INTERNATIONAL JOURNAL

OF

COMPARATIVE LAW AND LEGAL PHILOSOPHY

Volume 6 (1) January 2024

INTERNATIONAL JOURNAL

OF

COMPARATIVE LAW AND LEGAL PHILOSOPHY

Volume 6 (1) January 2024



A PUBLICATION OF THE
INTERNATIONAL CENTRE FOR LAW
AND DEMOCRACY STUDIES,
IN CONJUNCTION WITH THE FACULTY OF LAW,
NNAMDI AZIKIWE UNIVERSITY, AWKA, NIGERIA

Citation: (2024) 6 (1) IJOCLLEP

© International Centre for Law and Democracy Studies (ICLDS)

Published, January 2024

All rights reserved. No part of this journal should be reproduced, stored in a retrieval system or transmitted in any form or by any means in whole or in part without the prior written permission of the copyright owner.

ISSN: 2644-7068

Printed and Published by: Amaka Dreams Ltd.

106 Arthur Eze Avenue, Awka, Anambra State.

Tel: +2348037449926

E-mail: ezeonyiamaka@yahoo.com

TABLE OF CONTENTS

Comparative Analysis of Corporate Homicide Legislations in Selected Jurisdictions: Lessons for Nigeria	
Felicia ANYOGU & Anita Uchenna ONOCHIE	1
Comparing Mediation Practice in Nigeria with those of some Selected Jurisdictions: Need for a New Legal Regime for Nigeria	
I.K.E. ORAEGBUNAM & J.A. MADUAKOLAM	11
A Legal Exegesis on the Protection of Developer's Right under Planning Law in Nigeria and South Africa	
Irenagbe Precious ESHEMO-OMO & James E. UZUALU	21
A Legal Appraisal of Agency of Trade Union in Nigeria and Germany Maimunat MUSA & Okpapi MOMOH	30
Reflections on the Legal Framework on the Offence of Rape in Nigeria and India Appolos DIMAS, Joel BARDE & William W LONGPOE	37
An Analysis of the Right to Fair Hearing Provisions under the Constitutions of Nigeria and Ghana	
Pius OSUNYIKANMI	45
Criminal Justice in Africa: The Role of the International Criminal Court Eric Chigozie IBE	51
Examination of the Issues and Challenges Affecting Advertising in Media Practice in Nigeria David A. AGBU & Onyekachi ERIOBU-ANIEDE	58
Analysing the Powers of Administrative Agencies to Impose Fines: A Review of the Court of Appeal's Decision in Nosdra v. Exxon Mobil	64
Ibidun O. OLUDE & Opeyemi M. ADEBARI	04
The Introduction of the Blue Economy and its Implications on the Nigerian Tax Regime M. N. UMENWEKE & K. J. BIELU	69
Triangular Consumerism: A Consumer Protection Framework under the Petroleum Industry Act (PIA) 2021	
Biemonyo Vivien BRISIBE & Ebi ROBERT	75
A Critical Examination of the Challenges to Ethical Judiciary in Nigeria Benjamin O. IGWENYI, Emmanuel Ibiam AMAH & Chidiebere Collins NWEZE	83

International Journal of Comparative Law and Legal Philosophy (IJOCLLEP) 6 (1) Januar	y 202
Jurisdiction of Court and the Enforceability of Trade Secrets in Nigeria	
Beatrice Nkechi OKPALAOBI & Biobele W. GEORGEWILL	90
Human Rights and Corruption: A Critical Analysis of an Inextricable Relationship Boniface E. EWULUM	93
Legal and Economic Framework of the Deregulation of the Nigerian Downstream Oil and	
Gas Sector Hendrickx Oreoluwa IMOSEMI, Queenette Anuoluwapo IMOSEMI &	
Adetoyese LATILO	100
Right to Strike in Nigeria and some Selected Jurisdictions	
Felicia A. ANYOGU & Eremwari Queen KELSEY	109
Re-Examining the Nature of Corporate Social Responsibility Enforcement in Nigeria: A Case for the Practice of Occupational Health and Safety Samuel Nnamdi NZEGWU	115
Appraisal of the Offences of Destruction of Election Materials and Obstruction of Electoral Process under the Electoral Act 2022	
C. J. UBANYIONWU	121
Appraising the Impact of Environmental Pollution on Children's Rights: The Role of Law Chinazor Queen UMEOBIKA & Godstime NWAEZE	127
The Concept and Fields of Intellectual Property Law: A Mark of Wealth in Nigerian Economy Hilary Chimezie OKOLOMA	y 134
Urgent Need for the Amendment of Section 135 (1) of the Electoral Act 2022 C. J. UBANYIONWU	138
Analysis of the Jurisprudence of Banking Secrecy in the United States of America and United Kingdom	
Kingsley Chukwunonso EHUJUO & Meshach Nnama UMENWEKE	146

EDITORIAL TEAM

EDITOR-IN-CHIEF:

Ikenga K. E. ORAEGBUNAM, PhD (Law), PhD (Phil of Law), PhD (Rel. & Soc.), PhD (Edu. Mgt., in view), MEd, MA (Phil), MA (Rel.), LLM, BPhil, BA, BTh, LLB, BL, Professor of Law and Applied Jurisprudence and Formerly Head, Department of International Law and Jurisprudence, Faculty of Law, Nnamdi Azikiwe University

MANAGING EDITOR:

Queen C. UMEOBIKA, PhD, LLM, LLB, BL, Senior Lecturer, Department of International Law and Jurisprudence, Faculty of Law, Nnamdi Azikiwe University

