

**SETTLEMENT OF RECORDS OF APPEAL:
PRACTICE AND PROCEDURE**

BY

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1.00 **Prologue**

1.01 I have the honour and pleasure to present a paper on a topic which I consider not only important but timely considering the storm and dust just raised by the judgement of an election petition just delivered by the apex court in which their lordships dissented over the true comprehension of the record of appeal, and it eventually formed an important aspect of their respective decisions. Hence, the topic is very apt and coming at a very opportune moment.

1.02 It is of necessity, therefore, that this topic touches on one of the fundamentals in the administration of justice system at the appellate level. For the obvious reason that the reconsideration of a matter on appeal, for the purpose of correction of an alleged error, can easily be defeated by a defective compilation of record. In the sense that the only means superior Courts enjoy full appreciation of facts

and issues of what transpired at the lower Court is through the record of appeal. Thus, proper compilation of record of appeal is central to justice. This, no doubt, underlines the significance of this topic.

- 1.03 I must therefore, for the above reason, express my profound appreciation to the management of the National Judicial Institute for finding me worthy of writing and delivering a paper on such a topical issue before this eminent and distinguished audience. I hope I justify the unique opportunity and privilege of the invitation.

2.0 **INTRODUCTION**

2.01 Appeal, by the Black's Law Dictionary, 8th Edition at Page 105, is defined as "***a proceeding undertaken to have a decision reconsidered by a higher authority; especially the submission of a Court's or agency's decision to a higher Court for review and possible reversal***".

2.02 In ***Ezekwesili v. Agbapuonwu (2003) 9 NWLR (pt. 825) 340***, it was held that an appeal against the Judgment of a Court is tantamount to saying that having regard:

- a). to the pleadings of the parties,

- b). to the issues arising from the pleadings,
- c). to the evidence led,
- d). to the findings of fact made and,
- e). to the applicable law, the court was wrong in its determination.

2.03 What this means in essence is that where a lower Court decides a matter, an aggrieved party would approach a higher Court either for a review of the decision or a reversal of same on the premise that the Court was wrong in its determination.

2.04 In the context of this instant paper, focus would be on the procedure and practice of appeal in the Court of Appeal and the Supreme Court.

3.00 **COURT OF APPEAL**

3.01 Section 237 of the Constitution of the Federal Republic of Nigeria, 1999 (As Amended) hereinafter referred to as "***the Constitution***" establishes the Court of Appeal and by Section 240 of the Constitution, the Court of Appeal has the jurisdiction to hear and determine appeals

from the decisions of the Federal High Court, the National Industrial Court, the High Court of the Federal Capital Territory, Abuja, High Court of a State, Sharia Court of Appeal of the Federal Capital Territory, Abuja, Sharia Court of Appeal of a State, Customary Court of Appeal of the Federal Capital Territory, Abuja, Customary Court of Appeal of a State and from decisions of a Court Martial or other tribunal as may be proscribed by an Act of the National Assembly.

3.02 The Court of Appeal exercises appellate jurisdiction except where it exercises Original Jurisdiction Under Section 15 of the Court of Appeal Act and in Presidential Election Petition, where it is conferred with Original Jurisdiction.

3.03 Section 248 of the Constitution empowered the president of the Court of Appeal to make rules of procedure for the Court subject to the provisions of any Act of the National Assembly.

3.04 In the exercise of this power, the president of the Court of Appeal made the Court of Appeal Rules, 2016 which came into effect on 1st December, 2016. The provisions of these Rules

will be considered on the procedure of Appeal in the Court of Appeal.

3.05 By Order 6 Rule 10 of the Court of Appeal Rules, 2016, an appeal shall be deemed to have been brought when the notice of appeal has been filed in the registry of the Court below.

3.06 Therefore, an appellant who is desirous of challenging the decisions of the lower Court at the Court of Appeal must exercise that right by filing a notice of appeal in the lower Court. The following conditions must be present before a notice of appeal can be held to be valid: -

1. The Notice of Appeal must be filed in the registry of the Court below, that is, in the registry of the Court which tried the matter the subject of the appeal. A notice of appeal filed in the registry of the court of appeal will be discountenanced and may be deemed improperly filed. See ***Amuchienwa v. Unity Bank PLC (2012) ALL FWLR (part 657) 673.***

Where however, the Appellant had transmitted the record of appeal to the Court of Appeal, and applied for leave to amend his notice of appeal, the amended notice of appeal may be filed in the registry of the Court of Appeal.

