# NNAMDI AZIKIWE UNIVERSITY JOURNAL OF COMMERCIAL AND PROPERTY LAW

VOL. 11, NO. 4, OCTOBER 2024

**Published By** 

DEPARTMENT OF COMMERCIAL AND INDUSTRIAL LAW, FACULTY OF LAW, NNAMDI AZIKIWE UNIVERSITY, AWKA, ANAMBRA STATE, NIGERIA

ISSN: 2736-0342 NAU.JCPL Vol. 11(4) 2024.

## NNAMDI AZIKIWE UNIVERSITY JOURNAL OF COMMERCIAL AND PROPERTY LAW VOL. 11, No.4 SEPTEMBER - OCTOBER 2024

### This Journal is to be cited as: Nnamdi Azikiwe University Journal of Commercial and Property Law (NAU.JCPL) Vol. 11(4)

#### **SEPTEMBER - OCTOBER 2024**

	Available N	AU.JCPL Editions	:
Vol. 1(1)	2009	<b>Vol. 1</b> (2)	2009
Vol. 2(1)	2011	<b>Vol. 3(1)</b>	2015
Vol. 4(1)	2016	<b>Vol. 5(1)</b>	2017
Vol. 5(2)	2018	<b>Vol. 6(1)</b>	2019
<b>Vol. 7</b> (1)	2020	<b>Vol. 7</b> (2)	2020
Vol. 8(1)	2021	<b>Vol.8(2)</b>	2021
Vol. 8(3)	2021	<b>Vol. 8(4)</b>	2021
Vol. 9(1)	2022	<b>Vol 9(2)</b>	2022
Vol. 9(3)	2022	<b>Vol 9(4)</b>	2022
Vol. 10(1)	2022	Vol 10(2)	2023
Vol. 10(3)	2023	<b>Vol. 11(1)</b>	2024
Vol. 11(2)	2024	<b>Vol. 11(3)</b>	2024

#### **All Rights Reserved**

No part of this publication may be reported, reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronics, mechanical, photocopying, recording or otherwise except with the consent in writing of the copyright owners.



Email: <a href="mailto:ebenezerproduction@yahoo.com">ebenezerproduction@yahoo.com</a>

#### **EDITOR-IN-CHIEF**

Onyeka Christiana Aduma, PhD

#### **EDITORS**

Helen Obiageli Obi, PhD Noel Udeoji, PhD

#### **EDITORIAL BOARD**

Prof. Uwadineke C. Kalu Prof. M.C. Ozioko Prof. Nwamaka Adaora Iguh Jude Okoye, PhD Rapuluchukwu Nduka, PhD Chiugo Chukwuma-Agbodike, PhD Obiaeli-Chidebe Oluoma C.P, Esq. Promise Green, Esq. Hilda Uche Obi-Obiora, Esq.

#### **EDITORIAL CONSULTANTS**

Prof. Ilochi A. Okafor (SAN) Prof. Offornze Amucheazi (SAN) Prof. Ken Nwogu Prof. Carol Arinze-Umobi Prof. S. C. Ifemeje Prof. Meshach Nnama Umenweke Prof. Ogugua V. C Ikpeze Prof. Felicia A. Anyogu Prof. E.O.C. Obidimma Prof. Chukwuemeka Ibe Prof. Gladys Uzoamaka Eze Prof. Beatrice N. Okpalaobi Prof. Helen O. Onyi-Ogelle

#### **CIRCULATION MANAGERS**

Chidimma Dorathy Umego Esq. Chinwe Francisca Agazie Esq.

All correspondence to be addressed to: The Editor Nnamdi Azikiwe University Journal of Commercial and Property Law (NAU.JCPL) Nnamdi Azikiwe University, PMB 5025 Awka Anambra State, Nigeria jcpl@unizik.edu.ng OR commercialandindustriallaw@dept.unizik.edu.ng

## EDITORIAL POLICY AND NOTE TO CONTRIBUTORS:

The Journal of Commercial and Property Law is published annually by the Department of Commercial and Property Law (now Department of Commercial and Industrial Law) Faculty of Law, Nnamdi Azikiwe University, Awka, Anambra State, Nigeria. The Journal which is peer reviewed calls for papers for the next volume.

