

1.		HOUSE OF ASSEMBLY	
2.		OGUN STATE OF NIGERIA	
3		THE SIXTH LEGISLATURE (2015-2019)	
4		ENROLLED HOUSE BILL NO. 13/OG/2017	
5	SPONSOR:	HON.OJURI, ADEBOWALE OLADIMEJI (BARR)	
6	CO-SPONSORS:	HON. OYENUGA ADEJUNONOFOWOBI	
7		HON. FASANYA, VICTOR OLUDOTUN (BARR)	
8		HON. AINA, N. AKINPELU (BARR.)	
9		HON. MAFE, ADEYINKA (ASIWAJU) (BARR.)	
10		HON. AKINGBADE, JEMILI ADIGUN	
11	NO. 05		2017

12		<b>OGUN STATE OF NIGERIA</b>	
13		<b>SENATOR IBIKUNLE AMOSUN, CON, FCA</b>	
14		<b>Governor of Ogun State</b>	
15		<b>A BILL FOR A LAW TO AMEND THE CUSTOMARY</b>	
16		<b>COURTS LAW, 1986.</b>	
17		(_____)	
18		BE IT ENACTED by the House of Assembly of Ogun State,	Short title
19		Nigeria as follows:	
20	1	This Law may be cited as the Customary Courts	Commencement
21	2	(Amendment) Law of Ogun State, 2017.	
22.		The Customary Courts Law, 1986 (hereinafter referred to as	Amendment of
23		the “Principal Law”) is hereby amended by deleting the word:	the Principal
24		“Committee” wherever it appears in the Law and	Law
25		substituting therefor the word: “Commission”	
26.	3	Section 2 is amended by deleting the words.	Amendment of
27		“... under Section 178 of the Constitution”	Section 2 of the
28		and substituting therefor the words: "under Section	Principal Law
29.			
30		“197 of the Constitution”.	
31	4	Section 6 of the Principal Law is hereby amended by deleting	Amendment of
32		(i) sub-section (1) (b) thereof and substituting therefor	Section 6 of the
33		a new sub-section (1) (b) as follows:	Principal Law
34		“(1) (b) possesses at least Nigerian Certificate in	
34.			
35		Education (N.C.E), National Diploma (N.D) or	
36		its equivalent”.	



37		(ii)	by inserting a new sub-section (c) as follows: “(1	
38.			(c) the President of a Grade I Customary Court	
39.			shall be a perSon who is qualified to practice as a	
40.			Barrister and Solicitor in Nigeria and shall have	
41.			so qualified fora period not less than Five (5)	
42.			years”.	
43.	5		Section 8 of the Principal Law is hereby amended by	Amendment of
44			deleting sub-section (1) and substituting therefor a	Section 8 of the
45			new sub-section (1) as follows:	Principal Law.
46.			“8(1) The Judicial Service Commission, with the	
47.			approval of the Governor, may make regulations	
48			regarding appointments, promotions, discipline and	
49			other conditions of service of Customary Court Judges"	
50	6		Section 11 of the Principal Law is hereby amended by	Amendment of
51			deleting the word,	Section 11 of the
52.			“Sixth” and substituting therefor the word: Seventh.	Principal Law.
53	7		Section 14 (1), (2) and (3) of the Principal Law is hereby amended	Amendment of
54			by deleting the word,	Section 14 of the
55			“Committee” and substituting therefor the	Principal Law.
56			word “Commission”	
57	8. (1)		Section 15 (1) of the Principal Law is hereby amended by	Amendment of
58			deleting the word,	Section 15 (1) of
59			“Committee” and substituting therefor with the	the Principal Law.
60			word “Commission”.	
61	9.		Section 19 of the Principal Law is hereby amended by	Amendment of
62			deleting sub-section (2) and substituting therefor a new	Section 19 of the
63			sub-section (2) ac follows	Principal Law
64			19 (21 Unless otherwise provided under any other	
65			enactment, the maximum fine or imprisonment which	
66			may be imposed by a Customary Court shall be a fine	
67			of Fifty Thousand (N50,000:00) Naira or to imprisonment	
68			for one (1) year in the case of a Customary Court Grade I:	
69			and a fine of Twenty Thousand (N20,000:00) Naira or to	
70			imprisonment for six (6) months in the case of a	
71			Customary Court Grade II”,	
72	10		Section 27 of the Principal Law is hereby amended by	Amendment of
73			deleting sub-section (1) and substituting therefore a new	Section 27 of the
74.			sub-section (1) as follows:	Principal Law.
75			“27 (1) Legal Practitioners may act for or assist	
76			or represent any party at any stage of any proceeding	
77			whether civil or criminal before Customary Court	
76.				
77				
79			Section 50 of the Principal Law is hereby amended by	Amendment of
80			deleting sub-section (b) and substituting therefor a new	Section 50 of the
81			sub-section (b) as follows:	Principal Law.