2. Payment of correct fee in the registry of the Court below or in the registry of the court of appeal as the case made. See **Order 12 Rule 1 of the Court of Appeal Rules, 2016.**
3. Fees paid, receipt number and the date of payment shall be endorsed on the notice of appeal. See **Order 7 Rule 7.**
4. It must be properly headed, dated and signed.

In civil proceedings, the notice of appeal shall be signed by the appellant himself or by his counsel. While in a criminal proceeding the notice of appeal is signed by the appellant himself except where the appellant is of unsound mind and incapable of making his defence, then, the notice of appeal may be signed by his legal representatives.

However, where the appellant is a body corporate, it shall suffice if the notice of appeal is signed by the Manager, Secretary or legal representative of the body corporate. **See Order 17 Rules 4, 5 and 6 of the Court of Appeal Rules.**

It should be noted that a law firm cannot sign the notice of appeal. Similarly, where more than one counsel are listed, the particular counsel who signs the notice of appeal must be indicated. The presence of NBA stamp will not be sufficient. **See Ezea v. Ifeanyi (unreported), Appeal No. CA/E/EPTS/06/2015 dated 20th August, 2015; Oyama v. Agibe (2016) All FWLR part 840 page 1274 @ 1285- 1286; Taminu v. Rabiou (2017) All FWLR part 900 page 391 @ 400.**

5. It must be filed within the prescribed time.

In the case of interlocutory appeals, the notice of appeal must be filed within 14 days. While in the case of a final appeal, it must be filed within

3 months. In criminal matters, the notice of appeal must be filed within 90 days.

It should be noted that any notice of Appeal filed out of the prescribed periods is incompetent.

6. The notice of appeal must be properly endorsed with addresses for service. A notice of appeal not endorsed with addresses for service shall not be deemed to have been properly filed. **See Order 2 Rule 3 of the Court of Appeal Rules.**
7. It must contain competent grounds of appeal. A notice of appeal not containing competent grounds of appeal or which its grounds of appeal is vague will be incompetent. **See Ministry of defence v. Iyen (2014) 10 NWLR part 1416 page 636.**
8. It must state the decision of the court complained of whether whole or part, the date of the decision and the relief sought with certainty. **See Stabilini Visinoni Ltd v.**

**Mallinson & Partners Ltd. (2014) 12 NWLR
part 1420 page 134.**

9. It must state the names of the parties to the appeal in full otherwise the appeal will be competent against the party named only.

4.00 SUPREME COURT

4.01 Section 230 of the Constitution of the Federal Republic of Nigeria, 1999 (As Amended) hereinafter referred to as "***the Constitution***" establishes the Supreme Court and by Section 232 of the Constitution, the Supreme Court have original jurisdiction in any dispute between the Federation and a State and between States in matters involving any question on which the existence or extent of a legal right depends. The court also exercise original jurisdiction in respect of other matters that may be conferred upon it by any Act of the National Assembly except in respect to any criminal matter.

4.02 By Section 233 of the Constitution, the Supreme Court has the jurisdiction to hear and determine

appeals from the Court of Appeal. It also hears and determine appeal from the decision of the Court of Appeal sitting as Presidential Election Petition Tribunal.

4.03 Section 236 of the Constitution empowered the Chief Justice of Nigeria to make rules of procedure for the court subject to the provisions of any Act of the National Assembly.

4.04 In the exercise of this power, the Chief Justice of Nigeria made the Supreme Court Rules. The provisions of this Rules will be considered on the procedure of Appeal in the Supreme Court.

4.05 By Order 8 Rule 2(1) and Order 9 Rule 2(1) of the Supreme Court Rules an appeal shall be brought when the notice of appeal has been filed in the registry of the Court below.

4.06 Therefore, an appellant who is desirous of challenging the decisions of the lower Court in the Supreme Court shall file a notice of appeal in the lower Court, that is in the registry of the court of appeal. The following conditions must be present before a notice of appeal can be held to be valid: -

1. The Notice of Appeal must be filed in the registry of the Court below, that is, in the registry of the Court of Appeal. A notice of appeal filed in the registry of the supreme court will be discountenanced and may be deemed improperly filed. **See Order 8 rule 2(1) & Order 9 rule 2(1) of the supreme court Rules.**

The Appellant may however file a notice of appeal in the supreme court if the appellant had transmitted the record of appeal to the Court, and applied for leave to amend his notice of appeal, the amended notice of appeal may be filed in the registry of the Court. By **Order 2 Rule 30 of the Supreme Court Rules**, an appeal shall be deemed to have been brought when the notice of appeal has been filed in the registry of the court below.

