



NIALS Newsletter

A publication of the Nigerian Institute of Advanced Legal Studies.

ISSN 0794-506X N-Vol. 1, Issue 3

September/October 2009



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Chairman of NIALS Governing Council, Hon. Justice A. I. Katsina-Alu, JSC, CON, FNIALS with the Director-General, Prof. Epiphany Azinge, SAN at NIALS Council meeting

NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES

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NIALS Newsletter
is a Monthly publication of
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VISION STATEMENT

To be the primary source of information, training and advice at the highest level of policy formulation on legal matters, effectively impacting on local and international institutions in the development of law.

MISSION STATEMENT

To be the nucleus and hub of research and advanced studies in law in Nigeria.

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The Chairman NIALS Governing Council, Hon. Justice A. I. Katsina-Alu, JSC, CON, FNIALS poses with the Director General, Prof. Epiphany Azinge SAN, after a successful Council meeting



Some Council members putting heads together at the meeting (Council Secretariat staff in the background)



For beneficiaries who have never used a hospital, Dr. Edewor said no refunds are as the the healthy take care of the sick. Capitation is paid to the provider whether one goes to the clinic or not, that's why clinics are mandated to take care of patients.

NIALS (Abuja) staff were made to understand the importance of registering in good time or changing the name of the provider in good time because registration is done quarterly at NHIS. In response to a question raised about NHIS drugs, Dr. Edewor said there are no special drugs for NHIS beneficiaries but generic drugs are meant to be used i.e drugs that are branded and known. She said people should complain in writing if they are dissatisfied with how they are treated by their providers.

The issue of some hospitals not treating patients was also raised in the discussion. The Dr. said some hospitals registered for primary health care so they cannot handle

secondary health care but such hospitals can refer one to the hospital registered as a secondary health care provider. It is therefore important to know the hospitals that are registered as primary health care provider and secondary health care providers.

Mr. Belama apologized to staff who complained of paying for treatment while registered at their various hospitals. He encouraged staff to write complaints when such cases arise again. Dr. Edewor enlightened the staff on medical cases that clinics will not handle under NHIS. The list included:

- (1) Occupational/Industrial risk e.t.c. construction workers.
- (2) High technology investigation e.g C.T. scan but if it is a life threatening situation it will be covered.
- (3) Injuries resulting from natural disaster.
- (4) Epidemic situation.
- (5) Drug abuse and addiction.
- (6) Terminal illness e.g. HIV,

- Continued from page 3
- Cancer e.t.c. (however it is covered up to diagnosis stage).
 - (7) Transplant, cosmetic surgery.
 - (8) Ophthalmology (spectacles and contact lenses).
 - (9) Ear, nose and throat (ENT), hearing aids not included).
 - (10) Children born with congenital abnormality.
 - (11) Infertility.
 - (12) Dental (Scaling and polishing).

She said there are some with partial exclusion; the patient pays 20% of the fee while the scheme pays 20%. She concluded by asking those not properly registered to endeavour to complete the process of registration and register.

The meeting came to a close at 1:30pm and Mr. Ukpi thank the team for making out time to come and sensitize staff on the issue of NHIS.



A cross section of NIALS staff listening to Dr. Edewor explaining a point



INFRASTRUCTURE CONCESSION REGULATORY COMMISSION (ICRC) SIGNS MEMORANDUM OF UNDERSTANDING (MOU) WITH NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES



Prof. Epiphany Azinge, SAN, D.G. NIALS

The spate of collaborative efforts recently embarked upon by the Director-General, Nigerian Institute of Advanced Legal Studies, Prof. Epiphany Azinge, SAN have started yielding fruits as the Infrastructure Concession Regulatory Commission (ICRC) have signed a Memorandum of Understanding (MOU) with the Institute to partner in the area of strengthening its capacity in order to midwife and monitor Public Private Partnership (PPP) projects with the Ministries, Departments and Agencies (MDA's).

The understanding will focus on training of the ICRC Personnel through the organization of roundtables, discussions and seminars on all aspects of the Public Private Partnership Policy regime in Nigeria with particular emphasis on the challenges and lessons as well as the best practices to adopt.

Specifically, the MOU is to address amongst others:

- (a) The organization of roundtables, discussions etc on PPP Policy regime in Nigeria, putting it side by side with other Jurisdictions and providing suggestions for improvements and sustainability;
- (b) To conduct specialized training of ICRC officers as may be agreed by both parties from time to time;
- (c) To conduct review of the ICRC Act vis-à-vis other legislations as it affects PPP Policy regime in Nigeria and its implementation;
- (d) To conduct technical audit on sector specific transactions.

The MOU further spelt out terms and conditions of its operation which mandates the Institute to be responsible for all technical

and academic issues as well as arranging all venues for the partnership's events in Lagos. The ICRC on its part will provide logistic support to the Institute and provide venues for all events holding in Abuja. While Mansur Ahmed, Director-General ICRC signed for the Commission, Prof. Epiphany Azinge, SAN signed for the Institute.