EDITOR:

Rapulu NDUKA, LLD, LLM, LLB, BL, Senior Lecturer, Department of Public Law, Faculty of Law, Nnamdi Azikiwe University

BOARD OF EDITORS:

Peter Obi OKONKWO, PhD, LLM, LLB, BL, Professor of Law, Faculty of Law, Chukwuemeka Odumegwu Ojukwu University

Paul OGUGUA, PhD (Phil.), MA, LLB, BL, Professor of Philosophy, Faculty of Arts, Nnamdi Azikiwe University Henry ALISIGWE, PhD, LLM, LLB, BL, Professor and Dean, Faculty of Law, University of The Gambia Evode KAYITANA, LLB, LLM, LLD, Associate Professor of Law, School of Law, University of Rwanda Habiba MUSA, LLB, LLM, PhD, BL, Senior Lecturer, Faculty of Law, Nasarawa State University M. K. AMID, LLB, LLM, Senior Lecturer, School of Law, Mettu University, Ethiopia Henry C. OKEKE, PhD, LLM, BPhil, BTh, LLB, BL, Lecturer, Faculty of Law, Nnamdi Azikiwe University David Tarh-Akong EYONGNDI, LLB, LLM, PhD, BL, Assistant Professor, College of Law, Bowen University

EDITORIAL SECRETARY:

Augustine ORABUEZE, LLB, LLM, PhD, BL, Lecturer, Faculty of Law, Nnamdi Azikiwe University

EDITORIAL CONSULTANTS:

M. T. LADAN, Professor of Law, Nigerian Institute of Advanced Legal Studies Julie DICKSON, Professor of Legal Philosophy, Oxford University Edward Kofi QUASHIGAH, Professor of Law, University of Ghana Ogugua V. C. IKPEZE, Professor of Law, Nnamdi Azikiwe University J.N. EZEILO, Professor of Law, University of Nigeria A. O. POPOOLA, Professor of Law, Obafemi Awolowo University Mashood BADERIN, Professor of Law, SOAS, University of London Akin IBIDAPO-OBE, Professor of Law, University of Lagos Felicia A. ANYOGU, Professor of Law, Nnamdi Azikiwe University A. W. OGUTTU, Professor of Law, University of South Africa Isa Hayatu CIROMA, SAN, Professor of Law, Nigerian Law School S. OKOGBULE, Professor of Law, Rivers State University Israel N. E. WORUGJI, Professor of Law, Rivers State University Uwadineke KALU, Professor of Law, Nnamdi Azikiwe University R. S. SHATSARI, Professor of Law, Bayero University

JOURNAL POLICY

International Journal of Comparative Law and Legal Philosophy (IJOCLLEP) is a peer blind reviewed periodical that provides a dynamic platform for dissemination of ideas on comparative law and philosophy of law. As it is hard, in our contemporary globalized world, to confine developments in law to one jurisdiction and isolate them from another, the Journal /is a podium for reports on developments in the field of comparative law from all parts of the world. As also a philosophy of law forum, IJOCLLEP provides an opportunity for spread of the results of analysis of transnational legal history and theory, private international law/conflict of laws, and the study of legal systems, cultures, and traditions. The Journal reports debates on and critique of fundamental concepts and principles of law employing pragmatic approach, as it were, to developmental problems. IJOCLLEP seeks for papers based on doctrinal or empirical or mixed research methodologies. The Journal is abstracted and indexed with Nigerian Journals Online and Google Scholar. Well researched and original papers on fundamental, topical and relevant subject matters, and case/book reviews are therefore welcome. IJOCLLEP appears three times a year in January, May and September, which articles are promptly captured in Google scholar. Submission of manuscripts can be made all through the year.

Guidelines to Contributors

1. Language

The language of the manuscript must be English (British standards).

2. Originality

Articles must be original and must not have been submitted for consideration and publication elsewhere.

3. Length of paper

The length of the paper should not exceed 7000 words including tables, figures, references and appendices (if any). Articles should be typed in 1.5 line spacing (footnotes and references should appear in single line spacing) on one side of A4 paper only with wide margins. Authors are urged to write as concisely as possible, but not at the expense of clarity.

4. Title Page

The title page should include: (i) The name(s) of the author(s), (ii) A concise and informative title, (iii) The affiliation(s) and address (es) of the author(s), (iv) The e-mail address, and telephone numbers of the corresponding author.

5. Abstract

Please provide an abstract of 150 to 200 words which must include the objectives of the study, methodology, findings/results, method of data collection and summary of recommendations. The abstract should not contain any undefined abbreviations or unspecified references.

6. Keywords

Please provide 4 to 6 keywords which can be used for indexing purposes.

7. Subdivision of the article

Divide your article into clearly defined and numbered sections. Subsections should be numbered 1, 2. (then 1.1, 1.1.1, 1.1.2), 1.2, etc). The abstract is not included in section numbering.

8. References and Documentation

Author(s) should adhere strictly to Nigerian Association of Law Teachers Uniform Citation and Documentation Standards accessible at naltng.org.

- 9. Names of authors cited in the footnotes should start with initials and end with the surname.
- 10. Online sources should indicate the site and date of visit.
- 11. All manuscripts shall be subjected to plagiarism test. However, all legal and ethical responsibilities inure on the author (s).

Submission of Manuscripts

Interested contributors are to submit their manuscripts/papers to ijocllepjournal.edu.org@gmail.com and copy to the Editor-in-Chief at ik.oraegbunam@unizik.edu.ng and ikengaken@gmail.com