

SPONSOR:
CO-SPONSORS:

HOUSE OF ASSEMBLY
OGUN STATE OF NIGERIA
THE NINTH LEGISLATURE (2019-2023)
ENROLLED HOUSE BILL NO. 24/OG/2019
HON.OSHO SOLOMON OLUWASEYI (BARR)
HON. BALOGUN AKEEM AGBOLADE
HON. ADEYANJU ADEGOKE OLUSESI
HON. FASUWA ABAYOMI JOHNSON (OTUNBA.)
HON. AJIBOLA SIKIRATU OLAWUNMI (MRS.)
HON. SONEYE DAMILOLA KAYOED

NO. 24

2019

OGUN STATE OF NIGERIA
PRINCE DAPO ABIODUN, MFR
Governor of Ogun State,
A BILL FOR A LAW TO AMEND THE CUSTOMARY
COURTS LAW, 2006

(_____)

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| BE IT ENACTED by the House of Assembly of Ogun State of Nigeria as follows: | Date of Commencement |
| 1. This Law may be cited as the Customary Courts (Amendment) Law, 2019. | Short Title. |
| 2. The Customary Courts Law, 2006 is hereby amended by deleting Sections 18, 19 (1) (2), 50 (6) 51 (b), 52(3) 53 (d) 54,55,56,57 (b) 58, 59 and the First Schedule to Section 18 and substituting them with the following Sections,18, 19 (1)(2),50 (b) 51(b), 52(3), 53(d), 54, 55, 56, 57(b) 58, 59 and the First Schedule in. this Law. | Interpretation. |
| 18. The jurisdiction and power of a Customary Court civil causes and matters shall be as set out in the First | Civil Jurisdiction |
| 19 (1) A Customary Court shall have Jurisdiction try and determine the criminal causes set out in the Second Schedule and to impose the punishment authorized by this Law in respect of, such matter Schedule to-this Law. | Criminal Jurisdiction |
| (2) Unless as otherwise provided under any other enactment the maximum fine or the maximum imprisonment which may be imposed by a Customary Court shall be a fine of One Hundred or three (3)years imprisonment in the case of a Customary Court, Grade I and a fine of One Hundred Thousand Naira (₦100,000.00) or one (1) year imprisonment in the case of a Customary Court Grade II. | |

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| 50 | Any person who – | Adjudication without authority. |
| (b) | Sits as a member of such court without due authority, shall be guilty of an offence and liable on conviction, to a fine of One Hundred Thousand Naira (₦100,00.00) or imprisonment for Twelve (12) months, or to both such fine and imprisonment. | |
| 51 | Any person who – | Interference with Persons carrying out Duties under Section 15. |
| (b) | aids or incites any other person to. assault, obstruct molest or resist, any person acting or proceeding to act in the execution of his duties under the provisions of Section 15 of this Law Shall be guilty of an offence and shall be liable on conviction to a fine of One Hundred Thousand Naira (₦100;000.00) or to imprisonment for one (1) year or to both such fine and imprisonment: | |
| 52. (3) | Any person convicted of an offence under this Section shall be liable to a fine of One Hundred and Fifty Thousand Naira (₦150,000.00) or to imprisonment for three, (3) years, or to both such fine and imprisonment. | Corruption Judges and Officers of Customary Court |
| 53. (d) | intentionally interrupts the proceedings of a Customary court at any stage, shall be guilty of an offence and shall be liable on conviction to a fine of Fifty Thousand Naira (₦50;000:00) imprisonment it for three (3) months. | Refusal to produce Document etc |
| 54. | And person who without reasonable cause or-excuse fails to obey any valid summons issued under Section 34 of this Law may be arrested and brought before the Customary court issuing such summons or before such other court as may have jurisdiction over such person and shall be liable to a fine of Fifty Thousand Naira. (₦50,000.00). | Refusal to obey Summons |
| 55. | Any person who without reasonable: cause or excuse refuses to give evidence on being required so to do by a Customary court under the provisions of Section 35 of this Law shall be guilty of an offence and liable to a fine of Fifty Thousand Naira (₦50,000.00) or imprisonment for Three (3) months. | Refusal to give Evidence |
| 56 | Any person who in any proceedings before a customary court gives evidence, whether on oath or otherwise, which E he knows to be false, or believe to be false or does not. believe to be.true.shall.be guilty of an offence and liable on conviction to a fire of One Hundred and Fifty Thousand Naira (₦150,000.00) or to imprisonment for one (1) year, or to both such fine and imprisonment | Giving false Evidence |
| 57 (b) | prevents any person from giving evidence before the court. shall be guilty of an offence and shall be liable on conviction to a fine of One Hundred Thousand Naira (N100,000.00) or to imprisonment for one (1) year or both such fine and imprisonment. | Causing Persons to delay in or refrain from giving Evidence |

