TOPE ADEBAYO LP

DIRTY MONEY, CLEAN HANDS:

NAVIGATING AML/CFT REGULATIONS FOR NIGERIAN LAWYERS.

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INTRODUCTION

The plague and scourge of illicit financial transactions have, over time, caused significant damage to the world at various points in history. Particularly concerning are financial and drug crimes, terrorist activities, and the proliferation of weapons of mass destruction. The nature of this issue is such that the global community has agreed that measures should be taken to curb money laundering, which is chief among other financial irregularities.

Accordingly, various Anti-Money Laundering (AML) and Countering the Financing of Terrorism (CFT) regulatory frameworks have been developed by organisations such as the Financial Action Task Force, the European Union, the International Monetary Fund, the World Bank, and the United Nations.

Originally, the mandate to implement AML/CFT frameworks was directed at the financial sector; however, as AML/CFT risks evolved, it has become essential to include businesses such as insurance and real estate, which present associated AML/CFT risks. Recently, the legal industry was included as part of the businesses whose practices carry some level of AML/CFT risks. Although still in its early stages, as reflected in its incorporation in Chapter 2 of the Rules of Professional Conduct for Legal Practitioners 2023, this development has not been widely received by the Nigerian Bar for various reasons.

The aim of this article is to provide insights and elucidate the AML/CFT requirements for Nigerian Law firms and lawyers.

CONCEPTUAL CLARIFICATIONS

Before exploring the main topic of this article, it is essential to note that there is no definitive record of the first law firms worldwide adopting AML/CFT procedures. However, firms in countries with early strong regulatory frameworks, such as the United States following the Bank Secrecy Act of 1970 and Australia after its 2006 Anti-Money Laundering and Counter-Terrorism Financing Act, were among the first to be legally mandated to implement these procedures. These firms adopted such processes to ensure compliance with laws, avoid penalties, safeguard their reputation, and prevent their services from being used for illicit activities, such as money laundering and terrorist financing.[1]

Invariably, this remains a relatively new area for most lawyers and law firms, especially within the Nigerian legal sector. However, to grasp these AML/CFT obligations, it is crucial to understand certain concepts related to the topic, which are discussed further below.

[1] https://www.investopedia.com/terms/a/aml.asp#:~:text=AML%20regulations%20in%20the%20U.S.,and%20maintain%20records%20of%20transactions. Accessed on 5th August 2025.

MONEY LAUNDERING

According to the Financial Crimes Enforcement Network ("FinCen")[2] a department of the United States Treasury Department "Money laundering involves disguising financial assets so they can be used without detection of the illegal activity that produced them."

The concept has also been defined by Nigerian Courts in a plethora of cases, which form part of our jurisprudence. For instance, in KALU v. FRN & ORS[3], the Court of Appeal held that "Money laundering, according to Toby Graham, Evan Beil & Nicholas Elliot in their book: MONEY LAUNDERING Butterworths Lexis-Nexis 2003 at page 3 paragraph 1.3, is the "varied means used by criminals to conceal the origin of their activities. The term "laundering" is used because these techniques are intended to turn "dirty" money into "clean" money, but laundering is not confined to cash."

In NWAOBOSHI v. FRN & ORS[4], the Supreme Court noted, "Money laundering is a global scourge that affects countries worldwide, Nigeria not being an exception. It has been described as the washing of illegitimate money in a bid to make it appear clean or legitimate. It involves the process of transforming the proceeds of crime into ostensibly legitimate money or other assets."

The sum of the above definitions is that money laundering is fundamentally connected to the act of seeking any method to legitimize funds gained illegally or from illicit sources. Therefore, once a person cannot explain their source of wealth—no matter how it was obtained—and attempts, whether knowingly or unknowingly, to assign some form of legality to those funds or wealth, it can be said that money is being laundered. It is also prudent to refer to the provisions of sections 18 and 21 of the Money Laundering (Prohibition) Act 2022 (As amended) for the definition of money laundering and how it is committed.

THE EVOLUTION OF MONEY LAUNDERING OFFENCES LEGISLATION IN NIGERIA AND THE UNITED KINGDOM: THE MISCHIEF THEY SEEK TO CURE.

