

**ADAMAWA STATE CHIEFS (APPOINTMENT AND DEPOSITION)  
LAW, 2024**

**ARRANGEMENT OF SECTIONS**

**SECTION**

**PART I- PRELIMINARY**

1. Short title and Commencement
2. Interpretation

**PART II - APPOINTMENT, DEPOSITION OF CHIEFS AND CREATION OF CHIEFDOMS**

3. Appointment of Chiefs in accordance with Customary Law
4. Appointment of Chiefs otherwise in accordance with Customary Law
5. Creation of Chiefdoms, Emirates and Grading of Chiefs
6. Deposition of a Chief
7. Power of the Governor to be exercised with Recourse to the Advice of the State Council of Chiefs
8. Oath to be taken by Chiefs
9. Effects of refusal to take Oath
10. Savings for the previous Oath taken by Chiefs
11. Certificate Respecting Chiefs
12. Inquiry into Chieftaincy dispute
13. The power to approve or set aside Selection of a Chief
14. Qualification of a Chief
15. Disqualification of a Chief
16. Time-frame for processing an Appointment of a Chief

**PART III - ESTABLISHMENT OF ADAMAWA STATE COUNCIL OF CHIEFS, COMPOSITION AND FUNCTIONS**

17. Establishment of State Council of Chiefs
18. Composition and Appointment of Chairman of the Council



## **PART IV - FUNCTIONS AND POWERS OF THE COUNCIL**

19. Functions and Powers of the Council
20. Meetings of the Council
21. Quorum
22. Appointment and Functions of the Secretary of the Council
23. Remuneration of the Secretary and other Staff
24. Funds of the Council
25. Accounts and Estimates
26. Audit and Accounts
27. Procedure for Meetings
28. Pension, Gratuities and Retirement Benefits

## **PART V - ESTABLISHMENT OF ZONAL TRADITIONAL COUNCIL AND COMPOSITION**

29. Establishment of Zonal Traditional Councils
30. Composition of the Zonal Traditional Councils
31. Functions of the Zonal Traditional Councils
32. Meetings of the Zonal Traditional Councils
33. Appointment and Functions secretary of the Zonal Traditional Council
34. Self-accounting of Zonal Traditional Councils

## **PART VI - TRADITIONAL COUNCIL OR EMIRATE**

35. Power to establish Traditional Council/Emirate
36. Emirates or Traditional Councils to be bodies Corporate
37. Functions of Traditional Authorities
38. Traditional Rulers insulated from Partisan politics
39. Funds of the Council
40. Remuneration of Traditional Rulers

## **PART VII - MISCELLANEOUS PROVISIONS**

41. Jurisdiction of the High Court
42. Pre-action Notice
43. Immunity of Members or Staff of Traditional Council
44. Criminal Proceedings
45. Illegal Installation or Coronation

46. Punishment for Infringement
47. Selection to fill a vacancy
48. Limitation of Powers
49. Disciplinary Measures
50. Power of the Governor to make Regulations
51. Power of the Governor to give Directives
52. Repeal
53. Savings

## **SCHEDULES**



**ADAMAWA STATE HOUSE OF ASSEMBLY**

**A BILL  
FOR**

**A LAW TO PROVIDE FOR THE ADAMAWA STATE CHIEFS  
(APPOINTMENT AND DEPOSITION) AND FOR OTHER MATTERS  
INCIDENTAL THERETO.**

Date of Commencement ( )

BE IT ENACTED by the House of Assembly of Adamawa State of Nigeria and by the authority of same as follows: -

**PART – I**

**PRELIMINARIES**

Short title and Commencement

1. This Law may be cited as the Adamawa State Chiefs (Appointment and Deposition) Law 2024, and shall come into operation on the .....day of .....2024

Interpretation

2. In this Law unless the context otherwise required

"ALGON" means Association of Local Government of Nigeria

"Ancestral Village Area" means a homogeneous community comprising of more than one ward or hamlet in which ascendancy to the village Chieftaincy stool is hereditary and/or in accordance with Customary Law and is so recognized.

"Chief" means any person for the time being recognized by the Governor as a Chief and includes an Emir.

"District" means an area comprising of more than one village and is recognized as such;

"Emirate" means an area controlled by an Emir.

"Executive Council" means the Executive Council of Adamawa State.

"Government" means the Government of Adamawa State.