82		“50 (b) sits as a member of such Court without due	
83		authority, shall be guilty of an offence and liable on	
84		conviction to a fine of Fifty Thousand ( <del>₦</del> 50,000:00)	
85		Naira or to imprisonment for Twelve (12) months or	
86		to both such fine and imprisonment”.	
87		Section 51 of the Principal Law is hereby amended by	Amendment of
88	12.	deletng sub-section (b) and substituting therefore a new	Section 51 of the
89		sub-section (b) as follows:	
90		“51 (b) aids or incites any other person to assault,	
91		obstruct, molest or resist any person acting or	
92		proceeding to act in the execution of its duties under the	
93		provision of Section 15 of this Law; shall be guilty of an	
94		offence and shall be liable on conviction to a fine of Ten	
95		Thousand ( <del>₦</del> 10,000:00) Naira or to imprisonment for	
96		one (1) year, or to both such fine and imprisonment”.	
97	13	Section 52 (3) of the Principal Law is hereby amended by	Amendment of
98		deleting the words,	Section 52 (3) of
99		“Three Thousand ( <del>₦</del> 3,000:00) Naira and	the Principal Law.
100		substituting therefor the words, "Thirty Thousand	
101		( <del>₦</del> 30,000:00) Naira”.	
102	14	Section 53 of the Principal Law is hereby amended by	Amendment of
103		deleting the words,	Section 53 of the
104		“Fifty Naira' and substituting therefor the words,	Principal Law
105		“...Five Thousand ( <del>₦</del> 5,000:00) Naira”.	
106	15	Section 54 of the Principal Law is hereby amended by	Amendment of
107		deleting the words,	Section 54 of the
108		“... Fifty Naira" and substituting therefor the words,	Principal Law.
109		“..Five Thousand ( <del>₦</del> 5,000:00) Naira	
110	16	Section 55 of the Principal Law is hereby amended by	Amendment of
111		deleting the words,	Section 55 of the
112		“...Fifty Naira" and substituting therefor the words,	Principal Law.
113		“... Five Thousand ( <del>₦</del> 5,000:00) Naira ...”	
114	17	Section 56 of the Principal Law is hereby amended by	Amendment of
115		deleting the words,	Section 56 of the
116		“...One Thousand Naira” and substituting therefor the	Principal Law.
117		words twenty Thousand ( <del>₦</del> 20,000:00) Naira	
118	18	Section 57 of the Principal Law is hereby amended by	Amendment of
119		deleting the words,	Section 57 of the
120		“...Five Hundred Naira and substituting therefor the	Principal Law
121		words, “Ten Thousand ( <del>₦</del> 10,000:00) Naira”.	
122	19	Section 58 of the Principal Law is hereby amended by	Amendment of
123		deleting the words,	Section 58 of the
124		“...One Thousand Naira..."and substituting therefor	Principal Law.
125		the words, “Twenty Thousand ( <del>₦</del> 20,000:00) Naira”	
126	20	Section 59 of the Principal Law is hereby amended by	Amendment of
127		deleting the words,	Section 59 of the
128		“...One Thousand ( <del>₦</del> 1,000:00) Naira and substituting	Principal Law.
129		therefor the words, "Twenty Thousand ( <del>₦</del> 20,000:00)	
130		Naira”.	
131	21	The Principal Law is hereby further amended by repealing	Amendment of
132		the First Schedule and substituting therefor a new First	the First Schedule
133		Schedule:	to the Principal
			Law.

**SCHEDULE**  
**FIRST SCHEDULE**  
**(SECTION 19)**

Civil Jurisdiction of Customary Courts

		Types of Causes Customary Court Grade I	Extent of Jurisdiction  Customary Court  Grade I
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 One Hundred Thousand (₦100,000:00) Naira per annum.
2	Dissolution Of Marriage Contracted under Customary Law	Unlimited	Unlimited
3	Causes or matters between person married under	Unlimited	Where the value of the debt demand including dowry or damages does not exceed Thousand (₦20,000:00) Naira, Customary Law.
4	Causes of matters relating to Children under Customary Law.	Unlimited	Unlimited
5	Causes relating to inheritance upon intestacy under Customary Law and grant of power or authority to administer the estate of	Where the amount of the debt, demand or damages exceeds One Hundred Thousand (₦100,000:00) Naira but does not exceed One Hundred (₦200,000 00) Naira	Where the gross value of the estate but does not exceed One Hundred Thousand (₦100,000:00) Naira

	any person dying intestate under Customary Law.		
6	Causes of matters under the Law to be administered	Where the amount of the debt, demand or damage exceeds Ten Thousand (₦10,000:00) Naira but does not exceed Fifty Thousand (₦50,000:00) Naira	Where the amount of the debt demand or damages does not exceed Ten Thousand (₦10,000:00)

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

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**ENGR. I. O. BISIRIYU**

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*Clerk of the Ogun State House of Assembly*

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Assented to by me this \_\_\_\_\_ day of \_\_\_\_\_ 2017

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**SENATOR IBIKUNLE AMOSUN, CON, FCA**

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*Governor, Ogun State of Nigeria.*