

CHAPTER 73 - KORANIC SCHOOLS (MISCELLANEOUS PROVISIONS)

AN EDICT TO PROVIDE FOR THE REGISTRATION OF KORANIC SCHOOLS AND THE CONTROL OF ACCOMPANYING STUDENTS IN THE STATE

[11 August 1986]

PART I—PRELIMINARY

1. This Edict may be cited as the State Koranic Schools (Miscellaneous Provisions) Edict.

2. In this Edict unless the context otherwise requires:—

"Certificate of Qualification" means a certificate of qualification granted to a Koranic Mallam under section 3(7) of this Edict;

"Certificate of Registration" means a certificate of registration granted in respect of registered Koranic School;

"Certificate of Transfer" means a certificate of transfer granted to koranic mallam under section 10 of this Edict;

"Koranic Mallam" means a person who gives instruction on the Koran to students for the purpose of learning;

"Koranic School" means a school where instruction on the Koran is given to students;

"Ministry" means the State Ministry of Education;

"State" means the Gongola State of Nigeria;

"Student" means a person attending a Koranic School;

"Village-Head" includes Ward-Head.

PART II—QUALIFICATIONS OF KORANIC MALLAMS

3.—(1) As from the coming into force of this Edict, every Koranic Mallam shall be qualified as such Mallam before giving instruction on the Koran.

(2) Any person who is desirous of becoming as such Mallam shall submit an application to the Islamic Religious Preachings Advisory Committee, in this Edict referred to as "the Committee", established under section 6 of the Islamic Religious Preachings Law.

(3) The Committee shall in turn send such application to the Islamic Religious Preachings Board in this Edict referred to as "the Board" established under section 3 of the Islamic Religious Preachings Law.

- (4) The application shall be as in Form A in the Schedule to this Edict.
- (5) Upon receipt of such application, it shall be the duty of the Board in conjunction with the Ministry to decide as to whether the Koranic Mallam is qualified to be as such Mallam.
- (6) In deciding as to whether a Koranic Mallam is qualified, the Board in conjunction with the Ministry:—
 - (a) shall determine and regulate the qualifications required for such Mallam; and
 - (b) may conduct examinations and set standards for this purpose.
- (7) Where a Koranic Mallam is qualified, the Board shall grant such Mallam a Certificate of Qualification as in Form B in the Schedule to this Edict.
- (8) A police officer or any person acting on behalf of a Local Government Council may require the holder of a certificate of qualification granted under subsection (7) of this section to produce the certificate at any time for inspection and the holder shall comply with the directive.

PART III—REGISTRATION OF KORANIC SCHOOLS

- 4.—(1) As from the coming into force of this Edict, every koranic School in the State shall be registered in accordance with this Edict.
- (2) It shall be the duty of every Village Head to compile from time to time a list of all the Koranic Schools in his village for registration.
- (3) The Village Head shall submit such list to the District Head of his District.
- (4) On receipt of the list the District Head shall submit such list to the Traditional Local Government Council of his area.
- 5.—(1) The Local Government Council may, on receipt of such list from the District Head, register the Koranic School on such terms or conditions as it thinks proper.
- (2) The Local Government Council shall in respect of every Koranic School registered by it under this Edict, grant a Certificate of Registration.
- (3) The Certificate of Registration shall be as in Form C in the Schedule to this Edict and such certificate shall be given to the Koranic Mallam in charge of the Koranic School for safe-keeping.
- (4) A Certificate of Registration granted under this Edict shall not be transferable.
- (5) Unless withdrawn under section 6 of this Edict, a Certificate of Registration granted under this Edict shall remain valid for one year beginning from the date it was granted and may be renewed from time to time for periods not exceeding one year.
- (6) No fees shall be charged for the grant of a certificate under this Edict.

6.—(1) A Certificate of Registration may be withdrawn by a Local Government Council if it is satisfied that the holder of such Certificate:—

(a) has failed to comply with:—

(i) any of the provisions of this Edict; or

(ii) any terms; or

(iii) any conditions,

endorsed on the Certificate of Registration;

(b) has transferred the Certificate of Registration to another person; or

(c) has obtained the Certificate of Registration fraudulently either by impersonation or otherwise.

