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Niger State Legal Notice No. 4.

The Following is Published in the Supplement to this Gazette:-
N. S. L. N. No. 4 of 2020 **-A Law to Provide for the Niger State Violence Against Persons (Prohibition) Law and for Other Connected Matters Thereto**

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"Circumcising of a Girl or Women" means cutting of all or part of the external sex organs of a girl or woman other than on medical ground;

"Civil Proceedings" means:

(a) proceedings for making, variation or discharge of a protection order, safety or interim protection order;

(b) proceedings by way of appeal or case stated which are related to proceedings to which (a) applies; or

(c) proceedings under this Law for compensation or award;

"Court" means both Magistrate Court and High Court;

"Commissioner" means the Commissioner of Women Affairs and Social Development;

"Damage to Property" means the willful destruction or causing of mischief to any property belonging to any person on in, which a person has, a vested interest;

"Dangerous weapon" means any instrument or machine directed towards a person with the intention of inflicting bodily harm on such person and include a gun, knife, whip, stick,...or other household appliance capable of inflicting bodily harm on a person;

"Domestic Relationship" means a relationship between any person and perpetrator of violence constituted in any of the following ways:

(a) they are or were married to each other, including marriages according to any Law, custom or religion;

(b) they live or have lived together in a relationship in the nature of marriage, although they are not or were not married to each other;

(c) they are the parents of a child or children or are the persons who have or had a parental responsibility for that child or children;

A LAW TO PROVIDE FOR THE NIGER STATE VIOLENCE AGAINST PERSONS (PROHIBITION) LAW AND FOR OTHER CONNECTED MATTERS THERETO

Enactment.

1. **BE IT ENACTED** by the House of Assembly of Niger State of Nigeria and by the Authority of same in this present State Assembly as follows:-

Citation and Comencement.

2. This law may be cited as Protection and Prohibition of Violence Against Persons Law, 2020 and shall come into operation on 22nd day of October, 2020.

Interpretation.

3. In this Law, unless the context otherewise requires:-

"Rape" is the intentional penetration of the vagina, anus or mouth of another person with any other part of his/her body or anything else without the consent of the victim or if the consent is obtained by force or means of threat or intimidation of any kind or by fear of harm or by means of false and fraudulent representation as to the nature of the act or use of any substance or addictive capable of taking away the will of such person or by inducement through gift e.t.c., in the case of a child or in the case of married person by impersonating his/her spouse;

"Abandonment of Women, Children and other Persons" means deliberately leaving women, children and other persons, under the preperator's care, destitute and without any means of subsistence;

"Accredited Service Provider" means government, non-governmental, faith based, voluntary and charitable associations or Institutions providing Shelter, homes, counseling, legal, financial, medical or other assistance to victims of domestic violence and are registered with the appropriate government Ministry or Parastatals or Agency under this Law;

"Child" means a person under the age of 18 (Eighteen);

(d) they are family members related by consanguinity, affinity or adoption;

(e) they are or were in an engagment, dating or customary relationship, including actual or perceived romantic, intimate or sexual relationship of any character; or

(f) they share or recently share the same residence.

"Domestic Violence" means any act perpetrated on any person in a domestic relationshiop where such act causes harm or may cause imminent harm to the safety, health or well-being of any person;

"Economic Abuse" means:

(a) forced financial dependence;

(b) denial of inheritance or succession rights;

(c) the unreasonable deprivation of economic or financial resources to which any person is entitled or which any person requires out of necessity, includig:

(i) household necessities;

(ii) payment of rent in respect of a shared residence; or

(d) the unresonable disposal or destruction of household effects or other property in which any person has an interest;

"Emergency Monetary Relief" means compensation for monetary losses suffered by any person arising from an act of violence and does not in any way constitute a maintenance order; including:-

(a) loss of earnings;
(b) medical and dental expenses;
(c) relocation and accommodation expenses;

(d) household necessities; or

(e) legal fees related to obtaining and serving the protection order.

Emotional Verbal and Psychological Abuse" means a pattern of degrading or humiliating conduct towards any person, including:-

(a) repeated insults;

(b) ridicule or name calling;

(c) repeated threats to cause emotional pains; or

(d) the repeated exhibition of obsessive possessiveness, which is of such a nature as to constitue a serious invasion of such person's privacy, liberty, integrity or security".

"Forced Isolation from Family and Friends" includes preventing a person from leaving the home or from having contact with family, friends or outside the community without a justifiable reason;

"Harassment" means engaging in a pattern of conduct that induces fear of harm or impairs the dignity of a person including:-

(a) stalking;

(b) repeated making telephone calls or inducing another person to make telephone calls to a person, whether or not conversation ensues; and

(c) repeatedly sending, delivering or causing delivery of information such as letters, telegrams, packages, facsimiles, electronic mail, text messages or other objects to any person;

"Harmful Traditional Practice" means all traditional behaviours, attitude or practices, which negatively affect the fundamental rights of women, girls or any person and includes harmful widowhood practices, denial of inheritance or successive rights, female genital mutilation or femal circumcision, force marriage and force insolation from family and friends;

"Incest" means an indecent act or an act which causes penetration with a person who is, to his or her knowledge, his or her daughter or son, grand-daughter or son sister or brother, mother and father, niece or nephew, aunt/ uncle, granfather, grandmother or granduncle;

"Indecent Exposure" means the intentional exposure of the genital organs, or a substatial part thereof, with the intention of causing distress to the other party;

"Intimidation" means the uttering or conveying of a treat or causing any person to receive a threat, which includes fear, anxiety or discomfort;

"Perpetrator" means any person who has committed an act of violence as defined under this Law;

"Persons" in this Law is as defined in the interpretation Act Under Section 3, Cap. 61 Laws of Niger State 1989;

"Physical Abuse" means acts or threatened acts of physical aggression towards any persons such as slapping, hitting, kicking and beating;

"Political Violence" means any act or attempted act of violence prepectrated in the course of political activities, such as elections, and includes any of the following acts:-

(a) thuggery;
(b) mugging;
(c) use of force to distrupt meetings; or
(d) the use of dangerous weapons that may cause bodily harm or injury;

"Protection Officer" means an officer appointed under section 40 of this Law in relation to and for the purpose of this Law;

"protection Order" means an official legal document,signed by a judge that restrains an individual or state actors from further abusive behavious towards a victim;

"Sexual Abuse" means any conduct which violates, humiliates degrades the sexual integrity of any person;

