FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE ANTI-CORRUPTION COURT AS A SUPERIOR COURT OF RECORD; AND FOR RELATED MATTERS

Sponsored by Senator Duro Faseyi

| | Commencement |
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| ENACTED by the National Assembly of the Federal Republic of | |
| Nigeria as follows: | |
| PART 1- ESTABLISHMENT OF THE ANTI CORRUPTION COURT | |
| 1 (1)There is established a court to be known as the Anti- | Establishment |
| corruption Court (in this Act referred to as "the court") | of the Anti-corruption Court |
| (2)The Court shall consist of: | Court |
| (a) the President who shall have overall control and supervision of | |
| the administration of the court; and | |
| (b) not less than twenty other judges. | |
| (3) The Court shall: | |
| (a) be a superior court of record; and | |
| (b) except as may be otherwise provided by any other enactment or | |
| law, have all the powers of a High Court. | |
| (1) The President of the Court shall be appointed by the President, | Appointments |
| on the recommendation of the National Judicial Council, subject to | |
| confirmation by the Senate. | |
| (2) The appointment of a person to the office of a Judge of the Court | |
| shall be made by the President on the recommendation of the National | |
| Judicial Council: | |
| Provided that in appointing Judges for the court, two-third of the | |
| Judges so appointed shall satisfy the requirements of the provisions of | |
| subsection (4)(a) of this section of this Act. | |
| (3) A person shall not be eligible to hold office of the President of | |
| the Court unless the person is qualified to practice as a legal practitioner in | |
| Nigeria and has been so qualified for a period of not less than fifteen years | |
| and has considerable knowledge and experience in law and maritime | |

| | 1 | maners in Migeria. |
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| | 2 | (4) A person shall not be eligible to hold the office of Judge of the |
| | 3 | Court unless: |
| | 4 | (a) the person is a legal practitioner in Nigeria and has been so |
| | 5 | qualified for a period of not less than ten years and has considerable knowledge |
| | 6 | and experience in law and in maritime matters in Nigeria; or |
| | 7 | (b) the person is a graduate of a recognized university of not less than |
| | 8 | 10 years cognate experience in law and maritime matters in Nigeria. |
| | 9 | (5) If the office of the President of the Court is vacant, or if the person |
| | 10 | holding the office is for any reason unable to perform the functions of the |
| | 11 | office, then until a person has been appointed to and assumed the functions of |
| | 12 | that office or until the person holding the office has resumed those functions |
| | 13 | the President shall appoint the most senior Judge of the Court having the |
| | 14 | qualification to be appointed as President of the Court as provided under |
| | 15 | subsection (3) of this section to perform those functions. |
| | 16 | (6) Except on the recommendation of the National Judicial Council |
| | 17 | an appointment pursuant to the provisions of subsection (5) of this section shal |
| | 18 | cease to have effect after the expiration of three months from the date of such |
| | 19 | appointment and the President shall not reappoint a person whose appointment |
| | 20 | has lapsed. |
| Tenure of the President and | 21 | 3. The provisions in the constitution of the Federal Republic of |
| Judges of the Court | 22 | Nigeria 1999 relating to the tenure, removal, gratuity and pension of any |
| | 23 | person holding or appointed to act in the office of the Chief Judge or Judge of |
| | 24 | the Federal High Court, shall respectively apply to any person holding or |
| | 25 | appointed to act in the office of the President of the Court or as a Judge of the |
| | 26 | Court. |
| Precedence | 27 | 4 (1) The office of the President of the Court shall take precedence |
| | 28 | over the other Judges of the Court, and the other Judges shall take precedence |
| | 29 | after the President of the Court in order of seniority. |
| | 30 | (2)The President of the Court shall rank equal with the Chief Judge of |