"Governor" means the Executive Governor of Adamawa State;

"House of Assembly" means Adamawa State House of Assembly;

"Kingmakers" mean persons entitled in accordance with Customary Law to select a person to be the holder of a Chieftaincy stool;

"Permanent Secretary" means the Permanent Secretary charged with the responsibility for Chieftaincy Affairs;

"Prescribed Authority" means the Executive Governor or such other person(s) as he may designate;



"Property" includes all regalia and other things whatsoever attached to a Chief by virtue of his Chieftaincy;

"Ruling House" means the descendant of a lineal ancestor entitled in accordance with Native Law and Custom to select from among their own members a candidate or candidates for appointment as a Chief or holder of a Chieftaincy Title;

"State" means Adamawa State of Nigeria.

"Traditional Council" means the Traditional Council established under the Law of the State;

"Traditional Ruler" means:

- (a) the person who by virtue of his ancestry occupies the throne or stool of an area; or
- (b) the person who has been appointed to such throne or stool in accordance with the Custom and tradition of the area and has traditional authority over the people of the area; or
- (c) any person appointed by an instrument or order of the Government to exercise traditional authority over an area or a tribe in the State recognized as such by the Government;

"Village Area" means a heterogeneous community comprising more than one wards or hamlets in which succession to the village head



stool is not in accordance with Customary Law and is so recognized

## **PART – II**

### **APPOINTMENT, DEPOSITION OF CHIEFS AND CREATION OF CHIEFDOMS**

Appointment of Chiefs in accordance with Customary Law

3. Upon the death, resignation or deposition of any Chief or of any Head Chief other than a Chief of a kind referred to in Section 4, the Governor may appoint as the successor of such Chief or Head Chief any person appointed in that behalf by those entitled by Custom so to appoint in accordance with Customary law; and if no appointment is made before the expiration of such interval as is usual under Customary Law, the Governor may himself appoint such persons as he may deem fit and proper to carry out such duties incidental to the Chieftaincy as it may be necessary to perform.

Appointment of Chiefs Otherwise in Accordance with Customary Law

4. (1) The provision of Section 3 shall not apply to the Office of a Chief or Head Chief which: -

- (a) has not originated from Customary Law, but has been created by legislation or administrative act of a competent authority.
- (b) is recognized as such by the Governor; but the provisions of Sub-Sections (2) and (3) of this Section shall apply thereto:



(2) Upon the death, resignation or deposition of any Chief or Head Chief of a kind described in Sub-Section (1) of this Section, the Governor may approve as the successor of such Chief or Head Chief, as the case may be, any person appointed in that behalf by the kingmakers in accordance with the provision of any order made by the Governor prescribing the method of appointment of such a Chief or Head Chief, and if no appointment is made before the expiration of any interval prescribed in any such order, the Governor may himself appoint such person as he may deem fit and proper to carry out such duties incidental to be chieftaincy as it may be necessary to perform.

(3) In the case of any dispute, the Governor, after due inquiry and consultation with persons concerned in the selection shall be the sole judge as to whether the appointment of any Chief or Head Chief has been in accordance with any order and/or Customary Law.

#### Creation of Chiefdoms, Emirates and Grading of Chiefs

5. (1) The Executive Governor, in consultation with the persons concerned shall have the power to create new Chiefdoms and Emirates in the State, specify their respective compositions and may grade the Office of a Chief as First, Second, Third, Fourth or Fifth Class, according to the size and importance of such Office.

(2) Where it is desirable, the Governor shall have the power by Order published in a Gazette to create a new Chieftaincy Stool and regulate



procedure for ascension to such Chieftaincy Stool.

(3) Upon the publication in a Gazette as provided in Sub-Section (2) above the Governor may direct and give the time for the presentation of Staff of Office to the occupant of the new Chieftaincy Stool.

#### Deposition of a Chief

6. The Governor after due inquiry and consultation with the persons concerned in the Selection or Election of a Chief/ an Emir may depose, remove, discipline or suspend any Chief/Emir whether appointed before or after the commencement of this Law, or

- (a) where the deposition is required in accordance with the tradition or is necessary for the preservation of Custom and Tradition; or
- (b) any act of gross misconduct, or
- (c) upon request by the people of his domain in accordance with Native Law and Custom; or
- (d) where the Chief acted in an unethical manner or is incompatible with the societal values and the ethics of his Office; or where it is necessary in the interest of peace, order and good governance.
- (e) where the Chief or Emir is examined and found to be incapacitated by reason of ill health by the Medical Board of the Ministry of Health and the medical



report deliberated and accepted by the State Executive Council.

PROVIDED that the Governor may depose, remove, discipline or suspend any Chief/Emir without recourse to any person or persons, if the inquiry or consultation would cause delay in restoring peace or protecting lives and property or would prolong the act of misconduct.

Power of the Governor to be Exercised with Recourse to the Advice of the State Council of Chiefs

7. The Governor in exercise of his powers under Sections 6 above may have recourse to the advice of the State Council of Chiefs, except if the action is taken under the proviso to the Section, in which case the Governor would be required to notify the Council immediately.