The above is entrenched as a principle of law in our jurisprudence, laid down by the Nigerian Supreme Court in NWAOBOSHI v. FRN & ORS (Supra), where his lordship Per Ibrahim Mohammed Saulawa, in his dissenting judgment.[5], he provided a detailed account of the evolution of money laundering offences legislation in Nigeria and the United Kingdom. However, we will only refer to the relevant parts of his lordship's dictum as follows:

"The Proceeds of Crime Act, 2002 (c. 29 POCA) of the United Kingdom provides for the confiscation (or civil recovery) of the proceeds from crime. The POCA, 2002, embodies the Principal Money Laundering Legislation in the UK, which was enacted because of the publication on June 14, 2000, of a new government policy entrenched in the Performance and Innovation Units Report - "RECOVERING THE PROCEEDS OF CRIME".

2 https://www.fincen.gov/what-money-laundering Accessed on 5th August 2025.
3 (2012) LPELR-9287(CA) @ (Pp 52 - 52 Paras C - E).
4 (2023) LPELR-60698(SC) @ (Pp 41 - 41 Paras A - C)
5 See pages (Pp 74 - 87 Paras F - C) of the report

The POCA 2002 essentially deals with a wide of issues relating to UK Laws on proceeds of Crime causes, including: (i) Confiscation orders against convicted persons (requiring payment to the State based on the benefit obtained from crimes); (ii) Civil recovery of proceeds of crime from unconvicted persons; (iii) Taxation of profits generated from crime; (iv) UK Anti-Money Laundering Legislation; (v) Powers of Investigation into suspected proceeds of crime offences; and (vi) International Cooperation by UK Law Enforcement Agencies against Money Laundering. Ever since 2002, when POCA was enacted, it has been severally amended, especially by the Serious Organized Crime and Police Act, 2007. POCA, 2002, has undoubtedly simplified the trial and conviction of criminals suspected of Money Laundering. However, prior to the enactment of POCA, 2002, Prosecutors in the UK had to excruciatingly contend with three different regimes: (i) The Drug Traffic Act, 1994 dealing with laundering of the proceeds of drugs trafficking; (ii) The Criminal Justice Act, 1988, as amended by the Criminal Justice Act, 1993 and (iii) The Proceedings of Crime Act, 1995 - for proceeds of other crimes, et al. Thus, essentially, prior to the enactment of POCA 2002, a prosecutor had the herculean task of proving that monies (or assets, as the case may be) traceable to an accused person were proceeds of crime, and the actual type of crime the proceeds were derived from (i.e. either drug crime, or non-drug crime). However, POCA 2002 removed the unwholesome distinction between the proceeds of drug trafficking and (proceeds) other non-drug crimes. See THE PROCEEDS OF CRIME ACT, 2002 (Commencement No. 4, TRANSITIONAL PROVISIONS AND SAVINGS) ORDERS, 2003, MONEY LAUNDERING REGULATIONS CRIMES ACT, 2007.

In the case of GALE VS. SERIOUS CRIMES AGENCY, the UK Supreme Court aptly held inter alia: 1. The Proceeds of Crime Act 2002 ("POCA"), as amended by the Serious Organized Crime and Police Act 2005, is designed to prevent the enjoyment of the fruits of criminal activity. Part 2 focuses on the criminal. To the extent that it is proved in the manner prescribed that a criminal has benefited from criminal conduct, a levy can be made upon his assets, whether those assets are themselves the product of his criminal conduct, by a process inaccurately described as "confiscation". A conviction of the criminal is a precondition to the power to confiscate. 2. Part 5 concentrates on the fruits of crime themselves. The Serious Organized Crime Agency ("POCA") is given the task of tracking down and recovering the fruits of criminal activity, whether they remain in the hands of the criminal or have been passed on to someone else, subject to exceptions for which POCA makes provision. The fruits of criminal activity can be recovered under part 5, whether anyone has been convicted of the crime or crimes that have produced them. See (2011) LPELR-17843 (UK SC) in Appeal No. (2011) UK SC 49 (from suit No. 2010 EWCA. Civ. 759) judgment delivered on 26/10/11, per Lord Philips.