It would be recalled that following his appointment two months ago, Prof. Epiphany Azinge, SAN has reached out to several organizations, seeking collaboration with them as a way of repositioning Nigerian Institute of Advanced Legal Studies as a way of complementing Federal Government funding efforts. Understandings with such organizations such as the Nigerian Communications Commission, National Industrial Court, National Judicial Institute and the Office of the National Security Adviser are presenting at various stages of coordination.

According to Prof. Epiphany Azinge, SAN, government cannot do it all alone hence the need for agencies and arms of government as well as the private sector to collaborate and complement each other in areas of mutual benefit.



NIALS HOLDS THIRD INTENSIVE CERTIFICATE COURSE IN COMPARATIVE COMPANY LAW



Participants at the Comparative Company Law Course

The Nigerian Institute of Advanced Legal Studies held the above course at The *Ignatius Ayua Lecture Theatre* from October 5 – 16, 2009. The course is a direct response to major developments in the Nigerian economy and the globalization of company operations. The 2009

course was carefully restructured and expanded to cover topics like: Corporate Governance; Corporate Social Responsibility; Regulating the Formation of Companies; Corporate Liability for Crime; Majority Rule and Minority Protection; Maintenance of Capital and Shareholders Funds; Duties of Directors and Other Officer; Duties, Ethics and Liabilities of External Auditors; Investors Protection and Dealings in Companies Mergers, Acquisitions and Restructuring of Companies; Receiver/Managers in the Survival of Companies;

Enforcing Corporate Rights as well as Recent Developments in Company Taxation.

Sessions were held to examine practices in other jurisdictions especially from the European, Ghana and the Ohada Legal Systems.

The opening and closing ceremonies were performed by the Director of Studies, Professor Deji Adekunle and Mr. T. O. Dada, the Institute Librarian on behalf of the Director-General, Professor Epiphany Azinge, SAN.

Distinguished participants were presented with certificates.

NIALS HOSTS INTENSIVE ADVANCED COURSE IN PRACTICE AND PROCEDURE

The Intensive Advanced Course in Practice and Procedure took place at The *Ignatius Ayua Lecture Theatre* of the Institute in Lagos from October 26 – 30 2009.

The Course which is designed to sharpen participants' skills in the area of legal practice and procedure also serves as a major contributor to the Continuing Legal Education of Practitioners, Corporate Lawyers Academics, Legal Advisers/Law Officers as well as Judges.

At the opening ceremony, the Director-General Professor Epiphany Azinge, SAN welcomed the participants and informed them that the Institute is a leading law publication outfit with capacity to reach out to lawyers around the globe, stressing that law titles

published by the Institute enjoyed being edited and indexed by professionals. He further stressed that all lawyers who desire to publish law titles should patronize the *NIALS PRINTING PRESS*.

On the faculty for the well attended course was Chief Adegboyega Awomolo, SAN, Chief George Etomi, SAN, amongst others.

On behalf of the Director-General, the closing ceremony was conducted by the Institute Librarian, Mr. T. O. Dada who congratulated the

participants for successfully completing the course, emphasizing that the participants have automatically become Alumnae of the Institute. The peak of the closing ceremony was the presentation of certificates to the participants who expressed satisfaction at the course content and presentation by resource persons.



Participants at the Intensive Advanced Course in Practice and Procedure



Nigerian Institute of Advanced Legal Studies

Ph.D Programme in Legislative Drafting

The Nigerian Institute of Advanced Legal Studies hereby inform the General Public that with effect from January 2010, the **AKINOLA AGUDA SCHOOL OF POST GRADUATE STUDIES**

of the Institute will admit candidates for **Ph.D Programme in Legislative Drafting.**

Prospective Candidates are advised to purchase their application form from the Post Graduate Office, Nigerian Institute of Advanced Legal Studies, University of Lagos Campus, Akoka, Lagos.

or

The Director General's Office, Nigerian Institute of Advanced Legal Studies, Supreme Court Complex, Three Arms Zone, Abuja.

Tel: 07031054211

For further enquiries, please contact:

The Information Officer,
Godwin Adalikwu,
Nigerian Institute of Advanced Legal Studies,
University of Lagos Campus,
Akoka - Lagos.
Tel: 08035877732

NIALS MOUNTS TRAINING WORKSHOP IN INTERNATIONAL CRIMINAL JUSTICE AND ITS ADMINISTRATION

In continuation of its programme for this year, the Nigerian Institute of Advanced Legal Studies (NIALS) will from 2nd – 6th November, 2009 mount the 4th Training Course in International Criminal Justice and its Administration.