Oath to be taken by Chiefs

8. Any person appointed before or after coming into force of this Law as a Chief or Head Chief shall as soon as possible or at the time given by the Governor at Section 5 (3) take Oath during the collection of Staff of Office, as prescribed in the First Schedule to this Law.

Effects of Refusal to Take Oath

9. If any Chief or Head Chief declines or neglects to take the Oath, when any Oath is required to be taken by him under Section 8 of this Law, he shall: -

- (a) if he has already entered the Office of Chief or Head Chief, vacate the Office; or



- (b) if he has not entered the Office of Chief or Head Chief, be disqualified from entering the Office.

Savings for the Previous Oaths taken by Chiefs

10. Nothing contained in this Law shall affect the validity of any Oath taken prior to the coming into effect of this Law, by any person on his appointment as Chief or Head Chief, and any such Oath shall be deemed to have been taken under the provision of this Law and shall be as effectual and binding as if taken under the provisions of this Law.

Certificate Respecting Chiefs

11. The Governor may by a Certificate under his hand state that a particular person is or was a Chief or Head Chief of a specified grade at a specified time or during a specified period in the State.

Inquiry into Chieftaincy Disputes

12. (1) In case of any dispute in the appointment of any Chief, the Governor shall have power to constitute a panel of inquiry into the dispute.

(2) The Governor shall have power to approve the recommendation of the panel of inquiry set up in pursuance of this Section.

(3) The Panel of Inquiry mentioned in Sub-Section (1) shall comprise of: -

- (a) the Attorney General as the Chairman
- (b) the Permanent Secretary, Chieftaincy Affairs or Permanent



Secretary of the Ministry responsible for the Chieftaincy Affairs.

- (c) the Local Government Chairman where the Chieftaincy concerned is situated;
- (d) the representative of the Security Agencies; i.e. the Police and the State Security Services;
- (e) the Director Chieftaincy Affairs who shall be the Secretary of the Panel; and
- (f) Two other persons of proven integrity one of whom shall be a woman that may be appointed by the Governor.

(4) Where a Chief is removed as a result of improper procedure in his appointment, he shall be qualified to recontest for the same stool through a proper procedure unless he is otherwise disqualified by Native Law and Custom or by operation of the Law creating that Chieftaincy Stool

The Power to Approve or Set aside Selection of a Chief

13. (1) The Governor may approve or set aside the selection of a Chief subject to the provisions of this Law.

(2) In considering whether to approve or set aside selection of a Chief or Head Chief under this Law, the Governor may have regards to;



- (a) whether the Customary Law relating to the appointment has been complied with;
- (b) whether the appointment was obtained corruptly or by the induced influence of any persons;
- (c) whether the kingmakers have due regards to the ability, character or popular support of any candidate.

(3) Where the Governor sets aside a selection, he shall require the ruling house or houses to submit the names of some other persons as candidate to the kingmakers for selection.

PROVIDED that where the ground for setting aside the selection is due to non-compliance with the Customary Law relating to the appointment, the candidate(s) shall have the right to re-contest.

#### Qualification of a Chief

14. A person shall be qualified for appointment as a Chief if: -

- (a) he belongs to a Ruling House by Native Law and Customs in force regarding that particular Chieftaincy Stool;
- (b) in the case of Chieftaincy Stool created by Statute, he is entitled by operation of the Law in force regarding that particular Chieftaincy Stool;



- (c) he is of good character;
- (d) he has not been declared bankrupt;
- (e) he has not been convicted of any capital offence or any offence bothering on dishonesty.

Disqualification of a Chief

15. A person shall not be qualified for appointment as a Chief if: -

- (a) he suffers from serious physical infirmity; or
- (b) he is under any Law in force in Nigeria found or declared to be a lunatic, or adjudged to be of unsound mind; or
- (c) has in any part of the Commonwealth been convicted for a capital offence; or
- (d) has been convicted of an offence involving dishonesty and sentenced to imprisonment thereof and has not been granted pardon.

Time-Frame for Processing an Appointment of a Chief

16. In all appointments to any Chieftaincy Stool under this Law, the period for processing the application and appointment for any Chief either under Native Law and Custom or Statute shall not exceed Ninety (90) days.



## PART -II

### ESTABLISHMENT OF ADAMAWA STATE COUNCIL OF CHIEFS, COMPOSITION AND FUNCTIONS.

Establishment of  
State Council of  
Chiefs

17. (1) There is hereby established for the State a Council to be known as "The Adamawa State Council of Chiefs" with the entire State as its area of jurisdiction and/or authority.

(2) The Council shall be a body corporate with perpetual succession and a Common Seal and may sue and be sued in its corporate name.