Contradistinctively, the evolution of the current Money Laundering (Prohibition) Act, 2011 (supra), is fundamentally traceable to the Money Laundering Decree No. 13 of 1995. The said Decree was limited to dealing with Money or Resources directly or indirectly obtained or derived from illicit drug and psychotropic substances. The National Drugs Law Enforcement Agency (NDLEA) was established and duly empowered to specifically enforce that law, pursuant to the NDLEA Act. Most especially, under Section 14 (1) (a) of the Decree, No. 13 1995, it's provided: "14 (1) Any person who (a) converts or transfers resources or property derived directly or indirectly form narcotic drugs and psychotropic substances with concealing or disguising the illicit origin of the resources or property, or aiding any person involved in the illicit traffic in narcotic drugs. And psychotropic substances to evade the illegal consequences of his action." The said Decree No. 13, 1995 was itself amended by the Money Laundering (Amendment) Act, No. 19 of 2002, which explanatorily provided: "This Act provides for a new Money Laundering Act to prohibit the laundering of the proceeds of a crime or an illegal act and repeal the Money Laundering Acts, 1995, 2003." The Money Laundering Act, 2003, equally provides for the appropriation of financial institutions and the scope of supervision of regulatory authorities of Money Laundering Activities, et al. The Money Laundering Act, 2003 was itself equally repealed by the Money Laundering (Prohibition) Act, 2004, which had an explanatory note thus: (a) Provides for the repeal of the Money Laundering Act, 2003. (b) Makes comprehensive provisions for prohibiting the laundering of the proceeds of a crime or an illegal act; and (c) Provides appropriate penalties and expands the interpretation of financial institution and scope of supervision of regulatory authorities on money laundering activities, among others.

However, barely within the span of seven years, the Money Laundering (Prohibition) Act, 2004 was equally ill-fated by the Money Laundering (Prohibition) Act, 2011 (commencement date 03/06/2011). The Money Laundering (Prohibition) Act, 2011 (as amended) was enacted with the fundamental objective: To repeal the Money Laundering (Prohibition) Act, 2011, and enact the Money Laundering (Prohibition) Act, 2011, to expand the scope of money laundering offences, customer due diligence measures, and related matters.

However, it ought to be pointed out now that ever since the enactment of the first Money Laundering (Prohibition) Act, 2003, the menace of money laundering criminal activities has virtually gone unchecked. Since then, there have been at least four reforms of Nigeria's Anti-Money Laundering legislation regime - starting with the AML Act 2003, with the subsequent amendments thereof in 2004, 2011 and the most current Money Laundering (Prevention and Prohibition) Act, 2022. Interestingly, the extant Money

Laundering (Prevention and Prohibition) Act, 2022, introduced at least five key changes therein: 1. Higher Restrictions on Cash Payment Transactions. 2. Adoption Of Designated Non-Financial Business and Profession (DNBP). 3. Enhanced KYC Requirements for Politically Exposed Persons (PEP) And Proxies/Agents 4. KYC for Internet and Ship-Based Casinos. 5. Expanded Scope of Suspicious Transaction Reporting….[6]"

The above rendition of his lordship highlights the purpose of the anti-money laundering legislation in Nigeria, which has evolved into several iterations of AML/CFT frameworks across various sectors, including the Nigerian legal sector, as per the provisions of Chapter 2 of the Rules of Professional Conduct for Legal Practitioners 2023.

ELEMENTS OF MONEY LAUNDERING.

At this stage, it is essential to explain the elements of money laundering, and we will examine this through the lens of our jurisprudence via the lead judgment of Per Emmanuel Akomaye Agim, JSC, in the case of NWAOBOSHI v. FRN & ORS (supra).[7]

The basic facts of the case are that the Appellant (through his company, the 3rd Respondent) secured a business loan from Nigerian Export-Import Bank (NEXIM Bank) and diverted it for a different purpose, namely, the purchase of a property for his second company (the 2nd Respondent). This led to a petition being lodged against the Appellant with the Economic and Financial Crimes Commission (EFCC), which investigated and established that the Appellant had laundered the funds obtained from the financial institution. Consequently, the Appellant, together with the 2nd and 3rd Respondents, were charged and tried for offences of money laundering, contrary to Section 15 (2) (d) of the Money Laundering (Prohibition) Act 2011 (as amended) and aiding the commission of the said offence contrary to Section 18(a) of the Act.

