee 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. Provided that the President or presiding officer shall have a casting vote in the event of equality of votes.
- d. The National Officers shall have power to take decisions on behalf of the Association in all cases of emergency or when the National Executive Council cannot be emergently convened and report to the next National Executive Council Meeting for ratification.

10. **Elections to National Offices and the General Council of the Bar**

- (1) There shall be established an independent body to be known as the Electoral Committee of the Nigerian Bar Association (hereinafter called "the ECNBA") to conduct elections into National Offices of the Association and election of the representatives of the Association in the General Council of the Bar.
- (2) The Committee shall consist of a Chairman and six (6) other members.
- (3) The National Executive Council shall appoint the Chairman and members of the ECNBA not later than the month of December of the year preceding the election year.
- (4) The procedure for the appointment of the members of the ECNBA, the rules governing the conduct of election to national offices and election of the representatives of the Association in the General Council of the Bar, and disqualification of candidates from the election shall be as set out in the Second Schedule to this Constitution.
- (5) For the purposes of election into National Offices and the representatives of the Association in the General Council of the Bar, the country shall be divided into three zones as set out



in the Second Schedule to this Constitution.

(6) Election into National Offices shall be by universal suffrage and electronic voting as set out in the Second Schedule to this Constitution.

(7) Election of the representatives of the Association in the General Council of the Bar shall be by universal suffrage and electronic voting as set out in the Second Schedule to this Constitution.

#### 11. National Secretariat of the Association

(1) There shall be for the Association, a National Secretariat which shall be an essential organ of the Association.

(2) The National Executive Council shall, on the recommendation of the Appointment and Remuneration Committee, appoint an Executive Director for the Association under such terms and conditions as may be prescribed in his/her letter of appointment.

(3) The Executive Director shall be a University graduate with a degree in Law or any of the Social Sciences, with at least 10 years' cognate experience in managerial capacity in a reputable organisation.

(4) The Executive Director shall be responsible for the day-to-day running of the National Secretariat of the Association under the supervisory authority of the Secretariat Management Committee.

(5) The Executive Director shall present a monthly report to the Secretariat Management Committee on the activities of the National Secretariat of the Association and shall also present a quarterly management report to the meeting of the National Executive Committee, or at such time as the President may direct.

(6) The contract of employment of the Executive Director shall in the first instance be for a period of 4 (Four) years certain, subject to renewal for only one additional term of 4 years, upon successful completion of a performance appraisal by the Appointment and Remuneration Committee.

(7) The Executive Director shall stand in fiduciary relationship towards the Association and shall observe utmost good faith towards the Association in any dealings on behalf of the Association.

(8) The Executive Director may be removed by National Executive Council for



misconduct. Misconduct under this Constitution means any breach of the fiduciary duties of the Executive Director or a contravention of the terms contained in the Executive Director's letter of appointment and any specific act of wrongdoing or improper behaviour that is inimical to the interests or image of the Association.

(9) In cases of any serious allegations against the Executive Director, the Secretariat Management Committee shall have the powers to suspend the Executive Director pending the investigation of such allegations by the National Executive Council.

(10) The National Secretariat may comprise the following departments:

- (a) Finance and Administration;
- (b) Legal and Compliance;
- (c) Bar Services;
- (d) Programmes;
- (e) Conference and Events;
- (f) Research and Development;
- (g) Human Resources;
- (h) Media and Publicity;
- (i) Such other departments as may from time to time be created by the National Executive Committee, subject to the approval of the National Executive Council.

(11) The Appointment and Remuneration Committee shall be responsible for the appointment and recruitment of the Heads of the departments and such other staff for the Association, under such terms and conditions as may be prescribed in their respective letters of appointments, subject to the approval of the National Executive Council.

## 12. General Meetings

(1) There shall be a General Meeting of the Association held annually called the Annual General Meeting. Any other General Meeting of the Association shall be called an Extraordinary General Meeting.

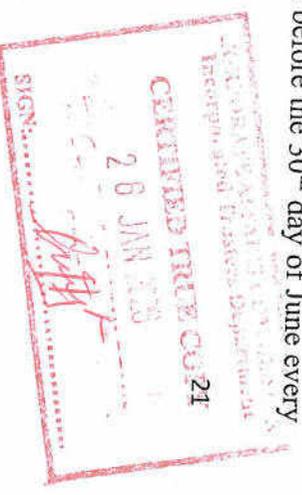
(2) The Annual General Meeting of the Association shall hold on such dates and place as may be determined by the National Executive Council.

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



Association:

- a. Receive and consider reports of the National Officers;
  - b. Receive and consider reports of Statutory Bodies;
  - c. Receive and consider audited accounts; and
  - d. Such other business as has been listed on the notice of the General Meeting.
- (4) An Extraordinary General Meeting of the Association to deliberate on specific issues may be summoned at such time and place as may be decided by the National Executive Council or requisitioned in accordance with subsection (7) of this Section.
- (5) The quorum at any General Meetings of the Association 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 Practising Fees and Branch Dues as and when due.
- (7) Upon the receipt, by the General Secretary, of a requisition calling for an Extraordinary General Meeting of the Association, which requisition shall state in clear details the matters that need to be deliberated upon at the meeting and signed by not less than one hundred (100) members of the Association from not less than one-third (1/3) of the registered Branches of the Association at any time, the President shall direct, in writing, the General Secretary to summon an Extraordinary Meeting of the Association.
- (8) Such an Extraordinary General Meeting of the Association shall hold within two (2) 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 (8) weeks before the date of the Annual General Meeting of the Association 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 of the Association shall be by a simple majority on a show of hands of members present and voting. Provided that the General Meeting shall have powers to determine the issues which shall be decided 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 the 30<sup>th</sup> day of June every year.



- (12) Notices or circulars of Annual General Meeting and Annual General Conference of the Association together with the agenda and proposed resolutions of such Meeting or Conference shall be dispatched to the Branches of the Association at least 30 days before the date of the Meeting and Conference.
- (13) The Standing Order set out in the First Schedule to this Constitution shall govern the conduct and deliberations at General Meetings and Conferences of the Association.

### 13. Annual General Conference

- (1) The Annual General Conference of the Association shall hold on such dates as may be determined by the National Executive Council of the Association 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 Council of the Association, shall set up an Annual General Conference Planning Committee.
- (3) The National Executive Council of the Association shall determine the business to be transacted at the Annual General Conference.

### 14. Committees

#### Standing Committees

- (1) The Association shall have the following Standing Committees:
- (a) Judiciary Committee;
  - (b) Law Reform Committee;
  - (c) Rule of Law and Human Rights Committee;
  - (d) Ethics and Disciplinary Committee;
  - (e) Legal Education Committee;
  - (f) Dispute Resolution Committee;
  - (g) Welfare Committee;
  - (h) Finance Committee;
  - (i) **Stabilisation Fund Committee;**
  - (j) General Purposes Committee;
  - (k) Secretariat Management Committee;
  - (l) Appointment and Remuneration Committee;



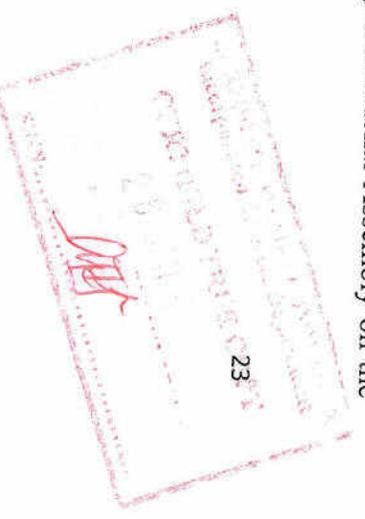
(m) **Electoral Committee of the Nigerian Bar Association (ECNBA);**

- (n) National Election Appeal Committee;
- (n) Branch Elections Appeal Committees;
- (o) Sections Elections Appeal Committee; and
- (p) Such other committees as may be created, from time to time, by the National Executive Council or the Annual General Meeting **of the Association.**

**Functions of Standing Committees**

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

- a. **Judiciary Committee:**
  - i. shall ensure maintenance of good relationship between the Bar, the Bench and Judiciary staff;
  - ii. 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;
  - iii. shall investigate allegations of corruption or misconduct involving any member of the Association and members of the judiciary;
  - iv. shall carry out any other function that may be assigned to it by the President or the National Executive Council **of the Association.**
- 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 National Executive Council on laws to be proposed to the Federal Government or National Assembly for promulgation or reform;
  - iii. shall liaise with bodies and/or groups working on aspects of law reform;
  - iv. shall be responsible for reviewing and advising the National Assembly on the review of extant laws;



- v. shall carry out any other function that may be assigned to it by the President or the National Executive Council of the Association.
- c. Rule of Law and Human Rights Committee:
  - i. shall promote and protect the principles of the rule of law and fundamental human rights and liberties;
  - ii. shall undertake, from time to time, the prosecution and defence of lawsuits, as may be determined by the Committee with the approval of the National Executive Council of the Association;
  - iii. shall provide free legal aid services in suitable circumstances;
  - iv. shall carry out any other function that may be assigned to it by the President or the National Executive Council of the Association.
- d. Ethics and Disciplinary Committee:
  - i. Shall be located in each State of the Federation of Nigeria and the Federal Capital Territory, Abuja.
  - ii. Shall have the responsibility to investigate all cases of complaint of professional misconduct against members of the Association in the different Branches of the Association in the State or the Federal Capital Territory or other complaints of misconduct made against members of the Association as may be referred to the Committee by the President or the National Executive Council of the Association
  - iii. Shall make appropriate recommendations on any complaint or petitions received;
  - iv. Shall carry out its functions in accordance with the Uniform Bye-Laws for Investigation of Complaints of Professional Misconduct against Members of the Association set out in the Fifth Schedule to this Constitution.
  - v. Shall carry out any other function that may be assigned to it by the President or the National Executive Council of the Association.
- e. Legal Education Committee:
  - i. Shall be responsible for the promotion and advancement of legal education,



- advocacy, and jurisprudence.
- ii. Shall organize 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 Council **of the Association.**
- f. Dispute Resolution Committee:
- i. Shall receive, investigate, and determine complaints by members of the Association applying the principles of arbitration, mediation, and conciliation. 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 Council **of the Association.**
- g. 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 Council **of the Association.**
- h. Finance Committee:
- i. Shall prepare the annual financial proposals for consideration by the National Executive Council **of the Association.**
  - 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 and Administration.
  - 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 Council **of the Association.**



i. **Stabilisation Fund Committee**

- i. Shall, in conjunction with a professional Fund Manager to be appointed by the Association, recommend to the National Executive Council for approval, the schemes, options, and entities into which the sums standing to the credit of the Fund may be invested.
- ii. Shall invest the sums in the Funds in such schemes, options, and entities as approved by the National Executive Council of the Association.
- iii. Shall develop a framework to protect the Fund from being depleted.
- iv. Shall perform such other functions as may be directed by the National Executive Council of the Association.

j. **The General Purposes Committee:**

- i. Shall be responsible for the screening of prospective candidates for the award of the rank of Senior Advocate of Nigeria in accordance with the Legal Practitioners Act, Cap. L11, Laws of the Federation of Nigeria 2004.
- 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.
- iii. Shall forward its recommendations on the prospective candidates to the National Executive Council through the President of the Association within seven (7) days of the completion of the 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 Council of the Association.

k. **Secretariat Management Committee**

**The Secretariat Management Committee of the Association**

- i. Shall consist of the General Secretary as the Chair of the Committee, and the Treasurer and the Welfare Secretary as Members.
- ii. Shall exercise supervisory authority over the Executive Director of the Association.



- iii. Shall receive and consider monthly reports on the running of the National Secretariat from the Executive Director of the Association.
  - iv. Shall, upon receipt of the monthly reports from the Executive Director of the Association, report to the National Executive Committee at the monthly meetings of the National Executive Committee or at such place and time as the President shall direct.
  - v. Shall, **with the approval of the President**, have the powers to suspend the Executive Director in cases of any serious allegations against the Executive Director, pending the investigation of such allegations by the National Executive Council of the Association.
1. Appointment and Remuneration Committee:
    - i. Shall be chaired by the President of the Association.
    - ii. Shall consist of seven (7) members, comprising the President, the three members of the Secretariat Management Committee, the Head of Human Resources Department of the Association and two other members who shall be appointed by the National Executive Council of the Association.
    - iii. Shall be responsible for recommending, to the National Executive Council of the Association, the appointment of the Executive Director for the Association through an open, competitive, and transparent process.
    - iv. Shall be responsible for reviewing any application to serve an additional term by the Executive Director and shall forward its recommendations to the National Executive Council of the Association for its approval.
    - v. Shall be responsible for the establishment and approval of a remuneration plan on adequate compensation and benefits for all employees and officers of the National Secretariat of the Association.
  - m. Electoral Committee of the Nigerian Bar Association (ECNBA)
    - i. There is hereby established the Electoral Committee of the Nigerian Bar Association (ECNBA), which shall be independent of the President and National



Executive Committee of the Association.

- ii. The ECNBA shall be made up of a Chairman, a Secretary, and five (5) other members of the Association of proven integrity, who shall be appointed by the National Executive Council of the Association on the recommendation of the National Executive Committee of the Association.
- iii. The Chairman of the ECNBA must have been a member of the National Executive Council of the Association or a member of a Committee appointed by the National Executive Council of the Association.
- iv. The Chairman of the ECNBA must be a Legal Practitioner called to the Bar in Nigeria and must have been qualified for a period not less than fifteen (15) years, while the Secretary of the ECNBA must be a Legal Practitioner called to the Bar in Nigeria and must have been qualified for a period not less than ten (10) years.
- v. ECNBA shall be responsible for the conduct of elections of National Officers of the Association and election of representatives of the Association in the General Council of the Bar;
- vi. The members of the ECNBA shall be appointed in the year immediately preceding the elections into the National Offices of the Association and representatives of the Association in the General Council of the Bar;
- vii. Members of the ECNBA shall remain in office until a new ECNBA is appointed in accordance with the provisions of this Constitution;
- viii. The ECNBA shall, when necessary, have and work with its own personnel in the discharge of its duties;
- ix. Completed nomination forms received in respect of elections to the national offices and election of representatives of the Association in the General Council of the Bar shall be forwarded to the Secretariat of the ECNBA;
- x. The ECNBA shall, upon consideration of the nominations it receives, conduct a screening of the candidates, and determine whether the candidates meet the constitutional requirements not later than sixty (60) clear days before the date of the election; and
- xi. The ECNBA may reject nominations that do not comply with any of the requirements for nomination and election to offices of the Association, or which are otherwise not duly completed.