Composition and  
Appointment of  
Chairman of the Council

18. (1) The Council shall consist of the following members:

- (a) all First-Class Chiefs;
- (b) all other Graded Chiefs of Second and Third-Class status in the State;
- (c) the Permanent Secretary in charge Chieftaincy Affairs;
- (d) ALGON Chairman representing the Local Government Chairmen in the State;
- (e) Representative of Security Agencies, i.e. the Police, State Security Services; the Nigerian Immigration Services, and Nigeria Security and Civil Defense Corps;
- (f) Not more than two persons of proven Integrity to be appointed by the Governor.

(2) The Lamido of Adamawa shall be the Chairman of the State Council of Chiefs.



(3) There shall be a Deputy Chairman of the Council to be elected by the First Class and graded Chiefs from amongst First Class Chiefs.

(4) In case of death or incapacitation or absence of the Chairman, the Deputy Chairman shall step-in to continue the duties of the Chairman.

### **PART -III**

#### **FUNCTIONS AND POWERS OF THE COUNCIL**

Functions and Powers of the Council

19. (1) The Council shall have power to advise the Governor on: -

- (a) any matter relating to Customary Law;
- (b) any matters relating to Cultural Affairs;
- (c) any matter relating to inter-communal affairs; and
- (d) Chieftaincy Matters.

(2) The Council shall at the request of the Governor advise him on: -

- (a) any matter relating to the maintenance of Law and Order within the State or any part thereof; and
- (b) on such other matters as the Governor may direct.



(3) Without prejudiced to the generality of the powers conferred upon the Governor by paragraph (b) of Sub-Section (2) of this Section, the Governor may direct the Council to advise him on: -

- (a) any matter relating to boundary dispute existing between two or more communities in the state.;
- (b) any matter relating to a dispute between two or more communities in the State with respect to any interest in land or other claims of ownership;
- (c) any matter threatening or endangering the continuous existence of the social and cultural life of any community in the State; and
- (d) any matter relating to religious affairs.

#### Meetings of the Council

20. (1) The Council may meet at its secretariat in the State Capital or at such places and times as the circumstances may arise, but shall in any case meet at least once every quarter of the year.

(2) At all meetings of the Council the Chairman shall preside, but if the Chairman is absent the Deputy Chairman shall preside:



PROVIDED ALWAYS that where the Deputy Chairman is also absent at a meeting summoned by the Chairman, any other member of a First-Class status appointed by the members present at the meeting shall preside.

## Quorum

21. (1) For all meetings of the Council the quorum shall be 2/3 of the members of the Council with voting rights.

(2) Without prejudice to Section 18 (1) of this Law, only members listed in Section 18 Sub-Section (1) (a) and (b) of this Law shall be entitled to vote on any matter that might require voting to arrive at a decision,

(3) The validity of any proceedings of the Council shall not be affected by a vacancy among members, or a defect in the appointment of a member, or where a person not entitled to do so took part in the proceedings of the council.

## Appointment and Functions of the Secretary of the Council

22. (1) There shall be a Secretary to the Council to be appointed by the Governor on such terms and conditions of service as the Governor may determine.

(2) The Secretary shall be responsible for: -

- (a) the summoning of all meetings of the Council upon the direction of the Chairman or upon a request made to



the Chairman for a meeting signed by not less than two-thirds of all members of the Council;

- (b) the recording and keeping of the minutes of every meeting of the Councils;
- (c) the Custody of the common seal, all books and records and other property of the Council; and
- (d) the performance of such other acts and duties as the Chairman may from time to time direct.

(3) There shall be such other staff of the Council to be appointed by the Civil Service Commission as may be necessary for the proper and efficient discharge of the functions of the Council.

Remuneration of the Secretary and Other Staff

23. The Secretary and other staff of the Council shall be paid such remuneration and allowances from the funds of the Council as may be approved by the Governor.

Funds of the Council

24. (1) There shall be a fund of the Council into which shall be paid: -

- (a) all monies due and belonging to the Council;
- (b) all monies voted each year by the Governor in the budget of the State;



- (c) any other monies given or granted to the Council including grants, endowments and gifts.

(2) Every expenditure incurred by the Council shall be paid from the funds of the Council, including but not limited allowances to District Heads in the Council/Emirate.

#### Accounts and Estimates

25. (1) The Council shall keep and maintain proper books of accounts and records on: -

- (a) all transactions entered into by the Council; and
- (b) any other expenditure made by the Council.

(2) The Council shall not later than 30th September, during each financial year, submit to the Governor an estimate of its income and expenditure for the next succeeding financial year.

#### Audit and Accounts

26. (1) The accounts of the Council shall be audited at least once every financial year and, in any case, not later than three months after the end of such financial year.