"Sexual Assult" means the international and unlawful touching, striking or causing of bodily harm to an individual in a sexual manner without his or her consent;

"Sexual Exploitation" occurs where a perpetrator, for financial or other reward, favour or compensation invites, persuades, engages or induces the services of a victim or offers or performs such services to any other person;

"Sexual Harassment" means unwanted conduct of a sexual nature or other conduct based on sex or gender which is persistent or serious and demeans, humilities or creates a hostile or intimidating environment and this may include physical, verbal or non verbal conduct;

"Sexual Intimidation" means:-

(a) any action or circumstances which amounts to demand for sexual intercourse with either a male or a female under any guise, as a condition for passing examination, securing employment, business patronage, obtaining any favour in any form, as defined in this Law of any other Law applicable to Niger State;

(b) the actual demand for sexual intercourse with either a male of female under any guise, as a condition for passing examination, securing employment, business patronage and or obtaining any favour in any form as defined under this Law or any other Law applicable to Niger State;

(c) acts of deprivation, withholding, replacing or shortchanging of entitlments privileges, rights, benefits, examinations or text marks or scores and any other form of disposition capable of coercing any person to submit to sexual intercourse for the purpose of receiving reprieve thereto; or

(d) any other action or inaction contrived as sexual intimidation or harassment under any other enactment in operation in Niger State;

"Spouse" means husband or wife as recognized under the Matrimonial Cause Act, Islamic and Customay Law;

"Spouse Battery" means the intentional and unlawful use of force or violence upon a spouse, including the unlawful touching, beating or striking of another spouse against the spouse's will with the intention of causing bodily harm to the spouse;

"Stalking" means "repeatedly pursuing, following, or accosting any person in a manner which incluces fear or anxiety;

"State Actors" means group of persons; structured or organized institutions and agencies;

"Substance Attack" means the exposure of any person to any form of chemical biological or any other harmful liquid with the intention to cause grievous bodily harm, which includes acid attack, hot water or oil;

"Trafficking" means the supply, recruitment, procurement, capture, removal, transportation, transfer, harouring, sale, disposal or receiving of a person within Niger State or across Niger State to another State within Nigeria or across the borders of the Federal Republic of Nigeria, for use in sexual acts, including sexual exploitation or pornography of any person;

"Victims"

(a) means any person or persons who, individuallly or collectively, have suffered harm, including:-

(i) physical or mental injury;

(ii) emotional suffering;

(iii) economic loss, or

(iv) sustantial impairment of their fundamental rights, through acts or omission that are in violation of this Law or the criminal Laws of Niger State; and

(b) Includes the immediate family or dependants of the direct victim and any other person who has suffered harm in intervening to assist in distress;

"Violence" means any act or attempted act, which casues or may cause any person physical, sexual, psychological, verbal, emotional or economic harm whether this occurs in private or public life, in peace time and In conflict situations;

"Violence in the Private Sphere" means any act or attempted act prepetrated by a member of the family, relative, neighbour member of a community, which casues or may cause any person physical, sexual, psychological, verbal, emotional or economic harm;

"Violence in the Public Sphere" means any act or attempted act perpetrated by the state or non-state actors before, during and after elections, in conflict or war situations, which threatens peace, security and well-being of any person or the state as a whole;

"Violence Pertetrated by non-state actors" includes:

(a) wrongful arrest and detention;
(b) assault;
(c) use of force without lawful authority;
(d) unlawful entry into the premises; or
(e) demolition of property without due processes;

"Vulnerable Groups" means women, children, persons living under extreme poverty, person with disability, the stick and elderly, ethnic and religious minority groups, refugees, internally displaced persons, migrants and persons in detention.

Part I - Offences

Rape

4. (1) A person commits the offence of rape if:

(a) he or She intentionally penetrates the vagina, anus, or mouth of another person with any other part of his or her body or anything else;

(b) the other person does not consent to the penetration, or

(c) the consent is obtained by force or means of threat or intimidation of any kind or by fear of harm or by means of false and fraudulent representation as to the nature of the act or the use of any substance or by addictive capable of taking away the will of such person or by inducement through gift, etc, in the case of a child or in the case of married person by impersonating his or her spouse.

(2) A person convicted of an offence under sub-section (1) of this section is libale on conviction to imprisonment for life, except:

(a) Where the offender is less than 14 years of age, the offender is liable to a maximum of years imprisonment;

(b) In all other cases to a minimum of 12 years imprisonment without an option of fine; or

(c) In the case of rape by a group of persons, the offenders are liable jointly to a minimum of 21 years imprisonment without parole or an option of fine;

(d) Where the victim is a minor, the offender shall have his genital organ severed in addition to the prescribed term of imprisonment.

(3) The Court shall also award appropriate compensation to the victim as it may deem fit in the circustamces;

(4) A register for convicted sexual offenders shall be maintained by the office of the Attorney-General and Commissioner for Justice and made accessible to the public.

Inflicting physical injury on a person.

5. (1) A person who willfully casuses or inflicts physical injury on another person by means of any weapon, substance or object on any part of the body commits an offence and is liable on conviction to a term of imprisonment not exceeding Five (5) years or to a fine not less than Five Hundred Thousand Naira (N500,000.00) and not exceeding Seven Hundred Thousand Naira (N700,000.00) or both.

(2) A person who attempts to commits the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not exceeding three (3) years or to a fine not less than Three Hundred Thousand Naira (N300,000.00) and not exceeding Five Hundred Thousand Naira (N500,000.00) or both.

(3) A person who incites, aids, abets, or counsels another person to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not exceeding Five (5) years or to a fine of not less than Five Hundred Thousand Naira (N500,000.00) and not exceeding Seven Hundred Thousand Naira (N700,000.00) or both.

(4) A person who receives or assist another who, to his knowledge commits an offence under subsection (1) of this section, is an accessory after the fact and liable on

conviction to a term of imprisonment not less than 1 year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Thousand Naira (N400,000.00) or both.

(5) The Court shall also award appropriate compensation to the victim as it may deem fit in the circumstance.

Coercion.

6. A person who coerces another to engage in any act to the detriment of that other peson's physical or psychological well-being, commits an offence and is liable on conviction to a term of imprisonment not less than Two (2) years or a fine not less than Three Hundred Thousand Naira (N300,000.00) and not exceeding Five Hundred Thousand Naira (N500,000.00) or both.

Willfully placing a person in fear of phsical injury.

7. (1) A person who willfully or knowingly places a person in fear of physical injury commits an offence and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and exceeding Four Hundred Thousand Naira (N400,000.00) or both.

