



# NIGERIAN BAR ASSOCIATION

NATIONAL SECRETARIAT: Plot 1102, Muhammed Buhari Way, Cadastral Zone A00, Central Business District, Abuja Nigerian Tel: +234 800 333 1111  
[www.nigerianbar.org.ng](http://www.nigerianbar.org.ng)

## DISCLAIMER OF NOTICE OF WITHDRAWAL OF PROPOSED CONSTITUTIONAL AMENDMENTS (NBA AGM 2022)

Dear Colleagues,

Over the last two weeks, there have been some developments within the NBA National Secretariat which I had hoped would not need to be escalated to you, but I am compelled to send this **disclaimer** in respect of an email that you might have received at midnight today from the private yahoo address of the NBA General Secretary, Mrs. Joyce Oduah. In that email, Mrs. Oduah advised you and other members of our Association that the notices of the Annual General Meeting (AGM) issued on **27th July 2022** have been withdrawn, and that those notices have been substituted with a new notice that does not include any constitutional amendment as a line item for discussion at the AGM.

I am writing to **disclaim that withdrawal as unauthorised by me or any of the National Officers**, and to request that you regard the two notices circulated on 27th July 2022 by (i) firstly, Mrs. Oduah; and (ii) secondly, by the Assistant General Secretary as subsisting. The reasons for this request are as follows:

1. The NBA National Executive Council (NBA-NEC) had at its last meeting in Ilorin Kwara State on 9th June 2022 resolved that some amendments be made to the NBA Constitution. On that basis, the NBA Constitution Drafting Committee under the leadership of Asamah Kadiri, SAN proposed certain amendments for consideration by National Officers and subsequent circulation to all our members for consideration at the forthcoming AGM.
2. The National Officers duly considered the said amendments proposed by the Constitution Drafting Committee and we all resolved that the proposed amendments are in the best interest of the Association, and approved that they be shared with our members alongside the Notice of the AGM where the amendments will be deliberated upon.
3. For clarity, most of the proposed amendments are aimed at institutionalising some of the initiatives of the current administration and ensuring inter-alia that (i) the NBA Stabilisation Fund is properly ringfenced and protected from the risk of easy dissipation in the future by any President or National Officer as those funds have been earmarked for key welfare and developmental programmes; (ii) the amount of Bar Practising Fees that we remit to the branches for their programmes is increased from 10% to 20% as authorised by a longstanding resolution of NBA NEC; (iii) any member of the Association who has held elective office as a National Officer for two (2) terms is barred from contesting for a national office for at least ten (10) years after his/her last term of office; and (iv) government interference in affairs of the NBA is constitutionally limited.

### NATIONAL OFFICERS:

Olumide A. Akpata **President**

Joyce Oduah, **General Secretary**; John Aikpokpo Martins, **1st Vice President**; Debo Adeyemo Kazeem, **2nd Vice President**; Mercy Ijato Agada, **Treasurer**; Olakunle Edun, **Welfare Secretary**; Raphael Nnamdi Anagor, **Financial Secretary**; Dr. Rapuluchukwu Nduka, **Publicity Secretary**; Uchenna Nwadialo, **Assistant Secretary**; Ferdinand Naza, **Assistant Publicity Secretary**

Admittedly, some of the amendments proposed by the Constitution Drafting Committee may not be acceptable to all, albeit the view of the National Officers (except Mrs. Oduah) is that the decision as to whether or not such provisions can stand is purely that of the AGM while voting on the proposed amendments.

4. Unfortunately, and for reasons that are not exactly clear, in spite of the approval of the proposed amendments by 10 of the 11 National Officers, Mrs. Oduah not only delayed in issuing the required Notice until the eve of the cut-off date, but also refused to issue a Notice of the AGM that contained all the proposed amendments. When the Notice was eventually issued, it had been unilaterally altered by Mrs. Oduah to exclude most of the proposed amendments highlighted in paragraph 3 above. It was on this basis that all National Officers (except Mrs. Oduah) authorised the Assistant General Secretary (Ms. Uche Nwadialo) to issue a second notice of AGM that contains all the proposed constitutional amendments.

5. Considering that two separate and apparently conflicting notices had been issued, the National Officers agreed that the contents of the notices and the fact of their conflict will be presented to the AGM (as the highest decision-making body of the NBA) for a resolution on which, if any, of the notices should be discussed at the meeting. In essence, the conflict between the two notices was to be resolved by the AGM.

6. It was during this interval, that the withdrawal notice which you most likely received a couple of hours ago was unilaterally sent by Mrs. Oduah. To be sure, no meeting or other deliberations were held, and no authorisation was given for any of the previously issued notices to be withdrawn or amended as Mrs. Oduah purported to do in her most recent email.

**It is on the basis of the foregoing that I invite you to disregard the withdrawal and amendment notices that you might have received at midnight today and treat the separate notices circulated by both Mrs. Oduah and the Assistant General Secretary on 27th of July 2022 as subsisting pending a decision by the AGM.**

It is regrettable that we have had to bring this matter to your attention, but it is important to set the records straight and to provide clarity on a subject which, I am sure, has left you and others befuddled over the last two weeks.

I thank you for your attention.



**OLUMIDE AKPATA**

President

Nigerian Bar Association

13<sup>th</sup> August 2022