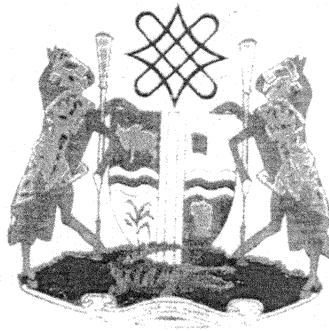


THE KADUNA STATE RELIGIOUS PREACHING (REGULATION) LAW, 2019



Kaduna State of Nigeria

Law No. 8 2019

(1st October 2019)

Commencement

Enactment

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

PART I PRELIMINARY

1. This Law may be cited as the Kaduna State Religious Preaching
(Regulation) Law, 2019

Short Title

2. This Law shall come into operation on the1st.....day of
October.....2019

Commencement

3. In this Law: Kaduna State of Nigeria

Interpretation

"Authority" means express permission or consent granted to a
preacher;

"Council" means the State Inter-Faith Preaching Regulatory
Council established pursuant to section 4 of this Law;

Commencement

Enactment

"Committee" means the Local Government Inter-Faith
Preaching Regulatory Committee established pursuant to
section 6 of this Law;

1. This Law may be cited as the Kaduna State Religious Preaching
(Regulation) Law, 2019

Short Title

2. This Law shall come into operation on the1st.....day of
October.....2019

Commencement

Religious Preaching Law, 2019

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3. In this Law: Kaduna State of Nigeria

Interpretation

"Authority" means express permission or consent granted to a
preacher;

"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;

"License" means a written authority issued by the State Interfaith Preaching Regulatory Council to a person to undertake religious preaching within the State for a duration of two years.

"Designated place of worship" means:

"Permit" means a written authority granted by the Local Government Interfaith Preaching Regulatory Committee authorizing a person to undertake religious preaching within the Local Government Area for a specific event or duration.

"Preacher" means a person duly licensed to preach;

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

"State" means the Kaduna State of Nigeria.

"License" means a written authority issued by the State Interfaith Preaching Regulatory Council to a person to undertake religious preaching within the State for a duration of two years.

PART II

ESTABLISHMENT AND FUNCTIONS OF THE

STATE INTER-FAITH PREACHING REGULATORY COUNCIL

4. (1) There is hereby established a State Inter-Faith Preaching Regulatory Council. (hereinafter referred to as the Council)

Establishment of
the Council

"Preacher" means a person duly licensed to preach;

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

"State" means the Kaduna State of Nigeria.

(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;

(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 Inter-faith Matters;
- (v) three members representing the Muslim faith to be appointed to by Governor;
- (vi) three members representing Christian faith to be appointed by the Governor;
- (vii) representative of the Ministry of Justice not below the rank of a Director;
- (viii) One representative each not below the rank of Superintendent of Police or equivalent from:
 - (a) the Nigeria Police;
 - (b) the State Security Service;
 - (c) the State Vigilance Service; and
 - (d) the Nigeria Security and Civil Defence Corps;

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(ix) the Director, responsible for security matters in the State is 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 Governor from time to time.

Remuneration

5. (1) The functions of the Council shall be to:

Functions of the Council

(a) receive, consider and approve or reject recommendation for the issuance of licenses for preachers from the Local Government Inter-Faith Preaching Regulatory Committee;

(b) hear and determine appeals that may be brought before it arising from the failure or refusal of the Local Government Inter-Faith Preaching Regulatory

(c) The Committee to recommend any preacher for the issuance of license or permit;

Tenure of Members

(c) advise the State Government on matters related to Religious Preaching in the State;

(5) Members of the Council may be paid such allowances as

Remuneration

(2) The License issued by the Council in pursuance of the provisions of this Law shall be for a period of two (2) years only subject to renewal biennially.

Period of License

(3) The Council may subject to the approval of the State Executive Council issue Regulations considered necessary to guide the State Inter-Faith Preaching Regulatory Council and the Local Government Inter-Faith Preaching Regulatory Committee in the performance of their functions under this Law.