(2) A person who attempts to commit the offence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and exceeding Two Hundred Thousand Naira (N200,000.00) or both.

(3) A person who aids, abets, or counsel another person to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Thousand Naira (N400,000.00) or both.

(4) A person who receives or assist another who has committed the offence as provided for in subsection (1) of this section is an accessory after the fact and is laible on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and exceeding Four Hundred Thousand Naira (N400,000.00) or both.

offensive conduct.

8. (1) A person who compels another, by force or threat, to engage in any conduct or act, sexual or otherewise, to the detriment of the victims physical or psychological well-being commits an offence and is liable on conviction to a term of imprisonment not less than Three (3) years or to a fine not less than Five Hundrred Thousand Naira (N500,000.00) and not exceeding Seven Hundrerd Thousand Naira (N700,000.00) or both.

(2) A Person who attempts to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than Three (3) years or a fine of not less than Five Hundred Thousand Naira (N500,000.00) and not exceeding Seven Hundred Thousand Naira (N700,000.00) or both;

(3) A person who incites, aids, abets or counsels another person to commits the offence provided for in sub-section (1) of this section commits an offence and is liable on conviction to a term of imprisonment of not less than Two (2) years or to a fine of not less than Three Hundred Thousand Naira (N300,000.00) and not exceeding Five Hudnred Thousand Naira (N500,000.00) or both.

(4) A person who receives or assists another who knowingly committed the offence provided for in subsection (1) of this section is an accessory after the fact and liable on conviction to a term of imprisonment not less than Two (2) years or to a fine not less than Three Hundred Thousand Naira (N300,000.00) and not exceeding Five Hundred Thousand Naira (N500,000.00) or both.

Prohibition of female Circumcition and genital mutilation.

9. (1) The circumcision or genital mutilation of a girl child or a woman Is hereby prohibited;

(2) A person who performs female circumcision or genital mutilation or engages another to carry out such circumcision or mutilation commits an offence and liable on conviction to a term of imprisonment not less than Three years or a fine not less than Four Hundred Thousand Naira (N400,000.00) and not exceeding Six Hundred Thousand Naira (N600,000.00) or both;

(3) A person who attempt to commit the offence provided for in sub-section (2) of this section, commits an offecne and is libale on conviction to a term of imprisonment not less than Six (6) months and a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both;

(4) A person who incites, aids, abets or counsels another person to commit the offence provided for in subsection (2) of this section commits an offence and is liable on conviction to a term of imprisonment not less thansix (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not eceeding Two Hundred Thousand Naira (N200,000.00) or both.

Frustrating Investigation.

10. Any person who intends to distract or conceal an offence or frustrate the investigation and prosecutiion of offenders under this Law or under and other Law:

(a) destroy,salters, mutilates, or falsifies any book or document, dress or clothing which could serve as evi dence or exhibits.

(b) omits or is privy to omitting, any material particular from any such document, book, dress or clothing commits a felony and is liable on conviction to a term of Imprisonment not less than Two (2) years or to a

fine not less than Three Hundred Thousand Naira (N200,000.00) and not exceeding Five Hundred Thousand Naira (N500,000.00) or both.

Willfully making failse Statement.

11. A person who willfully makes false statement whether oral or documentary, in any judicial proceedings under this Law or with the aim of initiating investigation or criminal proceedings under this law against another person commits an offence under this Law and liable on conviction to a fine of Two Hundred Thousand Naira (N200,000.00) or a term of imprisonment of not exceeding Twelve (12) months.

Forceful ejection from Home.

12. (1) A person who focefully evicts a spouse from their matrimonial home or refuse the spouse access to a matrimonial home commits an offence and is liable on conviction to a term of imprisonment not less than Three (3) years or to a fine not less than Five Hundred Thousand Naira (N500,000.00) and not exceeding Seven Hundred Thousand Naira (N700,000.00);

(2) A person who attempts to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than Two (2) years or to a fine not less than Three Hundred Thousand Naira (N300,000.00) and not exceeding Five Hundred Thousand Naira (N500,000.00) or both;

(3) A person who incites, abets or counsels another person to commit the offence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Thousand Naira (N400,000.00) or both.

(4) A person who receives or assists another who knowingly committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and exceeding Four Hundred Thousand Naira (N400,000.00) or both.

Depriving a person of his or her liberty.

13. (1) A person who deprives another person of his liberty, except pursuant to a court order commits an offence and liable on conviction not less than Two (2) years or to a fine not less than Three Hundred Thousand Naira (N300,000.00) and exceeding Five Hundred Thousand Naira (N500,000.00) or both.

(2) A person who attempts to commits the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than Two (2) years or to a fine not less than Three Hundred Thousand Naira (N300,000.00) and not exceeding Five Hundred Thousand Naira (N500,000.00) or both.

(3) A person who incites, aides, abets, or counsels another person to commit an offence as provided for in subsection (1) of this section commits an offence and is laible on conviction to a term of imprisonment not exceeding Two (2) years or to a fine not exceeding Three Hundred Thousand Naira (N300,000.00) or both.

(4) A person who receives or assists another who to his knowledge committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not exceeding One (1) year or to a fine not exceeding One Hundred Thousand Naira (N100,000.00) or both;

Damages to property with the intention to cause distress.

14. (1) A person who causes mischief or destruction or damages to property of another with intent to cause or knowing that it is likely to cause distress or annoyance to the victim, commits an offence and is liable on conviction to a term of imprisonment not less than Two (2) years or to a fine not less than Three Hundred Thousand Naira (N300,000.00) and not exceeding five Hundred Thousand Naira (N500,000.00) or both.

(2) A person who attempts to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) not exceeding Four Hundred Thousand Naira (N400,000.00) or both.

(3) A perason who incites, abets, or counsels another person to commit the offence as provided for in sub-section (1) of this section commits an offence and is laible on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira)N200,000.00) and not exceeding Four Hundred Naira (N400,000.00) or both.

(4) A person who receives or assists another who knowingly committed the offence provided for in subsection (1) of this section is an accessory after the fact and is laible on conviction to a term of imprisonment not less than six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand (N200,000.00) or both.

Forced Financial or Economic abuse.

15. (1) A person who causes forced financial dependence or economic abuse of another commits an offence and is liable on conviction to a term of imprisonment not less than Three (3) years or to a fine not less than Five Hundred Thousand Naira (N500,000.00) and not exceeding Seven Hundred Thousand Naira (N700,000.00) or both.