The course attracts participants from Judges of Superior Courts, Legal Practitioners, Law Teachers, Legal Officers in both Public and Private sectors, Members of the Armed Forces, Ministries of Defence, Foreign Affairs, Justices, Police Affairs, the Nigerian Red Cross Society, the National Institute for Policy and Strategic

Studies, Command and Staff College, Jaji, War College, the Nigerian Prisons, the Nigerian Customs and the Nigerian Immigration Services.

In a release from the Director-General, this year's edition has been greatly enhanced in content and faculty drawing from the experiences of the previous editions. The course holds at the Institute's Auditorium, University of Lagos Campus. The fee for the course is only Seventy Five Thousand Naira (N75,000.00) only.

NIALS COMMISERATES WITH STAFF

The Management and staff of the Institute received with deep shock the news of the deaths of relatives of some staff of the Institute. Mr. Edward Imbor lost both father in-law and immediate elder brother while Fatimah Ayoola lost her new born baby boy. All have been buried according to their religious rites and we pray God to grant the souls of the departed eternal rest.

The Holy Bible says in 1 Kings 2:10 that King David died at a good old age and was buried in the City of David by his children. So it was on the 19th September, 2009, in Atsenga village in Katsina-Ala Local Government of Benue State when Mr. William Magen gave a befitting burial to his father, Chief Imenge Atsenge who died at the

ripe age of 76.

The Institute sent a message of condolence to him and the entire family and prayed God to grant them the fortitude to bear the loss. The Institute was represented by Mr. Itiza Ukpi and Ms. Charity Addingi.

The Institute had hardly settled down to work after the Sallah break when news came that the family of Belau Aliyu (a staff of the Institute), was involved in a ghastly motor accident along the Abuja-Kaduna road. Although no death was reported, many were wounded. The Institute wishes them all a speedy recovery.

CONDOLENCE

The Institute commiserates with Mr. Alfred Akingbondere (Chief Accountant) on the death of his mother (Abigael Mobisola Akingbondere) on July 25, 2009. Her remains were interred at Idanre on 28th August, 2009. May God grant her eternal rest.

A NEW BABY TO NIALS FAMILY

A baby girl was delivered by the Special Grace of God to the family of Mr. Obaseki, Elvis O. (Assistant Secretary) on October 22, 2009 and christened Angel Oghosa Obaseki. We wish the new born long life.

MARRIAGE

Mr. Oyedeji Ayodele Idowu, an Executive Officer was joined in holy matrimony to Ibironke Oluwaseun Okeowo on Saturday, 24th October, 2009 at the Redeemed Christian Church of God, Bariga, Lagos.

INTERACTIVE SESSION WITH WETLAND (HMO)

The Wetland HMO had an interactive session with NIALS Abuja staff on 13th October 2009 at the old court room, Supreme Court Complex. The meeting commenced with the introduction of the heads of department present by Mr. Itiza Ukpi.

The Wetland (HMO) Head of Marketing, Mr. Belama said the organization decided to have a sensitization meeting with organizations registered with them because of the various challenges being faced by these organisations. He introduced his team to include: Dr. Edewor (Head of Health Services), Miss Kuchi (Marketing) and others. He apologized for the problems being faced by the staff of the Institute and promised to look into them promptly. He said his team has visited the Health Service Providers' various clinics and had discussions as to the challenges they are facing. Mr. Belama said staff should air their grievances and complaints so that they could be looked into.

Mr. Ukpi raised issues on:

- (1) Staff who have registered but have not been assigned clinics;
- (2) Staff who have had additional children after initial registration, and
- (3) Registration of dependants.

Dr. Edewor responded to the question of those who are duly registered without clinics. She said National Health Insurance Scheme gave them a list of registered people and that she will check their names and make alternative arrangement.

For staff who have had additional children after registration, she said N500 is paid for each child's registration, while registration of dependants is free provided the quota of four children has not been filled up. For parents who have more than four children, each additional child will be required to pay N9,000 yearly in order to benefit from the scheme. For staff who

are yet to register, they are required to obtain a form and attach passport photographs to start the process of registration. Dr. Edewor reiterated that under the NHIS in a case of emergency, a patient under the scheme can go to any accredited hospital and get treatment provided he/she can inform the HMO of the new development.

A staff is also allowed to change his health providers at no extra cost if he/she is dissatisfied with the services being rendered by his/her present provider. The staff will obtain a form, write the name of the old hospital and the new one stating reasons for the change. Mr. Belama stressed the importance of always remembering the name of the provider used for registration because a few people seem to forget this.

Dr. Edewor promised to look into cases of those duly registered with NHIS but without clinics. These would be assigned clinics as soon as possible.

Continued on page 20

PAYMENT OF DEATH BENEFITS: Dependants of Deceased Staff to Smile Soon

Dependants of deceased staff of the Institute will soon smile to the banks as the Institute has finally processed for payment all outstanding death benefits from 2004 to date. The Director General, Prof. Epiphany Azing, SAN while giving this information, regretted the delay in the payment of these benefits to families of deceased staff over the years and assured that his administration would liaise with the Office of the Head of Service and PENCOM to ensure prompt release of the benefits.