- n. National Officers' Election Appeal Committee:
- i. Shall receive, entertain, hear, and determine complaints, disputes, petitions, appeals, and/or grievances arising from, pertaining to, in relation to, and/or in connection with the election of National Officers of the Association and the election of the Representatives of the Association in the General Council of the Bar.
  - ii. Shall have the power to give such directions and interpretations to guide the conduct of the National Elections, and qualification or disqualification of candidates to participate in the National Election.
  - iii. The members of the National Officers' Election Appeal Committee shall be appointed in the year immediately preceding the elections into the National Offices of the Association and representatives of the Association in the General Council of the Bar.
  - iv. The National Officers' Election Appeal Committee shall be made up of a Chairman, an Alternate Chairman, a Secretary, and four (4) other members of the Association of proven integrity, who shall be appointed by the National Executive Council of the Association on the recommendation of the National Executive Committee of the Association.
  - v. The Chairman and Alternate Chairman of the National Officers' Election Appeal Committee must be a Legal Practitioners called to the Bar in Nigeria and must have been qualified for a period not less than fifteen (15) years, while the Secretary of the National Officers' Election Appeal Committee must be a Legal Practitioner called to the Bar in Nigeria and must have been qualified for a period not less than ten (10) years.
- o. Branch Elections Appeal Committees:
- i. Shall receive, entertain, hear, and determine complaints, disputes, petitions, appeals and/or grievances arising from, pertaining to, in relation to, and/or in connection with branch elections.
  - ii. Shall have power to give such directions and interpretations to guide the conduct



of branch elections, and the qualification or disqualification of candidates to participate in the branch elections.

- iii. **The members of the Branch Elections Appeal Committees shall be appointed within one month of assumption of office of the National Executive Committee.**
- iv. **The Chairman and Alternate Chairman of the Branch Elections Appeal Committees must be Legal Practitioners called to the Bar in Nigeria and must have been qualified for a period not less than fifteen (15) years, while the Secretary of the Branch Elections Appeal Committees must be a Legal Practitioner called to the Bar in Nigeria and must have been qualified for a period not less than ten (10) years.**

p. **Sections Elections Appeal Committee:**

- i. **Shall receive, entertain, hear, and determine complaints, disputes, petitions, appeals and/or grievances arising from, pertaining to, in relation to, and/or in connection with elections of Sections.**
- ii. **Shall have power to give such directions and interpretations to guide the conduct of such elections, and the disqualification or qualification of candidates to participate in the elections.**

(3) **Membership of Standing Committees**

- i. **The Committees shall be constituted by the President of the Association subject to ratification by the National Executive Council of the Association;**
  - a. **The Chairman of each Committee shall be a member of the Association not less than 10 years post call while the Secretary shall be a member of the Association not less than 5 years post-call.**
  - b. **Each Committee shall present a written report to the National Executive Council Meeting of the Association.**
  - c. **The decisions of each Committee shall be taken by a simple majority, provided that the Chairman or presiding officer shall have a casting vote in the event of equality of votes.**

(4) **Ad Hoc Committees**

- a. **The National Executive Council of the Association may constitute Committees other**



- than the Standing Committees to deal with such issues and matters as circumstances may from time-to- time dictate. Provided that the **President of the Association** shall have powers to constitute such Committees subject to ratification of the National Executive Council **of the Association**.
- b. The Committees so constituted shall have such powers and exercise such functions as may be assigned to them in their Terms of Reference.

15. **Editorial Board**

- (1) There shall be for the Association an Editorial Board.
- (2) The functions and composition of the Editorial Board shall be as outlined in the Fifth Schedule to this Constitution.

16. **Branches of the Association**

- (1) **Composition and Membership of Branches of the Association**
- i. There shall not be more than one Branch of the Association in any Judicial Division of the High Court of any State.
- ii. Nothing in this Constitution shall bar all the Branches **of the Association** in any State from holding joint meetings/consultations to discuss matters of common interest for the overall good of the Association and its members.
- iii. 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 **of the State High Court** where the Branch is situated.
- iv. Every Branch shall have a Chairman and Secretary and such other officers as provided in the **Third** Schedule to this Constitution.
- v. A member shall join the Branch within the Judicial Division **of the State High Court** where he/she has his/her principal place of practice or residence, and no member shall belong to more than one Branch. Provided that a person who is duly enrolled at the Supreme Court of Nigeria as a legal practitioner but resides outside Nigeria shall register and belong to a Branch without the requirement of having his principal place of practice or residence within the Judicial Division **of the State High Court** where the Branch is located.



- vi. A member having his/her place of practice or residence in a Judicial Division of the **State High Court** in which there is no Branch shall register as member in a Branch nearest to him/her.
  - vii. The National Executive Council shall withdraw the recognition of any Branch of the **Association** where the membership falls below fifty (50) members in good financial standing for two (2) consecutive years.
- (2) **Creation of New Branches of the Association**
- i. An application for the creation of a new Branch of the Association shall be:
    - a. **In writing**
    - b. **supported by the signatures of not less than fifty (50) persons who are members of an already existing Branch in the area where the proposed branch is to be created**
    - c. **the signatories must attach evidence of payment of Branch Dues for three years preceding the year of the application paid to the existing Branch from whence the Branch is to be created.**
    - d. **The application shall be submitted to the General Secretary specifying the areas that constitute the Branch.**
    - e. **A letter from the Chief Judge of the State confirming the existence of a Judicial Division of the Area where the new Branch is to be created**
  - ii. **Upon receipt of the application, the General Secretary shall, with the approval of the National Executive Committee, include same in the agenda and circulate same along with the Notice of Meeting of the next National Executive Council of the Association.**
  - iii. **The National Executive Council of the Association shall consider and, if satisfied, approve the application for the creation of a new Branch of the Association.**
- (3) **Meetings and Programmes of Branches of the Association**
- i. **Every Branch of the Association 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 of the Association.**
  - ii. **Every Branch of the Association shall forward a programme and record of its activities to the General Secretary of the Association every quarter.**



- iii. Every Branch of the Association shall be obligated to carry out the directives of the General Meeting or the National Executive Council, or the President of the Association.
- iv. Branches shall have the power to impose levies or subscriptions to defray the expenses for running their affairs of the Branch.
- v. A member of a Branch in default of payment of prescribed levies or subscriptions shall be subject to the same sanction for members of the Association as provided under this Constitution.
- vi. 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.
- vii. 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 Council shall cease to have any effect whatsoever from the commencement of this Constitution.
- viii. No Branch of the Association or an officer or member of a Branch of the Association shall hold itself/himself/herself 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 Council or the President of the Association save as it relates to matters that affect the Branch directly, provided that where the National Executive Council or the President of the Association has already taken a position on any matter, no Branch of the Association shall take any position that is contrary to the position already taken by the National Executive Council or the President of the Association.

17. Sections

- (1) There shall be for the Association such Sections as the National Executive Council of the Association shall establish to advance the aims and objects of the Association.
- (2) Every member of the Association shall belong to at least one Section of the Association.
- (3) The Uniform Bye-Laws set out in Part II of the Third Schedule of this Constitution shall be applicable to every Section of the Association.
- (4) No Section, Section Committee or any of their officers or other representatives of a



**Section of the Association**, 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 authorized by the National Executive Council **of the Association** or the Bye-Laws.

- (5) No activity of any Section shall take place at the same time as the General Meetings or Annual General Conference **of the Association**, except as may be approved by the **National Executive Council of the Association**.

#### 18. Institutes

- (1) There shall be for the Association such Institutes as the National Executive Council of the Association shall establish to advance the aims and objects of the Association.
- (2) The Institutes established for the Association shall be as outlined in the Seventh Schedule to this Constitution.
- (3) **No Institute or any of their officers or other representatives of an Institute of the Association, 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 authorized by the National Executive Council of the Association.**

#### 19. Fora

1. There shall be for the Association such Fora as the National Executive Council of the Association shall establish to advance the aims and objects of the Association.
2. Any member of the Association shall be at liberty to belong to a Forum as his/her circumstances may dictate.
3. The Fora established for the Association shall be as outlined in the Eight Schedule to this Constitution.
4. **No Forum, Forum Committee or any of their officers or other representatives of a Forum of the Association, 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 authorized by the National Executive Council of the Association or the Bye-Laws.**

#### 20. Discipline



- (1) A National Officer may be removed from office where he/she
- (a) commits fraud or becomes bankrupt or insolvent;
  - (b) accepts appointment from any Government of the Federation of Nigeria or of a State in Nigeria (except as a member of an Ad hoc Committee or Panel);
  - (c) is convicted of any offence by a competent court;
  - (d) breaches any provision of the Code of Conduct for Officers duly approved by National Executive Council of the Association;
  - (e) publicly misconducts himself/herself owing to intoxication by alcohol, drugs or other intoxicants or stimulants, or any bestial acts;
  - (f) is involved in an act or behaviour that brings or is likely to bring the Association into disrepute; and/or
  - (g) is found culpable for acts of disobedience to the Association, its National Executive Council, the President or any other of its organs or professional misconduct; provided however that such officer may only be removed from office by two-thirds (2/3) majority of National Executive Council members present at a meeting of the National Executive Council of the Association and after such National Officer shall have been given an opportunity to defend himself/herself.
- (2) Without prejudice to the preceding provisions of subsection (1) of this Section, the National Executive Council of the Association 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 and reports that are incumbent upon the Treasurer to publish under this Constitution; and/or
  - (b) to prepare and present to the National Executive Council the Annual Budget of the Association as mandated by this Constitution.
- (3) Branches of the Association 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 such a member to the Chairman of the Disciplinary Committee established under the provisions of this Constitution and to the General Secretary of the Association.
- (4) The National Executive Council (NEC) shall have the power to receive reports and



impose disciplinary measures on any member for acts that undermine the operation of this Constitution committed in their capacity as members of the NBA, Branch Executives, Sections, Fora, Institute Official, NEC Member, National Officer, e.t.c. Such disciplinary action shall not preclude further action by regulatory authorities.

21. **Dispute Resolution**

- (1) In the event of any dispute or conflict or grievances between or amongst members, or any dispute between a member and the Association, in relation to the operation and coordination of the affairs of the Association or as it relates to the rights and obligations of individual members of the Association, such dispute, or conflict or grievance shall first be submitted to the Dispute Resolution Committee of the Association for resolution.
- (2) Any aggrieved member shall lodge a complaint with the Dispute Resolution Committee of the Association not later than fourteen (14) days of the occurrence of such dispute.
- (3) The Dispute Resolution Committee of the Association shall entertain and determine any such complaints lodged by any member and deliver its decision thereon within sixty (60) days of receipt of such complaint.
- (4) The decision of the Dispute Resolution Committee of the Association shall be final and binding on the parties, provided that the affected member may challenge the decision of the Dispute Resolution Committee in a Court of competent jurisdiction where he/she is dissatisfied with same.
- (5) The Board of Trustees of the Association shall have jurisdiction over disputes between National Officers.
- (6) Such disputes shall be resolved within sixty (60) days of receipt of a complaint from the aggrieved National Officer(s), and;
- (7) The decisions of the Board of Trustees shall be binding on all parties unless set aside by a competent court of law.
- (8) The Advisory Committee of the Branch shall have jurisdiction over disputes between Branch Officers.



- (9) Such disputes shall be resolved within sixty (60) days of receipt of a complaint from the aggrieved Branch Executive(s), and
- (10) The decisions of the Committee shall be binding on all parties unless set aside by a competent court of law.

22. **Funds of the Association**

- (1) The funds of the Association may be derived from the following sources:
  - a. Annual Bar Practising Fees payable by members;
  - b. Levies as may be approved by the National Executive Council of the Association;
  - c. Grants;
  - d. Donations;
  - e. Endowment funds as may be approved by the National Executive Council of the Association; and
  - f. Investments of the Association.

(2) **Bar Practising Fees**

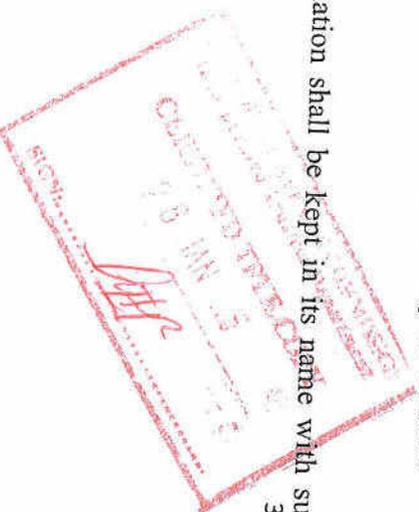
- a. Every member of the Association shall pay annually, not later than the 31<sup>st</sup> day of March, his/her Bar Practising Fees as may be determined from time to time by the National Executive Council of the Association.
- b. The National Executive Council of the Association may from time to time and as may be approved by the Annual General Meeting, add to, review, amend, or alter the annual Bar Practising Fee payable by members of the Association.

