

**IN THE NIGERIAN BAR ASSOCIATION
ELECTION APPEALS TRIBUNAL (NBA-NEAC)**

PETITION/APPEAL NO: NBA-NEAC/04/22

**OLUFEMI ADENEYE ONAKOYA
(PETITIONER/APPELLANT)**

AND

**THE ELECTORAL COMMITTEE
OF THE NIGERIAN BAR ASSOCIATION
(RESPONDENT)**

DECISION

**IN THE NIGERIAN BAR ASSOCIATION NATIONAL
ELECTIONS APPEAL COMMITTEE (NBA-NEAC)**

DECISION

PETITION/APPEAL NO:NBA-NEAC/04/22

1.	PARTIES	OLUFEMI ADENEYE ONAKOYA ----PETITIONER ELECTORAL COMMITTEE- NBA (ECNBA) ----- RESPONDENT
2.	PROCEDURAL HISTORY	Date of Receipt of Appeal: 26th May, 2022 Date Appeal sent to ECNBA: 26th May, 2022 Date of ECNBA's Response:31st May,2022 Date of Petitioner's Reply: June 1st, 2022 Date and Manner of Hearing: 2nd June 2022 (Virtual and documentary)
3.	APPEAL SUMMARY	The Appellant, was until his disqualification, contesting to be a member of the General Council of the Bar from the Western Geographical Zone in the 2022 election. He was nominated by one Mr. Andrew Mwajim Malgwi who is from the Northern Geographical Zone. The Appellant was disqualified by the ECNBA vide a Notice of Disqualification dated the 24 th day of May, 2022 on the ground that his Nominator is not qualified to contest for the same office as him because he is from a different geographical zone. Dissatisfied with the decision of the ECNBA, the Appellant has appealed to this Committee vide a letter dated 26 th day of May, 2022.
4.	ISSUES FOR DETERMINATION	Whether from the facts and circumstances of this appeal and upon the consideration of the Petitioner`s Nominator who is from the Northern Geographical Zone and the

	Petitioner from the Western Geographical Zone, the Petitioner is qualified to contest for the office of the NBA's Representative to the General Council Bar.	
5.	Reasons for Disqualification (ECNBA's Position)	The Nominator Mr Andrew Mwajim Malgwi is from the Northern Geographical Zone while the Appellant is from the Western Geographical Zone. The Nominator who is from the Northern geographical zone is not qualified to contest for the same office in the Western Geographical Zone as the Appellant, as required by Part V, S. 2, of the Second Schedule to the NBA Constitution, 2015, as amended in 2021.
6.	Grounds of Appeal (Petitioner's Position)	That S. 10 of the NBA Constitution which divides the country into three zones only applies to election into National Offices, and same does not apply to the General Council of the Bar.
7.	Findings by the NBA - NEAC	<ul style="list-style-type: none"> i. The Appellant is from the Western Geographical Zone; ii. We found the Nominator Mr. Andrew Mwajim Malgwi, is from the Northern Geographical Zone; iii. By virtue of Part V, S. 2, Second Schedule to the NBA Constitution Mr. Andrew Mwajim Malgwi is not qualified to contest for the same office as the Appellant.
8.	DECISION	
	The reason which the ECNBA premised its decision is well grounded because the Nominator does not meet the	

	<p>constitutional requirement, having not come from the same zone which is in breach of Part V, Sections 2 and 5 of the Second Schedule of the NBA Constitution. We also hold, that the zoning arrangement to aspire or contest to the seat as a representative to the General Council of the Bar, by a candidate, must of necessity, also apply to the Nominator and Seconder.</p> <p>It is upon the forgoing that this committee resolves the sole issue against the appellant and accordingly, his appeal is hereby dismissed for lack of merit.</p>
<p>9.</p>	<p style="text-align: center;">DIRECTIVE None</p>

DATED THIS 6TH DAY OF JUNE, 2022

SIGNED:




OLUFUNMILAYO ROBERTS, C.Arb. AUGUSTINE AJINEH, ESQ
(CHAIRPERSON) (SECRETARY)