2. Payment of correct fee in the registry of the Court below or in the registry of the supreme court as the case may be. **See Order 2 Rule 13(1) of the Supreme Court Rules.**

3. Fees paid, receipt number and the date of payment shall be endorsed on the notice of appeal.

No fee shall be paid by a party who has been granted permission by the court to prosecute or defend an appeal as a poor person. **See Order 2 rule 14(3).**

4. It must be properly headed, dated and signed.

In civil proceedings, the notice of appeal shall be signed by the appellant himself or by his counsel. While in a criminal proceeding the notice of appeal is signed by the appellant himself except where the appellant is of unsound mind and incapable of making his defense, then, the notice of appeal may be signed by his legal representatives. **See Iwunze v. FRN (2014) 6 NWLR part 1404 page 580**

However, where the appellant is a body corporate, it shall suffice if the notice of appeal is signed by the Manager, Secretary or legal representative of the body corporate. **See**

Iwunze v. FRN (2014) 6 NWLR part 1404 page 580.

It should be noted that a law firm cannot sign the notice of appeal. Similarly, where more than one counsel is listed, the particular counsel who signs the notice of appeal must be indicated. The presence of NBA stamp will not be sufficient. **See Okafor v. Nweke (2007) 10 NWLR part 1043 page 52; Oyama v. Agibe (2016) supra; Taminu v. Rabiu (2017) supra.**

5. It must be filed within the prescribed time.

In the case of interlocutory appeals, the notice of appeal must be filed within 14 days. While in the case of a final appeal, it must be filed within 3 months. In criminal matters, the notice of appeal must be filed within 90 days.

It should be noted that any notice of Appeal filed out of the prescribed periods is incompetent.

6. The notice of appeal must be properly endorsed with addresses for service. A notice of appeal

not endorsed with addresses for service shall not be deemed to have been properly filed. **See Order 2 Rule 1(2) of the Supreme Court (Amendment) Rules, 2014.**

7. It must contain a competent grounds of appeal. A notice of appeal not containing a competent grounds of appeal or which its grounds of appeal is vague will be incompetent. **See Order 8 Rule 2(3&4) of the Supreme Court Rules; Ministry of defence v. Iyen (2014) 10 NWLR part 1416 page 636.**
8. It must state the decision of the court complained of whether whole or part, the date of the decision and the relief sought with certainty. **See Stabilini Visinoni Ltd v. Mallinson & Partners Ltd. (2014) 12 NWLR part 1420 page 134.**
9. It must state the names of the parties to the appeal in full which shall reflect the same title as it was obtained in the court of trial. **See Order 2 Rule 8 of the Supreme Court Rule.**

4.07 Whether in the Court of Appeal or in the Supreme Court, since a notice of appeal confer jurisdiction on the courts to hear and determine an appeal any defect in the notice of appeal goes to the root of the appeal and deprives the courts of jurisdiction. Therefore, where a notice of Appeal filed is found to have failed to comply with necessary requirements or incompetent, the Court of Appeal as well as the Supreme Court has the power to strike it out. **See Order 7 Rule 6 of the Court of Appeal Rules and Order 8 Rule 7 of the Supreme Court Rules.**

5.00 **SERVICE OF NOTICE OF APPEAL**

5.01 Upon the filing of a notice of appeal in the registry of the trial court in the case of an appeal to the Court of Appeal or in the registry of the Court of Appeal in the case of an appeal to the Supreme Court, the notice of appeal is then expected to be served on the parties named in the notice of appeal and at their respective addresses endorsed on the notice of appeal.

- 5.02 After the filing of the notice of appeal, the Registrar of the courts below, as the case may be, shall cause the service of the notice upon each of the parties mentioned in the notice of appeal. **See Order 2 Rule 2 of the Court of Appeal Rules; Order 2 Rule 4 of the Supreme Court Rules.**
- 5.03 Generally, every notice of appeal is required to be served personally. **Order 2 Rule 1(b) of the Court of Appeal Rules; Order 2 Rule 3(1)(b) of the Supreme Court Rules.**
- 5.04 The notice of appeal meant to be served on a Minister, Commissioner, Attorney-General or public officer representing the Government shall be deemed to be sufficiently and duly served if it is delivered to the Attorney-General of the Federation in his office or the Attorney-General of the appropriate state either in his office at the state capital or through the liaison office in Abuja. **Order 2 Rule 6 of the Supreme Court Rule.** While such notice of appeal may be served on the Attorney-General by leaving the notice of appeal at or by sending

it by registered post to his chambers or office. Such service is as effective as personal service.

