

## **CHAPTER 40-CUSTOMARY COURT OF APPEAL**

A LAW TO ESTABLISH A CUSTOMARY COURT FOR THE HEARING OF APPEALS FROM THE UPPER AREA COURT IN CIVIL PROCEEDINGS INVOLVING QUESTIONS OF CUSTOMARY LAW AND FOR OTHER MATTERS CONNECTED THEREWITH

[1 January 1982]

### **PRELIMINARY**

1. This Law may be cited as the Customary Court of Appeal Law.

2. In this Law, unless the context otherwise requires:—

"Attorney-General" means the Attorney General of the State;

"Cause" means any action, suit or other original proceedings between a plaintiff and a defendant;

"Chief Registrar" means the Chief Registrar of Court;

"Code of Conduct" refers to the Code of Conduct in the Fifth Schedule to the Nigerian Constitution of 1979;

"Consolidated Revenue Fund" means all revenues or other moneys raised or received by the Government of the State (not being revenue or other moneys allocated for specific purposes by law or by resolution of the House Assembly of the State);

"Constitution" means the Constitution of the Federal Republic of Nigeria 1979;

"Court" means the Customary Court of Appeal established under this Law;

"Customary Law" includes any religious observance, declaration, custom or usage governing relationships in a given locality, which does not form part of the received law of Nigeria or Islamic personal law;

"decision" includes judgement, decree or order;

"Deputy Chief Registrar" means the Deputy Chief Registrar of the Court;

"Governor" means the Governor of the State;

"High Court" means the High Court of the State;

"Judge" means a Judge of the Court and includes the President;

"Judicial Service Commission" means the Judicial Service Commission of the State;

"matter" includes any proceeding of a court not in a cause;

"National Assembly" means the National Assembly of Nigeria;

"President" means the President of the Court;

"Public Service of the State" means Public Service of the State as defined in Section 277 of the Nigerian Constitution of 1979;