(2) Where a Certificate of Registration is withdrawn under this section, the Koranic School shall be closed down by the Local Government concerned and shall accordingly cease to operate.

PART IV—MIGRATION OF KORANIC MALLAMS

7. No Koranic Mallam shall migrate with his students from the Local Government Council which has registered his Koranic School to another Local Government Council in the State without a valid Certificate of Transfer granted under section 10 of this Edict.

8. Any Koranic Mallam who is desirous of migrating with his students from the Local Government Council which has registered his Koranic School to another Local Government Council shall apply for a Certificate of Transfer by:—

(a) informing the Village Head of his area of his intention to migrate with his students;

(b) obtaining the consent of the parent or guardian of each student to migrate with the student; and

(c) furnishing the Local Government Council with such other information as it may require.

9. It shall be the duty of every Village Head:—

(a) to report to the Local Government Council through the District Head of his District of the intention of the Koranic Mallam to migrate with his students;

(b) to ascertain whether the consent of the parent or guardian of each student has been duly obtained; and

(c) to do such other things as may assist the Local Government Council in taking a proper

decision on the issue.

10. —(1) Where the Local Government Council is satisfied that the Koranic Mallam has fully complied with the formalities for the grant of a Certificate of Transfer, the Local Government Council shall grant to the Koranic Mallam a Certificate of Transfer.

(2) The Certificate of Transfer shall be as in Form D in the Schedule to this Edict and may contain such terms or conditions as the Local Government Council may endorse.

(3) Unless revoked under section 13 of this Edict, a Certificate of Transfer granted under this Edict shall remain valid for one year beginning from the date it was granted and may be renewed from time to time for periods not exceeding one year.

(4) A Certificate of Transfer granted to a Koranic Mallam by any Local Government Council shall not be transferable.

(5) No fees shall be charged for the grant of a Certificate of Transfer or for the renewal of such Certificate under this Edict.

11. —(1) When a Koranic Mallam arrives with his students at his destination, he shall immediately present his Certificate of Transfer to the Local Government Council there through the Village Head of the area for endorsement.

(2) In this section, "destination" means the Local Government Council in respect of which a Certificate of Transfer is granted to the Koranic Mallam.

12. A Koranic Mallam shall not abandon or neglect any student entrusted to him pursuant to this Edict.

13. A Certificate of Transfer granted to a Koranic Mallam may be revoked by a Local Government Council if it is satisfied.:-

(a) that the Koranic Mallam has failed to comply with.:-

(i) any of the provisions of this Edict;

(ii) any terms or conditions endorsed on the Certificate of Transfer; or

(b) that it is in the interests of the public to do so

PART V—MISCELLANEOUS

14. —(1) Every curriculum and syllabus of every Koranic School shall be submitted by the Koranic School to the Ministry for approval.

(2) No such curriculum and syllabus shall be used without the approval of the Ministry.

15. —(1) A Local Government Council shall keep a register of.:-

(a) all registered Koranic Schools within its area of authority;

- (b) all Koranic Mallams who have been granted Certificates of Transfer;
- (c) enrolment of students and curricula and syllabi of the Koranic Schools to enable the Ministry evaluate the standard of instruction being offered; and
- (d) all Koranic Mallams who have migrated to its area of authority.

(2) It shall also be the duty of each Local Government Council to submit to the appropriate Emirate Council from time to time a list of:-

- (a) the registered Koranic Schools mentioned in paragraph (a) of subsection (1) of this section;
 - (b) the Koranic Mallams mentioned in paragraph (b) of subsection (1) of this section;
 - (c) the enrolment and curricula and syllabi mentioned in paragraph (c) of subsection (1) of this section; and
 - (d) the Koranic Mallams mentioned in paragraph (d) of subsection (1) of this section.
- (3) On receipt of such list, the Emirate Council shall submit a copy to:-
- (a) the State Council of Chiefs;
 - (b) the Ministry; and
 - (c) the State Security Committee.

16. A police officer or any person acting on behalf of a Local Government Council may require the holder of:-

- (a) a Certificate of Registration; or
- (b) a Certificate of Transfer, granted under this Edict to produce at any time the Certificate for inspection and the holder shall comply with the directive.