Order 2 Rule 14 of the Court of Appeal Rules.

5.05 The notice of appeal is also served in accordance with the manner that is prescribed by a state a law. **Order 2 Rule 15 of the Court of Appeal Rules.**

5.06 The notice of appeal is also served on a party out of jurisdiction with the leave of the court. **Order 2 Rule 16 of the Court of Appeal rules; Order 2 Rule 7 of the Supreme Court Rules.**

5.07 Where the court is satisfied that the notice of appeal has in fact been communicated to the Respondent, no objection to the hearing of the appeal shall lie on the ground that the notice of appeal was not served personally. **Order 2 Rule 1(a) of the Court of Appeal Rules; Order 2 Rule 3(1)(b) of the Supreme Court Rules.**

5.08 In every appeal, whether in the Court of Appeal or in the Supreme Court, the duty of the respondent is to defend the appeal. If the respondent intends to challenge part of the decision either of the trial court or of the court of appeal as the case may be, he can only do so by filing a notice of cross appeal or a respondent's notice which shall be filed within 15 days in the case of interlocutory appeal and within 30 days in any other case. Order 9 Rule 4 of the Court of Appeal Rules. Such notice shall also be served on the Appellant.

6.00 **AMENDMENT OF NOTICE OF APPEAL**

6.01 A notice of appeal or a respondent notice may be amended at any time before judgment. The court has the power to suo motu amend a notice of appeal or it may do so on the application of a party. **Order 7 rule 8, Order 9 Rule 7 of the Court of Appeal Rules; Order 8 Rule 4 of the Supreme Court Rules.**

6.02 Where an amendment will over reach the respondent, such amendment will not be allowed. An amendment which seeks to

introduce a new notice of appeal on the ground that the original notice is defective will also not be allowed. Similarly, an incompetent notice of appeal will not be allowed to be amended.

7.00 **SETTLEMENT OF RECORDS IN THE COURT OF APPEAL**

7.01 After the filing of a notice of appeal, the Registrar of the court below shall within 14 days summon the parties before the Court to settle the documents to be included in the record of appeal and fix the amount to be deposited by the appellant to cover the estimated cost of making up and forwarding the record of appeal. And he shall within 60 days inclusive of the 14 days he summoned the parties, compile and transmit record of appeal to Court of Appeal.
Order 8 Rules 1 & 2 of the Court of appeal Rules.

7.02 Where the Registrar of the court below failed to compile and transmit the records of appeal at the expiration of 60 days after the filing of the notice of appeal, the Appellant shall compile and transmit the records of appeal within 30

days after the registrar's failure or neglect.
Order 8 rule 4 of the Court of Appeal Rules.

7.03 A party who consider that there are additional records which may be necessary to determine the appeal, he shall be at liberty to within 15 days of the service on him of the records, compile and transmit the records as additional records of appeal. **Order 8 Rule 6 of the Court of Appeal Rules.**

7.04 Every record of appeal shall contain:

a. the index;

b. a statement giving brief particulars of the case including the schedule of the fees paid;

c. copies of documents settled and compiled;

d. copy of the notice of appeal and other relevant documents filed in connection with the appeal. **Order 8 Rule 7 of the Court of Appeal Rules.**

7.05 The Registrar of the court below or the appellant as the case may be, shall within 7 days of the transmission of the records served on all parties named on the notice of appeal. He shall also serve on the registrar of the court of appeal a notice that the records has been transmitted. The registrar of the court of appeal shall then enter the appeal in the cause list. **Order 8 Rule 10(3) of the Court of Appeal Rules.**

7.06 If the registrar failed to compile and transmit the record and the Appellant has also failed to compile and transmit the records within the periods prescribed, the respondent may by a notice of motion move the court to dismiss the appeal. **Order 8 Rule 18(1) of the Court of Appeal Rules.**

7.07 **SETTLEMENT OF RECORDS ON FAST TRACT APPEAL**

7.08 Pursuant to Section 248 of the Constitution of the Federal Republic of Nigeria, 1999 (As Amended), the President of the Court of Appeal issued a Practice Direction effective on 1st day

of May, 2013 applicable to criminal appeals relating to the offence of Terrorism, Rape, kidnapping, Corruption, Money Laundering and Human Trafficking and Interlocutory Appeals challenging the ruling of the court below on an interlocutory application. **Paragraph 1 of Court of Appeal Practice Direction, 2013.** And on 8th day of December, 2014, issued the Court of Appeal (Fast Track) Practice Directions, 2014 which defined **Fast Tract Appeal** to mean:

- a. Debt appeals
- b. Appeals pertaining to or connected with:
 - i. Corruption
 - ii. Human Trafficking
 - iii. Kidnapping
 - iv. Money Laundering
 - v. Rape
 - vi. Terrorism and Appeals by or against National Human Rights, Intelligence, Law Enforcement,

prosecutorial or security agencies such as the Economic and Financial Crimes Commission, Independent Corrupt Practices Commission, National Human Rights Commission, the State Security Service.

