**LEGAL EDUCATION (CONSOLIDATION, ETC.) ACT**

ARRANGEMENT OF SECTIONS

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LEGAL EDUCATION (CONSOLIDATION, ETC.) ACT

**An Act to re-enact the Legal Education Act 1962 as amended up to date and to in-
      troduce new provisions relative to the composition of the Council of Legal Edu-
      cation and the appointment of the Director-General of the Nigerian Law School.
      [1962 No. 12. 1966 No. 23.1967 No. 29.1976 No. 13.1977 No. 10. 1985 No. 34.]**

*[8th March, 1976]*

[Commencement.]

1. **Establishment and functions of the Council of Legal Education**

(1) There shall be a body to be known as the Council of Legal Education (in this Act
referred to as "the Council") which shall be a body corporate with perpetual succession
and a common seal.

(2) The Council shall have responsibility for the legal education of persons seeking to
become members of the legal profession.

1. **Composition, etc., of the Council**
(1) The Council shall consist of-

      *(a)*a chairman to be appointed by the President on the recommendation of the At-
torney-General of the Federation;

      *(b)*Attorneys-General of the States or, where there are no Attorneys-General, the
Solicitors-General of the States;

      *(c)*a representative of the Federal Ministry of Justice to be appointed by the At-
torney-General of the Federation;

      (d)              the head of the faculty of law of any recognised university in Nigeria whose
course of legal studies is approved by the Council as sufficient qualification for
admission to the Nigerian Law School;

      *(e)*the President of the Nigerian Bar Association;

      *(f)*fifteen persons entitled to practise as legal practitioners in Nigeria of not less
than ten years' standing and selected or elected by the Nigerian Bar Associa-
tion;

    *(g)*the Director-General of the Nigerian Law School; and

                              *(h)*two persons who must be authors of published learned works in the field of
                       law, to be appointed by the Attorney-General of the Federation.

(2) A person appointed as chairman of the Council shall, unless he previously resigns
or is removed from office, hold office for four years and shall on ceasing to hold office be
eligible for re-appointment.

(3) A person appointed a member of the Council pursuant to paragraph *(h)*of subsec-
tion (1) of this section shall, unless he previously resigns or is removed from office, hold
office for four years and shall on ceasing to hold office be eligible for re-appointment.

(4) The quorum of the Council shall be ten and the Council may regulate its own pro-
cedure; and the validity of any proceedings of the Council shall not be affected by any
defect in the appointment of any member, or by reason that a person not entitled to do so
took part in the proceedings.

(5) The Council shall have power to do such things as it considers expedient for the
purpose of performing its functions, but no remuneration shall be paid to any member of
the Council in respect of his office.

1. **Additional functions of the Council**

The Council shall in addition to the function conferred on it by section 1(2) of this
Act have responsibility for those matters in respect of which, before the commencement
of this Act, the Nigerian Institute for Continuing Legal Education had responsibility.

1. **Power of Minister to give directions to the Council**

Subject to this Act, the Attorney-General of the Federation may give the Council di-
rections of a general character with regard to the exercise by the Council of its functions
and it shall be the duty of the Council to comply with such directions.

1. **Qualifying certificates**

(1) A person shall be entitled to have a qualifying certificate issued to him by the
Council stating that he is qualified to be called to the Bar if-

       *(a)*he is a citizen of Nigeria; and

*(b)*he has, except where the Council otherwise directs, successfully completed a
course of practical training in the Nigerian Law School which (including the
time spent in taking the examination at the end but excluding any interval be-
tween the conclusion of the examination and the announcement of the results
thereof) lasted for a period fixed by the Council as an academic year.

(2) Notwithstanding the provisions of subsection (1) of this section, a person may be
entitled to have a qualifying certificate issued to him by the Council stating that he is
qualified to be called to the Bar if-

      *(a)*he is a non-citizen of Nigeria; and

*(b)*he has, except where the Council otherwise directs, successfully completed a course of practical training in the Nigerian Law School which (including the time spent in taking the examination at the end but excluding any interval between the conclusion of the examination and the announcement of the results thereof) lasted for a period fixed by the Council as an academic year.

[1992 No. 8.]