The Director General reiterates his commitment to staff on issues of

welfare, promising to put smiles on the faces of staff as much as the subvention of the Institute would allow. He however enjoined staff to appreciate that to whom much is given, much is also expected and called on staff to re-dedicate themselves for challenges ahead. He said with the various collaborations being pursued, staff would soon be occupied in their various schedules.

In a related development, the Institute is now fully National Health Insurance Scheme (NHIS) compliant as the new administration has ensured registration of both Abuja and Lagos staff into the scheme.

Hitherto staff had difficulty accessing hospitals and clinics of their choice. With the completion of the registration process with NHIS, all Institute staff and their families can proudly access hospitals and clinics of their choice.

The Desk Officer for NHIS/ Pensions is Mrs. Ene Paul – Itodo.

It is on record that between 2004 to date, the Institute regrettably lost Eight (8) staff. We remember and commiserate with the dependants of those staff members and pray for God's continued support, protection and comfort for them.



NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES STAFF TO UNDERGO PROMOTION EXAMINATIONS

The promotion examination fever that catches up with public servants is to be with staff of the Institute henceforth. Arising from recommendations put forward by a Management Committee, The Institute's Management has adopted that henceforth, all professional, technical and administrative staff be subjected to promotion examinations/tests and interviews to qualify for promotion to the next grade level. The decision however, does not cover academic Research Fellows and Librarians whose promotions are already tied to stringent conditions of research and publications. Aside from the mandatory period a staff is expected to serve on a particular grade level before consideration for promotion, such staff shall thereafter sit for a written examination and oral interview before promotion. This decision takes immediate effect.

Staff will be expected to cover

the relevant syllabus for the promotion examinations, which includes the provisions of the scheme of service, civil service rules, financial regulations, office practice as well as all aspects of the federal civil service.

This practice according to management will ensure staff are committed to duty, abreast with government practices and procedures and above all, make them better professionals.

In a related development, the Institute Council has now approved a new and improved fully open Annual Performance Appraisal System for staff. The new system of assessment will ensure fairness and eliminate dishonesty in the assessment process and further address training needs and staff development.

Under the old system of appraisal, staff never had the opportunity of discussing their overall ratings with their Heads of Department.

This resulted in staff being highly rated in the open side of the appraisal but got an overwhelmingly damaging recommendation in the overall rating portion that was confidential and inaccessible by the staff.

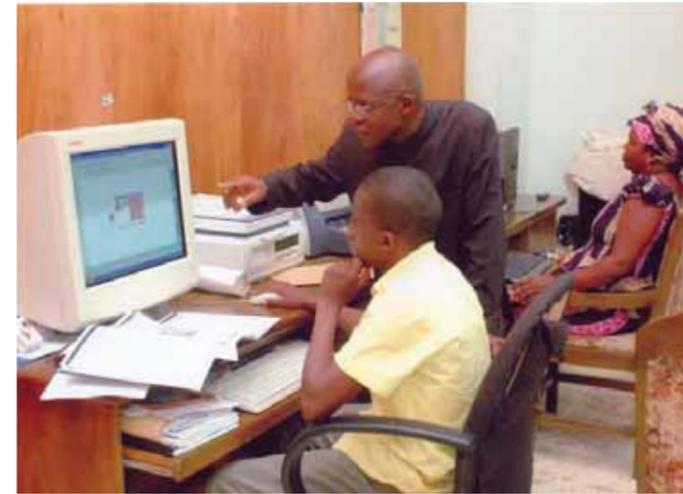
The Council decision enjoined staff to embrace the new system for purpose of re-dedicating themselves to the service of the Institute and by extension, the Federal Government. Staff who are due for promotion are advised to commence preparations early so as not to be caught napping as the examination will account for 70% of total scores.

It should be appreciated that promotions henceforth will not be tied to seniority, but the ability to pass the prescribed examinations. This will affect all cadres and ranks except, of course, the Research Fellows and Librarians.



The Director General, Prof. Epiphany Azinge SAN, with the Director of Studies, Prof. Bolaji Owasanoye at the International Bar Conference in Madrid, Spain.

NIALS PRESS



The Production Manager, Mr. J. Idoko (Middle) supervising work in the Pre-Press

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research, scholarship, legal education and information dissemination in Nigeria.

NIALS Press with its state of the art facilities, has a diverse publishing programme ranging from books, journals, monographs, conference



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proceedings and legal forms and precedents.

The Press offers quality production, excellent editing and proofreading by a faculty of distinguished Professors, Research Fellows and seasoned in-house editors and an unrivalled indexing of publications by technically trained Librarians. NIALS Press is a one stop destination for all publishing services from typing and formatting of the manuscripts to the finished product. We can boldly say **“ANY LAW TITLE NOT PUBLISHED BY NIALS PRESS IS NOT WORTH READING”**.