| 1 | the Federal High Court or the Chief Judge or the High Court of the Federal | |
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| 2 | Capital Territory, Abuja or the president of the National Industrial Court in | |
| 3 | precedence and the Judges of the Court shall, in like manner, rank with | |
| 4 | Judges of the Federal High Court or High court of the Federal Capital | |
| 5 | Territory, Abuja or National Industrial Court. | |
| 6 | 5(1) There shall be salaries and allowances paid to: | Salaries and Allowances of |
| 7 | (a) the President of the Court, such salaries, emoluments and | the Judge of the |
| 8 | allowances as are payable to the chief Judge of the Federal High Court or of | |
| 9 | the High Court of the Federal Capital Territory, Abuja or National Industrial | |
| 10 | Court. | |
| 11 | (b) a Judge of the Court, such salaries, Emoluments and the | |
| 12 | allowances as are payable to a Judge of the Federal High Court or of the High | |
| 13 | Court of the Federal Capital Territory, Abuja or National Industrial Court. | |
| 14 | (2) Any amount payable under this section shall be charged and | |
| 15 | paid out of the Consolidated Revenue Fund of the Federation in accordance | |
| 16 | with section 8-1 (3) of the constitution of the Federal Republic of Nigeria | |
| 17 | 1999. | |
| 18 | 6 (1) The Court shall have and may use a seal bearing a device or | Seal of the Court |
| 19 | impression approved by the President of the Court with the inscription, | Count |
| 20 | "Anti-corruption Court". | |
| 21 | (2) The seal of the Court shall be kept by the President of the Court | |
| 22 | and a duplicate thereof shall be kept by each of the other Judges and the | |
| 23 | President of the Court and other Judges may entrust the seal or the duplicate | |
| 24 | to such officers of the Court as they may think fit. | |
| 25 | (3) The seal shall be a seal of the Court for all purposes for which it | |
| 26 | may be required under the provisions of any enactment or Rule of Court. | |
| 27 | PART II -JURISDICTION AND LA W | |
| 28 | 7 (1) The Court shall have and exercise exclusively jurisdiction | Jurisdiction and Law |
| 29 | in causes and matters relating to maritime offences including illegal | — |
| 30 | bunkering and related offences; | |

| · · · · · · · · · · · · · · · · · · · | 1 | (2) The National Assembly may by an Act confer such additional |
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| · " | 2 | jurisdiction on the Court in respect of such other causes or matters incidental, |
| | 3 | supplementary or related to those set out in subsection (1) of this section. |
| Power of the | . 4 | 8(1) Subject to the provisions of the Constitution of the Federal |
| Court in Appeals | 5 | Republic of Nigeria, 1999 and subsection (2) of this section, no appeal shall lie |
| | 6 | from the decisions of the Court to the Court of Appeal or any other court except |
| | 7 | as may be prescribed by this Act or any other Act of the National Assembly. |
| Appeals of the Court of Appeal | 8 | (2) An appeal from the decision of the Court shall lie only as of right to |
| Court of Appear | 9 | the Court of Appeal only on questions of fundamental right as contained III |
| | 10 | Chapter (4) of the constitution of the Federal Republic of Nigeria 1999 |
| Enforcement of | 11 | 9. The Court shall have the power to enforce its judgment and |
| Judgment | 12 | accordingly, may commit for contempt any person or an organization who |
| | 13 | commits any act or an omission which in the opinion of the Court constitutes a |
| | 14 | contempt of the Court. |
| Cessation of Jurisdiction, | 15 | 10(I) In so far as jurisdiction is conferred upon the Court in respect |
| etc | 16 | of the causes or the matters mentioned in the foregoing provisions of this Part |
| | 17 | of this Act, the Federal High Court, the High Court of a State, the High Court of |
| | 18 | Federal Capital Territory, Abuja or any other court shall, to the extent that |
| | 19 | exclusive jurisdiction is so conferred upon the Court, cease to have jurisdiction |
| | 20 | in relation to such causes and matters. |
| | 21 | (2) Nothing in subsection (1) of this section shall affect the |
| | 22 | jurisdiction and power of the Federal High Court, the High Court of a State or |
| | 23 | of the Federal Capital Territory, Abuja to continue to hear and determine cases |
| | 24 | and matters which are part- heard before the commencement of this Act and |
| | 25 | any proceedings in any such cases or matters, not determined or concluded at |
| | 26 | the expiration of one year after the commencement of this Act, shall abate. |
| Practice and Procedure | 27 | 11(1) The jurisdiction vested in the Court shall, so far as practice and |
| 1 TOCCUUIC | 28 | procedure are concerned, be exercised in the manner provided by this Act 01' |
| | 29 | any other enactment or by such rules and orders of court as may be made |
| | 30 | pursuant to this Act. |

