

**Examining National Industrial Court of Nigeria Repositioned Status in Trade Dispute
Resolution**

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Certification Page

This project entitled “Examining National Industrial Court of Nigeria Repositioned Status in Trade Dispute Resolution” was carried out by Solomon Osereme AGBATOR (LCU/PG/001857), in the Department of Private and Business Law, Faculty of Law, Lead City University Ibadan, Nigeria under my supervision.

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Dedication

This research work is dedicated to my late Father, Chief M.E Agbator.

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Abstract

The fundamental nature of jurisdiction of any court is critical to any adjudicatory process without which anything done will amount to an exercise in futility. Prior to the enactment of the Constitution (third alteration) Act, 2010, National Industrial Court was established by the Trade Dispute Decree, 1976, where matters relating to labour, trade union dispute, employment, conditions of service, welfare of employees were adjudicated upon. However, the National Industrial Court faced so many difficulties as to its jurisdiction, powers and status. National Industrial Court was widely criticised by scholars and jurists due to its inefficiencies. The main objective of the thesis is to examine the National Industrial Court of Nigeria repositioned status in Trade Dispute Resolution under the Trade Dispute Act, National Industrial Court Act and specifically under the Third Alteration Act which amended the Constitution of the Federal Republic of Nigeria 1999. To this end, the study examined the legal status of the Third Alteration Act which came into force on the 4th of March 2011, and the appraise its impact on the settlement of labour disputes. The aim of this thesis is to review the extended Jurisdiction of the NIC, particularly under the Third Alteration of the 1999 Constitution, to confirm whether the repositioned jurisdiction given to the NIC is likely to solve the confusion associated with its jurisdiction. This is a legal and descriptive research that relies on qualitative method of analysis. The research work also relies on the primary and secondary source of Nigerian laws. The researcher recommended that the legislature should ensure that there are no apparent contradictory ambiguous provisions in the Constitution. As a result, the National Assembly should amend the Constitution further to resolve these seemingly contradictory provisions.

Key words: National industrial court, Trade Dispute, Trade Union, Dispute resolution, Constitution, Third alteration, Repositioned

Table of Content

Title page	
Certification	i
Dedication	ii
Acknowledgment	iii
Abstract	iv
Table of Cases	ix
Table of Statutes	xii
Chapter One: Introduction	
1.1 Background to the Study	1
1.2 Statement of the Problem	6
1.3 Research Questions	7
1.4 Objectives of the Study	7
1.5 Research Methodology	8
1.6 Scope of the Study	8
1.7 Significance of the Study	9
1.8 Limitations to the Study	10
1.9 Operational Definition of Terms	11
1.10 Structure	15

Chapter Two: Literature Review and Theoretical Framework

2.1 Literature Review	18
2.1.1 Dispute	19
2.1.2 Conflict Management	25
2.1.3 Conflict Settlement	25
2.1.4 Conflict Resolution	26
2.1.5 Trade Dispute	28
2.1.6 Industrial Court	30
2.1.7 The Role of Industrial Court	33
2.2 Theoretical Framework	37
2.2.1 Mischief Theory	37
2.2.2 Conflict Theory/Pluralism	41
Chapter Three: The Mandate of The National Industrial Court Under the Trade Disputes Act 1976 and National Industrial Court Act 2006	
3.1. Meaning of Trade Disputes	46
3.1.2 Procedure for Trade Dispute Resolution Under the Trade Dispute Act	49
3.1.3 Resolution by the Parties Themselves	49
3.1.4 Resolution by a Conciliator	50
3.1.5 Resolution by Arbitration	52
3.1.5.1 Industrial Arbitration Panel (IAP)	54

3.1.6 Resolution by the Court	60
3.2 The Mandate of the National Industrial Court of Nigeria in Trade Dispute Resolution Under the National Industrial Court Act	65
Chapter Four: The Effect of the Repositioned National Industrial Court on its Composition, Powers and Jurisdiction Under the 1999 Constitution of the Federal Republic of Nigeria (Third Alteration) Act No. 3 of 2010	
4.1 Composition and Structure of the National Industrial Court of Nigeria	70
4. 2. Judicial Powers of the National Industrial Court	72
4.3 The Jurisdiction of the National Industrial Court Under the Third Alteration	75
4.3.1 The Provision of Section 254c of the Constitution of The Federal Republic of Nigeria, 1999 (As Amended, 2011)	76
4.4 Criminal Jurisdiction of the National Industrial Court	81
4.4. Fundamental Human Rights Matters	82
4.5 National Industrial Court as A Final Court on Labour Matters and Rights of Appeal	84
4.5.1 Criminal Appeals	85
4.5.2 Right of Appeal in Civil Cases	86
4.6. Analysis of the Repositioned and Jurisdictional Problems Associated with the National Industrial Court of Nigeria	93
Chapter Five: Conclusion	101
5.1 Summary of findings	101

5.2 Conclusion	105
5.3 Recommendations	108
5.4 Contribution to Knowledge	105
5.5 Areas for Further Research	106
Appendix	107
Bibliography	111
Bio-Data	119

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Table of Cases

Ahmadu Bello University Management Board v. Mrs. Jummai R.I. Anyip (2011) 45 NSCQR (Pt. 11) 408;	99
Akinyanju v Unilorin [2005] 7 NWLR (Pt. 323)87.	99
Alh Chief Abdul GalajiGafar v The Military Administrator of Kwara State and anor (2007) 2 SCNJ 44	66
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76	
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