Power to issue Regulation

(4) The Committee to recommend any preacher for the issuance of license or permit;

Tenure of Members

(c) advise the State Government on matters related to Religious Preaching in the State;

PART III

ESTABLISHMENT AND FUNCTIONS OF THE LOCAL GOVERNMENT INTER-FAITH PREACHING REGULATORY COMMITTEE

6. (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 Preaching Regulatory Committee (hereinafter referred to as 'the Committee').

Establishment of the
Local Government
Inter-Faith Preaching
Regulatory 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 Council;

- (ii) The following members shall be appointed by the State Inter-Faith Preaching Regulatory Council on the recommendation of the Chairman of the Local Government Council:

- (a) Two (2) Muslims representing the Muslim Community;
- (b) Two (2) Christians representing the Christian Community; and

Establishment of the
Local Government
Inter-Faith Preaching
Regulatory Committee

- (c) Two (2) representatives of the traditional Institutions from the Local Government Area.

- (iii) One Representative each not below the rank of Assistant Superintendent of Police from:

- (a) the Nigeria Police; and

- (b) the State Security Service;

- (c) the State Vigilance Service; and

- (d) the Nigeria Security and Civil Defence Corps;

- (iv) the Head of Administration of the Local Government Council shall serve as the Secretary to the Committee.

7. (1) The Local Government Inter-Faith Preaching Regulatory Committee shall:

Functions of the Local Government Preaching Regulatory Committee

- (a) screen, consider and recommend to the State Inter-Faith Preaching Regulatory Council all applications for the grant of license to Religious Preachers;
- (b) receive, consider, approve or reject applications for Preaching Permits to invited or sponsored preachers only for the duration of the programme or event for which the preacher is invited or sponsored;
- (c) monitor compliance with the terms of the licenses or permits so issued, and serve as the Secretary to the Committee;
- (d) perform such other duties as may be assigned to it

7. (1) The Local Government Inter-Faith Preaching Regulatory Committee shall:

Functions of the Local Government Preaching Regulatory Committee

- (2) The Local Government Inter-Faith Preaching Regulatory Committee shall keep and maintain records of all the accredited preachers of all religions operating in the Local Government Area and render monthly reports of all preachers granted permits under their jurisdiction to the State Inter-Faith Preaching Regulatory Council.

- (3) The proceedings of the Committee shall only be valid if there is a quorum of not less than Five (5) members with the Chairman and at least one member each representing the Islamic and Christian Faith.

8. Any person who is dissatisfied with the decision of the Local Government Inter-Faith Preaching Regulatory Committee, may appeal against same to the Council within fourteen days (14) from the date of the receipt of the decision, or be assigned to it

Appeals

- (2) The Local Government Inter-Faith Preaching Regulatory Committee shall keep and maintain records of all the accredited preachers of all religions operating in the Local Government Area and render monthly reports of all preachers granted permits under their jurisdiction to the State Inter-Faith Preaching Regulatory Council.

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- (3) The proceedings of the Committee shall only be valid if there is a quorum of not less than Five (5) members with the Chairman and at least one member each representing

PART IV

FINANCIAL PROVISIONS

9. 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 Council

10. The monies to be credited to the fund shall include:

- (i) monies appropriated from the consolidated fund of the State; and
- (ii) grant, gifts and donations from individuals, local and international organizations and agencies for the running of the Council.

11. (1) The Council shall maintain proper records and books of accounts for the purpose of ensuring accountability.

Accounts of the Council

- (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.

Funds of the Council

12. (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 along with a report on the activities of the Council and its administration during the immediate preceding year.

Accounts of the Council

- (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.

SUPPLEMENTARY PROVISIONS AND OFFENCES

13. All cassettes, compact disks (CDs), flash drives or any other communication gadgets or devices containing religious

Playing of Religious Cassettes

12. (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

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recordings from accredited preachers may be played in the following place only:

- (a) inside a private dwelling unit or vehicle;
- (b) inside entrance porch (Zaure);
- (c) inside the Church;
- (d) inside the Mosque; and
- (e) any other designated place of worship.

14. The possession, transmission or distribution of any publication, cassette or audiovisual material containing religious content in which abusive language is used against any person or religious organization or religious leaders (past or present) is hereby prohibited in the State.