| 1 | (2) Subject to this Act and any rules made there under, the court: | |
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| 2 | (a) may regulate its procedure and proceedings as it thinks fit; and | |
| 3 | (b) shall be bound by the Evidence Act but may depart from it in the | |
| 4 | interest of justice Injunctions. | |
| 5 | 12(I) The Court may grant an injunction in all cases in which it | |
| 6 | appears to the Court to be just or convenient so to do. | |
| 7 | (2) Any such order may be made either unconditionally or on such | |
| 8 | terms and conditions as the court think just. Orders of Mandamus, | |
| 9 | prohibition and cediorari. | |
| 10 | 13(1) The Court shall have the power to make an order of man | |
| 11 | dam us requiring any act to be done or an order of prohibition prohibiting | |
| 12 | any proceedings, cause or matter, or an order of certiorari removing any | |
| 13 | proceedings, cause or matter into the Court of any purpose. | |
| 14 | (2) The power conferred on the Court by this section to make an | |
| 15 | order of mandamus, prohibiting or certiorari may be exercised | • |
| 16 | notwithstanding that the order is made against an officer or the authority of | |
| 17 | the Federal, State or local government as such. | |
| 18 | 14. The Court may in all other cases and where necessary make any | Power of Court |
| 19 | appropriate order, including: | to make certair Orders |
| 20 | (a) the grant of urgent interim reliefs; | |
| 21 | (b) a declaratory order; | |
| 22 | (c) the appointment of a public trustee or the management of the | |
| 23 | affairs and finance, assets and property (ies) of any person or organization | |
| 24 | involved III any case of corruption; | |
| 25 | (d) an award of compensation or damages to the victim (s) of in any | |
| 26 | circumstance contemplated by this Act or Act of the National Assembly | |
| 27 | dealing with any matter that the Court has jurisdiction to hear; and | |
| 28 | (e) an order of compliance with any provision of any act of the | |
| 29 | National Assembly dealing with any matter that the Court has jurisdiction to | |
| 30 | hear. | |

| | 1 | PART III - SITTING AND DISTRIBUTION OF BUSINESS |
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| Divisions of Court | 2 | 15(1) The Court shall have and exercise jurisdiction throughout the |
| Court | 3 | Federation, and for that purpose the whole area of the Federation shall be |
| | 4 | divided by the President of the Court into such number of Judicial Divisions, as |
| | 5 | the President may, from time to time, by instrument published in the Federal |
| | 6 | Gazette decide, and may designate any such Judicial Division Or part thereof |
| | 7 | by such name as he thinks fit. |
| | 8 | (2) The Court may sit in any Judicial Division as the President of the |
| | 9 | Court may direct, and he may also direct a number of Judges to sit in any |
| | 10 | Judicial Division |
| | 11 | (3) The President of the Court shall determine the distribution of the |
| | 12 | business before the Court amongst the Judges thereof and may assign any |
| | 13 | judicial function to any Judge or Judges or in respect of a particular cause or |
| | 14 | matter in a Judicial Division. |
| | 15 | (4) Subject to this Act, the Rules of Court made pursuant to section 19 |
| | 16 | of this Act and the direction of the President of the Court, the Court shall be |
| | 17 | constituted of three Judges: |
| | 18 | Provided that the Presiding Judge shall be a Judge appointed under |
| | 19 | subsection (3) Or (4) (a) of section 2 of this Act. |
| Sittings | 20 | 16(1) Subject to the Rules of the Court and to any provisions |
| | 21 | pertaining to vacations as may be prescribed by the President of the Court, the |
| | 22 | Court shall open throughout the year for the transaction of any pending general |
| | 23 | legal business. |
| | 24 | (2) Provisions shall be made in the Rules of Court for the hearing of all |
| | 25 | such applications as may be required to be expeditiously or urgently heard. |
| | 26 | (3) All matters or cause brought before this court must be dispensed |
| | 27 | with within 9 months from the date of the commencement of the matter or |
| | 28 | cause subject to the provisions of section 13 of this Act. |