(2) A person who attempts to commits the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) not exceeding Four Hundred Thousand Naira (N400,000.00) or both.

(3) A person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this section commits an offence and is laible on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Naira (N400,000.00) or both.

(4) A person who receives or assits another, who to his knowledge committed the offcence provided for in subsection (1) of this section is an accossory after the fact and is liable on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both;

(5) The court may also make an order for the victim to be compensated.

Forced isolation or separation from Family and Friends.

16. (1) A person who forcefully isolate or separates another from family and friends commits an offence and liable on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

(2) A person who attempts to commit an act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Thousand Naira (N400,000.00) or both.

(3) A person who receives or assist another who knowingly committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of Imprisonment not less than Six (6) months or to a fine of not less than One HUndred Thousand Nalra (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

(4) A person who incites, aids, abets, or counsels another person to commit the offence provided for in subsection (1) of this section commits an offence and is laible on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Naira (N200,000.00) or both.

Emotional, verbal and psychological abuse.

17. (1) A person who causes verbal and psychological abuse to another person commits an offence and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Thousand Naira (N400,000.00) or both.

(2) A person who attempts to cause emotional, verbal and psychological abuse to another person as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of Imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

(3) A person who incites, aids, abets, or counsels another person to commit an offence provided for in subsection (1) of this section commits an offence and is laible on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Naira (N400,000.00) or both.

(4) A person who knowingly receives another person for the purpose of concealing the offence committed in subsection (1) of this section commits an offence and liable on conviction to a term not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

Harmful Practices agaist widow.

18. (1) A person who subjects a widow into untold and unecessary hardship by way of any traditional practices commits an offence and is liable on conviction to a term of impri-sonment not less than Three (3) years or to a fine not less than Five Hundred Thousand Naira (N500,000.00) and not exceeding Seven Hundred Thousand Naira (N700,000.) or both.

(2) A person who attempts to subject a widow into untold and unnecessary hardship as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of Imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Thousand Naira (N400,000.00) or both;

(3) A person who incites, aids, abets or counsels another person to commit an offence provided for in subsection (1) of this section commits an offence and is laible on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Naira (N200,000.00) or both;

(4) A person who knowingly receives another person that commits an offence provided for in subsection (1) of this section is an accessory after the fact and liable on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

Abandonment of Spouse, children and other dependents without sustenance.

19. (1) A person who abandons a wife, children or other dependents or a mother who abandons her children or other dependents without any means of sustenance commits an offence and is liable on conviction to a term of imprisonment not less than three (3) years or to a fine not less than Five Hundred Thousand Naira (N500,000.00) and not exceeding Seven Hundred Thousand Naira (N700,000.00) or both.

(2) A person who attempts to commit an offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) not exceeding Four Hundred Thousand Naira (N400,000.00) or both.

(3) A person who incites, aids, abets or counsels another person to commits an offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Thousand Naira (N400,000.00) or both;

(4) A person who knowingly receives another person that commits an offence provided for under subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

Stalking.

20. (1) A person who stalks another person commits an offence and is liable on conviction to a term of imprisonment not less than Three (3) years or to a fine not less Five Hundred Thousand Naira (N500,000.00) and not exceedding Seven Hundred Thousand Naira (N700,000.00) or both.

(2) A person who attempts to commit an offence provided in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) not exceeding Four Hundred Thousand Naira (N400,000.00) or both.

(3) A person who incites, aids, abets, or counsels another person to commit an offence provided for in sub-section (1) of this section commits an offence and is laible on conviction to a term of imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Thousand Naira (N400,000.00) or both;

(4) A person who knowingly receives another person that commits an offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

Intimidation. **21.** (1) A person who intimidates another commits an offence and is libale on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both:

(2) A person who attempts to commit the act of intimidation provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

(3) A person who incites, aids, abets or counsel another person to commit the act of intimidation as provided in subsection (1) of this section commits an offence and is laible on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

(4) A person who receives or assists another, who to his or her knowledge committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

Spouse Battery.

22. (1) A person who batters his/her spouse commits an offence and is liable on conviction to a term of imprisonment not less than Two (2) years or to a fine not less than Three Hundred Thousand Naira (N300,000.00) and not exceeding Five Hundred Thousand Naira (N500,000.00) or both.

(2) A person who attempts to commit the act of spouse battery provided for in sub-section (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00)and not exceeding Two Hundred Thousand Nalra (N200,000.00) or both.

(3) A person who incites, aids, abets, or counsels another person to commit the act of spouse battery as provided in sub-section (1) of this section commits an offence and is laible on conviction to a term of imprisonment not less than Two (2) years or to a fine not less than Three Hundred Thousand Naira (N300,000.00) and not exceeding Five Hundred Naira (N500,000.00) or both;

(4) A person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not less than Six (6) months or to a fine not less than One Hundred Thousand Naira (N100,000.00) and not exceeding Two Hundred Thousand Naira (N200,000.00) or both.

Attack with harmful substance.

23. (1) A person who uses chemical, biological or any other harmful substance on another person commits an offence and is liable on conviction to a term of imprisonment not less than Twenty-Five (25) years without an option of fine.

(2) A person who attempts to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than Twenty-five (25) years without an option of fine.

(3) A person who incites, aids, abets, or counsels another person to commit an offence provided for in sub-section (1) of this section, commits an offence and is laible on conviction to a term of imprisonment not less than Twenty-five (25) years without an option of fine.

(4) A person who knowingly receives another person who commits an offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not less than Twenty-five (25) years without an optiion of fine.

indecent Exposure.

24. (1) A person who intentionally exposes genital organs, or a substantial part thereof, with the intention of causing distress to the other party, or that another person seeing it may be tempted or induced to commit an offence under this law, commits an offence of indecent exposure.

(2) A person who intentionally exposes genital organs, or substantial part thereof, and induce another to either massage, or touch with the intention of deriving sexual pleasure from such acts commits an offence under this section.

(3) A person who commits an offence under this section is laible on conviction to a term of imprisonment not less than Three (3) years or to a fine not less than Five Hundred Thousand Naira (N500,000.00) and not exceeding Seven Hundred Thousand Naira (N700,000.00) or both;

PART II - JURISDICTION OF THE COURT

Justification of the Court.

25. The High Court of Niger State shall have the jurisdiction to hear and grant any application brought under this Law.

Application for Protection order.

