

Report from the Solicitors Department

Solicitors department in the Federal Ministry of Justice has the following functions:

Vetting of contract agreements: The Department is charged with the responsibility of vetting contract agreements from Ministries and extra Ministerial Departments and Agencies (MDAs) on behalf of the Federal Government. Most of these contracts are those approved by the Federal Executive Council with a contract value of above N 100 million Naira.



Legal Opinion: In any Loan facility Agreement entered into with International Finance Institutions such as the World Bank, African Development Bank, African Development Fund and International Development Association, etc, a provision is usually embedded therein to the effect that the Honourable Attorney-General of the Federation, as the Chief Law Officer of the nation is required to give his legal opinion assuring the Finance Institution that "the execution and delivery of the Financing Agreement on behalf of the Federal Republic of Nigeria has been ratified by all necessary governmental actions". The Legal Opinion of the Honourable Attorney-General is usually a pre-condition to the disbursement of the Loan and is given after due consideration of all appropriate Laws on the matter, including the 1999 Constitution of the Federal Republic of Nigeria and the External Loan (Rehabilitation, Reconstruction and Development) Act, Cap E23, Laws of the Federation of Nigeria, 2004. From January 2017 to date, the department prepared 23 Legal Opinions which were endorsed by the Honourable Attorney-General of the Federation.

Legal advice: The Department is responsible for providing Legal advice on any legal matters assigned to it, especially Constitutional, Commercial, and Taxation Laws and indeed on any area of Law.

Approvals for the incorporation of companies limited by guarantee: Section 26(5) of the Companies and Allied Matters Act, Cap C20 LFN 2004 (CAMA) provides that the Memorandum of a Company limited by Guarantee shall not be registered without the authority of the Attorney-General of the Federation. Pursuant to the above the Department is responsible for treating all such applications for incorporation of Companies Limited by Guarantee from the Corporate Affairs Commission and makes recommendation for the authority of the HAGF. From January 2017 to date, 123 applications were received whilst 46 were approved.

Attorneys-General Conference: The Department serves as the Secretariat and coordinates the conference of the Body of Attorneys-General of which the Honourable Attorney-General is the Chairperson. The meeting of Body of Honourable Attorneys-General as agreed by the Body usually takes place quarterly. However, the last meetings were held on the 28th July and 6th October 2016 respectively. It is also noteworthy to mention that in some instances; some States offer to sponsor the hosting of the meeting to lift the financial burden off the shoulders of the Federal Ministry of Justice.

Attendance at meetings: The Department represents the Ministry at various meetings, Technical Committees, Inter-Ministerial Committees, etc. as Government representatives whenever requested by other Ministries, Extra Ministerial Departments and Agencies as part of its function as the Solicitor to the Federal Government. The Department has attended 42 meetings from January 2017 to date on behalf of the Federal Government.

Negotiations; The Department attends negotiation meetings for Loans and Project Financing on behalf of the Federal and State Governments. The meetings are usually between the International Financing Organizations and the Federal Government representing the borrowing State. Thereafter a subsidiary agreement is entered into with the States based on the agreed terms with the International Financing Organization. Such International Financing Organizations include among others the World Bank, International Development Association, the French Development Agency, the Islamic Bank and International Fund for Agricultural Development. From January 2017 to date, the department attended 40 Negotiation meetings.

General Council of the Bar: Section 1 of the Legal Practitioners Act established the General Council of the Bar with the Honourable Attorney-General of the Federation as the President of the Council. The department serves as the Secretariat of the

Council, which meets quarterly and also coordinates the Nigeria Bar Association (NBA) and International Bar Association (I BA) Conferences with respect to attendance by Law Officers of the Federal Ministry of Justice.