

A BILL FOR THE KADUNA STATE RELIGIOUS PREACHING
(REGULATION) LAW, 2016

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COMMENCEMENT

BE IT ENACTED by the Kaduna State House of Assembly as follows: Enactment

PART I PRELIMINARY

1. This Law may be cited as the Kaduna State Religious Preaching (Regulation) Law, 2016 Short title
2. This Law shall come into operation on the ----- day of ----- 2016 Commencement
3. In this Law: Interpretation

"Authority" means express permission or consent granted by the relevant authority to a preacher;

"CAN" means the Christian Association of Nigeria;

"Council" means the State Inter-Faith Regulatory Council;

"Designated place of worship" means:

- (i) A building constructed with permission sought for and obtained from the Kaduna State Urban Development and Planning Agency (KASUPDA) for the purpose of religious worship; or
- (ii) A building or place for which temporary permission has been sought for and obtained from the Nigerian Police for the purpose of carrying out a religious programme or event;

"Governor" means the Governor of Kaduna State;

"JNI" means Jama'atu Nasril Islam;

"Preacher" means a person duly licenced by Jama'atu Nasril-Islam or Christian Association of Nigeria, to preach;

"Public Place" means public facilities and includes buildings, resorts, markets, parks, and institutions or centres accessible to the public;

“Relevant Authority” means the Jama’atu Nasril Islam (JNI) or the Christian Association of Nigeria (CAN) or such other body as the State Inter-Faith Council may recognise;

“State” means the Kaduna State of Nigeria.

PART II
ESTABLISHMENT AND FUNCTIONS OF THE STATE INTER-FAITH REGULATORY COUNCIL

4. (1) There is hereby established a State Inter-Faith Regulatory Council whose members shall be appointed by the State Executive Council to liaise with the Regulatory Committees established under section 6 (a), (b) and (c) of this Law, in the implementation of its provisions. Establishment of the Council of
- (2) The Council shall:
- (i) be a body corporate with perpetual succession and a common seal; and
 - (ii) have power to sue and be sued in its corporate name; and
- (3) The Council shall comprise:
- (i) A Chairman to be appointed by the Governor on the recommendation of the Secretary to the State Government;
 - (ii) The Permanent Secretary responsible for security matters;
 - (iii) The Special Adviser to the Governor on Security Matters;
 - (iv) The Special Adviser to the Governor on Interfaith Matters;
 - (v) Two Muslims representing Jama’atu Nasril Islam (JNI), one each from the Izala and the Fityanul Islam religious groups respectively;
 - (vi) Two representatives of the Christian Association of Nigeria (CAN);
 - (vii) Two members to represent the interests of religious bodies provided under section 6 (c) of this law;

- (viii) Representative of the Ministry of Justice not below the rank of a Director;
- (ix) One representative each from:
 - (a) the Nigeria Police not below the rank of Superintendent of Police;
 - (b) the Department of State Security;
 - (c) the State Vigilance Service; and
 - (d) the Nigeria Security and Civil Defence Corps;
- (x) The Director, responsible for security matters in the office of the Secretary to the State Government, to serve as the Secretary to the Council.

(4) The Members of the Council, other than Ex-Officio members, shall hold office for a term of four years subject to re-appointment for another term of four years only. Tenure of Members

(5) Members of the Council may be paid such allowances as may be approved by the State Executive Council from time to time. Remuneration

5. (1) The Council shall hear and determine appeals that may be brought before it arising from the decisions of the religious Regulatory Committees or the Local Government Inter-Faith Committee in respect of: Functions of the Council

(a) The failure or refusal of the religious Regulatory Committee to screen and accredit any preacher for the purpose of issuance of license; or

(b) The failure or refusal by the Local Government Inter-Faith Committee to issue a license to a preacher upon recommendation by the Regulatory Committee.

(2) The Council shall have power to issue Regulations considered necessary to guide the Regulatory Committees and the Local Government Inter-Faith Committee in the performance of their functions under this Law. Power to issue Regulations

PART III ESTABLISHMENT AND FUNCTIONS OF THE PREACHING REGULATORY COMMITTEES

6. (1) There shall be established, Regulatory Committees to Establishment and

regulate religious activities in the State as follows:

- (a) A Committee to be appointed by the Jama'atu Nasril Islam with equal representation of Izala and Fityanul Islam religious groups, in the case of Muslims;
 - (b) A Committee appointed by the Christian Association of Nigeria, in the case of Christians; and
 - (c) Any other Committee or body to be appointed for other religious bodies that do not belong to either JNI or CAN.
- (2) The Religious Preaching Regulatory Committees appointed under subsection 1 of this section, shall be responsible for:
- (a) the screening of preachers and applications for preaching licenses, and making recommendations to the Local Government Inter-Faith Regulatory Committee established under section 7 of this Law, accordingly; and
 - (b) general regulation of the activities of religious preachers.