26. (1) An application for a Protection Order may be made before any magistrate Court following a complaint of violence by the complainant for Order, if the complainant for such Order, if granted shall be effective throughout Niger State and no time limit or prescription shall certify in relation to a person seeking to apply for such Protection Order.

(2) Any complainant may in the proceeding manner apply to any Magistrate Court for a Protection Order.

(3) If the complainant is not represented by counsel, the Police Officer with whom a complainant of violence has been lodged shall inform the complainant of the remedies that may be entitled to the complainant under this Law including the right to lodge a criminal complaint against the respondent under this Law or any other Law.

(4) Notwithstanding, the provisions of any Law, the application may be brought on behalf of the complainant by any other person, including a Police Officer, a protection officer of the state government agency charged with such responsibility,an accredited service provider, a counsel or, health

service provider, social worker or teacher who has interest in the well-being of the complainant provided that the application shall be brought with the written consent of the complainant, except in circumstances where the complainant is:

(a) a minor;
(b) mentally retarded;
(c) unconscious; or
(d) a person who the Court is satisfied that is unable to provide the required consent.

(5) Notwithstanding the provisions of any other Law, any minor, or any person on behalf of a minor, may apply to any Magistrate Court for a protection order without the assistance of a parent, guardian or any other person and such application shall be supported by an affidavit sworn by the person who has knowledge of the matter concerned.

(6) The application and affidavit shall be filed in the Magistrate Court.

Incest.

27. A person who knowingly and willfully has carnal knowledge of another within the prohibited degree of consanquinity and affinity commits incest and is liable on conviction to a minimum term of:-

(a) 10 years imprisonment without an option of fine; or
(b) 5 years imprisonment without an option of fine where the parties consent to commit incenst provided the consent was not obtained by fraud or threat.

Consideration of Application.

28. (1) The Court shall as soon as is reasonably possible, consider an application submitted to it under this Law, and may, for that purpose, consider such additional evidence as it deems fit, including oral evidence or evidence by affidavits, which shall form part of the record of the proceedings.

(2) If the Court is satisfied that there is prima facie evidence that the respondent is committing, has committed or that there is immenent likelihood that he may commit an act of domestic violence, the Court shall, notwithstanding the fact that the respondent has not been given notice of the proceedings contained in subsection (1) of this section, issue an interim protection order against the respondent, in the prescribed manner.

(3) An interim Protection Order shall be served on the reposndent in the prescribed manner and must call on the repondent to show cause on the return date specified in the order why a Protection Order should not be issued.

(4) A copy of the application referred to in this law and record of any evidence taken under this law shall be served on the repondent together with the interim Protection Order.

(5) If the Court does not issue an interim Protection Order under this law, the Court shall direct the Registrar of the Court to cause certified copies of the application concerned and any supporting affideviet to be served on the respondent in the prescribed manner, together with a prescribed notice calling on the respondent to show cause on the return date specified in the notice why a Protection Order should not be issued.

(6) The return date referred to in subsections (3) and (5) of this section shall not be less than 5 days after service has been effected upon the respondent.

Considration of Application.

29. (1) If the respondent does not appear on a return date contemplated in section 28(3) or (5) of this law and if the Court is satisfied that:

(a) proper service has been effected on the respondent; and

(b) the application contains a Prima Facie Evidence that the respondent has committed, is committing or that there is an imminent likelihood that he may commit an act of domestic violence.

(2) If the respondent appears on the interim date order to oppose the issuing of a Protection order, the Court shall proceed to hear the matter and consider:-

(a) any evidence previously received under section 28(1) of this law; and

(b) such further affidavits or oral evidence as it may direct, which shall form part of the record of the proceedings.

(3) The Court may on its own accord or on the request of the complainant,if it is of the opinion that it is just or desirable to do so, order that in the examination of witness, including the complainant, a respondent who is not respresented by a legal practitioner:-

(a) is not entitled to cross examine directly a person who is in a domestic relationship with the respondent; and

(b) shall put any question to such a witness by stating the question to the Court and Court is to repeat the question accurately to the witness.

(4) The Court shall after a hearing as contained in subsection (2) of this section, a protection order in the prescribed form if it finds, on a balance of probabilities that the respondent has committed, is committing or that there is an iminent likelihood that he may commit an act of domestic violence.

(5) Upon the issuing of a Protection Order, the Register of the Court shall, in the prescribed manner, cause:-

(a) the original of such order to be served on the respondent; and

(b) a certified copy of such order and the original warrant of arrest contemplated in section 31(1)(a) to be served on the complainant.

(6) The Register of the Court shall in the prescribed manner forward certified copies of any Protection Order and of the warrant of arrest contemplated in section 28(1)(a) to the Police Station of the complainant's choice.

(7) Subject to the provisions of section 26(7) of this Law, a Protection Order issued under this section remains in force until it is set aside, and the execution of such order shall not be automatically suspended upon the filing of an appeal.

Court's power in respect of Protection Order.

30 (1) The Court may, by means of a Protection Order referred to in section 26 of this Law, prohibit the respondent from:-

(a) committing any act of domestic violence;
(b) enlisting the help of another person to commit any such act;

(c) entering a shared household provided that the Court may impose this prohibition only if it appears to be in the best interest of the complainant;

(d) entering a specified part of such a shared household;

(e) entering the complainant's residence

(f) preventing the complainant from entering or remaining in the shared household or a specified part of the shared household;

(h) alienating or disposing the shared household or encumbering same;

(i) Committing any other act as specified in the Protection Order.

(2) The Court may impose any additional condition which it deems reasonably necessary to protect and provide for the safety, health or well being of the complainant, including an Order;

(a) to seize any arm or dangerous weapon in the possession or under the control of the respondent;

(b) that a Police officer shall accompany the complainant to a specified place to assist with arrangement regarding the collection of personal property;

(c) directing the respondent to secure alternative accomodation for the complainant;

(d) order a temporal relocation to any safe place as may be deem fit in the interest of the complainant; or

(e) approve a mediation channel upon submission by the complainant.

(3) In ordering a prohibition under section 1(c) of this section, the Court may impose on the respondent obligations as to the discharge of rent or mortgage payments having regard to the financial needs and resources of the complainant and respondent.

(4) The Court may order the respondent to pay emergency monetary relief having regard to the financial need and resources of the complainant and the respondent, and such order has the effect of court judgement of a court.

(5) The Court may issue any directive to ensure that the complainant's physical address is not disclosed in any manner, which may endanger the safety, health or well-being of the complainant.