(3) **Other Subscriptions, Branch Dues, and Levies**

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

23. **Finance**

- (1) All monies belonging to the Association shall be kept in its name with such



- reputable bankers as the National Executive Council **of the Association** shall appoint.
- (2) **The authorised signatories to the accounts of the Association at the National Level shall be the President and/or the General Secretary and/or the Treasurer.**
- (3) Without prejudice to the preceding sub-paragraph (2) of this section, the President shall be the final authority in respect of all electronic and other banking payments. Provided that all payments, electronic or otherwise, 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.
- (4) No expenditure shall be incurred for any purpose unless such expenditure has been approved generally by the National Executive Council **of the Association** in the annual budget or any supplementary budget of the Association. Provided that in any case of serious urgency, the President in consultation with **either** the General Secretary **and/or** the Treasurer may authorize such expenditure in their discretion and afterwards seek covering approval from the National Executive Council **of the Association, provided** that the exercise of such discretion shall be limited to the recurrent expenditure of the month immediately preceding same.
- (5) The General Secretary **of the Association** may hold, as imprest, such amount as may be approved by the National Executive Council **of the Association** from time to time.
- (6) The National Executive Council may invest the funds of the Association in government securities or such other securities.
- (7) If the Auditor surcharges any officer or member of the Association with the payment of any amount, the National Executive Council **of the Association** may serve a notice upon such person to pay the amount surcharged within a period not less than fourteen (14) days after service of such notice upon him/her. Upon such person failing to pay the amount, the National Executive Council may authorize that legal proceedings be taken to enforce payment.
- (8) **Twenty percent (20%) of the annual Bar Practising Fees** paid by members of each Branch **of the Association** shall be remitted to the Branch in the months of April



and December, respectively, of each year.

24. **Stabilisation Fund**

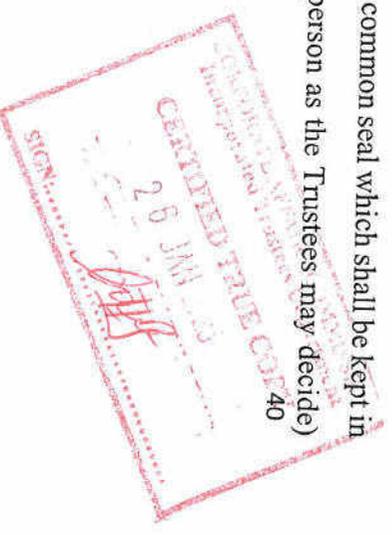
- (1) There is hereby established a Stabilisation Fund for the Association hereafter referred to as the "Fund".
- (2) The sources of income for the Fund shall comprise the following:
  - i. A seed fund of ₦1,500,000,000:00 (One Billion and Five Hundred Million Naira).
  - ii. A first line charge of 10% on Annual Bar Practice Fee to the Association, which shall be deducted at source and paid into the Accounts of the Fund with designated banks.
  - iii. Profits from investments of sums standing to the credit of the Fund.
  - iv. Interest from the Stabilisation Fund.
  - v. Donations
- (3) Except as approved by the General Meeting, whether at its Annual meeting or Extra-Ordinary Meeting of the Association, the moneys standing to the credit of the Fund shall not be utilized for any purpose other than savings and investments.
- (4) An approval by the General Meeting, either at its Annual Meeting or Extra-Ordinary Meeting of the Association, under subsection (4) of this section shall not be granted unless the National Executive Council presents a plan for the repayment of any sums taken from the Stabilisation Fund within a definite period.
- (5) The National Executive Council shall appoint a professional Fund Manager to manage the Stabilisation Fund.
- (6) The professional Fund Manager shall work in conjunction with the Stabilisation Fund Committee set up under this Constitution.

25. **Trustees of the Association**

- i. Subject to the ratification of the Annual General Meeting of the Association, the National Executive Council of the Association is empowered to appoint Trustees



- for the Association.
- ii. The Trustees of the Association shall be nine (9) in number and shall be known as "THE INCORPORATED TRUSTEES OF THE NIGERIAN BAR ASSOCIATION in accordance with the provisions of Part F of the Companies and Allied Matters Act, Act. No. 3 2020 ("CAMA", as may be amended from time to time). Provided that each geographical zone of the Association, as defined in this Constitution, shall have an equal number of Trustees.
- iii. The Trustees of the Association shall hold office for a term of four years and may be eligible for re-appointment for one more term only.
- iv. A Trustee of the Association shall cease to hold office if he/she:
- resigns his/her office in writing;
  - ceases to be a member of the Association;
  - becomes insane;
  - is officially declared bankrupt;
  - is convicted of a criminal offence involving dishonesty by a court of competent jurisdiction;
  - is removed from office by a two-thirds majority vote of financial members present and voting at a General Meeting of the Association;
  - ceases to permanently reside in Nigeria; and/or absents himself/herself from two (2) consecutive general meetings of the Association without good cause acceptable to the Association.
- v. 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 the Trustees of the Association.
- vi. The Trustees of the Association shall deal with the properties of the Association as directed in writing by a Resolution of the Annual General Meeting of the Association.
- v. Upon a vacancy occurring in the number of Trustees, the National Executive Council of the Association shall make appointment to fill the vacancy pending ratification by the General Meeting of the Association.
- vi. The powers vested in the Trustees of the Association by, or under CAMA shall be exercised subject to the directions of the General Meeting of the Association.
- vii. The Trustees of the Association 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.

### PART III – Miscellaneous

#### 26. Amendment Procedure

- (1) This Constitution shall not be amended or repealed and reenacted except by a **resolution duly passed** at an Annual General Meeting of the Association by a two-thirds (2/3) majority of **members** present and entitled to vote; provided that two-thirds (2/3) of the Branches of the Association are represented at such **Annual General Meeting** AND provided further that at least sixty (60) days' notice of the proposed amendment or repeal and reenactment shall have been given to **the Association through the National Executive Committee** and the **National Executive Committee** shall have circulated same to **members of the Association** at least thirty (30) days before the proposed amendment is tabled for discussion at the Annual General Meeting **of the Association**.
- (2) For the avoidance of doubt, two-thirds (2/3) majority of members **of the Association** present and voting shall be approximated to the nearest whole number.

#### 27. Interpretation

- (1) In this Constitution –
- “Association” means the Nigerian Bar Association.
- “Annual Conference” means the conference of the Nigerian Bar Association **or of a Branch, Section or Forum of the Association held every year**.
- “Committee” means a committee of the Association or a Section, Institute or Forum **of the Association** and shall include a sub-committee.
- “Executive Committee” means the Executive Committee of the Association or a Section, Institute or Forum of the Association.
- “General Meeting” means a General Meeting of the Association or of a Section, Institute or Forum of the Association.
- “Good financial standing” **in relation to the National Secretariat of the Association** means the payment of Annual Bar Practising Fee as and when due and a Member in good financial standing refers to a member who has paid his/her Annual Bar Practising Fee as and when due and **in relation to a Branch of the Association**



means the payment of Annual Bar Practising Fee and Branch Dues as and when due and a Branch Member in good financial standing refers to a Branch member who has paid his/her Annual Bar Practising Fee and Branch Dues as and when due.

“Members living with disabilities” means lawyers with disabilities as defined in the Discrimination Against Persons Living with Disabilities (Prohibition) Act, 2018 or any amendment thereof or any applicable law for the time being in force.

“National Executive Council” means the National Executive Council of the Association.

“Officers” means the elected officers of the Association or of a Section, Institute or Forum of the Association.

“Section” means a Section of the Association established by the National Executive Council of the Association.

“Special Interest Groups” mean such components of the Association such as the members living with disabilities.

“Young Lawyer” means a member of the Association who is between the year of call – 7 years post-call.

28. **Amendment**

The Nigerian Bar Association Constitution 2015 (as amended in 2021) is hereby further amended.

29. **Citation and Commencement**

This Constitution may be cited as the Nigerian Bar Association Constitution 2015 (as amended in 2025) and comes into effect this 28<sup>th</sup> day of August, 2025, upon its adoption by the Annual General Meeting.



## SCHEDULES

### FIRST SCHEDULE

#### STANDING ORDERS

For the purpose of effective conduct of proceedings at the 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 Association in exercise of its powers under Section 5 of the Constitution of the 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 issued 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. Such notices shall also be published on the NBA Website or issued to the members through e-mail, SMS or other electronic media.
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 which the members present at the meeting whether physically or virtually, 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 or presiding officer as the case may be.
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 or any such presiding officer in his/her absolute discretion without fear or favour, provided that he/she shall give a reasonable opportunity for divergent views to be heard.



9. The President or any presiding officer at the meeting 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 or any presiding officer at the meeting shall correct same.
13. In the event of proposition to proceed to the next business of the meeting being moved and seconded, it shall, after the proposer and seconder of the resolution have been heard, be closed unless there is a valid Counter Motion, to which the Presiding Officer shall put the matter to vote. If carried, the matter under debate shall immediately be closed, the matter having been closed, shall not be reintroduced during the meeting.
14. No motion or amendment shall be discussed unless it is seconded, save the proposals of the National Executive Committee or the report of a Committee of the Association which shall be taken as having been moved and seconded. Provided that 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 or presiding officer shall have a casting vote in the event of a tie.
16. The President or presiding officer shall have power to ask anyone found engaging in distracting or destructive acts to leave the Conference and/or meeting.
17. The General Meeting or the National Executive Council shall have the power to appoint Committees or Commissions for the furtherance of its business. Such members of the Committees or Commissions may sit during the General Meeting or the National Executive Council Meeting should it be necessary for them to do so.
18. The President or presiding officer 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 or presiding officer on matters provided for in these STANDING ORDERS shall be obeyed.

TheNigerianLawyer



## SECOND SCHEDULE

### ELECTIONS (Section 10)

#### PART I

#### CODE OF CONDUCT FOR THE MEMBERS OF THE ELECTORAL COMMITTEE OF THE NIGERIAN BAR ASSOCIATION ("ECNBA")

1. Members of the ECNBA shall conduct themselves and effectively carry out their duties in accordance with the Code of Conduct and Operational Guidelines contained in this Schedule, and in accordance with extant laws, rules and guidelines of the Association.
2. All activities of the ECNBA shall be conducted according to the highest standards of propriety.
3. The ECNBA shall be an independent and effective electoral committee and shall conduct free, fair, transparent, and credible elections for the Association. In particular, the ECNBA shall carry out all its functions free from external control and influence, reject any improper influences, and, except as provided by this Constitution or any legal framework, refrain from accepting directions relating to the performance of its task from any person.
4. The ECNBA shall maintain truthfulness and honesty in all its activities.
5. The ECNBA shall ensure that no action or activity is taken in support of any candidate or group of candidates, and shall ensure that every candidate, voter and other participants in the election process are treated fairly and impartially in the conduct of the election.
6. The ECNBA shall perform its duties in a manner that is strictly impartial, non-partisan and politically neutral.
7. The ECNBA shall demonstrate respect for the Rule of Law and shall comply with the laws of the Federation of Nigeria.
8. The ECNBA shall display openness and transparency in all its activities and in its relationship with all members, particularly the candidates for the election, and shall ensure the following:
  - (a) Consult with participants in the electoral process on a regular basis, and in relation to specific decisions, if it is appropriate to do so in the circumstances.
  - (b) Provide an explanation, in response to reasonable requests, for a decision it has

made as part of the electoral process, or a decision made as part of the general conduct of the election.

(c) Establish a system that allows interested parties to access, in a timely manner, all critical information, documents, and databases used in an election process, or used in the normal operation of the election administration.

(d) Disclose fully any deficiency in the administration of an election when it comes to its attention.

(e) Make freely available and in a timely manner, the information on which each decision was based.

(f) Arrange effective and reasonable access to relevant documents and information within the framework of the Constitution of the Association.

9. The information on which the ECNBA's decision is based shall be accurate as well as accessible. The ECNBA shall perform every task on the basis of the highest level of standard of accuracy of information and objectivity of analysis. In particular, the ECNBA shall:

(a) Ensure that information is collected, compiled, and published in a systematic, clear, and unambiguous manner.

(b) Do everything necessary, within the Constitution of the Association to ensure that all the information that it compiles, uses, or publishes has a sound factual basis.

10. The ECNBA shall work to provide every voter the highest quality service required to enable voters to exercise their rights with the least possible inconvenience, given the circumstances and Constitution of the Association, and in particular shall:

(a) Make it as convenient as possible for voters to participate in the election process.

(b) Ensure that voters adequately understand the election process.

(c) Do everything possible to provide a way for members with special needs, such as members living with disabilities or voters living in remote areas to vote.



PART II

APPOINTMENT OF ELECTIONS SERVICE PROVIDER

1. The ECNBA shall be solely responsible for the selection, appointment and engagement of all the service providers required in the electoral process.
2. The ECNBA shall engage a Technical Support Consultant who shall provide technical assistance to the ECNBA throughout the electoral process and post-election activities.
3. The ECNBA shall, with the assistance of the Technical Support Consultant, engage a competent Information Communication Technology (ICT) service provider, who shall:
  - (a) Review and validate the voters' register generated from the Association's database.
  - (b) Provide and configure the voting portal for use, send notifications to voters via electronic media including emails, SMS and any other electronic medium as may become applicable; provide online real-time dashboard and leaderboard for monitoring the election; as well as provide a support help desk during the election.
4. The process of selecting the service providers shall be by a competitive bidding, including financial bids and technical bids. Due diligence shall be properly conducted before the engagement/appointment of service providers and mechanisms must be put in place to ensure that only qualified, experienced, skilled and competent companies with proven integrity and no conflict of interest are engaged.
5. The list of shortlisted service providers and the respective services they provide shall be published on the Association's Website or any other major platform to afford the members the opportunity to object to or file any complaints against the engagement of such service providers. The decision of the ECNBA in respect of the choice of service providers shall be final.
6. The service provider shall be accountable to the ECNBA to the exclusion of any officer of the Association or its Secretariat.
7. The service provider appointed by the ECNBA shall:
  - (a) ensure that trial messages are sent via emails, SMS and other applicable electronic platforms, to all eligible voters at least twenty-one (21) clear days before the date of the election;
  - (b) allow enough time to test run the balloting system; and
  - (c) entertain and resolve complaints of non-receipt of trial ballots.