17.—(1) Any person who:-

- (a) migrates with his students without a valid Certificate of Transfer under section 7 of this Edict; or
- (b) fails or refuses to present his Certificate of Transfer on arrival at his destination with his students under section 11 of this Edict; or
- (c) abandons or neglects a student entrusted to him under section 12 of this Edict; or
- (d) fails or refuses to produce a Certificate when required to do so under section 3(8) of section 16 of this Edict; or
- (e) contravenes any provision other than the provisions of section 6 of this Edict in respect of which an offence has not been prescribed,

commits an offence and on summary conviction for a first offence is liable to a fine not

exceeding five hundred naira or to imprisonment for a term not exceeding three months or to both; and for a second or subsequent offence, to a fine not exceeding one thousand naira or to imprisonment for a term not exceeding six months or to both.

(2) Where a person continues to run a Koranic School after the closure of such school in contravention of section 6 of this Edict, such person commits an offence and on summary conviction is liable to imprisonment for a term not exceeding one year without the option of a fine.

18. The provisions of the Penal Code Law in relation to Abetment of an offence and to conspiracy to commit or abet an offence shall apply mutatis mutandis to every offence under this Edict as they apply to offences under that Law.

19. Any offence under this Edict shall be tried by an Area Court or a Magistrate's Court.

20. The State Commissioner for Local Government and Community Development may, with the approval of the Governor of the State, make regulations generally for the purpose of carrying into effect the provisions of this Edict.

21. Any existing subsidiary legislation made or deemed to have been made by any Local Government concerning any Koranic School to the extent that such legislation is covered by the provisions of this Edict is hereby repealed.

SCHEDULE

FORM A

KORANIC SCHOOLS (MISCELLANEOUS PROVISIONS)

APPLICATION FOR CERTIFICATE OF QUALIFICATION

.....
To the Committee of the.....Local Government Council.

Iof.....

(Full name of applicant) (Full residential address)

hereby make an application for a Certificate of Qualification to be recognised as a Koranic Mallam in theDistrict of theLocal Government.

Date.....

.....
Signature

FORM B

KORANIC SCHOOLS (MISCELLANEOUS PROVISIONS) EDIT Cap.73

CERTIFICATE OF QUALIFICATION

By virtue of the powers conferred on the Islamic Religious Preachings

Board by section 3(7) of the Koranic Schools (Miscellaneous Provisions) Edict (Cap. 73) the Board hereby certifies that.....

.....

(Full name of Applicant)

of.....

(Full residential address)

is duly qualified to be a Koranic Mallam in theDistrict of
the.....Local Government Council.

Given under the Common Seal of the Board thisday of
..... 19.....

The Common Seal of the Board was hereunto affixed in the presence of:-

.....

Chairman,
Islamic Religious Preachings Board
and

.....

Secretary,
Islamic Religious Preachings Board

FORM C

KORANIC SCHOOLS (MISCELLANEOUS PROVISIONS) EDICT Cap. 73

CERTIFICATE OF REGISTRATION OF KORANIC SCHOOLS

I hereby certify that the Koranic School by the name of.....

.....

situated atin theDistrict of the

(Village or Ward)

.....Local Government Council has this day been
registered in accordance with the Koranic Schools (Miscellaneous Provisions)
Edict on the following terms or conditions:-

- 1
- 2
- 3
- 4
- 5

Dated atthis.....day of..... 19.....

Name of capital of theLocal
Government Council

Valid until the.....day of..... 19.....

.....

Secretary

.....Local Government Council

FORM D

KORANIC SCHOOLS (MISCELLANEOUS PROVISIONS) EDICT Cap. 73 CERTIFICATE OF TRANSFER (MIGRATION PERMIT)

.....

Local Government Council

A Certificate of Transfer is hereby granted to:-

1. Name of Koranic Mallam
2. Residence.....
3. Name of Koranic School.....
4. Local Government Council.....
5. Village or Ward and District
6. Number and date of grant of Certificate of Registration.....

.....

7. Destination

8. Duration

9. Number of students.....

On the following terms or conditions (if any):-

(a)

(b)

(c)

(d)

(e)

(f)

The Certificate of Transfer shall expire on the.....

day of..... 19.....and may be renewed on application.

Date of grant.....

.....

Secretary

.....Local Government Council