(6) If the court is satisfied that it is in the best interest of any child, it may:

(a) refuse the respondent contact with such child; or

(b) order contact with such child on such condition as it may consider appropriate.

(7) The court may refuse to issue a protection order or may refuse to impose any condition or make any order which is competent to impose or make under this section merely on the grounds that other legal remedies are available to the complainent.

(8) If the court is of the opinion that any Protection Order deals with a matter that should, in the interest of justice be dealt with further under any Laws of the State or of the Federation, the Court shall order that such limited provision shall be in force for such limited period as the court may determine in order to afford the party concerned the oppotunity to seek appropriate relief under such law.

Powers of Police.

31. (1) A Police Officer, at the scene of an incident of violence or as soon thereafter as reasonably possible or to whom a report of violence has been made, shall have the duty of:-

(a) assisting a victim of violence to file a complaint regarding violence;

(b) providing or arranging safe transport for the victim to an alternative residence, safe place or shelter where such is required;

(c) providing or arranging transportation for the victim to the nearest hospital or medical facility for treatment of injuries where such treatment is needed;

(d) explaining to the victim the rights to protection against violence and remedies available in term of this law;

(e) explaining to the victim the right to lodge a criminal complaint in addition to any remedy provided under this law; and

(f) accompanying the victim to the victim's residence to collect personal belongings.

(2) A Police Officer may, without an order from the court or a warrant of arrest, arrest any person who:-

(a) he suspects upon reasonable grounds to have committed any of the offence under part I of this law; and

(b) a complaint has been made for having committed any of the offences under part I of this Law.

(3) A Police Officer in carrying out the duties specified under this law shall have the power to:-

(a) remove or supervise the removal of a person excluded from a share residence where the court has issued such an order under this Law;

(b) remove or supervise the removal of any dangerous weapon used in order to commit an act of violence as contemplated in this law;

(c) collect and store fingerprints including DNA of accused and convicted offenders; and

(d) perform any other act considered necessary in order, the court shall make an Order.

Warrant of arrest upon issuing of Protection Order.

32. (1) Whenever a Court issues a Protection Order, the Court shall make an Order:-

(a) authorizing the issuance of a warrant for the arrest of the respondent in the prescribed form;

(b) suspending the execution of such warrant subject to complaince with any prohibition, condition, obligation or order imposed under section 26 of this Law.

(2) The warrant referred to in sub-section (1) (a) of this section remains in force unless the Protection Order is set aside, or it is cancelled after execution.

(3) The Registrar of the Court shall issue another warrant of arrest, if a police officer files an affidavit in the prescribed form in which it is stated that such warrant is required for the complainant's protection and that the existing warrant of arrest has been lost or destroyed.

(4) A complainant may handover the warrant of arrest together with an affidavit in the prescribed form, where it is stated that the respondant has contravened any prohibition, condition, obligation or order obtained in a Protection order, to any Police Officer.

(5) If it appears to the Police officer concerned that, subject to sub-section (4) there are reasonable grounds to suspect that the complainant may suffer imminent harm as a result of the alleged breach of the Protection Order by the

respondent, the Police Officer shall forthwith arrest the respondent for allegedly committing the offence referred to in part I of this law.

(6) If the Police Officer concerned is of the opinion that there are insufficient grounds for arresting the resppondent under subsection (5), shall issue a hand written notice to the respondant which:

(a) specifies the name, the residential address and the occupation or status of the respondent;

(b) calls upon the respondent to appear before a Court, and on the date and at the time specified in the notice on a charge of committing the offence referred to in section 30(1); and

(c) contains a certificate signed by the Police concerned to the effect that the original notice is handed to the respondent and that the interest thereof is explained to the respondent.

(7) The Police Officer shall forward a duplicate of the original notice referred to in subsection (6) to the Registrar of the Court concerned, such duplicate of the original, shall be a prima facie proof that the original was handed to the respondent specied therein.

(8) In considering whether or not the complainant may suffer imminent harm, as contemplated in subsection (5), the Police Officer shall take into account the:-

(a) risk to the safety, health or well-being of the complainant;

(b) seriousness of the conduct comprising an alleged breach of protection order; and

(c) length of time since the alleged breach occured.

(9) Whenever a warrant of arrest is handed to a Police officer under subsection (4)(a) of this section, the Police officer shall inform the complainant of the right to simultaneously lay a criminal charge against the respondent if capable and explain to the complainant how to lay such a charge.

Variation or setting aside of Protection Order.

33. (1) A complainant or a respondent may upon written notice to the other party and the court concerned, apply for the variation or setting aside of a Protection Order referred to in section 29 in the prescribed manner.

(2) If the Court is satisfied that a good cause has been shown for the variation or setting aside of the Protection Order, it may issue an Order to this effect, provided that the Court shall not grant such an application to the complainant unless it is satisfied that the application is made freely and voluntarily.

(3) The Registrar of the Court shall forward a notice as prescribed to the complainant and the respondent if the Protection Order is varied or set aside as contemplated in subsection (1) of this section.

Power to discharge a protection order.

34. (1) Where a Protection order has been made, any of the following persons may apply to have it discharged:-

(a) if the application for the order was made by a commissioner in respect of any dependant person:-

(i) the commissioner;
(ii) the person who brought the application; or
(iii) the respondent to that application; or

(b) if the application for the order was made by a commissioner in any other case by virtue of section 24:-

(i) the commissioner;

(ii) the person who was the applicant for the order; or

(iii) the respondent to that application;

(c) in any other case:-

(i) the person who was the applicant for the order; or

(ii) the person who was respondent to the application for the order and the court, upon hearing any such application shall make such order as it consider appropriate in the circumstances.

Offences relating to Protection Order.

35. (1) A respondent who contravened an interim Protection Oder, or protection order while and interim Protection Order is in force, refuses to permit the applicant or any dependant person to enter and remain in a place to which the order relates or does any act for the purpose of preventing the applicant or such dependant person from so entering or remaining commits an offence and is liable on summary conviction to a fine not less than Three Hundred Thousand Naira (N300,000.00) and not exceeding Five Hundrred Thousand Naira (N500,000.00) or to a term of imprisonment not less than Two (2) years or both.

(2) The provisions of subsection (1) of this section shall be without prejudice to any punishment or sanction as to comtempt of court or any other liability, whether civil or criminal that may be incurred by the repondent concerned.