(2) The accounts of the Council shall be audited by a firm of auditors to be nominated by the Auditor-General of the State.



(3) A copy of the audited report of the Council shall be submitted to the Governor not later than thirty days after the completion of the report.

#### Procedure for Meetings

27. The Council shall have power to make provision for rules to regulate the procedure of its meetings.

#### Pensions, Gratuities and Retirement Benefits

28. (1) Service in the Adamawa State Council of Chiefs/Emirs shall be approved service for the purpose of the Pension Law and accordingly, Chiefs/Emirs and employees of the Council shall be entitled to pensions, gratuity and other retirement or death benefits as are prescribed under the Pension Law.

(2) Without prejudice to the provisions of Sub-Section (1) of this section, nothing in this Law shall prevent the appointment of a person into the Office of a Chief/Emir on terms and conditions which preclude the grant of a pension, gratuity or other retirement benefits in respect of that Office



## PART-IV

### ESTABLISHMENT OF ZONAL TRADITIONAL COUNCIL AND COMPOSITION.

Establishment of Zonal Traditional Councils

29. (1) There are hereby established for the state three Zonal Traditional Councils as follows: -

- (a) Central Zone Traditional Council;
- (b) Northern Zone Traditional Council; and
- (c) Southern Zone Traditional Council

(2) The Central Zone Traditional Council shall consist of all the Emirates, Chiefdoms in the Local Government Areas in the Central Senatorial District of Adamawa State.

(3) The Northern Zone Traditional Council shall consist of all the Emirates, Chiefdoms in the Local Government Areas in the Northern Senatorial District of Adamawa State.

(4) The Southern Zone Traditional Council shall consist of all the Emirates, Chiefdoms in the Local Government Areas in the Southern Senatorial District of Adamawa State.



## Composition of the Zonal Traditional Councils

30. (1) Members of each of the Zonal Traditional Councils shall consist of the following: -

- (a) all graded Chiefs within the Zonal Traditional Council.
- (b) all the Local Government Chairmen within the Zonal Traditional Council;
- (c) Director of Chieftaincy Affairs as representative of the Commissioner or Permanent Secretary in charge of Chieftaincy Affairs, and
- (d) representative of the Security Agencies in the Zonal Traditional Council.

(2) the Chairmanship of the Three Zonal Traditional Council shall be rotational among the First-Class Chiefs in the Zones and each shall hold office for a period of one year.

## Functions of the Zonal Traditional Councils

31. The functions of the Zonal Traditional Councils shall be: -

- (a) to advise the Local Governments in their respective zones on any matter relating to Customary Law, cultural affairs, inter-communal relations and Chieftaincy matters;



- (b) advise the Local Government Councils in their respective Zones whenever requested to do so, on: -
  - (i) maintenances of peace and public order within the area or any part thereof; and
  - (ii) such other matters as the local government council may from time to time refer to it.

#### Meetings of the Zonal Traditional Councils

32. (1) The Zonal Traditional Councils may meet at such places and times as the Chairman may appoint, but shall hold meeting at least once in every quarter of the year.

(2) The Chairman of a Zonal Traditional Council shall preside at the meetings of the Zonal Traditional Council.

PROVIDED that in the absence of the Chairman, any First-Class Chief present may be appointed to preside.

(3) For all the meetings of the Zonal Traditional Council, the quorum shall be 2/3 of the members of the Council with voting rights.

(4) Without prejudice to Section 30 (1) of this Law, only members listed in Sub-Section (1) (a) and (b) of Section 30 (1) of this Law shall be entitled to vote on any matter that might require voting to arrive at a decision.



(5) The validity of any proceedings of the Council shall not be affected by a vacancy among members, or a defect in the appointment of a member, or where a person not entitled to do so took part in the proceedings of the Council.

(6) The meetings of the Zonal Traditional Councils shall be jointly funded by the local Government Councils within the Zonal Traditional Council.

Appointment and  
Functions Secretary of  
the Zonal Traditional  
Councils

33. (1) There shall be Secretary to each of the Zonal Traditional Council to be appointed by the Local Government Service Commission and shall be under the direction and control of the Chairman of the Zonal Traditional Council.

(2) The functions of the Secretary to the Zonal Traditional Council shall be to: -

- (a) carry out the day-to-day administration of the affairs of the Council;
- (b) make arrangement for meetings of the Council;
- (c) prepare the agenda and records the minutes of the meetings of the Council and keep records of such proceedings;
- (d) convey decisions of the Council to the members and, where appropriate to other persons or organizations;



- (e) arrange for payment of allowances and treat any other matter(s) affecting members of the Council; and
- (f) carry out such other functions incidental to the Secretariat of the Council as the Chairman may from time to time direct.