8. The voting platform to be provided by the service provider shall first be subjected to a security and penetration test to ensure it is inviolable and not vulnerable to any compromise whatsoever. Such test shall include but not limited to usability, security, performance, unconditional technical support, and other terms that may be deemed necessary by the ECNBA.
9. Each service provider shall submit a report of its activities to the ECNBA after the completion of its work. Such report shall be made available to candidates on request and shall be safely stored.
10. The ECNBA shall, with the assistance of the Technical Support Consultant, engage a competent Data Protection Officer, who shall:
  - (a) Ensure that there is no unauthorized release of members' data
  - (b) Ensure compliance with all applicable data protection laws and regulations;
  - (c) Ensure that the ECNBA publishes members' data only on protected websites and platforms with protected access;
  - (d) Prepare a guideline on the best practices of data protection before, during, and after every election, including the period of electioneering campaigns; and
  - (e) Ensure that all NBA National Executive Committee members and ECNBA members are trained in data protection, especially with respect to the protection of the data of NBA members.
  - (f) Be responsible for any unauthorized release of members' data;



PART III

ELECTION OF NATIONAL OFFICERS

1. The Association shall for the purpose of election of National Officers be divided into three geographical zones namely – Northern zone, Eastern zone and Western zone.
2. The positions of the President, First Vice President, Second Vice President, Third 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.
3. The Geographical Zone that produces the President of the Association shall also produce the First Vice President.
4. 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.
5. A list of the States that make up the zones shall be as follows:
  - (a) Northern Zone – Adamawa, Bauchi, Benuue, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Kogi, Kwara, Nasarawa, Niger, Plateau, Sokoto, Taraba, Yobe, Zamfara, and Abuja;
  - (b) Eastern Zone – Abia, Akwa Ibom, Anambra, Enugu, Bayelsa, Ebonyi, Cross River, Imo, and Rivers; and
  - (c) Western Zone – Delta, Edo, Ekiti, Lagos, Ogun, Ondo, Osun, and Oyo.
6. All members of the Association shall be eligible to vote at the general election for National Offices, provided that such members must belong to a Branch and must have paid their Practising Fees as at when due and are duly registered to vote at that election.
7. 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 the National Executive Council.
8. The ECNBA shall circulate a full list of properly nominated candidates for election as National Officers to all the Branches, Sections, and Fora, and candidates by email and other applicable electronic platforms, as well as displayed on the NBA website at least forty-five (45) clear days before the date of the election. **Any member of the Association that seeks**



- to challenge the eligibility of a nominated candidate shall, not later than seven (7) days after the publication of the list of nominated candidates, submit a petition to the ECNBA.
9. The full list of the members of the Association qualified to vote shall be published by ECNBA at least forty-five (45) clear days before the date of the election.
  10. 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 to be voted for in the position sought by the candidate to be nominated, in accordance with the provisions of the Constitution for the equivalent office.
  11. Candidates shall submit by email, a copy of their Curriculum Vitae of not more than four pages of A4-size paper, comprehensive manifestoes, and other campaign materials to the ECNBA for publication on the NBA website and on all media operated by the Association.
  12. Every Aspirant shall submit an Expression of Interest for the Office he intends to occupy to the ECNBA at least on the 1<sup>st</sup> of September of the year preceding the election year in which he intends to contest.
  13. The ECNBA shall organize hybrid debate sessions for Candidates in any election at the National Secretariat of the Association or any other venue/avenue chosen by the ECNBA and in approved online platforms at least once in any election year.
  14. Any form of donations and philanthropic gestures by candidates seeking election into any national office during the election year is hereby prohibited, and any candidate who contravenes this provision shall be disqualified from being voted for in the election.
  15. All Branches, Sections, and Fora are prohibited from soliciting contributions, donations or sponsorship from candidates seeking election into any national office during the election year. Branches, Section, or Forum officers are prohibited from soliciting funds from prospective aspirants in any election.
  16. Any Aspirant or Candidate who makes or publishes derogatory material against an opponent or who causes or permits derogatory material to be made against an opponent in any election of the Association shall be disqualified from participating in the election.
  17. Any aspirant or candidate who supplies false information about his qualification for any election shall be disqualified from participating in the election and shall be referred to the Disciplinary Committee for sanctions.



18. Any form of financial inducement including paying annual practising fees or branch dues for lawyers to curry favour from voters or for any reason whatsoever by candidates and their supporters in the election year is hereby prohibited, and any candidate who contravenes this provision shall be disqualified from being voted for in the election, PROVIDED that any such payment of Bar Practising Fees and branch dues by the candidate for lawyers who are in his/her direct employment shall not be construed as financial inducement.

19. No Branch, Section, or Forum of the Association shall invite prospective aspirants or candidates to sponsor their event or programmes in any election year. Any Branch, Section, or Forum officer or member who invites prospective aspirants or candidates to sponsor their event or programmes in any election year in the Association shall be deemed to be guilty of professional misconduct and shall be referred to the Disciplinary Committee for appropriate sanctions. The ECNBA shall provide a standardized virtual platform for candidates to engage members across the country.

20. No Branch, Section, or Forum of the Association shall endorse any prospective aspirant or candidate for any elective position in the Association. Any Branch, Section, or Forum officer or member who endorses or caused to be endorsed any prospective aspirants or candidates for any elective position in the Association shall be deemed to be guilty of professional misconduct and shall be referred to the Disciplinary Committee for appropriate sanctions.

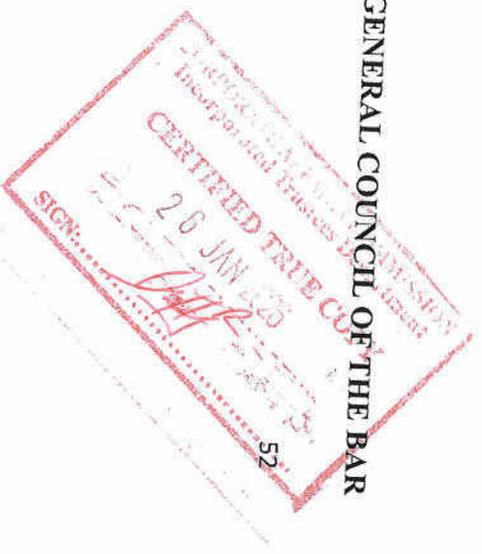
21. The ECNBA shall prescribe limits for electoral expenses for candidates in any election. Any candidate who violates the prescribed electoral expenses spending limit shall be disqualified from participating in the election.

22. The ECNBA 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 thirty (30) clear days before the election.

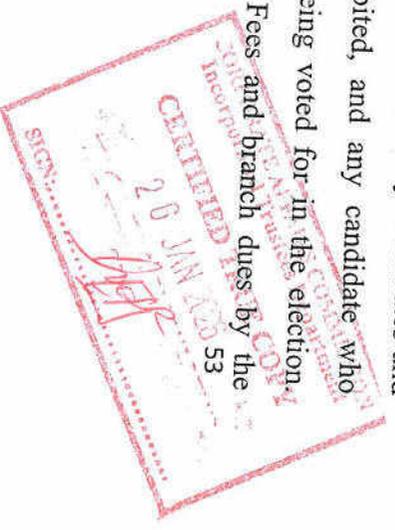
23. Offices shall be vacant by effluxion of time, death, resignation, removal, or for any other reasonable cause.

#### PART IV

### ELECTION OF NBA REPRESENTATIVES TO THE GENERAL COUNCIL OF THE BAR



1. The ECNBA shall similarly conduct election in the month of July of the requisite election year for Representatives to the General Council of the Bar.
2. The ECNBA shall circulate a full list of properly nominated candidates for election as Representatives to the General Council of the Bar to all the Branches, Sections, Fora, and candidates by email and other applicable electronic platforms, as well as publish the list on the NBA website at least forty-five (45) clear days before the date of the election.
3. The full list of all members of the Association qualified to vote shall be published by ECNBA at least forty-five (45) clear days before the date of the election.
4. A candidate for election as Representative to the General Council of the Bar, shall be nominated 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.
5. Election of NBA Representatives to the General Council of the Bar 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 the National Executive Council.
6. Candidates shall submit by email a copy of their Curriculum Vitae of not more than four pages of A4-size paper, comprehensive manifestoes and other campaign materials to the ECNBA for publication in the NBA website, not later than the day fixed by the ECNBA.
7. The publication, printing or distribution of any campaign material, gifts and any form of souvenir whatsoever by a candidate or his/her supporter(s) is hereby prohibited and any candidate who contravenes this provision shall be disqualified from being voted for.
8. Any form of donations and philanthropic gestures by candidates seeking election into the General Council of the Bar during the election year is hereby prohibited, and any candidate who contravenes this provision shall be disqualified from being voted for in the election.
9. All Branches, Sections, and Fora are prohibited from soliciting contributions, donations or sponsorship from candidates seeking election into the General Council of the Bar during the election year.
10. Any form of financial inducement including paying Annual Practising Fees or branch dues for lawyers to curry favour from voters or for any reason whatsoever by candidates and their supporters in the election year is hereby prohibited, and any candidate who contravenes this provision shall be disqualified from being voted for in the election. **PROVIDED** that any such payment of Bar Practising Fees and branch dues by the



candidate for lawyers who are in his/her direct employment shall not be construed as financial inducement.

11. The ECNBA shall collate all materials, arrange them in alphabetical order without regard to the position being sought and publish them in an electronic Election Magazine to be hosted on the NBA website at least thirty (30) clear days before the election.
12. The elective seats in the General Council of the Bar shall be vacant by effluxion of time, death, resignation, removal, or for any other reasonable cause.
13. Where a zone does not have the full complement of members required to fill their quota in the General Council of the Bar (GCB), the National Executive Committee (NEC) may appoint a member or members from that zone to fill the Quota
14. In the event of death, incapacity, vacation of office by resignation, removal or inability to act owing to bankruptcy, conviction of offences pertaining to fraud or dishonesty or conduct unbecoming of a Legal Practitioner, insanity e.t.c, the President shall recommend to the National Executive Council a replacement of the affected representative.

#### PART V

#### ELECTRONIC VOTING

1. The elections shall be conducted by electronic voting in accordance with the guidelines stipulated by the ECNBA.
2. The ECNBA shall, not less than sixty (60) days to the date of election, issue guidelines for conduct of electronic voting, which shall amongst other things provide for verification of voters, time, and platform to be utilized for electronic voting.
3. Each Voter shall receive a unique counterpart voucher confirming the details of their vote. The voucher shall serve as an audit mechanism and shall be electronically stored by the ECNBA for post-election verification. During Verification, ECNBA shall ensure that the Data Privacy of the Voter is not compromised. Verification of voters shall be made in compliance with relevant laws in force on data protection
4. The service provider shall, within twelve (12) hours after the close of



voting, publish the list of voters from each of the branches and shall also transmit same by email to all candidates at the election.

#### PART VI

### PRELIMINARY NOTICE OF ELECTION

1. Preliminary notice of election shall be communicated to all the branches constituting the geographical zones of the Association at least 120 (One Hundred and Twenty) clear days before the date of the election.
2. The preliminary notice for the election shall state the following:
  - (a) The offices to be filled by each zone by virtue of the zoning arrangement.
  - (b) The date, at least 90 (Ninety) clear days before the date of the election, by which nominations of candidates must be received.

#### PART VII

### DISQUALIFICATION OF CANDIDATES

Subject to the provisions of this constitution, a member shall not be eligible for election as a National Officer or Representative to the General Council of the Bar if he/she:

- (a) is not a Nigerian Citizen;
- (b) is a member of a **registered** political party in Nigeria;
- (c) has been adjudged bankrupt or has made a compromise or arrangement with his creditors;
- (d) is adjudged mentally unfit to take up the position by a competent medical authority;
- (e) has been convicted of a crime **involving fraud or dishonesty** by a court of competent jurisdiction or has been found guilty of misconduct or professional impropriety by the Legal Practitioners Disciplinary Committee;
- (f) The power of ECNBA to disqualify a person who wishes to contest for an office shall only be for the grounds specifically contained in this Constitution.

#### PART VIII

### APPEALS BY ASPIRANTS AND CANDIDATES

1. Any aspirant who is disqualified by the ECNBA in respect of his nomination of



candidature, may within seven (7) days of the communication of the decision, appeal to the National Officers Election Appeals Committee.

2. A candidate who believes that his co-contestant is not qualified to contest the election but the co-contestant has been cleared by the ECNBA may within seven (7) days of the publication of the list of candidates, petition the National Officers Election Appeals Committee against the clearance of the co-contestant.
3. The National Officers Election Appeals Committee shall, upon receipt of an appeal lodged by an aspirant within the timeframe stipulated in paragraphs 1 and 2 above, hear the appeal and make a decision thereon within fourteen (14) days thereof. Such decision may be based on documents only, or by physical hearing or hearing via electronic medium.
4. The decision of the National Officers Election Appeals Committee shall be communicated to both the ECNBA and the aspirant immediately after the decision has been rendered but not later than fourteen (14) days from the date of the receipt of the appeal.
5. The decision of the National Officers Election Appeals Committee on any appeal lodged by a candidate shall be final and binding on the parties.

#### PART IX

##### RESULTS OF ELECTIONS

1. The results of elections shall be announced within twenty-four (24) hours of the conduct of elections upon collation and verification of the votes.
2. The candidate with the highest votes cast shall be declared the winner of the election.
3. In the event of a tie in an election for any national office, a runoff election shall be conducted between the candidates within seven days of the announcement of the result. If the tie persists, another runoff shall be conducted until a winner emerges.