| I | 17. Every proceeding in the Court and all business arising there | to be disposed |
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| 2 | from shall, so far as practicable and convenient and subject to the provisions | of by a panel of Judges |
| 3 | of any enactment or laws and Rules of Court made pursuant to section J 9 of | |
| 4 | this Act, be heard and disposed of by a panel consisting of not less than three | |
| 5 | Judges as the President of the Court may direct, all proceedings in an action | |
| 6 | subsequent to the hearing or trial, down to and including the final judgment | |
| 7 | or order, shall, so far as is practicable and convenient, be taken before the | |
| 8 | panel of Judges before whom the trial or hearing took place. | |
| 9 | PART IV - GENERAL PROVISIONS AS TO TRIAL AND PROCEDURE | |
| 10 | 18(1) Every decision of the Court shall be in writing. | Decision of the Court |
| 11 | (2) Every decision of the Court shall be taken, in the event of a | |
| 12 | difference between the Judges dealing with the case, by the votes of a | |
| 13 | majority of the Judges. | |
| 14 | (3) For the purpose of delivering its decision, Judgment or ruling, | |
| 15 | the Court shall be deemed to have been duly constituted if at least two judges | |
| 16 | of the panel sits for that purpose. | |
| 17 | PART V - RULES OF COURT | |
| 18 | 19(1) The President of the Court may make Rules of Court for | Power to make rules of Court |
| 19 | carrying into effect the provisions of this Act, and in particular: | |
| 20 | (a) regulating the practice and procedure of the Court, including all | |
| 21 | matters connected with the forms to be used and the fees to be paid; | |
| 22 | (b) prescribing the practice and procedure upon an appeal or an | |
| 23 | application to the Court where provision is made in any enactment or law for | |
| 24 | such an appeal or such an application; | |
| 25 | (c) regulating the practice and procedure in cases where an order of | |
| 26 | mandamus, prohibition or certiorari is sought or proceedings are taken for | |
| 27 | an injunction or declaratory order; | |
| 28 | (d) regulating: | |
| 29 | (i) the fees to be paid; and | |
| 30 | (ii) the taxation and recovery of fees and disbursement; | |

| | (e) defining, so far as may be conveniently defined by general rules, |
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| 2 | the duties of the several officers of Court; |
| 3 | (f) regulating, subject to the provisions of this Act, the sittings of the |
| 1 | Court and of the Judges thereof, the business and hours of the Court and of the |
| 5 | offices connected therewith, and the conduct of the business of the Court |
| 6 | during vacation; |
| 7 | (g) regulating any matters relating to the cost of proceedings in the |
| 3 | Court; |
| 9 | (h) regulating the means by which any judgment or decree of any |
| 10 | Court outside Nigeria or Supreme Court of Nigeria (or the former Federal |
| iî; | Supreme Court), Court of Appeal, High Court or other superior courts |
| 12: | established in which the Court under this Act fees be paid or to be established |
| _ | elsewhere in Nigeria which it is necessary to prove or lawful to enforce shall be |
| 14 | publied of enforcett; |
| 15 | (i) regulating the procedure for the detention and trial of any person |
| 16 | charged for contempt before the Court; |
| | (j) regulating the payment of allowances and traveling expenses of witnesses; |
| 191 | (k) imposing penalties on any person who fails to take any action |
| 20 | required by a Rule of Court or who disobeyed the rule of Court; |
| 21 | (f) for requiring and regulating the tilling of accounts; |
| 22 | (m) for regulating the procedure in respect of any matter has and may |
| 23 | exercise or ginal or appellate jurisdiction and for fixing the fees payable or |
| 24 | providing that no that certain fees need not be paid; |
| 25 | (n) for ascertaining the value of anything that requires to be |
| 26 | ascertained; |
| 27 | (o) for regulating the means by which particular facts may be proved, |
| 28 | and the mode in which evidence thereof may be given in any proceedings or |
| 29 | any application in connection with or at any stage of any proceedings; |
| 30 | (p) for providing for the service or execution of any writ, warrant, |