Contributors must focus on contemporary legal issues relevant to Legal Practitioners, Lecturers and Students of Law in particular, and the Society in general. All articles must be original and typed using one-and-half line spacing. One hard copy is required for assessment alongside an electronic copy sent through the email address: jcpl@unizik.edu.ngOR commercialandindustriallaw@dept.unizik.edu.ng.

#### **Contributors should comply with the following guidelines:**

- 1. Papers must be original and well-researched, and must not have been previously published within or outside the country.
- 2. Contributors must provide an abstract of not more than 250 words.
- 3. Contributors must state title of paper, brief personal details, phone number (s), e-mail (if any), and postal address, on a separate page.
- 4. Citations should be exclusively on footnote and should adhere to the following format:
- i. **Book:** Author's initials followed by surname, title of the book in italics, the edition (if any), (place of publication, publisher, year of publication), page number. For example, O F Ogbuinya, *Understanding the Concept of Jurisdiction in the Nigerian Legal System*, (Enugu: Snaap Press Ltd, 2008) p 22.
  - Chapter in Books: Author's initials followed by surname, title of article in inverted commas, editor (s), title of the book in italics, the edition (if any), example, P Nnaemeka-Agu, "Ensuring Accountability and Good Governance through the Africa Charter on Human and People's Rights" in C C Nweze and O Nwankwo (eds.), *Current Themes in the Domestication of Human Rights Norms* (Enugu: Fourth Dimension Publishing Co. Ltd., 2003) p 101.
  - Subsequent References: For exactly the same reference as the previous, use ibid (without italics). For exactly the same reference as in the previous footnote, but from a different page, use ibid. Ibid p.22. For subsequent reference but not immediately succeeding the current one, use 'Note'. This is symbolized by '(n...)' in brackets; where the 'n' stands for 'note' (meaning 'footnote') while the remaining space is for the footnote number where the information cited first appeared. For instance, M.O. Izunwa, (n 3). For a subsequent citation of a case already cited in full, use 'note' instead of 'supra'.
  - ii. **Journals:** Authors initials before surname, title of the article within single quotation mark,title of the journal in italics, year, volume number and page number. For example, M O Izunwa, 'Basic Proposal for Judiciary's Effectiveness in a Democracy: Nigeria as a Case Study' *UNIZIK Law Journal* (2010) 7 (1) 327-339.
  - iii. **Cases:** Names of the cases (in full and in italics), the year reported: (in brackets), volume of the law reports, part (in brackets), page number. For example. *Yusuf v Akindipe* [2000] 8 NWLR (pt 1) 153.
  - iv. **Statutes:** Full name of the statute followed by the year of the enactment. For example Companies and Allied Matters Act (CAMA), 1990.

- v. **Web Pages:** Web address, date the material was accessed and time the web was visited. For example, <www.nigerianlawguru.com /articles /jurisprudence/ JUDICIAL %20ACTIVISMpdf > accessed 19 September 2023, 12.30pm.
- 5. **Formatting:** Type of Microsoft Word 2007 (or above) on A4 paper size, '1.5' line spacing, 15-25 pages with corresponding automatic footnoting (not manual. Please), Times New Roman, font size' 12' on the body of the text, and '10' at the footnotes.
- 6. **Referral:** All articles will be reviewed for accuracy and relevance. Nevertheless, contributors must do a thorough proof-reading of their work, before submission.

**NB:** Compliance to methodology, style and formatting is very strict. Any paper falling short of the prescribed standard may be disqualified. The editor and editorial board may make necessary changes and adjustment to manuscripts. However, authors retain copyright over their papers and are liable for its contents. The contents of a paper do not reflect the opinions or positions of the journal.

If an article is accepted for publication, the author may be required to pay handling charges.