7.09 After the filing of a notice of appeal, the Registrar of the court below shall within 15 days summon the parties before him to settle the documents to be included in the record of appeal and fix the amount to be deposited by the appellant to cover the estimated cost of making up and forwarding the record of appeal. And he shall within 30 days inclusive of the 15 days he summoned the parties, compile and transmit record of appeal to Court of Appeal.

Paragraph 13(1&2) of Court of Appeal (Fast Track) Practice Directions, 2014.

7.10 Where the Registrar of the court below failed to compile and transmit the records of appeal at the expiration of 30 days after the filing of the notice of appeal, the Appellant shall compile

and transmit the records of appeal within 15 days after the registrar's failure or neglect.

Paragraph 13(3) of Court of Appeal (Fast Track) Practice Directions, 2014.

7.11 Where the Respondent consider that there are additional records which may be necessary to determine the appeal, he shall be at liberty to within 7 days of the service on him of the records, compile and transmit the records as additional records of appeal. **Paragraph 13(5) of Court of Appeal (Fast Track) Practice Directions, 2014.**

7.12 The appellant shall within 15 days of the compilation of the records by him served the records on the respondent. **Paragraph 13(4) of Court of Appeal (Fast Track) Practice Directions, 2014.**

7.13 If the registrar failed to compile and transmit the record and the Appellant has also failed to compile and transmit the records within the

periods prescribed, the respondent may by a notice of motion move the court to dismiss the appeal. **Paragraph 13(7) of Court of Appeal (Fast Track) Practice Directions, 2014.**

7.14 **SETTLEMENT OF RECORDS IN ELECTION APPEAL**

7.15 On 1st April, 2011, the President of the Court of Appeal issued a practice direction known as Election Tribunal and Court Practice Directions, 2011 regulating the practice and procedure of appeals in Election petitions.

7.16 By paragraphs 9 of the Practice Directions, the secretary of the tribunal or court as the case may be shall within a period of not more than 10 days of the receipt of the notice of appeal, caused to be compiled and served on all the parties, the record of appeal.

8.00 **SETTLEMENT OF RECORDS IN THE SUPREME COURT**

8.01 After the filing of a notice of appeal, the Registrar of the court below or the Appellant

shall with due expedition start to prepare the record which shall contain:

- a. the index;
- b. a statement giving brief particulars of the case and including a schedule of the fees paid;
- c. copies of the documents and proceedings constituting the record of appeal;
- d. copies of all documents and proceedings before the Court of Appeal;
- e. a copy of the order for leave to appeal whether made by the Court or by the Court of Appeal;
- f. a copy of the notice of appeal;
- g. a certificate by the registrar certifying that the notice of appeal had been served on the respondent;
- h. a certificate by the registrar that the appellant duly complied with the condition of the appeal;

i. a certificate by the registrar that the appellant and the respondent have either collected their copies of the record or that they have been duly notified that such record is ready for collection. **Order 7 Rules 2 of the Supreme Court Rules.**

8.02 However, the Registrar of the court below shall within a period of not later than six month from the date of filing of the notice of appeal transmit the record of appeal. He shall also cause to be served on all parties mentioned in the notice of appeal who have filed an address for service a notice that the record has been transmitted and the registrar of the court shall then enter the appeal in the cause list. **Order 7 Rules 4 of the Supreme Court Rules.**

8.03 In any case where the court considers it necessary or expedient to do so in the interest of justice or in which it makes an order for accelerated hearing of the appeal, it may direct a departure from the rules of the court directing compilation and transmission of records by the registrar. And may also further directions for

the purpose of a record for the hearing of the appeal. **Order 7 Rules 5 of the Supreme Court Rules.**

8.04 The appellant in such instance shall either simultaneously with filing his notice of appeal or within 14 days thereafter prepare a record comprising of:

a. the index;

b. office copies of documents and proceedings which the appellant considers relevant to the appeal and;

c. a copy of the notice of appeal.