| order or other process issuing out of the Court, the payment of mileage | |
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| allowance before or after service or execution, the conditions precedent | |
| before any such process or processes of certain classes will be served or | |
| executed and the procedure to be followed after the service or execution of | |
| such process; | |
| (q) for providing for the taking of notes whether manually or by the | |
| electronic device or the evidence of proceedings in the Court and for the | |
| payment of fees for the taking of notes out of the public funds and for fixing | |
| the charges for the makings and supply of transcripts of the notes, and for the | |
| payment of such charges either by the parties to the proceedings or out of | |
| public funds; | |
| (r) prescribing the procedure for the transfer of proceedings from | |
| the Court to the Federal High Court, the High Court of a State or of the | |
| Federal Capital Territory; and | |
| (s) for prescribing vacations. | |
| (2) Rules of Court made under this section shall apply to all | |
| proceedings by or against the Government of the Federation or of a State or a | |
| local government. | |
| PART VI - MISCELLANEOUS | |
| 20(1) The Federal Judicial Service Commission may, from time | Chief Registi |
| to time, appoint a fit and proper person to be the Chief Registrar of the Court | and other of the Court |
| who shall perform such duties in execution of the powers and authorities of | Court |
| the Court as may, from time to time, be assigned to him by Rules of Court | |
| and, subject thereto, by any special order of the President of the Court. | |
| (2) The Federal Judicial Service Commission may, from time to | |
| time, appoint registrars, deputy registrars, and such other officers as may be | |
| deemed necessary who shall perform such duties with respect to business | |
| before the Court as may be directed by Rules of Court and any order of the | |
| President of Court. | |
| (3) The Chief Registrar, registrars and deputy registrars shall have | |

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| | 1 | power to administer oaths and perform such other duties with respect to any |
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| | 2 | proceedings in the Court as may be prescribed by the Rules of Court or by any |
| | 3 | special order of the President of the Court. |
| | 4 | Negligence or misconduct of officers. |
| Negligence or misconduct of | 5 | 2 I. If an officer of the Court, employed to execute an order, willfully |
| officers | 6 | or by neglect looses he opportunity of executing it, then on complaint of the |
| | 7 | person aggrieved, and proof of the act alleged, the Court may, if it thinks fit, |
| | 8 | order the officer to pay the damages sustained by the person complaining, or |
| | 9 | part thereof, and the order shall be enforced as an order directing payment of |
| | 10 | money. |
| Restriction on Officers of the | 11 | 22. No person in permanent employment as an officer of the Court |
| Court buying property sold | 12 | shall or may directly or indirectly or by the intervention of a trustee or |
| at execution | 13 | otherwise purchase any property sold at execution, and in the event of any such |
| | 14 | person purchasing or being interested in the purchase of any property at an |
| | 15 | execution sale, such purchase shall be entirely void: |
| | 16 | Provided that nothing in this section shall prevent any such person from |
| | 17 | purchasing by leave of the Court at an execution sale any property which it may |
| | 18 | be necessary for him to purchase in order to protect the interest of himself, his |
| | 19 | wife or child. |
| | 20 | Costs. |
| Cost | 21 | 23. Subject to the provisions of this Act or any other enactment or law, |
| | 22 | Rules of Court, the cost of and incidental to all proceedings in the court shall be |
| | 23 | in the discretion of the court and the court shall have full power to determine by |
| | 24 | whom and to what extent the costs are to paid. |
| Allowances to witnesses | 25 | 24(1) The Court may, in any matter, order an allowance to be paid to |
| | 26 | all persons required to attend, or to be examined as witnesses, such sum or sums |
| | 27 | of money as may be specified by Rules of Court for defraying the reasonable |
| | 28 | expenses of such witnesses and for allowing them a reasonable compensation |
| | 29 | for their trouble and loss of time. |
| | 30 | (2) No person may refuse to attend as a witness, or to give evidence |
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| 1 | when so required by process of the Court, on the ground that his expenses | |
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| 2 | have not been first paid or provided for. | |
| 3 | 25. Any person present in Court, whether a party or not in a cause or | Person in Cour |
| 4 | matter, may be compelled by the Court to give evidence or produce any | may be require to give evidence though not |
| 5 | document in his possession or in his power in the same manner and subject | summoned |
| 6 | to the same rules as if he had been summoned to attend and give evidence or | |
| 7 | produce such document and may be punished for any refusal to obey the | |
| 8 | order of the Court. | |
| 9 | 26. The Court may issue a summons for bringing up any person to | Witnesses |
| 10 | be examined as a witness in any cause or matter pending or to be inquired | summons in cases and matters |
| 11 | into in the Court. | |
| 12 | 27. In any cause or matter in which the Government of the | Representation of Government |
| 13 | Federation or any public officer in his official capacity is a party or In any | |
| 14 | cause or matter affecting the activities of the Government of the Federation, | |
| 15 | that Government or that officers may be represented by a law officer, State | |
| 16 | Counsel, or any legal practitioner or other person duly authorized in that | |
| 17 | behalf by or on behalf of the Attorney-General of the Federation. | |
| 18 | 28. All persons admitted as legal practitioners to practice in | Right to practices. Cap. |
| 19 | Nigeria shall, subject to the provisions of the Constitution of Federal | 207 LFN |
| 20 | Republic of Nigeria 1999 and the Legal Practitioners Act, have the right to | |
| 21 | practice in the Court: | |
| 22 | Provided that a party [0 a dispute before the Court may himself 01' | |
| 23 | herself 01' be represented by the organization or she belongs. | |
| 24 | 29. Where permitted by this Act or any other Act of the National | Appeal not to operate as stay |
| 25 | Assembly, an appeal to the Court of Appeal from the decision of the Court | of execution |
| 26 | shall not operate as a stay of execution but the Court may order a stay of | |
| 27 | execution either unconditionally or upon the performance of such | |
| 28 | conditions as may be imposed in accordance with Rules of Court. | |
| 29 | Notes of evidence and minutes of proceedings to be kept by | |
| 30 | presiding judge. | |