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| 58. | Any Clerk, Registrar or customary court President or Member who knowingly' renders false returns of the cases tried or the penalties imposed by such, court shall be guilty of an offence and shall be liable on conviction to a fine of One Hundred and Fifty Thousand Naira (₦150,000.00) or to Imprisonment for one (1) year, or to both such fine and imprisonment. | Rendering false Returns |
| 59. | Any person being charged in accordance with this Law or rules, made under Section 60 with duty of recording the proceedings of a Customary Court, who knowingly makes a false record of the proceeding of the court shall be guilty of an offence and shall be liable on conviction to a fine of One Hundred and Fifty Thousand Naira (₦150,000.00) or to imprisonment for One (1) year, or to both such fine and imprisonment | Falsification Record of Proceedings |

SCHEDULES

FIRST SCHEDULE

(Section 18)

Civil Jurisdiction of Customary Courts

| | Types of Causes | Extent of Jurisdiction for Customary Court Grade I | Extent of Jurisdiction for Customary Court Grade II |
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| 1 | Land Matters | Unlimited | Causes or matters in which the value of the land does not exceed Five Hundred Thousand (₦500,000.00) Naira or in which the rental value does not exceed Two Hundred and Fifty Thousand (₦250,000.00) Naira per annum |
| 2 | Recovery of Premises | Causes or matters in which the annual rental value does not exceed Five Hundred Thousand (₦500,000.00) Naira | Causes or matters in which the annual rental value does not exceed Two Hundred and Fifty Thousand (₦250,000.00) Naira |
| 3 | Dissolution of Marriage contracted under Customary | Unlimited | Unlimited |
| 4 | Causes or matters between persons married under Customary Law | Unlimited | Where the value of the debt demand including dowry or damages does not exceed Two Hundred and Fifty Thousand (₦250,000.00) Naira. |
| 5 | Causes or matters relating to Children under Customary Law. | Unlimited | Unlimited |
| 6 | Causes relating to inheritance upon intestacy under Customary Law and grant of power of authority to administer the estate of any person dying intestate under Customary Law. | Where the amount to debt, demand or damages exceeds Two Hundred and Fifty Thousand (₦250,000.00) Naira but does not exceed Five Hundred Thousand (₦500,000.00) | Where the gross value of the estate does not exceed Two Hundred and Fifty Thousand (₦250,000.00) |
| 7 | Causes or matters under the Law to be administered. | Where the amount of the debt demand or damage exceed Two Hundred and Fifty Thousand (₦250,000.00) Naira but does not exceed Five Hundred Thousand (₦500,000.00) Naira | Where the amount of the debt demand or damages does not exceed Two Hundred and Fifty Thousand (₦250,000.00) Naira |

This printed impression has been carefully compared by me with the Bill which has been passed by the Ogun State House of Assembly and found by me to be a true and correct printed copy of the said Bill.

Rt. Hon. (PRINCE) OLUOMO OLAKUNLE TAIWO
Speaker

ADEYEMO, ADEDEJI TAIWO
Acting Clerk

Assented to by me this _____ day of _____ 2020

PRINCE DAPO ABIODUN, MFR
Governor, Ogun State of Nigeria.