#### PART X

##### APPEALS AGAINST THE OUTCOME OF THE ELECTION

1. Any candidate may, within seven (7) days of the announcement of the result of the election, appeal against the return made by the ECNBA to the National Officers Election Appeals Committee on the ground that:



- (a) The election was invalid by reason of corrupt practices and/or noncompliance with the provisions of this Constitution and/or any Guideline issued by the ECNBA regarding the conduct of the election; or
  - (b) The candidate returned did not secure the majority of lawful votes cast at the election.
2. Proceedings of the National Officers Election Appeals Committee in the post-election proceedings shall be either document-based or, where the need arises, hearing of oral evidence, which could be either virtual or physical.
  3. The Parties at these proceedings shall be the candidate complaining, who shall be described as the Petitioner. The Respondents shall be the ECNBA and the Candidate returned.
  4. The Respondents upon receipt of the Petition shall file their answer to the Petition together with any objection they may have of the Petition within five (5) days of the service of the Petition on them.
  5. The Petitioner shall file his reply, if any, within two (2) days of receipt of the Respondent's Answer
  6. The processes in these proceedings shall be served electronically via the e-mail supplied by the candidates at the time of the submission of their nomination forms.
  7. The Secretary of the National Officers Election Appeals Committee shall be responsible for ensuring service of the processes on the parties.
  8. All Petitions shall be filed at the Secretariat of the National Officers Election Appeals Committee together with a scanned copy saved in Portable Document Format ("PDF").
  9. In computing the number of days, the date of service, non-judicial days, like Sundays and Public Holidays, shall be excluded.
  10. The National Officers Election Appeals Committee shall, upon receipt of the Petition lodged by a candidate, within the timeframe stipulated in paragraph one (1) above, hear and determine the Petition thereon within Twenty Eight (28) days from the date of the receipt of the Petition.
  11. In respect of a Petition whose ground of complaint is non-compliance, the National Officers Election Appeals Committee shall not nullify the election, unless it is shown that the -non-compliance substantially affected the result of the election.



12. In respect of a Petition whose ground of complaint is that the candidate returned did not secure the majority of lawful votes cast, the National Officers Election Appeals Committee, where it finds that the candidate declared by the ECNBA did not secure the majority of the highest votes cast at the election, shall declare the candidate with the majority of the lawful votes cast, the winner of the election.
13. The National Officers Election Appeals Committee, for expediency, could seat in a panel of three (3) members when hearing a Petition under this Part.
14. The Pendency of a Petition challenging the Return of an elected National Officer shall not prevent the swearing in of such officer
15. Where a candidate fails to explore this dispute resolution mechanism contained in this provision, he shall not be entitled to proceed to the regular court to challenge the election.



### THIRD SCHEDULE

#### THE NIGERIAN BAR ASSOCIATION UNIFORM BYE-LAWS 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 situated.
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 as well as members living with disabilities.
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.
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 within a **Judicial Division of the High Court of the State or the Federal Capital Territory** where the Branch is situate may be a member of the Branch and no member shall belong to more than one Branch. Provided that a person who is duly enrolled at the Supreme Court of Nigeria as a legal practitioner but resides outside Nigeria shall register and belong to a Branch without the requirement of having his principal place of practice or residence within the **Judicial Division of the State High Court or the Federal Capital Territory** where the Branch is located.
2. Every member shall meet his/her 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 31<sup>st</sup> day of March of the relevant year has paid his/her annual Bar Practising Fees and Branch dues.

### 4. **Good Standing**

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

1. In addition to his/her Annual Bar Practising Fees, he/she has paid his/her Annual Branch Dues and all other financial obligations to the Branch as and when due for at least three (3) years immediately preceding the date of application, unless he/she has been enrolled at the Supreme Court of Nigeria for a shorter period of time or he/she recently relocated to the Branch within a shorter period of time, which shall then be the threshold point instead of three (3) years, provided that for a recently relocated member, he/she provides evidence of payment of Bar Practising Fees and Branch Dues in his/her former



**Branch for the applicable period of time; and,**

2. He/she has in the past one year in question participated in at least three (3) 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 the State where the Branch is situate and/or serious and prolonged illness.
3. Where a Branch refuses to issue a letter of good standing to a member when required or claims that a member has not paid Branch dues as and when due, the Branch shall have the burden of producing its statement(s) of account(s) to support its claim that the member did not pay his/her Branch dues as and when due. Where the Branch is unable to produce such statement(s) of account(s) or there has been undue delay in issuing the letter of good standing for a period exceeding three (3) working days, the member shall be at liberty to approach the General Secretary of the Association who shall thereupon issue such letter within a period not exceeding three (3) working days, provided that the General Secretary shall in the first instance request from the Branch the reason for the refusal and thereafter issue or decline to issue the letter upon being satisfied with the reason proffered by the Branch for the refusal.
5. **Annual Branch Dues**  
Annual Branch dues shall be as fixed by the Branch in General Meeting on the recommendation of the Executive Committee of the Branch from time to time. The Annual Branch dues as fixed by the General Meeting of the Branch shall be made payable not later than the 31<sup>st</sup> day of March of each year.

6. **Officers and Membership of the Branch Executive Committee**

1. **The Branch Executive Committee shall consist of Officers of the Branch who shall be elected as provided under this Bye-Laws for a single term of two (2) years.**
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. 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. **Branch Offices** shall be vacant by expiration of time, death or as provided in Section 15 of this Bye-Laws.

**7. Duties of Officers**

**1. Chairman**

- a. To preside at all Annual General Meetings and other meetings of the Branch and the Branch Executive Committee meetings.
- b. To direct and motivate the Branch 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 Branch 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 and shall express the views of the Branch upon any matter of public interest or upon any matter of interest to the legal profession in relation to 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 Byelaws.
- g. To present the Chairman's Address at the Annual General Meeting.



- h. To perform such other functions as may be in the interest of the Branch.
- i. To represent the Branch at the National Executive Council of the Association.

2. Vice-Chairman

- a. To in the absence of the Chairman, preside at all meetings over which the Chairman by this Byelaw 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 Branch 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 Branch Executive Committee Meetings, and other Meetings of the Branch in accordance with the provisions of this Byelaws.
- 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 Branch Executive Committee and disseminate to all members all information from the National Secretariat of the Association, on the instructions of the Chairman.
- 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 Branch Executive Committee and render regular returns thereof to the Branch 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 Branch 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.



j. To submit a general report of the activities of the Branch at the Annual General Meeting.

4. Assistant Secretary

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

5. Treasurer

- a. Shall promptly pay all monies collected by him/her from members of the Branch or from any person or body to the Branch's Bankers.
- b. Shall 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/her and the authorization for such payments.
- c. Shall prepare or cause to be prepared, the annual budget of the Branch for consideration by the Branch Executive Committee and subsequent approval by the Branch in a General Meeting.
- d. Shall carry out any decision or directive of the Annual General Meeting, Branch Executive Committee and the general meeting in matters relating to the budget or finances of the Branch.
- e. Shall 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 31<sup>st</sup> day of May preceding such Annual General Meeting.
- f. Shall periodically prepare or cause to be prepared the Management/Financial Accounts of the Branch as required by the Branch Executive Committee or the Annual General Meeting.
- g. Shall invest the funds of the Branch in such securities as may be approved by the Branch Executive Committee and/or the General Meeting.
- h. Shall be a signatory to all bank accounts of the Branch.
- i. Shall liaise with external auditors for the audit of the Accounts of the Branch.





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 Byelaws or directed by the Branch Executive Committee or the General Meeting.

10. Provost

The Provost shall maintain order and discipline at meetings.

8. Executive Committee of the Branch

1. The Executive Committee of the Branch shall consist of:
  - a. All elected officers of the Branch; and
  - b. Five (5) co-opted members, including the Chairman of the Young Lawyers Forum of the Branch; and
  - c. The immediate past Chairman and Secretary of the Branch.
2. The Branch Executive Committee shall meet at least once in every calendar month at such time and place as the Branch Executive Committee or the Chairman may direct.
3. The Chairman shall preside at the Branch Executive Committee Meetings and in the absence of the Chairman, the Vice-Chairman, and failing which 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 Branch Executive Committee present at the meeting shall preside.**
4. The quorum of the Branch Executive Committee Meeting shall be seven (7) members present in person at physical or virtual meeting.



5. Decisions of the Branch 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 Branch 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 Byelaws and the Constitution of the Association, the Branch 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.
  - 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 appoint fit and proper persons as Administrative Secretary and other staff of the Branch.
  - d. 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.
  - e. To appoint any suitable Bankers for the Branch.
  - f. To make all necessary arrangements for Annual General Meetings or for any other general meeting of the Branch.

## 9. 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 Vice Chairmen, past Secretaries, not more than five (5) Senior Advocates of Nigeria, not more than five (5) Benchers and all current and past national officers of the Association who are members of the Branch, together with five (5) co-opted members.





6. Ethics and Disciplinary Committee:  
Shall investigation all cases of complaint of professional impropriety or other misconduct made against members as may be referred to the Committee by the Branch, the Branch Executive Committee or the Chairman, and make appropriate recommendation thereon.
7. Law Reform Committee:
  - a. Shall liaise with and make inputs into laws or byelaws 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. Shall 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. Shall liaise and/or work with anybody or group on all aspects of law reform.
  - d. Shall be responsible for the promotion and support of law reform.
8. 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 however in the course of their professional activities.
  - d. Shall carry out any other function that may be assigned to it by the Chairman, the Branch Executive Committee or the General Meeting.
9. Membership of Standing Committees
  - a. The Committees shall be constituted by the General Meeting on the advice of the Branch 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.
- 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.

## 10. Ad Hoc Committees

- 1. Caretaker Committee:
  - a. Where a Branch is enmeshed in a crisis that makes it impracticable for the Branch Executive Committee to function or for the Branch to conduct elections, an emergency meeting of the Branch shall be convened within thirty (30) days of the occurrence of such crisis to appoint a Caretaker Committee to administer the affairs of the Branch in the interim.
  - b. The crisis that shall necessitate the appointment of a Caretaker Committee shall include a crisis situation within the Branch, such as a stalemated Annual General Meeting; or where the tenure of office of the immediate preceding Branch Executive Committee has expired and no arrangements could be made for an Annual General Meeting or the circumstance of such crisis is so serious as to render any arrangement for an Annual General Meeting impossible.
  - c. Where the crisis is such that makes it impracticable to requisition a meeting of the Branch, the President of the Association shall appoint a Caretaker Committee to administer the affairs of the Branch in the interim and forthwith arrange for the holding of an Annual General Meeting of the Branch wherein new officers of the Branch shall be elected.
  - d. The Caretaker Committee shall consist of three (3) members of the Association appointed by the President subject to ratification by the National Executive Council. The members of the Caretaker Committee shall be from among the members of the Branch provided that in appropriate cases, the President may appoint members of the Caretaker Committee from other Branches of the Association within the State where the Branch is located or from a neighbouring State of the affected Branch.



e. Where the Caretaker Committee assumes the functions as herein provided it shall have an initial tenure of three (3) months which may be extended by the President for a further period of not more than three (3) months by which time the Caretaker Committee shall conclude its functions.

2. The Branch and/or the Branch 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 Branch 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 members or officers as it deems necessary or expedient for the efficient discharge of its functions.
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.

## 11. 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.
2. The meetings shall be held at such time and place as the Branch, the Branch Executive Committee or the Chairman of the Branch may designate from time to time provided that 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 Branch Executive Committee.
3. An Extra-Ordinary General Meeting is to deliberate on specific issues as may be summoned at such time and place as the Branch Executive Committee or the Branch Chairman may direct.
4. Upon the requisition of at least twenty-five (25) financial members of the Branch, the Branch Chairman shall direct the Branch Secretary to summon an Extra-Ordinary General Meeting of the Branch within seven (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 Branch Executive Committee or the General Meeting of the Branch and shall transact such business as may be placed before it by the Branch Executive Committee or the Branch General Meeting or the members who requisitioned the Meeting.
6. The Annual General Meeting of the Branch shall be held on such date or dates as may be



determined by the Branch Executive Committee.

7. The **Branch** Chairman shall preside at the Annual General Meeting and other General Meetings of the Branch, and at Branch Executive Committee Meetings and in the absence of the Chairman, the Vice-Chairman and failing **which**, 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 Branch 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 **presiding officer** or demanded by at least 10 (ten) financial members **of the Branch**.
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 cognizance of the date and time of such meetings.
10. All Legal Practitioners are enjoined to take due cognizance 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 twenty-five (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 hereof.

## 12. Finance

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 Branch Executive Committee shall not open any new bank account without the approval of the General Meeting **of the Branch**.

3. (a) There shall be three (3) signatories to the Branch accounts namely, the **Branch**



Chairman (who shall be a mandatory signatory) and, the **Branch** Secretary and the **Branch** Treasurer, either of whom shall co-sign with the **Branch** Chairman on cheques or other written instructions.

(b) The **Branch** Chairman shall be the final authorizing person in respect of all electronic and other banking payments.

4. There shall be an account to be opened for the purpose of funding the Human Rights activities of the Branch. This account shall be funded with an amount not less than 10% of the 20% of the BPF remitted to the Branch by the Association. The Vice Chairman shall drawdown funds from this account for the activities of the Human Rights Committee. The signatories of the account for each Branch shall be as stated in paragraph 3 above. Drawdown from the account shall be predicated upon requisition from the Vice Chairman for the advancement of the activities of the Human Rights Committee. The Association will not give the Branches further payment of the 20% BPF except the Branch presents proof that the account is properly utilized for the advancement of the activities of the Human Rights Committee in the Branch as superintended by the Vice Chairman.

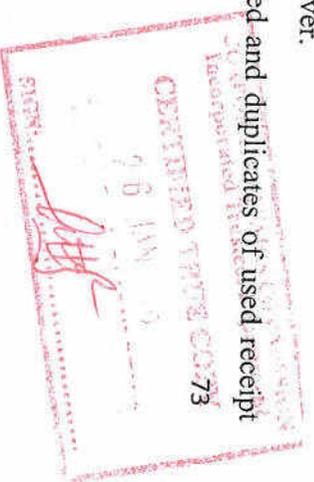
5. The **Branch** Treasurer and the **Branch** Financial Secretary shall present a written report of income and expenditure and the bank balances at every monthly meeting of the Branch Executive Committee and of the Branch.

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 Branch Executive Committee; provided that in any case of clear emergency, the Branch Executive Committee may authorize 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 **Branch** General Meeting.