(3) Other staff of the zonal Traditional Council may be seconded to it by the local government council(s) concerned.

Self-accounting of  
Zonal Traditional  
Council

34. The Zonal Traditional Council shall be self-accounting.

## **PART-V**

### **TRADITIONAL COUNCIL OR EMIRATE**

Power to Establish  
Traditional  
Council/Emirate

35. (1) The Governor may by order establish for each Chieftdom a Traditional Council or Emirate in the State.

(2) Each Council established under this Section shall consist of the followings:

- (a) the Principal Chief as President-in-Council;
- (b) a Traditional Councilor; (where it exists);



- (c) District Heads.
- (d) the Chairman of the Local Government Council, or where there are two or more Local Governments, the Chairmen of all the Local Government Council in that Chiefdom;
- (e) the representative of the Security Agencies, namely, the Police and the State Security Services; and
- (f) such other persons who may be appointed to make the Council as broadly representative of the major facets of the society in the area as the Governor may deem fit.

(3) Any person appointed under Sub-Section (2) may be removed by the Governor under this Law.

(4) Every order establishing a Council under this Section shall: -

- (a) specify the name and description of the Council and the date on which it shall be established;
- (b) describe the device or seal of the council;
- (c) provide for the composition of the Council; and



- (d) contain such provision for other matters as are required by this Law to be prescribed therein.

#### Emirates or Traditional Councils to be Bodies Corporate

36. (1) Where the order so provides, a Council set up under this part shall be a body corporate by the name designated in the order and shall have perpetual succession and a common seal and power to hold land and to sue and be sued.

(2) Any contract or deed which, if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of the Council by any person generally or specially authorized by the Council for that purpose.

#### Functions of Traditional Authorities

37. (1) The Traditional Council shall perform such functions as may be assigned to it by the Governor from time to time or the council.

(2) In addition to Sub-Section (1) of this Section, the Council may also perform the following functions: -

- (a) recommend to the Governor for the appointment of District Heads;
- (b) to formulate general proposals as advise to Local Government Council(s)
- (c) to harmonize the activities of Local Government Councils through discussions of problems affecting them



- generally and by giving advice and guidance to them;
- (d) to co-ordinate development plans of Local Government Council(s) by joint discussion and advice;
  - (e) to assist Local Government Council(s) in their area in the assessment of community tax and the subsequent collection thereof as is the usual practice;
  - (f) where appropriate, to determine religious matters;
  - (g) to give support for arts and culture;
  - (h) to determine questions relating to Chieftaincy matters and control of Traditional Titles and Officers, except where these are traditionally the exclusive prerogative of the Chief in which case the functions of the Emirate or Traditional Council shall be advisory to the Chief;
  - (i) subject to the Land Use Act, 1978 to determine Customary Law and practice on all matters relating to land;
  - (j) to make presentation or express opinions to the State Government or any other organization on the collective



behalf of the Local Government Council(s) in the area; and

(k) to deliberate on or make representation or express opinions to the State Government or any organization on any matters:-

(i) which they think to be important to the Emirate or other organization;

(ii) which may be referred to them by the Government or other organization.

(3) No Traditional Ruler or authority shall be hindered from performing the functions in Sub-Section (1) of this Section,

(4) Without prejudice to the general effect of Sub-Sections (1) and (2) of this Section, a Traditional Ruler or Authority:

(a) shall mobilize the people for their active participation in community development programs in his area or jurisdiction;

(b) shall play a role in social or cultural matters; and

(c) may also do all such acts as may appear to him expedient for the



purpose of implementing the functions specified in paragraphs (a) and (b) of this Sub-Section.

Traditional Rulers  
Insulated from Partisan  
Politics

38. (1) No Traditional Ruler shall engage himself in any partisan politics.

(2) For the purpose of Sub-Section (1) of this Section, a Traditional Ruler: -

- (a) shall decline to play any role that is openly partisan; and
- (b) shall stay away from any political affairs of a Local Government or State Government.

Fund of the Council

39. (1) There shall be a fund of the council into which shall be paid: -

- (a) all monies due and belonging to the Council;
- (b) 5% of all monies allocated to the Local Government Councils in the Traditional Council/Emirate by the Federation Accounts Allocation Committee. (FAAC) as provided by Section 42 (3) of the Adamawa State Local Government (Amendment) Law, 2024.
- (c) any other monies given or granted to the Council including grants, endowments and gifts.



(2) Every expenditure incurred by the Council shall be paid from the funds of the Council, including but not limited allowances to District Heads in the Council/Emirate.

#### Remuneration of Traditional Rulers

40. (1) There shall be paid to recognized Traditional Ruler in respect of his Office as such ruler salary and allowance (if any), emoluments payable shall be charged upon and paid out of the fund established under Section 24.