The trial Court held that the prosecution did not prove its case against the Defendants (the Appellant, 2nd and 3rd Respondents). It therefore acquitted and discharged them. Dissatisfied, the 1st Respondent appealed successfully to the Court of Appeal, which overturned the trial court's findings and held that the prosecution succeeded in proving its case. The Appellant then successfully appealed to the Supreme Court. In reaffirming its decision, the apex court, in espousing on the essential element of the offence of money laundering, @ (Pp 20 - 20 Paras A - C) of the report stated:

[6] Ibid
[7] See footnote 4

"For the offence of money laundering to exist, the primary fund or property from which derives the money in question or other transactions, must have been obtained by committing a crime. If it is lawfully obtained as in this case, money laundering cannot exist on the basis of such lawfully acquired fund."

The Court went on to note the peculiar circumstances of the case before it @ (Pp 23 - 23 Paras B - E) of the report and held that:

"Secondly, there is no law that a recipient of a loan from a bank or other person commits an offence if the loan sum or part of it is diverted to a use other than that stipulated in the loan agreement. Therefore, the diversion of part of the loan sum to purchase a house in breach of a term in the loan agreement to use the loan "exclusively for carrying out the project approved by NEXIM Bank" is not a crime known to law. Such act is not a money laundering crime as created and defined by Ss. 14(1)(a), 15(2)(d) and (6) of the Money Laundering (Prohibition) Act 2011."

From the foregoing, the antecedent of what amounts to money laundering is manifest. The source of the funds being laundered must be unlawful or illegal since the act of laundering money to begin with is to legitimize funds gotten from illicit sources.

STAGES OF MONEY LAUNDERING

There are three stages of Money Laundering, namely Placement, Layering, and Integration. These stages will be briefly discussed, along with examples of how they occur.

Placement

The placement stage marks the start of the money laundering process (also known as the money laundering stages), where illicit funds are introduced into the financial system. This stage is considered the most vulnerable for criminals, as they must find ways to deposit large sums of cash without attracting suspicion.[8] Common methods used during placement include:

- Depositing cash in smaller amounts to avoid detection (a technique known as "structuring").
- Purchasing monetary instruments like checks or money orders.
- Funneling money through cash businesses such as casinos or car washes.

Once illicit funds are successfully injected into the financial system by suspicious individuals or entities, they start the process of concealing their origins and laundering the money.

Layering

Layering is the second stage of money laundering, where criminals perform a series of transactions to create confusion and disconnect the funds from their criminal origin. This can involve:

- Transferring money between multiple bank accounts, often in different jurisdictions.
- Using shell companies.
- Using digital currencies to further obscure the money trail.

[8] https://financialcrimeacademy.org/the-three-stages-of-money-laundering/ Accessed on 7th August 2025.

The aim of layering is to construct a complex web of financial transactions that makes it extremely difficult for law enforcement to trace the source of illicit funds. Suspects can further shield themselves from detection and prepare to reinject their laundered funds into the legitimate economy after successfully completing the layering process.[9]

Integration

Integration is the final phase of money laundering, where the laundered funds are reintroduced into the legitimate financial system, often through investments in real estate, luxury assets, or business ventures. At this stage, the money appears to have originated from legitimate sources, making it challenging for authorities to distinguish between legal and illegal assets.

Successful integration enables suspects to use their laundered money for additional criminal activities or to fund their personal lifestyles with minimal risk of detection. This phase emphasises the importance of robust anti-money laundering measures and vigilance in monitoring transactions for indications of potential money laundering.[10]

AML/CFT FRAMEWORK FOR NIGERIAN LAWYERS AND LAW FIRMS.

Chapter 2 of the Rules of Professional Conduct for Legal Practitioners 2023 now provides a robust framework for Nigerian lawyers and law firms to ensure compliance with their AML/CFT obligations. It is divided into three parts. These Rules aim to prevent the misuse of legal services for illicit financial activities while upholding ethical standards.

- Adherence to the rule of law;
- Promoting a Risk-Based Approach to Legal Practice to be able to identify any potential AML/CFT risk and prevent them before they occur;
- Protecting the Integrity of the Legal Profession via internal regulations of members;
- Balancing Confidentiality with Transparency Obligations.[11]

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[9] ibid
[10] ibid
[11] See Order 55(1) of the Rules of Professional Conduct for Legal Practitioners.