#### NAU.JCPL VOL.11, NO.4 SEPTEMBER - OCTOBER 2024

#### Submit your manuscripts to:

The Editor-in-Chief Journal of Commercial and Property Law (NAU.JCPL) Department of Commercial and Industrial Law, Nnamdi Azikiwe University, P.M.B. 5025, Awka, Nigeria jcpl@ubnizik.edu.ng

Or

The Head of Department Department of Commercial and Industrial Law Faculty of Law, Nnamdi Azikiwe University, P.M.B. 5025, Awka, Nigeria. commercialandindustriallaw@dept.unizik.edu.ng

## **TABLE OF CONTENTS**

Examining the Importance of Trial within Trial in Nigerian Criminal Justice System: A Critical Assessment of its Implications and Applications <b>Chidimma Stella Nwakoby</b>	1
Appraisal of the Legal and Ethical Implications of Artificial Intelligence Adoption in Corporate Decision-Making in Nigeria <b>Onyeka Christiana Aduma &amp; Nnamdi George Ikpeze</b>	12
Nigeria's Fight against Revenue Loss: Effective Mechanisms for Asset Recovery Oluchukwu Precious Obioma, Daniel Chidike Nwuzor & Chidebe Matthew Nwankwo	23
Digital Sexual Exploitation of Children in Nigeria: A Legal Discourse Promise Aaron, Miller Nzewenta & Damilola Abidoye	34
An Examination of the Power of the Chief Justice of Nigeria to Make Rules for the Enforcement of Fundamental Rights in Nigeria <b>Oyovwikerhi Imoni-Ogbe</b>	47
An Appraisal of the Legal Framework for the Taxation of Non-Profit Organizations in Nigeria <b>Meshach Nnama Umenweke &amp; Uchenna Maryjane Anushiem</b>	54
An Overview of Conflicting Judgments of Appellate Courts in Election Litigation in Nigeria <b>Ubanyionwu Chima Josephat</b>	63
A Comparative Analysis of the Committee System in the Nigeria National Assembly and other Assemblies around the World <b>Zainab Akinde</b>	74
Eviction Notice Orders in the Fight against Criminality in Nigeria: Unconstitutional Uwakwe Fidelis C	82
Appraisal of the Challenges in the Implementation of National Minimum Wage Act, 2024 Meshach Nnama Umenweke & Matthew Izuchukwu Anushiem	92
An Examination of Legal Framework for the Operation of Leases as a Means of Transfer of Real Property in Nigeria Isiaka Olaniyi Oyeyemi	100
The Doctrine of Substantial Compliance as Contained in the Electoral Act 2022: A Threat to Nigerian Democracy <b>Ubanyionwu Chima Josephat</b>	110
Legal Appraisal of the Nigerian Upstream Petroleum Unitization Regulations (NUPUR) 2023 Regina Emmanuel Akpan & Kingsley Osinachi N. Onu	121
Exploring Good Corporate Governance through the Role of the Company Secretary in Nigeria and United Kingdom: A Comparative Analysis <b>Kpomasiruchi Oteyi</b>	129
Legalizing Euthanasia in Nigeria: Comparative Study of Law of Euthanasia in Netherland, Belgium and Canada Sylvia O. Ahaneku&Carol C. Arinze-Umobi	139

Guarantee as a Security under Nigerian Legal System Onyinye OC-Chukwuocha	148
A Legal Appraisal of Tax Incentives in the Development of Manufacturing Industries in Nigeria: Lessons from the United States of America <b>Theophilus Williams Nwoke, Ajah Joseph Okorie &amp; Adeghe Pamela Oyemen</b>	158
Women's Inheritance Rights in Nigeria: An Analysis of the Legal Gaps and Reform Prospects <b>Nkiruka Edith Okaphor, Helen Obiageli Obi &amp; Ejike Francis Okaphor</b>	167
Multidimensional Child Poverty and Its Implication on Juvenile Justice System <b>Nneka Umejiaku</b>	177
An Evaluation of the Prospects for the Harmonization of Business Laws in West Africa Agbo Friday Ojonugwa	187
Legal Appraisal of Patients' Rights to Non-Disclosure of Medical Errors in Nigeria Ngozi Eunice Emeka	197
An Examination of Protection of Children against Child Labour in Nigeria Ejike Francis Okaphor&Chisom Grace Nwoye	206