**6. Staff**

(1) Without prejudice to section 2 (5) of this Act, the Council may appoint such offi-
cers and servants as are deemed necessary by the Council for the proper discharge of its
functions under this Act, upon such terms and conditions of service as the Council may
determine:

Provided that rates and scales of salary and other emoluments relating to any such
appointment or employment shall be comparable with those prevailing in Nigerian uni-
versities.

(2) No person shall be appointed as Director-General of the Nigerian Law School
unless-

      *(a)*he is the holder or a former holder of the office of a professor in a faculty of
law in a Nigerian university; or

      *(b)*he is a holder of such qualification as are required for appointment as a profes-
sor in a faculty of law in a Nigerian university; or

      *(c)*he is a legal practitioner who has on the date of application, or had at any time
prior to that date, been in active legal practice for not less than ten years.

**7.Application of the Pensions Act, etc.**

(1) The Federal Civil Service Commission may by order published in the Federal *Ga-
zette*declare the office of any officer or servant appointed by the Council under this Act a
pensionable office for the purposes of the Pensions Act.

[Cap. P4.]

(2) Subject to subsections (3) and (4) of this section, the Pensions Act shall in its ap-
plications by virtue of subsection (1) of this section to any office, have effect as if the
office were in the public service of the Federation within the meaning of the Constitution
of the Federal Republic of Nigeria.

 (3) For the purposes of the application of the Pensions Act in accordance with sub-
section (2) of this section-

      *(a)*paragraph (1) of section 7 of that Act (which confers power to waive the re-
quirement to give notice of desire to retire) shall have effect as if for the refer-
ences to the Minister there were substituted reference to the Council;

      *(b)*the power under section 9 (1) of the Act to require an officer to retire at any
time after attaining the age of 45 shall be exercisable by the Council and not by
any other authority.

(4) Nothing in the foregoing provisions shall prevent the appointment of a person to
any office on terms which preclude the grant of a pension or gratuity in respect of service
in that office.

(5) Any order made under the Legal Education (Pensions) Act, 1965 in respect of of-
fices constituted by the Council before the commencement of this Act shall continue to
have effect in accordance with its terms as if made by the Commission in exercise of
powers conferred by this section.

[1965 No. 34.]

1. **Expenses**

(1) There shall be paid to the Council out of moneys provided by the Federal Gov-
ernment such sums by way of grant or loan as the Federal Government may from time to
time determine.

(2) Any loan to the Council of moneys provided by the Federal Government shall be
made on such terms as may be determined by the Minister in the Government of the Fed-
eration responsible for finance.

(3) The said Minister shall make regulations as to the keeping of accounts and records
by the Council or by an officer of the Council, with respect to sums paid to the Council
out of moneys provided by the Federal Government and fees collected by the Council
from students of the Nigerian Law School, and as to audit of the accounts; and the regu-
lations shall provide for the submission in every year of a copy of the accounts to the
President.

1. **Disposal of fees collected by the Council**

All fees collected by the Council from the students of the Nigerian Law School shall
be paid into the Treasury of the Government of the Federation and shall form part of the
Consolidated Revenue Fund of the Federation.

**10. Short title and repeal, etc.**

(1) This Act may be cited as the Legal Education (Consolidation, etc.) Act.

(2) The Legal Education Act 1962 is hereby repealed and the following other enact-
ments, that is to say-

[1962 No. 12.]

       *(a)*the Legal Education (Pensions) Act 1965;

[1965 No. 34.]

      *(b)*the Legal Education (Amendment) Act 1970;

[1970 No. 62.]

      *(c)*the Legal Education (Amendment) Act 1973; and

[1973 No. 37.]

      *(d)*the Legal Education (Amendment) Act 1974,

[1974 No. 37.]

are also hereby, consequentially, repealed.

(3) The repeal of the enactments specified in subsection (2) of this section shall not
affect any rules, orders, regulations or other instruments made under any of the enact-
ments repealed and such rules, orders, regulations or other instruments shall continue to
have effect as if made under the corresponding provisions of this Act.

          LEGAL EDUCATION (CONSOLIDATION, ETC.) ACT

**SUBSIDIARY LEGISLATION**

*No Subsidiary Legislation*