Ban of certain religious cassettes.

15. Any person who publicly insults or seeks to incite contempt of any religion, by making false statement in such a manner as to be likely to lead to a breach of peace, shall be punished with imprisonment for a term of not less than Five (5) Years and with a fine of not less than One Hundred Thousand Naira Only (₦100,000.00).

Person who publicly insults or incite contempt of religion
Commit offence

16. Any person who unlawfully destroys, damages or defies any place of worship or any place or object held sacred by any person or class of persons with intention thereby, insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be punished with imprisonment for a term of not less than Five (5) Years and a fine of not less than One Hundred Thousand Naira Only (₦100,000.00).

A Person who unlawfully destroys, damages or defies place of worship

17. Any person who voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment for a term of not less than Two years or with fine of not less than One Hundred Thousand Naira Only (₦100,000.00) or both.

Disturbance to Lawful Assembly

18. Any person with the intention of harming the feeling of any person or of insulting the religion of any person or with the

Harming or insulting the religion of any person

Religious Preaching Law, 2019

knowledge of that the feelings of any person are likely to be wounded or that the religion of any is likely to be insulted thereby, commits any indignity to any corpse or causes disturbance to any persons assembled for the performance of funeral ceremonies, shall be punished with imprisonment for a term of not less than Two (2) Years or with a fine of not less than One Hundred Thousand (₦100,000.00) or both.

19. Any person who, in contravention of this Law:

Other Offences

- (a) preachers without a license or permit;
- (b) plays religious cassette or broadcasts other audiovisual material, uses a loud speaker for religious purposes between the hours of 11pm to 4am in a public place;
- (c) uses a loudspeaker for religious purposes other than inside a Mosque or Church and the surrounding areas known outside the religiously recognised prayer times;
- (d) uses a loudspeaker in vehicles plying the streets with religious recording;
- (e) abuses religious books, or religious leaders of any faith;
- (f) incites disturbance of the public peace through religious preaching;

Other Offences

- (g) abuses or uses any derogatory term in describing any religious;
- (h) keeps weapons of any description whether concealed or not in places of worship or to any other place with a view to causing religious disturbance;
- (i) disturbs any lawful religious assembly;
- (j) aids and abets the commission of any of the offences under this Law.

Commits an offence and shall on conviction be liable to imprisonment for a term of not less than Two (2) Years, and a fine of not less than Two Hundred Thousand Naira Only (₦200,000.00).

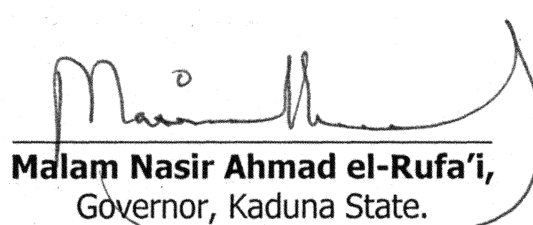
20. The Shari'a, District and Customary Courts in the State shall have jurisdiction to try summarily offenders of this Law and may, in addition to any punishment imposed, make orders for the forfeiture or destruction of any vehicle, equipment, instrument, gadget, book or other material carrying any offensive message.

Jurisdiction

21. The Kaduna State Regulation of Religious Preaching Law, Cap 130, Laws of Kaduna State, 1991, is hereby repealed.

Repeal

DATED AT KADUNA this 15th day of June 2019.


Malam Nasir Ahmad el-Rufa'i,
Governor, Kaduna State.

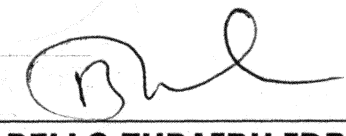
EXPLANATORY NOTE

(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.

This printed impression has been carefully compared with the Bill which has passed the Kaduna State House of Assembly and found to be true and correctly printed copy of the said Bill.


HON. AMINU ABDULLAHI SHAGALI
(Speaker)


BELLO ZUBAIRU IDRIS Esq.
(Clerk to the Legislature)

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Religious Preaching Law, 2019

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