Notes of evidence and minutes of proceedings to be kept by presiding judge

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30.-(1) In every cause or matter the Court shall take down in writing the substance of all oral evidence given before the Court and minutes of the proceedings and shall sign the same at any adjournment of the case and the conclusion thereof:

- Provided that the Court may cause the whole or any part of the proceeding to be recorded either manually 01' by electronic devices by an official employed for that purpose except that the transcript of such recording shall be transcribed and duly authenticated by the signature of the presiding Judge in a manner prescribed by Rules of Court.
- (2) No person shall be entitled, as of right, to the inspection of or to a copy of the records so kept pursuant to subsection (I) of this section, except as may be imposed by Rules of Court.
- (3) The record so kept pursuant to subsection (I) of this section, or a copy thereof signed and certified by the registrar as a true copy shall at all times without further proof, be admitted as evidence of such proceedings and of statements made by the witnesses.

31. In any case the Court may on the application of either party, or of its own motion, make such order for the inspection by the Court, the parties or witnesses of any movable or immovable property, the inspection of which may be material to the proper determination of the question in dispute, and give such direction representing such inspection as the Court may deem fit.

President of Court may appoint Commissioners for affidavits or for taking evidence

Inspection

32. The president of the Court may appoint under his hand and seal of Court, from time to time, such and so many persons as may be requisite to be commissioners for taking affidavits and declarations and receiving production of documents, or for taking the examination of witnesses on interrogatories or otherwise which may be necessary to be taken in respect of any proceedings in the Court, and any order of the Court for the attendance and examination of witnesses or production of documents before any such commissioner shall be enforced in the same manner as an order to attend and be examined or produce documents before the Court.

| | 1 | 33. No action shall be brought against any commissioner in respect | Protection of |
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| | 2 | of any act or order performed or made bona fide by him in the execution, or | Commissioner's from action |
| | 3 | supposed execution of the powers or jurisdiction vested in him, but every | |
| | 4 | such act or order if in excess of such powers and jurisdiction shall be liable to | |
| | 5 | be revised, altered, amended or set aside upon summary application to the | |
| | 6 | Court. | |
| | 7 | 34(1) No Judge or other person acting judicially shall be liable to | Judicial officers |
| | 8 | be sued in any court for any Act done or ordered to be done by him in the | not likely to be sued if they acte in good faith |
| | 9 | discharge of his judicial duty, whether or not within the limits of his | |
| | 10 | jurisdiction. | |
| | 11 | (2) No officer of the Court or other person bound to execute the | |
| • | 12 | lawful orders of any such Judge or other person acting judicially shall be | |
| • | 13 | liable to be sued in any Court, for the execution of any warrant or order | • |
| • | 14 | which he would be bound to execute. | |
| | 15 | 35(1) In this Act, unless the context otherwise requires: | Interpretation |
| | 16 | "action" means a proceeding commenced by charge or in such | |
| | 17 | other manner as may be prescribed by Rules of Court; | |
| | 18 | "cause" includes any action, suit or other original proceeding | |
| | 19 | between the parties to a suit before this court and any contempt proceeding; | |
| | 20 | "Court" means the Anti-corruption Court; | |
| | 21 | "Court of Appeal" means the Court of Appeal as established by the | |
| | 22 | Constitution of the Federal Republic of Nigeria 1999. | |
| | 23 | "enactment" means any Act of the National Assembly (including | |
| | 24 | this Act) or law having effect with respect to the Federation or applicable or | |
| | 25 | having effect as federal law; | |
| | 26 | "Judge" except where the reference is to the Judge of the Federal | |
| | 27 | High Court or of a High Court of a State or the Capital Territory, Abuja, | |
| | 28 | means the President or other Judges of the maritime offences Court; | |
| | 29 | "Judgment" includes a decision, decree or order of a Court of | |
| | 30 | record, | |