Polar Machine

NIALS FELLOWS' LECTURES

1	The Evolution of Constitutionalism in Nigeria: The Role of the Supreme Court under the 1979 & 1999 Constitutions.	Hon. Justice M.L. Uwais, CJN, GCON, FNIALS (2006)	1000.00
2	Legal Framework and Institutional Mechanisms for free and fair Elections: The Challenge for Nigeria.	Prof. Jadesola Akande (2007)	1000.00
3	Corruption in the Public Service of Nigeria: A nation's Albatross	Prof. D.A. Ijalaye (2008)	1000.00

JOURNALS

1	Nigerian Current Legal Problems Volume 1	T. Akinola Aguda (1985) Reprinted 2007	1000.00
2	Nigerian Current Legal Problems Volumes 2 and 3	I.A. Ayua (ed) (2002)	1000.00
3	Nigerian Current Legal Problems Volumes 4 and 5	I.A. Ayua (2005)	1000.00
4	Nigerian Current Legal Problems Volume 6	D.A. Guobadia (2005)	1000.00
5	Nigerian Legal Periodicals- A Subject Index (1989-2003)	NIALS Library (2004)	1000.00
6	Nigerian Legal Periodicals: A Subject Index 1946-1988	Compiled by Library Staff (1989)	1000(Limp) 1500(Cased)
7	Nigerian Current Law Review (1982) (January, April, October)	Prof. M.A. Ajomo	300.00 each
8	Nigerian Current Law Review (1983)	Prof. M.A. Ajomo	1000.00
9	Nigerian Current Law Review (1984)	T. Akinola Aguda	1000.00
10	Nigerian Current Law Review (1985)	T. Akinola Aguda	1000.00
11	Nigerian Current Law Review (1986)	Prof. M.A. Ajomo	1000.00
12	Nigerian Current Law Review (1987)	Prof. M.A. Ajomo	1000.00
13	Nigerian Current Law Review (1988/91)	Prof. M. A. Ajomo	1000.00
14	Nigerian Current Law Review (1992/93)	Prof. M.A. Ajomo	1000.00
15	Nigerian Current Law Review (1994)	I.A. Ayua	1000.00
16	Nigerian Current Law Review (1995)	I.A. Ayua	1000.00
17	Nigerian Current Law Review (1996)	I.A. Ayua & D.A. Guobadia	1500.00
18	Nigerian Current Law Review (1997)	D.A. Guobadia /Bolaji Owasanoye	1500.00
19	Nigerian Current Law Review (1998 – 2006)	D.A. Guobadia/Prof. A.O. Adekunle	2500.00

2009 HONOURABLE JUSTICE ADOLPHUS GODWIN KARIBI-WHYTE CONVOCATION LECTURE

Holds on 11.12.2009

The 2009 *Hon. Justice Adolphus Godwin Karibi-Whyte* Convocation Lecture titled "Dissenting Judgments and Judicial Law Making" will be delivered by Honourable Justice George A. Oguntade, *JSC, CON, FNIALS* under the distinguished Chairmanship of Honourable Justice Aloysius I. Katsina-Alu, *JSC, CON, FNIALS*. The Special Guest of Honour will be *His Excellency Ambassador Sarki Mukhtar, CFR, Dss, mni*, the National Security Adviser to the President of the Federal Republic of Nigeria.

VENUE: AYO AJOMO AUDITORIUM, NIALS, Lagos.

DATE: Friday, 11th December 2009.

TIME: 4.00p.m. Prompt

CEREMONIES FOR THE AWARD OF POSTGRADUATE DEGREE, DIPLOMA AND CONFERMENT OF FELLOWSHIP OF THE INSTITUTE

on 12th December 2009

The Nigerian Institute of Advanced Legal Studies will confer Fellowship of the Institute on Chief Folake Solanke, *SAN* and Late Hon. Justice Olakunle Orojo. The Keynote Address will be delivered by the Honourable Attorney-General of the Federation and Minister of Justice, Chief Michael Kaase Aondoakaa, *SAN*.

The Graduation Ceremonies and Conferment of Fellowship will hold as follows:

VENUE: Ayo Ojomo Auditorium, NIALS, Lagos.

DATE: Saturday, 12th December, 2009

TIME: 11:00 am prompt.

THE E-PAYMENT SYSTEM AND YOU

J. Yawe



Mr. John Yawe, CNA,
O/C Internal Audit, NIALS

Introduction

I was at ASCON, Badagry recently for a course on Public Sector Auditing. My colleagues and I took an excursion at the end of the first week to a number of historical sites, including the Anglican Mission Centre and Slave Trade Centre, both located at Badagry. At both places we were shown early means of economic exchanges like cowrie shells, gun powder, cooking salt, reflective mirrors. We also saw the penny, half penny (*anini*) and even quarter penny (*toro*). Some of my fellow course participants wept profusely when we were told that fellow Africans were used for exchange for commodities. For example, Warlord African Chiefs would sell off one hundred able-bodied Africans for one gun powder machine.