(3) A person who in an affidavit referred to in this section willfully makes a false statement commits an offence and is liable on conviction to a fine of not less than Four Hundred Thousand Naira (N400,000.00) and not exceeding Six HUndred Thousand Naira (N600,000.00) or a term of imprisonment not less than Two (2) years or both.

Application and forms of Protection Order.

36. The affidavit, application and forms of Protection Order referred to in this part of the law shall in accordance with the schedule to this law.

Rights of Victims.

37. (1) In addition to the rights guaranteed under chapter IV of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), or other International Human Rights Instruments to which Nigeria is a party, every victim of violence as define under this law is entitiled to the following rights:-

(a) to receive the necessary materials, comprehensive, medical, psycological, social and legal assistance through the relevant state government agencies or non-governmental agencies providing such assistance;

(b) to be informed of the availability of legal, health and social services and other relevant assistance and be readily afforded access to them;

(c) To rehabilitation and re-integration programme of the State to enable victims acquire, where applicable and necessary, pre-requisite skills in any vocation of the victim's choice and also where necessary formal education or access to micro-credit facilities;

(d) any rules and regulations made by any institution or organization prohibiting or restraining the reporting of offences or complaint within the provisions of this law, shall, to the extent of the inconsistences be null and void; and

(e) no complainant of any offence under this law shall be expelled, disengaged, discharged, suspended or punished in any form whatsoever by virtue of the action of compliance with the provision of this law.

(2) Any person who violates the provisions of this subsection is guilty of an offence and is liable on conviction to a term of Imprisonment not less than One (1) year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four HUndred Thousand Naira (N400,000.00) or both.

(3) No person may be present during any proceedings under this law except:-

(a) officer of the Court;

(b) the parties to the proceedings;

(c) any person bringing an application on behalf of the complainant under section 24(1);

(d) any legal pratitioner representing any party to the proceedings;

(e) accredited service provider;

(f) witnesses;

(g) not more than 3 persons for the purpose of providing support to the complainant;

(h) not more than 3 persons for the purpose of providing support to the respondent; and

(i) any other person whom the court permit to be present provided that the Court may, if it is satisfied that it is in the interest of justice, exclude any person from attenting such proceedings.

PART III - SERVICE PROVIDERS

Prohibition of Publication of certain information.

38. (1) No person shall punish inany manner any information which might, directly or indirectly reveal the identity of any party to the proceedings brought pursuant to this Law.

(2) The court, if it is satisfied that it is in the interest of justice, may direct that any further information relating to proceedings held under this Law shall not be published provided that no direction under this sub-section applies in respect of the publication of a bona fide Law report which does not mention the names or reveal the identities of the parties to the proceedings or of any witness at such proceedings other than a convict.

(3) A person who contravenes the provisions of this subsection commits an offence and is liable on conviction to a term of imprisonment not less than One (1 year or to a fine not less than Two Hundred Thousand Naira (N200,000.00) and not exceeding Four Hundred Thousand Naira (N400,000.00) or both.

Registration and powers of service providers.

39. (1) Subject to such rules, as may be made, any voluntary association registerred under the Companies and Allied Matters Act 1990 by the Corperate Affairs Commission or any other law for the time being in force with the objective of protecting the right and interests of the victims of violence by any lawful means including providing of legal aid, medical, financial or other assistance shall register itself with the State Government as a service provider for the purpose of this law.

(2) The appropriate Government Ministry or Agency shall:

(a) keep a register of all accredited service providers and circulate same to all Police Stations, Protection Officers and the Courts; and

(b) draw up guidelines for the operation of the accredited service providers.

(3) A service provider so registered under sub-section (1) shall have the power to:

(a) record the violence incidence or report in the prescribed form if the aggrieved person so desires and forward a copy to the Magistrate Court and the Protection Officer in the area where the violence took place;

(b) get aggrieved person medically examined and foward a copy of the medical report to the Protection Officer and the Police Station within the locality which the violence act took place; and

(c) ensure that the aggrieved person is provided shelter in a shelter home, if he or she requires and forward a report of the lodging of the aggrieved person in the shelter home to the police station within the locality of which the violence act took place.

(4) no suit, prosecution or other legal proceedings shall lie against any service provider who is, or who is deemed to be acting or purpoting to act under this law, for anything which is in good faith done or intended to be done in the exeercise of powers of discharge of functions under this law towards the prevention of the commission of violence.

Protection Order.

40. (1) The appropriate State Government Ministry or Agency shall appoint such number of protection officers in each Local Government Council as it may consider necessary, to assist the court in the discharge of its duties under this law and to co-ordinate the activities of the police and the accredited service providers in the particular local government council to ensure that the victims or survivors of the violence:-

(a) have easy access to accredited service providers;

(b) have easy access to transportation to an alternative resident or a safe shelter, the nearest hospital or medical facility for treatment, if the complainant so require;

(c) are able to collect their belongings or properties from a shared household or residence if the complainant so requires;

(d) are able to access the court for orders under this law; or

(e) have access to every possible assitance in the service of interim Protection Order on the respondent, and the enforcement of any order that may have been made by the court under this law.

(2) The Protection Officer may upon the failure of the respondent to make payment ordered by the court under this Law, direct an employer or a debtor of the respondent or any bank in which the respondent operates any account to directly pay to the complainant or deposit with court a portion of the wages or salaries or debt due or accured to the credit of respondent or monies in any bank account operated by the respondent, which amount may be adjusted towards the emergency monetary rellef by the respondent.

Co-ordination for prevention of domestic violence.

41. (1) The State Government Ministry or Agency charged or vested with the enforcement of this law shall appoint a person as the coordinator for the protection of domestic violence who shall submit annual report to the Niger State Government on the implementation of this law, a copy of which shall be deposited with Niger State Bureau of Statistics.

Dangerous sexual Offender.

42. A Court declare a person who has been convicted of a sexual offence under this or any other Law a dangerous sexual offender if such person has:-

(a) more than one conviction for a sexual offence;
(b) been convicted of a sexual offence which he was an accomplice; or
(c) been convicted of a sexual offence against a child.

Regulatory Body.

43. (1) The Niger State Government, Ministry for Women Affairs and Social Welfare and other relevant Govenment Agencies are mandated to administer the provision of this law and collaborate with the relevant stakeholders including Faith Based Organizations.

General sawings and repeal.

44. (1) Any offence committed or proceedings instituted before the commencement of this law under the provisions of the:

(a) Penal Code;
(b) criminal procedure code; and

(c) any other law or regulation relating to any of violence defined by this law shall as the case may require be enforced or continue to be enforce by the provisions of this law.