7. The Secretary shall hold as imprest such amount as shall be approved by the Branch Executive Committee from time to time provided that he/ she shall render account of any expended imprest.

8. The Branch 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.

11. The Annual Branch Membership dues shall be fixed at the General Meeting on the advice of the Branch 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/her report to the Branch at its Annual General Meeting for consideration and approval.

### 13. Removal, Death, Resignation etc. of Branch 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/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 **fraud or dishonesty or both** 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; and/or
  - h. absents himself or herself from three consecutive Executive Meetings or General Meetings of the Branch without good cause acceptable to the Branch Executive Committee or the Branch as the case may be.
2. Where an officer of the Branch dies, resigns or is removed from office in respect of which there is a Vice or Assistant, the position shall be held in an acting capacity by the Vice or Assistant for a period of ninety (90) days if he or she is qualified for the position, a Bye-election shall be held to fill the position for the remainder of the term.



3. Where an officer of the Branch dies, resigns or is removed from office in respect of which there is no Vice or Assistant or where the Vice or Assistant is not qualified, a By-election shall be held to fill the position for the remainder of the term provided that the Branch Executive Committee may appoint any qualified financial member of the Branch to fill such vacancy in the interim for a period not exceeding sixty (60) days pending the By-election.
4. Any officer or member of the Branch Executive Committee, who wishes to resign his/her office, shall submit his/her letter of resignation to the Chairman of the Branch who shall immediately bring the resignation to the attention of the Branch Executive Committee and, thereafter, to the next General Meeting. In the case of a resigning Chairman, he/she shall submit his/her letter of resignation to the **Branch Secretary** with a copy to the **Branch Vice Chairman**.
5. The letter of resignation shall be submitted at least fourteen (14) 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/her care or possession to the **Branch Chairman** or **Branch Secretary** as the case may be.
6. Any proposal or motion to remove any officer or member of the Branch Executive Committee before the expiration of his/her term of office shall be in writing stating the grounds and signed by at least five (5) financial members and forwarded to the Secretary at least twenty-one (21) days to the **Branch General Meeting** at which the proposal or motion is to be tabled for discussion.
7. The **Branch 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 **Branch General Meeting** and list the proposal or motion on the agenda of the meeting.
8. Any proposal or motion to remove any officer of the Branch shall be considered by the **Branch General Meeting** which shall have the right to determine same or refer the matter to a special committee for investigation.

#### 14. Elections

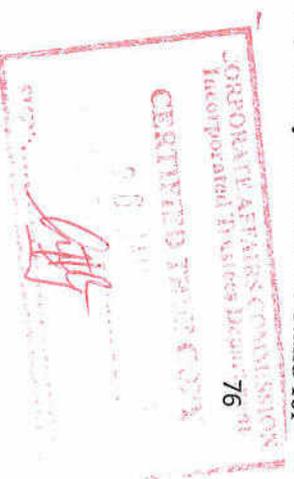
1. The election of **Officers** of the Branch shall take place in the month of June of the election year, **PROVIDED** that where the tenure of office of the outgoing **Branch Executive Committee** has not elapsed in the month of June of the election year, the



election shall take place in the month of June and the incoming Branch Executive Committee shall be inaugurated on the second-year anniversary of the inauguration of the outgoing Branch Executive Committee.

2. To be eligible to stand for election into an office, a member shall:

- (a) 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 Byelaws.
  - (b) 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. For the purpose of determining attendance at meetings, the Attendance Register of the Branch shall be used in reckoning the number of attendance by members of the Branch.
    - (i) The Secretary of the Branch shall, within 48 hours after the meeting, send a copy of the Attendance Register of each meeting to the office of the Vice President under whose purview the Branch falls.
    - (ii) A copy of the Attendance Register shall be posted at the Notice Board of the Branch and other Social Media Platform of the Branch for use of the members.
    - (iii) A member, upon payment of the sum of N2,000 or such other amount as may be reviewed from time to time at the General Meeting of the Branch, shall be entitled to a certified true copy of the Attendance Register.
    - (iv) Attain the post-enrolment qualification requirement for the affected office as at the date of the election, as follows:
      - (i) Chairman and Vice-Chairman, ten (10) years;
      - (ii) Secretary, Treasurer and Financial Secretary, seven (7) years;
      - (iii) Social Secretary, Publicity Secretary, Welfare Secretary, and Provost, five (5) years; and
      - (iv) Assistant Secretary, three (3) years.
  - (c) Be a financial member of the Branch and shall have paid his/ her bar practising fees and annual branch dues as and when due for the three (3) years preceding the election, inclusive of the year of election.
3. In reckoning post-call years, a person shall be regarded as having attained a post call year on each succeeding anniversary of his/her call to the Bar and not sooner.
4. The Branch Electoral Committee's decision as to eligibility of any candidate to stand for



- election shall be subject to the outcome of an appeal to the Branch Election Appeal Committee.
5. A candidate for any branch elective 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 Byelaws for the equivalent office and in good standing with their practising fees and Branch dues.
  6. 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 electronic platform(s), at the commencement of the campaign for the elections.
  7. Campaigns by candidates in every Branch election shall be the publication of campaign materials online. Candidates are therefore encouraged to publish, print and distribute their campaign materials online, provided that every campaign material for publication or distribution online by any candidate must be approved by the Branch Elections Committee before its publication or distribution. Any candidate who violates this provision shall be disqualified from participating in the election.
  8. Any aspirant or candidate who makes or publishes derogatory material against an opponent or who causes or permits derogatory material to be made against an opponent in any election of the Association shall be disqualified from participating in the election and shall be referred to the Disciplinary Committee for sanctions.
  9. Any aspirant or candidate who supplies false information about his qualification for any election shall be disqualified from participating in the election and shall be referred to the Disciplinary Committee for sanctions.
  10. The Branch 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 Branch website or electronic platform(s) at least twenty-one (21) days before the election.
  11. Offices shall be vacant by effluxion of time, death, resignation, removal, or for any other reasonable cause.
  12. Any vacancy occurring in any office after a Biennial General Meeting shall be filled by the



General Meeting of the Branch.

### 15. 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 practising 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. For the purpose of determining attendance at meetings, the Attendance Register of the Branch shall be used in reckoning the number of attendance by members of the Branch.
  - (a) The Secretary of the Branch shall within 48 hours after the meeting, send a copy of the Attendance Register of each meeting to the office of the Vice President under whose purview the Branch falls.
  - (b) A copy of the Attendance Register shall be posted at the Notice Board of the Branch and other Social Media Platform of the Branch for use of the members.
  - (c) A member, upon payment of the sum of N2,000 or such other amount as may be reviewed from time to time at the General Meeting of the Branch, shall be entitled to a certified true copy of the Attendance Register.
3. The member's name shall appear in the final list of eligible voters as compiled by the Branch Electoral Committee and published not later than fourteen (14) days before the date of election.
4. No provision of this Byelaws relating to qualification to vote and be voted for shall be waived by any person, the Branch, its organs, or committee set up by the Branch.

### 16. Duties of the Branch Electoral Committee

1. Not later than ninety (90) days to the date of the election, the Branch Electoral Committee shall announce the date of the election as fixed by the Branch Electoral Committee; and shall invite nominations of candidates for the various offices; and shall publicize the provisions of the Bye-Laws relating to eligibility to contest and eligibility to vote; and shall publicize the names of candidates cleared as qualified to contest election and



- names of candidates disqualified from contesting the election and the reasons for such disqualification; 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.
2. The Branch Electoral Committee shall scrutinize all nominations to ensure that they comply with the provisions herein and shall notify candidates who fail to qualify of the reason(s) for their disqualification within seven (7) days of any decision to such effect; provided that such a disqualified candidate may apply to the Branch Election Appeal Committee for a review of the decision of the Branch Electoral Committee within seven (7) days. **The decision of the Branch Election Appeal Committee shall be final.**
  3. Where there is no qualified candidate to fill an office, the Branch Electoral 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 Branch Electoral Committee shall cause a list of the candidates for election to various offices to be publicized by same being displayed at the Branch Secretariat, Branch website or electronic platform(s) 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 within the jurisdiction of the Branch.
  5. Upon the close of nominations, the Branch Electoral Committee shall cause ballot papers to be printed for the election with funds to be provided by the Branch.
  6. Any Candidate that seeks to challenge the eligibility of a nominated candidate shall not later than seven (7) days after the publication of the list of nominated candidates, submit a petition with the Branch Election Appeal Committee.
  7. Any candidate who is disqualified by the Branch Electoral Committee in respect of his nomination or candidature, may within seven (7) days of the communication of the decision, appeal to the Branch Election Appeal Committee.
  8. Any person, not being a candidate, whose petition to the Electoral Committee is dismissed, may within seven (7) days of the communication of the decision, appeal to the Branch Election Appeal Committee.
  9. The Branch Election Appeal Committee, shall upon receipt of an appeal lodged by a candidate in the manner stated above, hear the appeal and make a decision thereon within fourteen (14) days thereof. Such hearing may be based on documents only, or



by physical hearing or hearing via electronic medium.

**17. 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 **Branch Electoral Committee**.
2. Where electronic voting method is adopted, the **Branch Electoral 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 clearly published guidelines.
3. Where physical voting by secret ballot method is adopted, the **Branch Electoral 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 clearly 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 **Branch Electoral Committee**.
5. To the extent of their functions, the decision of the **Branch Electoral Committee** shall be subject to appeals to the Branch Election Appeal Committee whose decision shall be final.

**18 Appeals against the Outcome of the Branch Election.**

1. Any candidate, may, within seven (7) days of the announcement of the result of the election, appeal against the return made by the Branch Electoral Committee to the Branch Election Appeal Committee on the ground that:
  - (a) the election was invalid by reason of corrupt practices and/or noncompliance with the provisions of this Constitution and/or any Guideline issued by the Branch Election Appeal Committee regarding the conduct of the election; or
  - (b) the candidate returned did not secure the majority of lawful votes cast at the election.
2. Proceedings of the Branch Election Appeal Committee in the post-election proceedings shall be conducted in public.
3. The Parties at these proceedings shall be the candidate complaining, who shall be described as the Petitioner. The Respondents shall be the **Branch Electoral**



Committee and Candidate returned.

4. The Respondents, upon receipt of the Petition, shall file their answer to the Petition within five (5) days of the service of the Petition on them.
5. The Petitioner shall file his reply, if any, within two (2) days of receipt of the Respondent's Answer
6. The processes in these proceedings shall be served electronically via the e-mail supplied by the candidates at the time of the submission of their nomination forms.
7. The Secretary of the Branch Election Appeal Committee shall be responsible for ensuring service of the processes on the parties.
8. All Petitions shall be filed at the Secretariat of the Branch Election Appeal Committee together with a scanned copy saved in Portable Document Format ("PDF").
9. In computing the number of days, the date of service, non-judicial days, like Sundays and Public Holidays, shall be excluded.
10. The Branch Election Appeal Committee shall, upon receipt of the Petition lodged by a candidate, within the timeframe stipulated in paragraph one (1) above, hear and determine the Petition thereon within Twenty Eight (28) days from the date of the receipt of the Petition.
11. In respect of a Petition whose ground of complaint is non-compliance, the Branch Election Appeal Committee shall not nullify the election, unless it is shown that the non-compliance substantially affected the result of the election.
12. In respect of a Petition whose ground of complaint is that the candidate returned did not secure the majority of lawful votes cast, the Branch Election Appeal Committee, where it finds that the candidate declared by the Branch Electoral Committee did not secure the majority of the highest votes cast at the election, shall declare the candidate with the majority of the lawful votes cast, the winner of the election.
13. The Branch Election Appeal Committee, for expediency, could sit in a panel of three (3) members when hearing a Petition under this Part.
14. The Pendency of a Petition challenging the Return of an elected Branch Officer shall not prevent the swearing in of such officer
15. Where a candidate fails to explore this dispute resolution mechanism contained in this provision, he shall not be entitled to proceed to the National Executive Council to challenge the election.



**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 of the **Branch** 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.
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, members living with disability 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 organize 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.

- c. Each Branch shall maintain a Welfare Account for the benefit of its members, which shall be funded by 10% of the 20% of the Branch's share of the Annual BPF remittance from the Association and other levies approved by the Branch.
- d. Compliance with this provision shall be condition precedent for the Branch to receive it 20% BPF remittance from the Association.

- 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 Branch Executive Committee and the General Meeting whose decision shall be final.

**21. Amendment**

The Bye-Laws 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 this Constitution.

**22. Applicability**

The Bye-Laws shall apply to all the Branches of the Association to the exclusion of any other Bye-Law.



SCHEDULES TO THE BYE-LAWS  
FIRST SCHEDULE TO THE BYE-LAWS

(Referred to in Section 12)                      **STANDING ORDERS**

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 Branch Executive Committee or the Chairman.
2. The agenda of the business of the meeting shall be settled by the Branch 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 recognized 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/her 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/she 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 provided that proposals of the Branch 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.
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. Provided that 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.



SECOND SCHEDULE TO THE BYE-LAWS

**OATH OF OFFICE OF THE BRANCH OFFICERS**

(Referred to in Section 16)

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!

TheNigerianLaw.com



## FOURTH SCHEDULE

### THE NIGERIAN BAR ASSOCIATION UNIFORM BYE-LAWS FOR SECTIONS

#### *Uniform Bye-Laws of Sections 2025*

#### Arrangement of Articles

- I Name
- II Application
- III Aims and Objects
- IV Section Members
- V Annual Dues
- VI Cessation of Membership
- VII Accounts
- VIII Officers
- IX Tenure
- X Management of Section and Administrative Assistance
- XI Executive Committee of Sections
- XII Nominations, Elections, and Vacancies in Respect of Officers and Executive Committee, and Co-Option of Additional Executive Committee Members
- XIII Election
- XIV Honorary Life Member of the Section
- XV Committees
- XVI General Meetings of the Sections
- XVII Funding
- XVIII Activities
- XIX Supervision/Report
- XX Miscellaneous
- XXI Amendment

#### Article I Name

The Bye-Laws of.....(state Section's Name)

#### Article II Application

The Byelaws shall be applicable to all the established Sections of the Association as may be listed in the Schedule from time to time. Each Section set out in the Schedule, shall adopt the provisions in their respective Byelaws, provided that any other specialized law group or international co-operating law Forum affiliated with the NBA as set out in the Schedules from time to time, may adopt the provisions of the Byelaws.