Chapter 2 outlines various practical approaches that Nigerian lawyers and law firms can adopt to comply with their AML/CFT obligations. Overall, these rules now impose an obligation on lawyers and law firms to be inquisitive in their dealings with clients, ensuring transparency and preventing AML/CFT breaches. Some of these obligations will now be discussed in a little more detail below:

Order 57 of the rules notes that the AML/CFT obligations of lawyers and their firm shall arise when involved in the following capacities listed in sub-rule 1 (a) – (f): This simply means that when lawyers are involved in registering companies for a client, or taking any other step as it relates to the administration, control, and management of any company they must scrutinize the entity they intend to register to ensure that the entity is not being used as a front to launder funds or breach any AML/CFT framework. Of course, at this stage, there is not much for a lawyer to work with other than the information provided to him by the client.

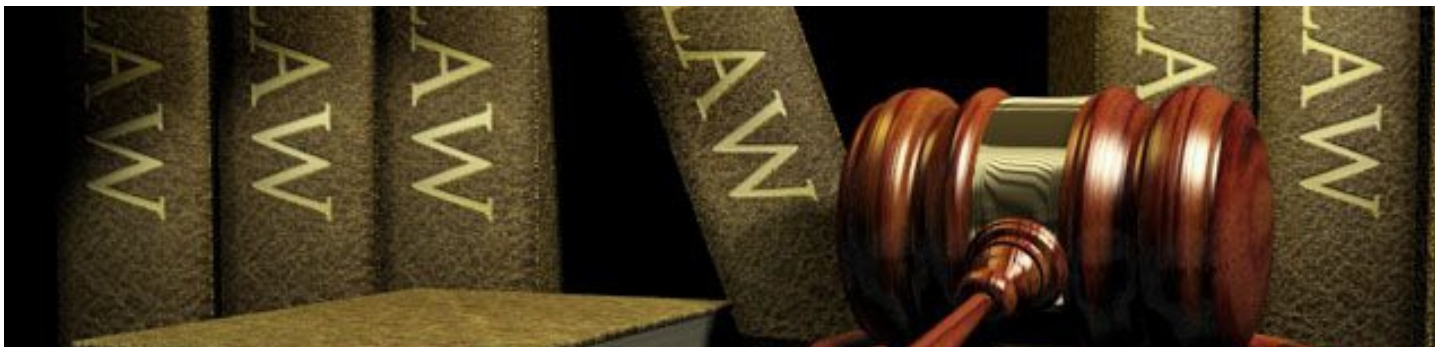
However, the lawyer is expected to conduct an internal risk assessment to understand, assess, and mitigate any AML/CFT risks associated with providing the services outlined in this rule. Thus, if at any time during this process it becomes clear that a company seeking registration intends to engage in some form of illegality, it will be prudent for the lawyer to keep a record of this and report it to the appropriate authorities.

Additionally, failure to comply with the requirement of this provision is considered professional misconduct, and the erring practitioner will be liable to disciplinary proceedings in accordance with the provisions of the Legal Practitioners Act.[12] However, there are exceptions to the applicability of this provision when it pertains to the notarization of documents.[13]

Rule 58 stipulates the record-keeping obligations of all transactions by lawyers and law firms, while Rule 59 addresses the self-regulatory powers of the Nigerian Bar Association (NBA) in relation to AML/CFT compliance in the legal sector. The NBA Anti-Money Laundering Committee is responsible for implementing the AML/CFT frameworks for Nigerian law firms. In this regard, the committee has provided guidance for lawyers and law firms to ensure compliance with all aspects of the rules.[14] The NBA-AMLC achieves this mandate through its "NBA-AMLC - Appointment and Examination Rules and Protocols", which outlines the Nigerian Bar Association's framework for combating money laundering and terrorism financing within the legal profession. It establishes the Anti-Money Laundering Committee (NBA-AMLC) and details its appointment process, tenure, and responsibilities. The document provides guidelines for compliance examinations, risk assessments, and reporting procedures for legal

[12] See Order 55 (2) of the Rules of Professional Conduct for Legal Practitioners.
[13] See Order 55 (4) of the Rules of Professional Conduct for Legal Practitioners.
[14] See the Nigerian Bar Association Anti-Money Laundering Committee website https://nbaaml.com/welcome/

practitioners and law firms, ensuring adherence to AML-CFT obligations. It also defines a supervisory framework for monitoring compliance, maintaining confidentiality, and addressing conflicts of interest. This comprehensive protocol is crucial for promoting accountability and aligning the legal sector with national and international standards for preventing financial crime.[15]