(2) Any provision of this law shall supercede any other provisions or similar offences in the Penal Code and Criminal Procedure Code.

SCHEDULE

AFFIDAVIT, APPLICATION AND FORMS OF PROTECTION ORDER

FORM I

GENERAL FORM OF APPLICATION FOR PROTECTION ORDER

In the.....Court

In the.....Division District

between

A.B.....Complainant

and

C.D.....Respondent

APPLICATION FOR PROTECTION ORDER BY THE VICTIM

The complainant applies for protection by the Honourable Court by the issuance of a Protection Order against the Respondent.

Dated this.....day of.....

.....

Complainant/Complainant's counsel

FORM 2

GENERAL FORM APPLICATION FOR PROTECTION ORDER BY A PERSON OTHER THAN THE VICTIM

In the.....Court

In the.....Division District

between

A.B.....Complainant

and

C.D.....Respondent

and

E.F.....Guardian/Social Worker/Police Officer, e.t.c.

APPLICATION FOR PROTECTION ORDER BY A PERSON OTHER THAN THE VICTIM

I,E,F, Guardian to A.B. the complainant, hereby applies the A.B. be protected by the Honurable Court by the issuance of a Protection Order against respondent.

Dated this.....day of.....

E.F.....

Guardian/Police Officer/Social Woker, e.t.c.

FORM 3

AFFIDAVIT IN SUPPORT OF APPLICATION FOR PROTECTION ORDER

In the.....Court

In the.....Division/District

between

A.B.....Complainant

and

C.D.....Respondent

and

E.F.....Respondent

I.A.B.....of.....hereby make Oaths and state as follows:

1. That I am the complainant/Guardian of the complainant/A Police Offcier/Protection Officer/and accredited Service Provider/A Cousellor/A Health Service provider/Social Worker/Teacher, e.t.c.

.....

Deponent

Sworn to at.....Court Registrar this.....day of

.....

BEFORE ME.....

COMMISSIONER FOR OATHS

FORM 4

CONSENT TO APPLY FOR PROTECTION ORDER IN RELATION TO A PERSON NOT BEING A MINOR, MENTALLY RETARTED PERSON, UNCONSCIOUS OR A PERSON WHO THE COURT IS SATISFIED IS UABLE TO PROVIDE CONSENT.

In the.....Court

In the.....Division/District

Suit No.....

between

A.B.....Complainant

and

C.D.....Respondent

and

E.F.....Guardian

CONSENT TO APPLY FOR PROTECTION ORDER

I,A,B, ...complainant in this case, hereby consent to the application by E.F. for the issuance of a Protection Order on my behalf

Dated this.....day of.....

.....

Complainant

FORM 5

GENERAL FORM ON INTERIM PROTECTION ORDER

In the.....Court

In the.....Division/District

Suit No.....

between

A.B.....Complainant

and

C.D.....Respondent

and

E.F.....Guardian/Police Officer, e.t.c.

To: CD.....Respondent

INTERIM PROTECTION ORDER

Whereas the complainant, Guardian, e.t.c. has applied that the complainant be protected by this Honourable Court againat you.

AND WHEREAS there is a prima facie evidence that you heve committed an act or acts of domestic violence against the complainant, or that there is imminent likehood of you committing such violence against the complainant: you are hereby commanded to show cause of the..... day of.....the return date, why a Protection Order should not be issued agaisnt you.

THIS ORDER shall serve as a Protection Order for the complainant untill the return date

Given under my hand this.....day of.....

.....

Judge/Magistrate

FORM 6

GENERAL FORM OF PROTECTION ORDER

In the.....Court

In the.....Division/District

Suit No.....

between

A.B.....Complainant

and

C.D.....Respondent

and

E.F.....Guardian/Police Officer, e.t.c.

PROTECTION ORDER

WHEREAS the complainant/Guardian, e.t.c. has applied that the complainant be protected by this Honourable Court against you.

AND WHEREAS there is a prima facie evidence that you have committed an act or acts of domestic violence against the complainant, or that there is imminent likehood of you committing such violence agaist the complainant:

You are hereby prohibited from:

(insert whichever is applicable)

(a) committing any act of domestic violence;

(b) enlisting the help of another person to commit any such Act;

(c) entering a shared household, provided that the court may impose prohibition only if it appears to be in the best interest of the complainant;

(d) entering a specified part of such a shared household;

(e) entering the complainant's residence;

(f) entering the complainant's place of employment;

(g) preventing the complainant from entering or a remaining in the shared household or specified part of the shared household;

(h) alienating his rights in the shared household except in favour of the complainant;

(i) committing any other act as specified in the Protection Order; or

(j) as the court deems fit.

Given under my hand this.....day of.....

.....
Judge/Magistrate

EXPLANATORY NOTE

This Law seeks to prohibit all forms of violence against persons, and to provide maximum protection and effective remedies for victims and punishment of offenders

FIRST SCHEDULE

I assented this 24th day of February, 2020 Time 12:21 p.m.

Alhaji Abubakar Sani Bello
Governor of Niger State

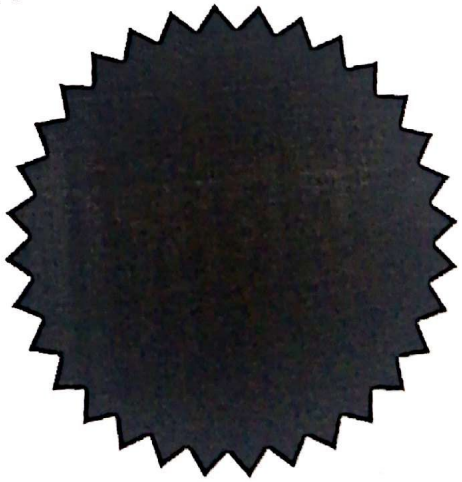
SECOND SCHEDULE

I withheld assent this ..... day of ..... 2020 Time .....

Alhaji Abubakar Sani Bello
Governor of Niger State

THIRD SCHEDULE
CERTIFICATE OF THE CLERK OF THE HOUSE

I, **Abdullahi M. Kagara,** Clerk to the Legislature of Niger State hereby certify that this Law has been passed in accordance with Sub-Section 3 of Section 100 of the Constitution of the Federal Republic of Nigeria, 1999. This printed impression has been carefully compared by me with the Bill, which has been passed by the Legislature and found by me to be a true and correctly printed copy of the said Bill.



ABDULLAHI M. KAGARA
Clerk to the Legislature