This is an example of how exchanges of monetary value were carried out decades ago. There has been a transformation of economic activities that have surpassed the

economic landscape of human nature since then.

The emerging modern society is characterized by a new economy engendered by the convergence of globalization, ICT on the internet horizon. Information has become a dematerialized economic entity and a measure of power and by extension wealth convergency and globalization is increasingly transforming money into a dematerialized and deterritorialized entity.

Money is fast becoming digital and thus narrowing the financial intermediation system. E-payment is a kind of non-cash payment that does not involve coins and paper cheque or credit cards, debit cards, or even Automated Clearing House (ACH) network.

Web-based technologies and electronic networks for payment of goods and services are a hallmark of e-payment.

The system has been practiced at various levels in the recent past, particularly in the private sector. The concept however gained wider acceptability when the Federal Government through the Treasury circular dated 22nd October 2008 gave impetus to its operation. Today, the e-payment system affects workers in Private and Public Sector directly. E-payment is also practiced by various organizations both in the Private and Public Sectors.

Religious and cultural organizations now give out bank account numbers when soliciting for funds from their

members.

CONCEPT AND OPERATION

The forerunner of the e-payment process in Nigeria was the introduction of the MICR (Magnetic Ink Character Recognition). This was followed by the ATMs (Automatic Teller Machines) for cash dispensing, account balance, enquiring and payment of utility cheques. At the moment, there is Real Time Gross Settlement (RTGS) system such as the Electronic Fund Transfer (EFT) that eliminates the risks associated with large value payments.

Once the Federal Government stepped into the issue, it became widespread like wild fire especially as it is the biggest spender of money, whether as payment for goods and services to its workers and contractors in general, as well as among various government MDAS. The process was officially introduced in all government Ministries, Departments and Agencies (MDAs) on 1st January 2009 and aims to achieve the following:

1. Eliminate unacceptable delay in the payment of Government contractors who have been certified to have either partly or totally completed contracts.
2. It also aims at minimizing interaction between contractors and Government officials who have roles to play in the payment of contractors (i.e. inducement or bribery prevention).

22	Globalisation, National Development and the Law	Azinge (eds) (2004) D.A Guobadia and Epiphany Azinge (2005)	2500.00(Cased) 3500.00
23	An Introduction to the Rome Statute of the International Court of Justice	D.A. Guobadia and P.T. Akper (2005)	2000.00(Limp) 3000.00(Cased)
24	The Uwais Court: The Supreme Court and the Challenge of Legal Development (1995-2006)	D.A. Guobadia and A. Adekunle (eds) (2006)	6500.00(Limp) 8000.00(Cased)
25	Current Themes in the 1999 Constitution: A Tribute to Honourable Justice S.M.A. Belgore	D.A Guobadia and Epiphany Azinge (2007)	6,500.00(Limp) 8,000.00(Cased)
26	The Challenge of the Nigerian Nation: An Examination of its Legal Development (1960-1985)	T. Akinola Aguda	2000.00(Limp) 3000.00(Cased)
27	Foreign Investments in a Globalised World	D.A Guobadia and P.T. Akper (2007)	3000.00

NIALS FOUNDERS' DAY LECTURE SERIES

1	The Functions of the Law and the Lawyer in Development Administration	Professor Dr. Heinrich Scholler (1980)	500.00
2	New Eyes for Old: The Future, Present and Past in the Evolution of Mineral Agreements	David N. Smith (1981)	500.00
3	Humanism and the Law: The Case of the Shariah	Ismail R. Al Faruqi (1983)	500.00
4	A Quarter Century of Legal Education in Nigeria: An Appraisal	Professor E. Nwogugu (1985)	500.00
5	The Relevance of the Judiciary in the Polity in Historical Perspective	A.G. Karibi-Whyte (1987)	500.00
6	International Law in the Period after Decolonisation	J.A. Frowein (1988)	500.00
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To realize the above objectives, the Treasury circular further directed amongst others:-

- (i) All government funded accounts shall become non-cheque accounts.
- (ii) All forms of payment from all government funds shall be through the Commercial Banks.
- (iii) Contractors handling government jobs must indicate their current accounts particulars with Commercial Banks on the invoice submitted for payment under their corporate seal.
- (iv) All employees of the Federal Government of Nigeria are also required to open an account with commercial banks in which salary and other payments due to them will be paid.
- (v) Total ban on office cash holding by Central Pay Offices (CPOs) for disbursement to staff for whatever purposes was also contained in the circular as stated above. The government intended to reduce contact between its workers and contractors where it was suspected that bribery activities flourished. The rule is that a contractor does not need to "see" an employee to have his payment made to him/her once the job is

executed, funds are available and the contract documents are in order.