### Article III Aims and Objects

The Aim and Objects of each Section shall be decided by the Executive Committee of the Section and adopted at the general meeting of members of any such Section.

### Article IV Section Members

Any member of the Association shall be eligible for membership of any Section 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 of his choice.

### Article V Annual Dues

- (a) Upon payment of the Annual Dues as may be prescribed from time to time by the Executive Committee of the Section, 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 Executive Committee of the Section.
- (b) All Section's Annual Dues shall be paid into such Accounts as may be determined by the Executive Committee of the Section from time to time.

### Article VI Cessation of Membership

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

### Article VII Accounts

- (a) The Signatories to the Section Account(s) shall be the Section's Chair, Secretary, Treasurer and/or the National Treasurer of the Association. An additional Signatory may be added subject to approval of the Executive Committee of the Section for administrative purposes or as may be required in furtherance of its Program.
- (b) Special Accounts may be approved by the Executive Committee of the Section 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 of the Section

The Officers of each Section be the Chair, Vice- Chair, Secretary, Financial Secretary, Treasurer and Assistant Secretary. The Executive Committee of each Section shall be at liberty to appoint into the Executive Committee, where necessary, three Zonal Representatives in accordance with the Zones recognized by this Constitution, namely Eastern Zone, Northern Zone, and Western Zone.

## Article IX Tenure of Office

- (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 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 to administer the affairs of the Section 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 the National Executive Council.
- (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 Executive Committee of the Section.

## Article X Management of Section and Administrative Assistance

- (a) The Director or any such Officer of the Association shall render to the Section and its Executive Committee 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



- (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 in support of their duties.

Article XI **Executive Committee of the Section**

- (a) **Composition:** There shall be for each Section, an Executive Committee which shall consist of:
- (i) The Officers of the Section;
  - (ii) The immediate past Chairman and Secretary of the Section;
  - (iii) Not more than Five (5) elected members;
  - (iv) Not more than Five (5) co-opted members; and
  - (v) The Zonal Representatives (where applicable).
- (b) **Terms of Office of the Executive Committee Members:** Members of the Executive Committee of the Section shall hold office as such respectively for the following terms:
- (i) The immediate past Chair and Secretary shall hold office in the Executive Committee of the Section until the conclusion of the next Biennial Conference of the Association or not later than a new officer is elected so as make him/her not an immediate past Chair/Secretary.
  - (ii) An elected or nominated member, holds office from the conclusion of the Biennial Conference of the Association at which he or she is elected/sworn in until the conclusion of the Second Biennial Conference of the Association next following the first mentioned Biennial Conference and he or she shall be eligible for reelection until the conclusion of the next Biennial Conference. Elected or Nominated members who have served for two years shall not be eligible for re-election.
  - (iii) Persons who are appointed to fill casual vacancies and those persons who are co-opted to the Executive Committee of the Section shall hold office for a single term as in sub-paragraph (ii) above.
- (c) **Duties:** The Executive Committee of the Section shall have general supervision and control of the affairs of the Section, subject to:
- (i) any restrictions which the National Executive Council of the Association may from time to time impose;



- (ii) any decision duly taken at the General Meeting of the Section; and
- (iii) these Byelaws:

Provided that the funds of the Section shall be expended only in accordance with and within the limits of a budget previously submitted to and authorised by the Executive Committee of the Section.
- (d) **Financing of Schemes and Services:** The Executive Committee of the Section may make such arrangements as it deems appropriate for the financing of schemes promoted and services provided for the attainment and advancement of objects of the Section, including, without prejudice to its power to charge fees or participating in such schemes from beneficiaries of such services.
- (e) **Executive Committee Meetings:**
- (i) The Executive Committee of the Section shall meet at any time before the Annual and Biennial Conferences of the Association. It may, in addition, meet at any other time and place as convened by the Section's Chair or on the requisition of a majority of its members.
- (ii) The Chair and Officers of Committees of the Section shall, except when the Executive Committee of the Section decides to meet in closed session, be entitled to attend and to speak but not to vote at the meetings of the Executive Committee of the Section.
- (iii) Notice of Meetings of the Executive Committee of the Section shall be given to all its members in writing by posting, emailing, or faxing the notices at least twenty-one days in advance and shall include the agenda for the meetings and the quorum shall consist of at least Five (5) members.
- (f) **Person Presiding:** If at any meeting of the Executive Committee of the Section, the Chair or any other officers of the Section is absent, the Executive Committee of the Section shall elect a person to preside at the meeting from among their members. And it is immaterial whether the meeting is held virtually.
- (g) **Voting at meetings:** All decisions of the Executive Committee of the Section shall be by majority vote of all members who are present in person. In case of equality of votes the person presiding at the meeting shall have a second or casting vote.
- (h) **General Authority:** The Executive Committee of the Section may act on behalf of the Section with respect to all matters relevant to the Section during intervals between their General Meetings.



## Article XII Elections of Officers of the Section

- (a) The election of Officers of the Section and other elected members of the Executive Committee of the Section shall take place at the Biennial General Meeting of the Section in the manner herein set out.
- (b) The Executive Committee of the Section shall, not later than Ninety (90) days preceding the date of election, appoint an Electoral Committee consisting of three (3) or more members of the Section with the power and duties conferred upon it in this Article.
- (c) The Electoral Committee shall, not later than Sixty (60) days to the date of the election, invite nominations of candidates for the various offices and membership of the Executive Committee of the Section and shall publicize the provisions of this Byelaws relating to eligibility to contest and eligibility to vote and also issue election guidelines.
- (d) The Electoral Committee shall scrutinize all nominations to ensure that they comply with the provisions herein and shall notify candidates who fail to qualify of the reason(s) for their disqualification within seven (7) days of any decision to such effect; provided that such a disqualified candidate may apply to the Election Appeal Committee of the Section for a review of the decision of the Electoral Committee within seven (7) days of the decision whose decision shall be final.
- (e) Not less than Thirty (30) days prior to the election, the Electoral Committee shall cause a list of the candidates for election to various offices of the Section to be publicized by sending same by email to all members in good financial standing, or on the website or other electronic platform(s) of the Section.
- (f) The Electoral Committee shall determine the mode and procedure for the conduct of the election and shall notify the members.
- (g) The Electoral Committee shall not later than twenty-one (21) days before the date of election compile and publish the list of eligible voters by sending same by email to all members in good financial standing, or on the website or other electronic platform(s) of the Section.



### Article XIII Eligibility for Election

- (a) No person who is not a member of a Section shall be eligible for election as an Officer of the Section or as an elected member of the Executive Committee of the Section.
- (b) To be eligible to stand for election as an Officer of the Section or as an elected member of the Executive Committee of the Section, a member shall be validly nominated and shall be a financial member of the Section and shall have paid his/her Section annual dues for the two (2) years preceding the election. Provided that for the offices of Chairman, Vice Chairman, and Secretary of the Section, he/she shall have served in the Executive Committee of the Section for not less than two (2) years.
- (c) A member shall be validly nominated in writing by two members of the Section who are eligible to vote as provided for in these Byelaws.
- (d) To be eligible to vote, a member shall be a financial member of the Section and shall have paid his/her Section annual dues for the election year not later than 30 days before the date of the election.

### Article XIV Procedure for Election

- (a) If, in respect of any of the Officers of the Section:
  - (i) There be no more than one person duly nominated for election to an office, that person nominated shall be deemed to have been duly elected to that office.
  - (ii) There be more than one person nominated for election to an office, the members of the Section present at the election shall elect one of them to that office by written ballot or electronic voting, to be conducted in such a manner as the Electoral Committee shall determine. The person receiving the majority of the votes shall be deemed to have been duly elected.
- (b) If, in respect of elected members of the Executive Committee of the Section:
  - (i) the number of persons nominated for election into the Executive Committee of the Section does not exceed the number of vacancies in the Executive Committee of the Section as stipulated in this Byelaws, those persons shall, on declaration of their names



by the Electoral Committee of the Section, be deemed to have been duly elected members of the Executive Committee of the Section; or

(ii) there be more persons than that number nominated for election into the Executive Committee of the Section, the members of the Section shall elect from among those persons validly nominated the number required to fill the vacancies arising by written ballot or electronic voting, to be conducted in such manner as the Electoral Committee shall determine. The persons receiving the majority of the votes shall be deemed to have been duly elected into the Executive Committee of the Section.

#### **Article XV Co-option of Additional Executive Committee Members**

- (a) The Executive Committee of the Section may, not later than one month after the swearing in of the Officers and elected members of the Executive Committee of the Section, co-opt any member of the Section as additional member(s) of the Executive Committee for such term not exceeding two years as the Executive Committee of the Section may determine, provided that there shall not be at any one time more than five (5) such additional members.
- (b) Co-opted members shall be eligible for subsequent election as an Officer of the Section or elected member of Executive Committee of the Section and may serve for a maximum of four years.
- (c) Geographical representation and gender balance of the Executive Committee of the Section shall be some of the factors to be considered by the Executive Committee of the Section as regards the co-option of any member of the Section as an Executive Committee Member.

#### **Article XVI Vacancy**

- (a) Offices of a Section shall be vacant by effluxion of time, death, resignation, removal, or for any other reasonable cause.
- (b) In the event of any Officer or any other member of the Executive Committee of the Section ceasing to be a member of the Section, he or she shall cease to hold office in the Executive Committee of the Section and his or her seat shall automatically fall vacant.



- (c) Any vacancy occurring in any office after a Biennial General Meeting of the Section may be filled by Executive Committee of the Section subject of the ratification of the next General Meeting of the Section.

**Article XVII Honorary Life Member of the Section**

- (a) On the recommendation of the Executive Committee of the Section, a General Meeting of the Section may appoint as an Honorary Life Member of the Section any past Officer of the Section and, in exceptional circumstances, a past member of the Executive Committee of the Section.
- (b) An Honorary Life Member of the Section shall have the rights and privileges of any member and shall not be required to pay Annual Dues, but shall be entitled to attend, vote, and speak at General Meetings of the Section. In cases where an Honorary Life Member shall also be an elected or co-opted member of the Executive Committee of the Section, he or she shall be entitled to attend, speak, or vote at the meetings of the Executive Committee.

**Article XVIII Committees**

- (a) **Establishment of Committees:** In order to promote the participation of members of the Association, the Section shall constitute at least two Standing Committees and ad hoc Committees as may be necessary for the purpose of attaining its aims and objectives.
- (b) **Participation of Members:** The members of the Section may elect to join any such Committee or Committees as they may wish, provided such member pays appropriate dues after belonging to maximum of two Standing and ad hoc Committees of the Section.
- (c) **Chair of Committees**
  - (i) The two (2) Standing Committees shall be chaired by Vice Chair and each sub-Committee or ad hoc Committee shall have Chair who shall be appointed by the Section Chair after consultation with such other persons, particularly officers and members.
  - (ii) Vice-Chair and other Committee Officers. The Section's Chair or Vice Chair shall, after consultation and with the approval of the Committee Chair, appoint one or more Vice-Chair and such other Committee Officers as may seem necessary or appropriate.



**(d) Terms of Office**

- (i) Except as otherwise approved by the Executive Committee of the Section, Committee Chairs and Officers shall be appointed for a term not exceeding two years and thereafter be eligible for re-appointment for one further term not exceeding two years, such term or terms of office commencing and ceasing at the conclusion of a Biennial Conference of the Association or a Biennial Conference of the Section.
  - (ii) No Committee Officer will be eligible for re-appointment to the same office after a period of four years. Notwithstanding the foregoing, in the event of a vacancy at any time for any reason whatsoever, a Committee Chair may be appointed to fill such vacancy for a period ceasing at the conclusion of the next Biennial Conference of the Association or Section as the case may be and shall at that time be eligible for appointment and re-appointment for maximum of two successive two-year terms.
- (e) Meetings of Committees.** Each committee shall meet at the time of each Biennial Conference of the Section and may meet at any time upon the request of its Chair but not so as to involve the Section in any expenditure unless previously authorized by the Chair.
- (f) Reports of Committees**
- (i) Each Committee Chair shall make a written Report to the Section Chair of the proceedings or activities of his/her Committee, for presentation during the Biennial Conference of the Section.
  - (ii) The Publication Committee of the Section shall from time to time arrange for articles to be submitted for publication in the Journal or Newsletter set up by the Section at least once a year.

**Article XIX General Meetings of the Section**

- (a) Biennial General Meetings. A General Meeting of the members of the Section shall be held at any time before the Annual General Meeting of the Association, to elect Officers and Executive Committee Members in accordance with the procedures set out in this Bye Law, and to consider such other business as the need may arise.

2011  
96  
SIGNED: [Signature]  
[Red rectangular stamp]

- (b) Extraordinary General Meeting. Extraordinary General Meetings may be held at other times or places as may be called by the Section Chair or Executive Committee of the Section.
- (c) Notice of Meetings
- (i) At least a 21 days' Notice shall be given to the members by the Secretary of every General Meeting stating the date and place of the Meeting and any matter to be considered by the meeting and, in case of General Meetings, the name of those proposed for Election as Officers and as elected members of the Executive Committee of the Section. Such Notice shall be sufficient if published in the Association's Journal.
- (ii) No matter shall be capable of being put to a vote at a General Meeting unless it shall have been included in the Notice conveying the meeting or a notice of it has been given to the Secretary not less than fourteen (14) days before the day of the meeting. Any other matter raised at a General Meeting may only be referred to the Executive Committee of the Section for consideration.
- (d) Quorum: Fifty (50) members of the Section present at any General meeting shall constitute a quorum for the transaction of business and the vote of a majority of those present shall constitute the decision of the meeting.
- (e) Person presiding: If at any General Meeting neither the Chair nor any of the Officers is present, the members of the Section present shall elect a person to preside from among their numbers.
- (f) Section not to represent the Association: The Section shall not take any action in the name of or purporting to represent the Association without prior authority or specific approval of the National Executive Council or the President.
- (g) Right to vote: The records of the Secretary shall determine the persons who are members of the Section and entitled to vote. Membership Identity Card shall be issued to members for use in admission to meetings and voting.