Rule 60, on the other hand, requires lawyers to establish mechanisms for implementing targeted financial sanctions related to terrorism and proliferation financing. This obligation applies to individuals and entities that are known or suspected of being associated with AML/CFT risk, considering their transactions. Once detected, steps should be taken to screen, monitor, and, where applicable, freeze accounts involving these individuals and entities. As part of the screening process, this rule specifically mentions two sanctions lists: the United Nations Consolidated List of Persons and Entities designated by the UNSCR 1267 and its successor resolutions, and the Nigerian Sanctions List. There is also the Specially Designated Nationals (SDN) List and the Consolidated List (non-SDNs), which can be found on the website of the Office of Foreign Assets Control.[16]

Chapter III of Part 2 of the Rules of Professional Conduct for Legal Practitioners 2023 establishes a comprehensive framework for lawyers and law firms to adopt a risk-based approach to legal practice. These metrics are outlined in rules 61–69 of the rules. The core aim of this part of the rules is to minimize any form of AML/CFT risks to lawyers and law firms due to their exposure to transactions. As part of their obligations, they are now expected to develop an internal framework to identify and minimize any AML/CFT risk while providing legal services. This obligation is not limited to lawyers but extends to other employees within the firm. Firms are actively encouraged not only to identify risk elements but also to take proactive steps to mitigate them. All steps taken in this regard are recorded and documented. The nature and categorization of these risks under the rules are listed as service offering and transaction risk due to the nature and size of the law firm, client risk, such as new clients and politically exposed persons (PEP), documentation risks, and geographical risks such as countries known to have weak AML/CFT regulations and framework.

For example, lawyers and law firms are expected to have a biodata of their clients, verify their identity, and monitor all transactions, whether they involve individuals or legal entities. These provisions require an understanding of the client's business, such as asking about the source of wealth to identify any potential AML/CFT risks. The risk level is categorized as low, medium, and high, based on priority; clients and transactions can fall into any of these risk categories.

15 https://africancenterdev.org/download/nba-amlc-appointment-and-examination-rules-and-protocols/#:~:text=NBA%2DAMLC%20%2D%20APPOINTMENT%20AND%20EXAMINATION,ANTI%2DMONEY%20LAUNDERING%20COMMITTEE%202024 Accessed on 29th August 2025.

16 https://ofac.treasury.gov/sanctions-list-service#:~:text=Published%20by%20OFAC%2C%20the%20SDN,that%20are%20blocked%20by%20OFAC. Accessed on 7th August 2025.

As part of the fundamental requirements for firms assessing risk exposure, they are now expected to, where appropriate, conduct Client Due Diligence or Enhanced Due Diligence on clients and their transactions. This requirement aims to ensure that the lawyer or firm involved in or offering services to a client can understand the complexities of the service, identify the ultimate beneficial owner, assess whether any crime has been committed or is being committed because of this engagement, evaluate the client's reputation and business activities, and determine the source of the client's wealth from which professional fees may be derived.

Ultimately, the rules offer a non-exhaustive list of instances that lawyers and firms can refer to when ensuring compliance with these rules. Before the introduction of these rules, there was no such obligation on lawyers and firms. This formed the basis of the Court of Appeal's reasoning in FRN v. OZEKHOME[17], where it was held that: "No doubt a Legal Practitioner is entitled to his fees for professional services rendered and such fees cannot be rightly labelled as proceeds of crime. Further, it is not a requirement of the law that a legal practitioner would go into inquiry before receiving his fees from his client, to find out the source of the fund from which he would be paid." This was in the aftermath of several court decisions that excluded Legal Practitioners from those designated as "Designated Non-Financial Institutions" under Section 25 of the Money Laundering Act, 2011.

On the flip side of the above decision, the same Court of Appeal in FBI LEGAL & ANOR v. FRN & ORS[18] noted that in summary, where it becomes obvious to a lawyer and a law firm that the source of funds from which they aim to receive their professional fees is unjustified, unlawful, illegal, or proceeds of crime, they cannot be allowed to take any legal benefit of such funds.

The above court decisions highlight the court's disposition to cases involving lawyers and firms prior to the introduction of the Rules of Professional Conduct for Legal Practitioners 2023. The decisions in the above-referenced cases were rendered based on the facts of the case before the courts. However, with the Rules in place, there is no doubt as to the role of lawyers and law firms in preventing AML/CFT breaches. Invariably, decisions concerning the breach of the compliance requirements under the rules.