Apart from the web-based technologies and electronics communication networks, other e-payments available include the following:

- (i) On-line payment through internet,
- (ii) Mobile payment through mobile phone,
- (iii) Biometrics payment (finger prints and Iris readers),
- (iv) Television set up boxes and Satellite Receivers,
- (v) E-payment Networks.

The system of payment has since commenced in all Ministries, Departments and Agencies (MDAs). The level of implementation or execution however differs from one MDA to another. How much cash can be held in the office and what type of payment can still attract cash withdrawal is what creates differences among MDAs.

The government opts for zero level cash in all offices irrespective of the nature of payment. The implication is that no kobo should be held by anybody in the office for any type of official payment. This is the crux of the matter. Recorded failures observed in the operation of the e-payment system (as can be seen below) and the need to

carry out basic operations of the various offices has made some MDAs circumvent the directives of the government.

Such agencies had better sit up before the long arm of the law catches up with them. This is because e-payment mandates are expected to be submitted to the Office of the Accountant General of the Federation (OAGF) on monthly basis for scrutiny.

Remittance of tax deductions, payment of water and electricity bills, telephone, satellite and internet subscription are now done online, a hall mark of e-payments system. Schools are not left out as Proprietors have made arrangements with various banks for this purpose.

In summary, the e-payment system seeks to achieve such benefits as but not limited to the following;

- Reduction of payment,
- Reducing staff strength,
- Cost minimization,
- Elimination of ghost workers,
- Facilitate quick decision making,
- Reduction of fraud,
- Easy and timely transactions,
- The elimination of improper record-keeping.

Challenges

As at today, government agencies, employees, contractors and individuals have come to accept the concept of e-payment, though grudgingly because:-

- a. Some banks are not well equipped to handle online payments.
- b. There is manpower capacity deficiency for this high technologically driven process.
- c. Lack of basic infrastructure like steady power supply affects the operation of the policy on routine basis.
- d. There is a lot of mistrust amongst banks and technical service providers. Besides it is difficult to set standards of operation. This explains why at its inception, some banks could not credit salary accounts of employees for upward of two to three months.
- e. Absence of adequate legislation and national policy on IT development.
- f. Activities of fraudsters (*aka* 419). This group of people among employees, contractors and even the bank officials try so hard to run down the system.
- g. Lack of Audit Trail. Auditors traditionally vet

payments for jobs carried out by verifying that the beneficiary of payment signs the payment voucher, issues receipt acknowledging payment and affixing a post office stamp at the point of collecting cash or cheque. The e-payment system has virtually eliminated these steps. Once the beneficiary's account is credited it becomes difficult, if not impossible to get him/her to the office to sign acknowledgement papers.

- h. Some mistakes made could have far reaching consequences. For example, transactions made in one year may be mistakenly taken to another year, while amounts wrongly entered may be difficult to reverse particularly if more than one account is involved.

The Way Forward

E-payment comes with a lot of convenience and saves people and government a lot of trouble and losses. Nigeria's economic climate is equally enthusiastic to embrace the e-payment technology. Some State governments have also adopted the policy of e-payment though at various degrees. They have seen that it is an easy way of treating disbursements, close loopholes for conducts and encourage accountability and fiscal responsibility.

The solution to some of the differences lies not on the skepticism and pessimism, but the wholesome and positive attitude of individuals, government contractors and banks. The banks in particular need to upgrade their facilities and improve their manpower capacity to cope with new technological challenges and also remove areas of distrust in the system.

Conclusion

Workers need not have fear. All that is needed is that they should trace payments to them from their various offices and diligently find out any unexplained credit on their bank accounts. They must regularly seek explanation for such credits before withdrawing such amounts as they have to repay when the credit is not legitimately their own.

The Officer in charge of Final Accounts has to work out a procedure with his bank to write debit notes on monthly basis for all payments made on the account. In this way he/she will be able to reconcile his/her books and also keep track of the audit procedures for all transactions.

The ideal e-payment system is far from achievable levels of *cashless* system, given the subsistence level of our societal development. One needs cash for settling daily purchases like bread, tomatoes, onions and the like. However, it is expected that steady progress will be made with time.

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Professor Nnamdi Aduba

The first Professorial Chair at the Nigerian Institute of Advanced Legal Studies has taken off. The Chair, endowed by the former Chief Justice of Nigeria, Justice S.M.A. Belgore, GCON, FNIALS is occupied by an eminent scholar, Professor Nnamdi

Aduba of the University of Jos.



Former C.J.N, Hon. Justice S.M.A. Belgore, GCON, FNIALS

It will be recalled that as Chief Justice of Nigeria, Justice Belgore brought in a new direction in the administration of justice in this country. His tenure witnessed tremendous improvement in the dispensation of justice by rendering landmark judgements; a situation that has been sustained subsequently.