#### **Article XX Funding**

The Executive Committee of the Section may make such arrangements as it deems appropriate for the financing of activities promoted and services provided for the attainment and advancement of its objects, including, but without prejudice to the power of the Section levying dues and charging fees against participants in such activities or beneficiaries of such services.



## Article XXI Activities

The Section shall design their activities, subject to approval of its Executive Committee of the Section.

## Article XXII Supervision/Report

The Section shall be under the supervision of the National Executive Council, and as such each Section, shall present Annual Report at the Annual General Meeting (AGM) of the Association.

## Article XXIII

### Miscellaneous

- (a) Fiscal Year The fiscal year of the Section shall be the same as that of the Association.
- (b) Salaries and Expenses
- (i) No salary or other emolument shall be paid to any officer of the Section, member of the Executive Committee of the Section or Officer of a Committee.
- (ii) The Section's Chair or Executive Committee of the Section may, however, authorize reimbursement from the funds, in accordance with any regulations or guidelines adopted by the Section from time to time, for travelling and hotel expenses, duplicating, mailing, telephone, fax or similar expenses incurred by any such person.
- (c) Actions of the Section to be reported to the Association.
  - (i) Any resolution adopted by, or action taken on the authority of a General Meeting of the Section by a majority vote shall be reported by the Section Chair to the National Executive Council.
  - (ii) No member shall resort to litigation without first complying with the laid down Internal Dispute Resolution Procedure set out in the Association's Constitution. It shall be an act of misconduct to breach this provision.



Article XXIV

Amendment

Any provision of this Uniform Byelaws may be amended at a Meeting of the National Executive Council, upon a recommendation by the relevant Section, by a majority of the members present and voting.

TheNigerianLawyer



## FIFTH SCHEDULE

### THE NIGERIAN BAR ASSOCIATION UNIFORM BYE-LAWS FOR INVESTIGATION OF COMPLAINTS OF PROFESSIONAL MISCONDUCT AGAINST MEMBERS 2025

#### ORDER 1 INITIATION OF PETITIONS

##### RULES:

1. All Petitions against members on allegations of professional misconduct or wrongdoing shall be submitted to the Nigerian Bar Association (hereinafter referred to as the NBA) at the Branch level through the Chairman of the Branch.
2. The Branch shall not accept any petition not accompanied by or supported by an Affidavit sworn to in accordance with the Oaths Act.
3. Upon the receipt of a petition by a Chairman of a Branch, the Chairman or his/her designated officer of the Branch shall acknowledge receipt of the said petition on a duplicate copy of the same and endorse the date, time, and name of the officer that received the petition. The petition shall immediately be recorded in the permanent Register of Complaints of the Branch established for that purpose.
4. The Chairman shall, upon acknowledgement and registration of the petition by the Branch, forward the same to the Registrar of Discipline of the Association at the National Secretariat within seven (7) days of receipt of such petition.
5. The Registrar of Discipline shall, within seven (7) days of the receipt of the petition at the National Secretariat from the Branch, forward same to the Respondent for his/her written response.
6. The Respondent shall forward his/her written response (if any) to the Registrar within twenty- one (21) days of the receipt of the petition from the Registrar.



7. The Registrar shall, within three (3) days of the receipt of the response from the Respondent, forward same to the Complainant for his/her reply (if any).
8. The Complainant shall, within fourteen (14) days of receipt of the Respondent's reply from the Registrar, forward his/her reply (if any) to the Registrar.
9. The Registrar shall, within seven (7) days of the receipt of the Complainant's reply, compile a file encompassing all the necessary documents, inclusive of the petition, responses, and any annexures to the Ethics and Disciplinary Committee of the State where the petition originated from for investigation and report.
10. The Ethics and Disciplinary Committee of the State shall, within sixty (60) days of the receipt of the file from the Registrar, investigate the complaint and forward its report, inclusive of the case file and all other new documents received during its investigation, to the Registrar.
11. The Registrar shall, upon the receipt of the report of the Ethics and Disciplinary Committee of the State, do any of the following as may be applicable:
  - a. If a finding of a prima facie case is established against the Respondent, the Registrar shall file a Petition before the Legal Practitioners Disciplinary Committee (hereinafter called the Legal Practitioners Disciplinary Committee) against the Respondent within 30 days of the receipt of the report from the State Panel against the Respondent.
  - b. If the report did not find a prima facie case established against the Respondent, the Registrar shall forward the report to the President of the Association within seven (7) days of receipt of same for further action.



- c. The President shall, upon the receipt of the report of no prima facie case from the Registrar, send the said report for review to a Committee established for that purpose.
- d. The Committee shall review the same within fifteen (15) clear days. If the report of the Committee confirms the finding of the Disciplinary Committee of the State that there is no case established against the Respondent, that marks the end of the matter, and the Complainant shall be informed by a letter from the office of the General Secretary of the Association.
- e. If the Committee overturns the finding of the Disciplinary Committee of the State, thereby finding that there is a prima facie case established, it shall send its findings to the Registrar for further action.
- f. The Registrar, upon receipt of the review report from the Committee establishing a prima facie case against the Respondent, shall, within Thirty (30) days, file a petition against the Respondent before the Legal Practitioners Disciplinary Committee.
12. In the event of failure by either party to respond to any correspondence within the specified timeline set out herein, the Registrar shall take the necessary next step as may be expedient.

## ORDER 2 SERVICE OF CORRESPONDENCE ON THE PARTIES

### RULES:

1. Service of processes on parties shall be either personally or by registered post or by courier service to the office or residence or to the last known place of abode of each party to the proceedings, or by email (in the case of the Respondent to his registered email address with the Association).





High Court or a Notary Public or as may be permitted by the Oaths Act of the Federation of Nigeria or the Oaths Law of a State.

- b. A witness statement on oath shall contain a coloured passport photograph of the deponent.
- c. The Witness Statement on Oath shall contain specific and concise statement of material facts which the party will rely on in support of his/her case before the Panel.
- d. The averments in the witness statement on oath shall be divided into paragraphs, numbered consecutively.
- e. Each party shall attach all documents he/she intend to rely on in support of his/her case to the witness statement on oath.
- f. Every Legal Practitioner who is a party to a petition shall also state his/her full name as contained in his/her Call to Bar Certificate if different from the current name, Supreme Court Enrolment Number, contact office or home address, email address, phone number(s) in his/her petition or response.
- g. Every statement, document, or other information supplied to the Panel shall be communicated to the other party by the party; and any document or other information, and every such statement, document or other information supplied by the Panel to one party shall be supplied to the other party.
- h. If a party to a petition fails to file a witness statement on oath as ordered by a Panel, the Panel may take such steps and or make such orders that in its opinion will meet the justice of the case.

#### 4. DATE AND VENUE FOR HEARING OF PETITIONS

- a. On the direction of the Chairman of the Panel or any person for the time being acting on his behalf, the Secretary (if any) or any person directed by the Panel shall fix a date and venue for the hearing of a matter by the Panel and shall serve notice thereof on each party to the proceedings in the manner provided in this Rules.



- b. The notice of hearing may be served either personally, or by registered post or by courier service to the office or residence or to the last known place of abode or principal place of business of each party to the proceedings, or by email to his/her email address in the case of a legal practitioner against whom a complaint has been brought.
- c. The notice shall contain sufficient details as to the date, time, and venue of the sitting of the Panel and reason for being invited to the sitting.
- d. There shall be at least three (3) clear days between the date of any such notice and the date of the sitting of the Panel.
- e. The Secretary or any person directed by the Panel may serve on a party, any requisite document filed by the opposing party, to enable him/her to react to questions that may arise in the course of hearing before the Panel.
- f. Proof of email sent to a party's verified email address, registered post or courier service shall be sufficient proof of service on such a party to a matter before the Panel.

#### 5. APPEARANCE FOR HEARING

- a. If any person fails to appear at the hearing of the Panel, the Panel may upon proof of service on such party of the notice of hearing proceed to hear and determine the matter.
- b. For the purpose of subsequent hearing mere notices or knowledge of a date to which a matter has been adjourned at a current sitting shall be sufficient notice.
- c. Any person who was notified of the hearing of the Panel but who failed to appear at the hearing or who previously appeared but subsequently fails to appear may within seven (14) days from the date when the adverse pronouncement of the findings of the Panel are given and upon giving notice thereof to the Secretary or any person authorised to receive processes for the Panel apply to the Panel for a re-hearing.



- d. A party applying for the rehearing of his/her matter must furnish the Panel with cogent reason(s) why his/her application for a rehearing will be granted.
- e. The Panel, if satisfied that it is just that the matter should be re-heard, may grant the application upon such terms as to costs or otherwise as it deems fit.

#### 6. HEARING OF PETITION

- a. The Panel may in the proceedings, hear such witnesses and receive such documentary evidence as in its opinion may assist it in coming to a conclusion as to the truth or otherwise of the allegation of misconduct referred to it for investigation.
- b. Witnesses appearing before the Panel shall adopt their witness statements and simply tender any document(s) they intend to rely on.
- c. Any person who gives evidence before the Panel may be subjected to questioning by members of the Panel and the adverse party or his/her counsel.
- d. In any proceedings, the Panel shall ensure that the parties are accorded equal treatment and that each party is given full opportunity of presenting his/her case.

#### 7. ADJOURNMENT

- a. The Panel may of its own motion or on the application of any party adjourn the hearing of any matter before it as the Panel deems fit.
- b. The Panel may adjourn its sitting from day to day or from place to place, so as to carry out its functions.

#### 8. RECORDS OF PROCEEDINGS

- a. Notes of the proceedings of the Panel in a matter under investigation shall be taken in writing by the Chairman or by such other designated person or by any electronic process.
- b. Any party who appeared before the Panel shall be entitled to be supplied with a copy of the record of proceedings on the payment of any prescribed or assessed fee.



9. The Panel may dispense with any provision of these Orders with respect to notices, statements, documents, service, or time, in any matter where it appears to the Panel to be just to do so.
10. The panel may in any given case extend or abridge the time for doing anything under these Orders.
11. The Panel may direct that any book, paper, or other exhibits produced or used at a hearing be retained by the Panel for onward transmission to the Registrar for further action.

## 12. JURISDICTION OF A PANEL

- a. A Panel shall be competent to rule on questions pertaining to its own jurisdiction and on any objections with respect to the existence or validity of any petition pending before it.
  - b. In any disciplinary proceedings an objection that the Panel does not have jurisdiction may be raised not later than the time of submission of the Response to the Petition.
  - c. In any disciplinary proceedings an objection that the Panel is exceeding the scope of its authority may be raised as soon as the matter alleged to be beyond the scope of its authority is raised during the proceedings.
  - d. The Panel may, in either case referred to herein, admit a later objection, if it considers that the delay was justified.
  - e. The Panel is not bound to rule first on the objection as soon as it is raised. The Panel may rule on any objection referred to it under this section either as a preliminary question or in its final decision on the merits of the petition.
13. The decision of a Panel shall not be invalidated by reason of any member not having participated in all the proceedings leading to the decision.
  14. The quorum of a Panel shall be determined by the appointing authority, provided however that in the absence of such determination a quorum of the Panel shall be formed by a simple majority of members.



**4 AMENDMENT**

Any provision of this Uniform Byelaws may be amended at a Meeting of the National Executive Council, upon a recommendation of the President or by a majority of the members present and voting.

TheNigerianLawyer



SIXTH SCHEDULE

OATH OF OFFICE FOR NATIONAL OFFICERS

I..... (full name) do solemnly swear/affirm that I will bear true allegiance to the Nigerian Bar Association and discharge my duties faithfully and in accordance with the Nigerian Bar Association Constitution and always in the best interest, integrity and well-being of 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!

TheNigerianLaw.com

109

## SEVENTH SCHEDULE

### NBA JOURNAL

1. The Association shall have power to publish legal journals in pursuance of Section 3(b) of the Constitution.
2. Editorial Board:
  - a. The members of the Editorial Board shall be active members of the Association.
  - b. The National Executive Council shall appoint three (3) but not more than five (5) suitable members of good standing to be Board members of the Association's Journal.
  - c. The National Executive Council may remove any member of the Editorial Board for good cause.
  - d. The Board shall endeavour to publish at least one issue of the Journal per annum.
  - e. The National Executive Council shall operate a separate Bank Account for the Journal.
  - f. The signatories to such account shall include the President, Treasurer, and the Chairman of the Editorial Board.

### EIGHT SCHEDULE

### LIST OF SECTIONS

1. NBA Section on Business Law (SBL)
2. NBA Section on Legal Practice (SLP)
3. NBA Section on Public Interest and Development Law (SPIDEL)

### NINTH SCHEDULE

### LIST OF INSTITUTES

1. NBA Human Right Institute
2. NBA Institute of Continuing Legal Education

### TENTH SCHEDULE

### LIST OF FORA

1. NBA Academic Forum
2. NBA Women Forum
3. NBA Young Lawyers Forum
4. NBA Corporate Counsel Forum



5. NBA Law Officers Forum
6. NBA Lawyers in the Military Forum
7. NBA Lawyers Living with Disability Forum
8. NBA Lawyers in Diaspora Forum

This Constitution is adopted this 28<sup>th</sup> Day of August, 2025 by the Annual General Meeting of the Nigerian Bar Association and takes effect forthwith.



**MAZI AFAM OSIGWE, SAN FCIARB.(UK)**  
**PRESIDENT**



**DR. MOBOLAJI OJIBARA**  
**GENERAL SECRETARY**