CONFIDENTIALITY V. WHISTLEBLOWING

One of the issues likely to arise from the obligations under Chapter 2 of the rules is whether the rules have diluted the confidentiality obligations of lawyers and firms to their clients. However, it is opined that while the general rule is that the confidentiality obligations of practitioners to clients are sacred, there are allowable and permissible legal exceptions thereto.[19] Which are summarised as follows:

- Confidence or secrets may be disclosed with the consent of the client or clients affected, but only after full disclosure to them;
- Confidence or secrets necessary when permitted under the rules or required law or a court order;
- Confidence or secrets necessary to establish or collect his fee or to defend himself or his employees or associates against an accusation of wrongful conduct;
- The intention of his client to commit a crime and the information necessary to prevent the crime.[20]

[17] (2021) LPELR-54666(CA) (Pp 27 - 28 Paras E - B)
[18] (2022) LPELR-58590(CA) (Pp 45 - 46 Paras D - B)
[19] See Rule 19 (1) of the Rules of Professional Conduct 2023.
[20] See Rule 19 (2) of the Rules of Professional Conduct 2023.

Ultimately, the decision on whether to uphold a client's confidence or secrets, or to legally disclose them, will largely depend on the facts and circumstances of the case involving the practitioner or firm.

CONCLUSION

In the final analysis, although still in the early stages of implementation, Chapter 2 of the Rules of Professional Conduct for Legal Practitioners 2023 has been established to promote integrity in the legal profession. Lawyers and law firms now take the lead in combating anti-money laundering and terrorist financing activities within Nigeria. In this paper, we examined the antecedents of money laundering, its key elements, and its legislative development in Nigeria. We also discussed some of the provisions in Chapter 2 of the rules to illustrate their relevance, the role of the Nigerian Bar Association – Anti-Money Laundering Committee in ensuring self-regulation of the legal profession, and some relevant court decisions on the subject.

We also considered international perspectives to see if our approach aligns with accepted international standards, which it largely does. It is believed that the confidentiality obligations lawyers usually owe to their clients remain unaffected, and the rules have not weakened these obligations. Instead, lawyers need to balance their duties to society, the profession, and their clients to ensure that any disclosures about a client's transactions are legally justified.

PLEASE NOTE THAT THIS ARTICLE IS FOR INFORMATION PURPOSES ONLY AND DOES NOT CONSTITUTE LEGAL ADVICE

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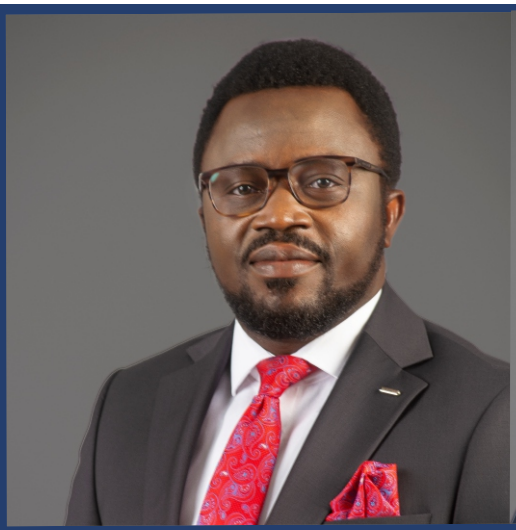

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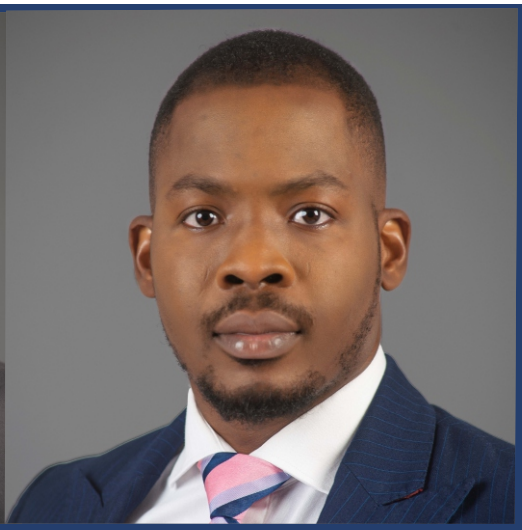

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Do you need to get in touch with us, to know more on how we can help you and your business? Kindly contact us by using any of the details provided below:

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