Functions of
Committees.

PART IV ESTABLISHMENT AND FUNCTIONS OF THE LOCAL GOVERNMENT INTER-FAITH COMMITTEE

7. (1) There is hereby established in each of the 23 Local Government Areas of the State, a committee to be known as the Local Government Inter-Faith Committee.
- (2) The Committee shall comprise of the following members:
- (i) A Chairman to be appointed by the Governor on the recommendation of the Chairman of the Local Government Area;
 - (ii) Two Muslims representing Jama'atu Nasril Islam (JNI), one each from the Izala and the Fityanul Islam religious groups respectively;
 - (iii) Two representatives of the Christian Association of Nigeria (CAN);
 - (iv) Two members to represent the interests of religious bodies provided under section 6 (c) of this law;
 - (v) One Representative each from:
 - (a) the Nigeria Police not below the rank of Assistant Superintendent of Police;

Establishment of
the Local
Government Inter-
Faith
Committee

- (b) the Department of State Security;
- (c) the State Vigilance Service; and
- (d) the Nigeria Security and Civil Defence Corps;
- (vi) two representatives of the Traditional Institution from the Local Government Area; and
- (vii) the Head of Administration of the Local Government Council shall serve as the Secretary to the Committee.

8. (1) The Local Government Inter-Faith Committee shall:

Functions of the
Local Government
Committee.

- (a) consider applications for, and issue licenses, to religious preachers on the recommendation of the Regulatory Committees established under section 6 (1) of this Law;
- (b) the licenses so issued shall be for a period of two (2) years only, subject to renewal bi-annually upon compliance with the terms and conditions thereof;
- (c) in the case of invited or sponsored preachers, the Committee may issue preaching permits, only for the duration of the programme or event for which the preacher is invited or sponsored;
- (d) monitor compliance with the terms of the licenses or permits so issued; and
- (e) perform such other duties as may be assigned to it from time to time by the Council.

(2) The Local Government Inter-Faith Committee shall keep and maintain records of all the accredited preachers of all religions operating in the local government area.

(3) The proceedings of the Committee shall only be valid if there is a quorum of not less than five members with the Chairman and at least one member each, representing the Jama'atu Nasril Islam (JNI) and the Christian Association of Nigeria (CAN), in attendance.

9. (1) Any person who is dissatisfied with the decision of either the Regulatory Committees or the Local Government Inter-Faith Committee, may appeal against same within fourteen days (14) from the date of the decision, to the Council.

Appeals

(2) Any person who, not being satisfied with the decision of the

Council may, within seven (7) days of the said decision, appeal to the Court for a review thereof.

- (3) For the purpose of subsection 2 of this section, "Court" means the High Court of Justice, Sharia Court of Appeal or the Customary Court of Appeal, of the State.

PART V FINANCIAL PROVISIONS

10. The Council shall establish and maintain a fund into which shall be credited all monies appropriated or accruing to it and from which all expenditures incurred by it shall be defrayed. Funds of the Commission
11. The monies to be credited to the fund shall include:
- (i) monies appropriated from the consolidated fund of the State; and
 - (ii) grants, gifts and donations from individuals, local and international organizations and agencies for the running of the Council.
12. (1) The Council shall maintain proper records and books of accounts for the purpose of ensuring accountability. Accounts of the Commission
- (2) It shall prepare in respect of each financial year, necessary statements of accounts, including a statement of its revenue and expenditure for the succeeding year for approval by the Governor, in such form and manner as may be stipulated.
13. (1) The accounts of the Council for each year shall be audited not later than 3 months after the end of each financial year by an Auditor appointed by the Council from a list of Auditors approved by the State Auditor General. Audited Accounts
- (2) The audited accounts including the Auditors Report shall be forwarded to the State Executive Council forthwith for consideration.

PART VI SUPPLEMENTARY PROVISIONS AND OFFENCES

14. All cassettes, compact disks (CDs), flash drives or any other communication gadgets or devices containing religious recordings Playing of religious cassettes.

commits an offence and shall on conviction be liable to imprisonment for a term not exceeding two (2) years, or to a fine not exceeding two hundred thousand naira, or both.

17. The Sharia Courts and Customary Courts in the State shall have jurisdiction to summarily try offenders of this Law and may, in addition to any punishment imposed, make orders for the forfeiture or destruction of any vehicle, equipment, instrument, gadget or book or other material carrying any offensive message. Jurisdiction
18. The Kaduna State Regulation of Religious Preaching Law, Cap 130, Laws of Kaduna State, 1991, is hereby repealed. Repeal

Dated this day of 2016

Nasir Ahmad el-Rufai OFR
Governor of Kaduna State

EXPLANATORY NOTE:

(This note does not form part of this law and has no legal effect)

The purpose of this law is to regulate religious preaching in the State with a view to promoting religious harmony and peaceful co-existence amongst the residents of the State.