

CHAPTER 26 - CHIEFS (APPOINTMENT AND DEPOSITION)
A LAW TO PROVIDE FOR THE APPOINTMENT AND DEPOSITION OF
CHIEFS

1. This Law may be cited as the Chiefs (Appointment and Deposition) Law.

2.—(1) In this Law-

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

"property" includes all regalia and other things whatsoever attaching to a chief by virtue of his chieftaincy.

3.—(1) 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 accordance or head chief, any person appointed in that behalf by those entitled by customary 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 person as he may deem fit and proper to carry out such duties incidental to the chieftaincy as it may be necessary to perform.

(2) In the case of any dispute, the Governor, after due inquiry and consultation with persons concerned in the selection, shall have the final say as to whether the appointment of any chief or head chief has been made in accordance with customary law.

4.—(1) The provisions 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 subsections (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 subsection (1) 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 those entitled to appoint in accordance with the provisions 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 the chieftaincy as it may be necessary to perform.

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

5. The Governor may grade the office of a head chief as first, second, third, fourth or fifth class, according to the size and importance of such office.

6. The Governor after due inquiry and consultation with the persons concerned in the selection, may depose any chief or any head chief whether appointed before or after the commencement of

this Law if after inquiry he is satisfied that such deposition is required according to customary law or is necessary in the interests of peace, or order or good government.

7. The power of the Governor under the preceding sections of this Law shall only be exercised after receiving the advice of the Council Of Chiefs.

8. Any person appointed on or after the 1st day of October, 1963, as a chief or head chief shall as soon as may be after his appointment take the oath set out in the Schedule before the Governor or such other person as the Governor may appoint.

9. If any person declines or neglects to take the oath, when any oath required to be taken by him under section 7 is duly tendered, he shall-

(a) if he has already entered on his office of chief or head chief, vacate the same; or

(b) if he has not entered on his office of chief or head chief, be disqualified from entering on the same.

10. Nothing contained in this Law shall affect the validity of any oath taken prior to the 1st day of October, 1963, by any person on his appointment as chief or head chief, and any such oath shall be deemed to have been taken under the provisions of this Law and shall be as effectual and binding as if taken under the provisions of this Law.

11. The Secretary to the Council of Chiefs 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.

12. 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.

SCHEDULE OATH OF CHIEF

I,.....
do swear that I will well and truly serve the Government of.....State
in the office of.....
and will uphold the Constitution as by law established and obey the laws
and usages having effect in.....State and the lawful commands of
the Government of.....State; that I will cherish in my heart no
treachery or disloyalty; that I will 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.