(2) The emoluments payable to a Traditional Ruler under Sub-Section (1) shall be paid through the Traditional / Emirate Council or directly to individual Traditional Ruler.

(3) The emoluments shall be subject to periodic review by the State Government.

(4) The staff of the Traditional Council/Emirate shall be employees of the Local Government in the Council or Emirate: Provided that where there are more than one Local Government Areas in the Council/Emirate, the Local Government Areas will contribute staff to the Council/Emirate.



## PART-VI

### MISCELLANEOUS

Jurisdiction of  
the High Court

41. (1) Any dispute arising under this Law shall be entertained by High Court only after the aggrieved party must have exhausted all the mechanisms available for the settlement of disputes in the traditional or cultural set up or as may be provided under this Law.

Pre-action Notice

42. (1) No suit shall be commenced against any Traditional Council or Chief before the expiration of thirty (30) days after written notice of the intention to commence such suit has been served upon the Traditional Council or Chief by the intending party or his agent, and the notice shall clearly state: -

- (a) the cause of action;
- (b) the particulars of claim; and
- (c) the relief sought.

Immunity of Members or  
Staff of a Traditional  
Council

43. No member or staff of a Traditional Council shall be sued in his personal capacity for any act done or omitted to be done in the lawful performance of his duties under this Law.

Criminal Proceedings

44. Where in any criminal proceedings it is necessary to name the person to whom any property belongs and that property is the property of a chief by virtue of his Chieftaincy, it shall be sufficient to name such chief by whichever title such chief is known notwithstanding that no person has been duly



appointed or installed as such chief or that there is a dispute in respect of such chieftaincy,

#### Illegal Installation or Coronation

45. (1) Where a vacancy has occurred in a Chieftaincy stool and no person has been approved as successor thereto by the Governor in accordance with the Law, the appointment of any person to such stool in contravention of the provisions of the law shall be null and void.

(2) When a person has been approved as a Chief, any other person who: -

- (a) holds himself out as a Chief or wears the regalia of such Chief; or
- (b) without the authority of the Chief, take possession of the Chief's property; or
- (c) prevents or obstructs the Chief or his servants or agents, from taking possession of any property; or
- (d) prevents or obstructs the Chiefs or his servants from holding any formal installation of the Chief, shall be guilty of an offence.

#### Punishment for Infringement

46. A person convicted of an offence under Section 43 above or any other infringement of this Law for which no punishment is stated shall be liable to a sentence of imprisonment for a term which may extend to two years or a fine which may extend to N100,000.00 or both such imprisonment and fine.



Selection to Fill a  
Vacancy

47. (1) Where a person is selected whether before or after the commencement of this Law, to fill a vacancy in the Office of the Chief by those entitled by Custom to select and in accordance with Customary Law, the prescribed Authority may approve the appointment.

(2) Where there is a dispute as to whether a person has been appointed in accordance with Customary Law relating to the Chieftaincy, the prescribed Authority may determine the dispute.

(3) Any person aggrieved by the decision of the prescribed authority in exercise of the powers conferred on the prescribed Authority may within twenty-one days from the date of the announcement of the decision of the prescribed authority, make presentation to the prescribed authority, that the decision be set aside and the prescribed authority may after considering the representation confirm or set aside the decision.

(4) Before exercising the powers conferred by Sub-Section (3) of this Section, the prescribed Authority may cause such inquiries to be held in accordance with the provisions of this Law as it appears to him necessary and desirable.

(5) Where the prescribed Authority in his determination under Sub-Section (3) of this Section, sets aside an appointment to a Chieftaincy, he shall require the persons responsible under Customary Law for the selection of the person to fill the vacancy in that Chieftaincy to select another person in



accordance with the Customary Law within such time as he may specify.

(6) The inquiries referred to under Sub-Section (4) of this Section shall be held by the panel constituted under Section 12 of this Law.

#### Limitation of Powers

48. Nothing in this Law shall be construed as conferring any Executive, Legislative or Judicial powers on a Traditional Council.

PROVIDED THAT notwithstanding the provisions of this Section, nothing shall deprive the Traditional Council/Chief of the powers (or authority) to mediate between parties who voluntarily approach the Council for mediation on matters relating to Native Law and Custom.

#### Disciplinary Measures

49. Where a member fails to perform his duties as required by this law, the Council may recommend to the Governor a disciplinary measure against the defaulting member. The Governor may approve or vary the recommendation, as he deems appropriate.

#### Power of the Governor to Make Regulations

50. The Governor may make Regulations for the carrying into effect the provisions of this Law.

#### Power of the Governor to Give Directives

51. The Governor may give to the Council directives of general nature and it shall be the duty of the Council to give effect to such directives.