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The Director General,
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Titled
**REDEFINING ADVOCACY IN CONTEMPORARY LEGAL PRACTICE:
A JUDICIAL PERSPECTIVE**
to be delivered by
Honourable Justice C. C. Nweze, JCA
Under the distinguished Chairmanship of
Professor A. B. Kasumu, SAN
Date: Thursday 26th November, 2009
Venue: Ayo Ajomo Auditorium,
Nigerian Institute of Advanced Legal Studies,
University of Lagos Campus, Akoka-Lagos.
Time: 4:00pm Prompt
Godwin Adalikwu R.S.V.P **Alemye Iyahan**
Tel: 08035877732 **Tel:** 08050835293



Hon. Justice A. I. Katsina-Alu, JSC, CON, FNIALS



Professor Nnamdi Aduba takes on the S.M.A. Belgore Professorial Chair in Law and Development



Professor Epiphany Azinge, SAN, DG NIALS





From Left to right: Mrs. N. J. Udombana, Prof. B. Owasanoye, Prof. E. Azinge, SAN and Mr. T.O. Dada at the opening ceremony of I.C.J. A. Training Course



From Left: Justice C. C. Nweze of the Court of Appeal, Ilorin and the DG, Prof. E. Azinge, SAN at the ICJACourse

FIRST COUNCIL MEETING UNDER PROF. AZINGE, SAN IN PICTURE



The Chairman of NIALS Governing Council, Hon. Justice A. I. Katsina-Alu, JSC, CON with the Director General, Prof. Epiphany Azinge SAN, at NIALS Council meeting



From left to right: Mr. Belama of Wetland HMO; Mr. Ukpi, NIALS and Dr. Edewor, of Wetland HMO at the interactive session



A cross section of NIALS Staff at the interactive session with Wetland HMO Staff



A cross section of participants at the Intensive Advanced Course in Practice & Procedure



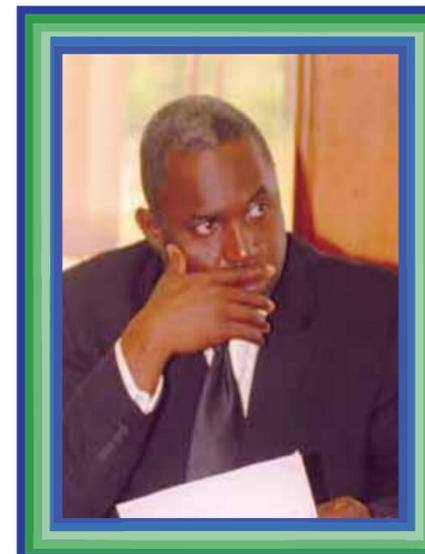
Participants from Sokoto State Ministry of Justice at the Intensive Advanced Course in Practice & Procedure



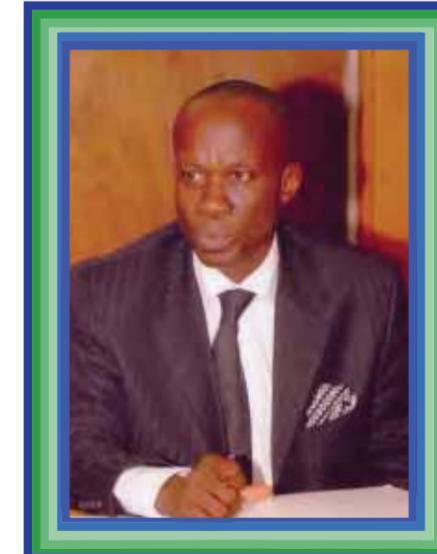
A cross section of participants at the Intensive Advanced Course in Practice & Procedure



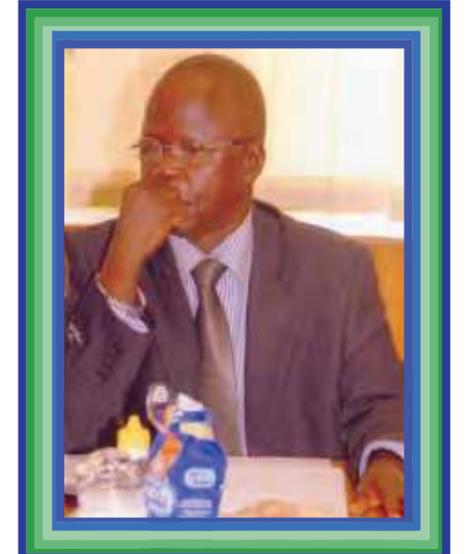
Chairman of NIALS Governing Council (right) sharing pleasantries with other members at the end of the council meeting



Dr. Aminu Kabir



Dr. Ken Nwogu



Hon. Justice Usman Bwala