



ELIZADE UNIVERSITY, ILARA-MOKIN, ONDO STATE.
PROF YEMI OSIBAJO FACULTY OF LAW
SECOND SEMESTER 2018/2019 ACADEMIC SESSION
BACHELOR OF LAWS (LL.B.) DEGREE EXAMINATION

LAW OF BANKING AND NEGOTIABLE INSTRUMENTS II (PPL 308)

Attempt any Four Questions.

Time Allowed: 2 ½ Hours

1. (a) A thief opened an account with a stolen cheque claiming to be the payee, the bank did not ask for an introduction and no references were obtained. The cheque was speedily cleared as to the request of the thief and the proceeds were withdrawn the next day. The fraud was later discovered. The drawer of the cheque has approached you for legal advice on what to do. Advise him.

(b) Examine the types of accounts, as well as, the types of customers that you know.
2. Each bank has its own domestic rules and regulations governing lending. Section 18(1) of the Banking and Other Financial Institutions Act provides no bank manager of any other officer of a bank shall, inter-alia "grant any advance, loan or credit facility to any person, unless it is authorized in accordance with the rules and regulations of the bank; shall obtain adequate security thereof"

In view of the foregoing, examine the forms of bank security.
3. Examine the nature, types and advantages of mortgage in the banking industry.
4. Distinguish between merger of banks and merger of accounts. What are the exceptions to the latter?
5. A garnishee order is an order of a court of competent jurisdiction attaching a debt owing or accruing from a third party to a judgment debtor, in satisfaction of the judgment creditor. It can only be applied within the established limits and conditions.

Identify those conditions and limits. Can garnishee proceeding be filed during the pendency of an appeal?
6. Does any particular court has an exclusive jurisdiction over banking matters generally in Nigeria? Support your answer with decided cases.