8.05 If the respondent considers that the documents and proceedings filed by the appellant are inaccurate or are not sufficient for the purposes of the appeal, he shall, within a period of 7 days after service on him of the record filed by the appellant, file any further or other documents that he wishes to file. **Order 7 Rules 7 of the Supreme Court Rules.**

8.06 **SETTLEMENT OF RECORDS ON FAST TRACT APPEAL**

8.07 Pursuant to Section 236 of the Constitution of the Federal Republic of Nigeria, 1999 (As Amended), the Chief Justice of Nigeria issued a Practice Direction effective on 15th day of July, 2013 applicable to criminal appeals relating to the offence of Terrorism, Rape, kidnapping, Corruption, Money Laundering and Human Trafficking and Interlocutory Appeals challenging the ruling of the court below on an interlocutory application. **Paragraph 1(b) of Supreme Court (Criminal Appeals) Practice Directions, 2013.**

8.08 After the filing of a notice of appeal, the Registrar of the court below shall within 7 days summon the parties before him to settle the documents to be included in the record of appeal and fix the amount to be deposited by the appellant to cover the estimated cost of making up and forwarding the record of appeal. And he shall within 15 days inclusive of the 7 days he summoned the parties, compile and transmit record of appeal to the Supreme Court. **Paragraph 4(2&3) of Supreme Court**

(Criminal Appeals) Practice Directions, 2013.

8.09 Where the Registrar of the court below failed to compile and transmit the records of appeal at the expiration of 15 days after the filing of the notice of appeal, the Appellant shall compile and transmit the records of appeal within 15 days after the registrar's failure or neglect.

Paragraph 4(4) of Supreme Court (Criminal Appeals) Practice Directions, 2013.

8.10 Where the Respondent consider that there are additional records which may be necessary to determine the appeal, he shall be at liberty to within 5 days of the service on him of the records, compile and transmit the records as additional records of appeal.

Paragraph 4(6) of Supreme Court (Criminal Appeals) Practice Directions, 2013.

8.11 The appellant shall within 15 days of the compilation of the records by him served the records on the respondent.

Paragraph 4(5) of

Supreme Court (Criminal Appeals) Practice Directions, 2013.

9.00 Suggestions/Recommendations

- 9.01 Participants, you will agree with me that we are dealing here with a topic that also relates to practice. A further consideration of the pragmatic aspect of it would not be out of place. It is however important that few recommendations are made in the practice of compilation of record of appeal.
- 9.02 Firstly, it is imperative that the record of appeal is proofread by a registrar, preferably more than one, to identify and correct typographical errors that might have been occasioned in the course of typing the record. Closely allied to this is the issue of errors that borders on the terms/substance of the judgement. I am of the strong view that the error is to be corrected by resorting to the record book, if possible, the judge should be contacted.
- 9.03 Secondly, adequate attention and care should be given to ensure that the dates, names of the judges and suit numbers are correctly disclosed on the record. Here again, there is need to ensure that the dates and names of the judges who participated in the proceedings as indicated in the headings of the proceedings

correspond with the dates and signatures of the judges at the end of proceedings of each day. This approach would avoid the controversy in the election petition referred to in the introduction of the paper.

9.04 Thirdly, the registrars are also advised to do much more than ensuring that the dates and signatures of the judges correspond, they are, in addition, to ensure that the numbering of the exhibits are in tandem with the markings in the record of proceedings.

9.05 Lastly, each page of the record of appeal should be properly certified, dated and signed consistently by the registrar of the court.

10.00 **REFERENCE:**

1. Anyafulude, Tom (2015): Principles Of Appellate Practice In Nigeria Through The Cases

2. Galinje, Paul A. (JCA, as he then was) (2013) A Presentation of the Court of Appeal Rules: A Practical Approach. Being a Presentation by the Presiding Justice, Court Of Appeal Ilorin Division At the Nigerian Bar Association Ilorin

Branch, in a Retreat Held At ARMTI, Ilorin Kwara State.

3. The Constitution of the Federal Republic of Nigeria, 1999 (As Amended).

4. Court of Appeal Practice Direction, 2013.

5. Court of Appeal (Fast Track) Practice Directions, 2014.

6. Court of Appeal Rules, 2016.

7. Election Tribunal and Court of Appeal Practice Directions, 2011.

8. Supreme Court (Amendment) Rules, 1985.

9. Supreme Court (Criminal Appeals) Practice Directions, 2013.