Repeal

52. The Chiefs (Appointment and Deposition) Law Cap 26 of the Adamawa State, 1997 is hereby repealed.

Savings

53. All acts done or purportedly done under the repealed cap. 26 Laws of Adamawa State, 1997 shall not be invalidated by the provisions of this Law.



**FIRST SCHEDULE**

(Section 8)

**OATH OF OFFICE OF A CHIEF**

I.....do solemnly swear/affirm that I will truly serve the Government of Adamawa State in the Office of ..... and will uphold the Constitution as by Law established and obey the Laws and usages having effect in Adamawa State and the lawful commands of the Government of Adamawa State; that I will cherish in my heart no treachery or disloyalty and I rule my people with justice and impartiality and that I will do my duty without fear or favour, affection or ill-will.

So help me God.

.....

**DECLARANT**

**BEFORE ME**

**THIS.....DAY OF.....20.....**

.....

**EXECUTIVE GOVERNOR OF  
ADAMAWA STATE OF NIGERIA**



## **SECOND SCHEDULE**

(Section 29)

### **ZONAL TRADITIONAL COUNCILS**

**A. LOCAL GOVERNMENT AREAS UNDER CENTRAL ZONE TRADITIONAL COUNCIL**

1. FUFORE LOCAL GOVERNMENT AREA
2. GIREI LOCAL GOVERNMENT AREA
3. GOMBI LOCAL GOVERNMENT AREA
4. HONG LOCAL GOVERNMENT AREA
5. SONG LOCAL GOVERNMENT AREA
6. YOLA NORTH LOCAL GOVERNMENT AREA
7. YOLA SOUTH LOCAL GOVERNMENT AREA

**B. LOCAL GOVERNMENT AREAS UNDER NORTHERN ZONE TRADITIONAL COUNCIL**

1. MADAGALI LOCAL GOVERNMENT AREA
2. MAIHA LOCAL GOVERNMENT AREA
3. MICHIKA LOCAL GOVERNMENT AREA
4. MUBI NORTH LOCAL GOVERNMENT AREA
5. MUBI SOUTH LOCAL GOVERNMENT AREA



C. LOCAL GOVERNMENT AREAS UNDER SOUTHERN ZONE TRADITIONAL COUNCIL

1. DEMSA LOCAL GOVERNMENT AREA
2. GANYE LOCAL GOVERNMENT AREA
3. GUYUK LOCAL GOVERNMENT AREA
4. JADA LOCAL GOVERNMENT AREA
5. LAMURDE LOCAL GOVERNMENT AREA
6. MAYO BELWA LOCAL GOVERNMENT AREA
7. NUMAN LOCAL GOVERNMENT AREA
8. SHELENG LOCAL GOVERNMENT AREA
9. TOUNGO LOCAL GOVERNMENT AREA



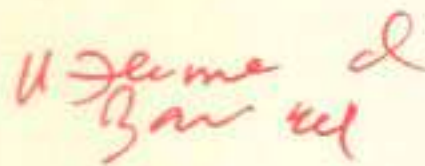
This printed impression has been carefully compared by me with the Bill which has passed the House and found by me to be a true and correctly printed copy of the said Bill



---

**UMAR USMAN HAMIDU LALEH**  
Clerk to Adamawa State House of Assembly

I assent this .....<sup>16<sup>th</sup></sup>.....day of.....<sup>DECEMBER</sup>.....2024



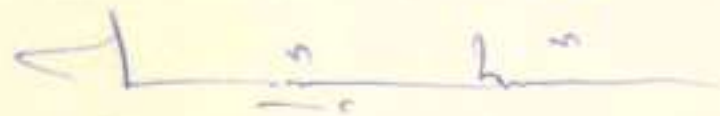
---

**RT. HON. AHMADU UMARU FINTIRI, CON, GSSRS**  
Governor,  
Adamawa State of Nigeria



## SCHEDULE OF BILL

SHORT TITLE	LONG TITLE	SUMMARY OF CONTENTS	DATE PASSED BY THE HOUSE
Adamawa State Chiefs (Appointment and Deposition) Law, 2024	A Bill for a Law to provide for the Adamawa State Chiefs (Appointment and Deposition) and for other matters incidental thereto.	The Bill seeks to provide for the Appointment and Deposition of Chiefs and empower the Governor to Create Chiefdoms/Emirates. It also established State Council of Chiefs, Traditional Councils/Emirates and Zonal Traditional Council, its composition and Functions.	10 <sup>th</sup> Dec. 2024



.....  
**UMAR USMAN HAMIDU LALEH**  
 Clerk to Adamawa State House of Assembly