| 1 | "Anti-corruption Court" means the Court constituted under Section 1 | | | | |
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| 2 | of this Act; | | | | |
| 3 | "party" includes every person served with notice of, or attending, any | | | | |
| 4 | proceeding, who, although not named on the record of the proceeding, has the | | | | |
| 5 | like interest in the subject matter of the proceeding as a person named on the | | | | |
| 6 | record of the proceedings; | | | | |
| 7 | "president" means the President of the Federal Republic of Nigeria; | | | | |
| 8 | "President of the Court" means the president of the Maritime | | | | |
| 9 | Offences Court appointed under section 2 of this Act; | | | | |
| 10 | "registrar" includes the Chief Registrar and all other registrars of the | | | | |
| 11 | Court; | | | | |
| 12 | "suit" includes action | | | | |
| 13 | (2) For enabling full effect to be given to the provisions of this Act: | | | | |
| 14 | (a) any reference (whether express or by necessary implication) in | | | | |
| 15 | any enactment (other than the constitution of the Federal Republic of Nigeria | | | | |
| 16 | 1999) to "the Federal High Court" "High Court of the Federal Capital Territory | | | | |
| 17 | Abuja" | | | | |
| 18 | "High Court", "court of law" or a "court of recard": | | | | |
| 19 | (i) in so far as the reference relates to or is connected with the | | | | |
| 20 | Jurisdiction, powers, practice and procedure of a High Court, and | | | | |
| 21 | (ii) except in so far as it is inconsistent with the provisions of this Act | | | | |
| 22 | shall include a reference to the Court established by this Act; and | | | | |
| 23 | (b) all references (whether express or by necessary implication) ir | | | | |
| 24 | any enactment(other than the Constitution of the Federal Republic of Nigeria) | | | | |
| 25 | to the High Court of a State in so far as the enactment: | | | | |
| 26 | (i) is of general application throughout the Federation, and | | | | |
| 27 | (ii) relates to a matter as respects which jurisdiction is conferred upor | | | | |
| 28 | the Court by or under this Act, shall be construed as references to the court | | | | |
| 29 | notwithstanding that in an appropriate case, the enactment is, or has become | | | | |
| 30 | by operation of law, a law of a State. | | | | |

| (3) The powers conferred upon the Attorney-General of the | |
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| Federation and exercisable by him or the Attorney- General of a State under | |
| the constitution or anything made there under shall, to the extent that | |
| jurisdiction is conferred upon the Court, the Federal High Court, or the High | |
| Court of a State, or of the Federal Capital Territory, Abuja by or pursuant to | |
| this Act, be exercisable subject as in this Act otherwise provided, and that | |
| section and any other enactment in law pertaining thereto shall be so | |
| construed. | |
| (4) For the avoidance of doubt, the following enactments: | |
| (a) the Regional Courts (Federal Jurisdiction) Act: | |
| (b) Section 31 of the interpretation Act; and | |
| (c) such other Federal enactment as the President may by order | |
| specify, shall be construed with such modifications as may be necessary to | |
| bring them into conformity with the provision of this Act. | |
| 36. This Act may be cited as the Anti-corruption Court (Est etc) | Citation |
| Bill, 2015. | |

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of a special court for the trial of all cases involving corruption and other related offences.

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