

CHAPTER 70 - ISLAMIC RELIGIOUS PREACHINGS
A LAW TO REGULATE ISLAMIC RELIGIOUS PREACHING GGS 6 of
IN THE STATE

[20 September 1979]

1. This Law may be cited as the Islamic Religious Preachings Law.
2. In this Law unless the context otherwise requires:-

"appropriate authority" means the Chairman of the Board;

"Board when used in relation to the Islamic Religious Preachings Board means the Islamic Religious Preachings Board and when used in relation to the Islamic Preachings Appellate Board means the Islamic Religious Preachings Appellate Board;

"Emirate Council" shall have the same meaning as in the Local Government Law and includes a Traditional Council;

"Committee" means Islamic Religious Preachings Advisory Committee;

"Governor" means the Governor of the State;

"Mallam" means any person versed in the knowledge of the Koran and Islamic teachings and who strives to live in accordance with the norms of Islam;

"Member" means member of the Board or Committee and includes the Chairman;

"Mosque" means any enclosed place, building or premises devoted to Islamic religious prayers and includes an open space set apart for the performance of prayers and other Islamic religious devotions;

"Person" means a person of Islamic faith;

"Public Place" means any highway, public park or garden, any public bridge, road, lane, footway, square, court, alley or passage whether a thoroughfare or not; and includes any open space and any premises or place to which for the time being the public have or are permitted to have access, whether on payment or otherwise;

"State" means the Gongola State of Nigeria.

3. There shall be established in the State a body to be known as Board the Islamic Religious Preachings Board which shall be a body corporate with perpetual succession and a common seal.

4. (1) The Board shall be composed of the following persons:-

- (a) a Chairman to be appointed by the Governor;
- (b) one representative from each Emirate Council;
- (c) one representative of the mallams from each Local Government Area; and
- (d) five other persons to be appointed by the Governor.

(2) The Cabinet Office shall provide a person who shall be the Secretary of the Board.

5. The functions of the Board shall be:-

- (a) to determine and regulate the qualification required for any person to become a religious preacher or a Koranic commentator;
- (b) to consider and approve applications of persons wishing to become Islamic religious preachers or Koranic commentators in the State and may conduct examinations and set standards for this purpose;
- (c) to issue a licence to any person who is qualified to become an Islamic religious preacher or Koranic commentator after conducting the examination referred to under paragraph (b) of this

section;

(d) to issue guidelines as to the contents of religious songs or poetry that may be sung in mosques or public places.

(2) A licence issued under paragraph (c) of this section may be in general terms or subject to conditions that may be imposed by the Board.

(3) A person issued with a licence under this Law shall, as soon as may be, register that licence with the Secretary to the Local Government of the area where he intends to operate.

6. Subject to the provisions of this Law, there shall also be established in each Local Government an Islamic Religious Preachings Advisory Committee consisting of persons of repute. Committee.

7. The Committee shall be composed of the following persons:-

(a) a Chairman to be appointed by the Local Government;

(b) all District Heads within the Local Government; or their representatives;

(c) one respectable mallam from each District; and

(d) two persons to be nominated by the Local Government Council.

8. The function of the Committee shall be:-

(a) to advise the Board on all matters connected with Islamic Religious preaching within the Local Government area;

(b) to receive and submit to the Board with its own recommendations, applications from persons intending to be religious preachers or Koranic commentators.

9. There is hereby established a body to be known as the Islamic Religious Preachings Appellate Board.

10. —(1) The Board shall consist of-

(a) the Lamido of Adamawa as the Chairman;

(b) the Emir of Muri;

(c) the Grand Kadi; and

(d) one Imam from each of the Adamawa, Numan, Muri, Mubi, Wukari, Sardauna and Ganye Traditional Councils.

(2) Subject to subsection (3) of this section the composition of the Board shall be deemed to be lawful and the Board shall have power to discharge its functions notwithstanding the occurrence of any vacancy in its membership as prescribed by subsection (1) of this section.

(3) The Board shall be duly constituted for the dispatch of its business by not less than five members thereof.

(4) The Chairman shall preside at the sittings of the Board and in his absence the Grand Kadi shall preside.

11.—(1) The Board shall have power to hear and determine appeals from any decision or recommendation of the Islamic Religious Preachings Board.

(2) The decisions of the Board shall be final and no question as to such decision shall be entertained by any court of law in the State.

(3) An appeal shall lie as of right from any decision or recommendation of the Islamic Religious Preachings Board to the Board.

12. The provisions contained in the First Schedule shall have effect with respect to the constitution and proceedings of the Board and the Committees.

13.—(1) If it appears to the Board that any person recommended by it to be a religious preacher is for any reason unable or unsuitable to continue as such, the Board may at any stage withdraw

his licence after giving the person a fair hearing.

(2) The Board shall give notice of its decision under subsection (1) of this section to the Secretary to the Local Government of the area concerned and to the person himself.

14.—(1) Any religious preaching in a public place shall be illegal, except where a licence is issued for the purpose in accordance with the provisions of this Law.

(2) No person shall preach in a public place without first obtaining a permit granted by the Secretary to the Local Government of the area concerned.

(3) Subject to subsection (2) of this section a person who has been certified fit and qualified to preach by an approved body or organization designated in the Third Schedule shall be deemed to have satisfied the examination requirements of Section 5(b) of this Law.

(4) The Board may from time to time add, rescind, revoke, amend or vary the list as contained in the Third Schedule.

15. (a) Any person who preaches without a licence issued by the Board; or

(b) who, if licenced to preach, preaches in contravention of the conditions contained in the licences; or

(c) who, in the course of preaching has been stopped by the appropriate authority, and who refuses to stop; or

(d) who, uses provocation or abusive language or songs in religious preachings; or

(e) who, by any means, publicly insults or seek to excite contempt of any Islamic religious sect in such a manner as to be likely to cause a breach of the peace; shall be guilty of an offence.

16. Any person who commits an offence under this Law shall be liable on conviction on a first offence to imprisonment for six months or to a fine of five hundred naira or both; and in addition to the Board may suspend his licence. On a second or subsequent offence he shall be liable on conviction to imprisonment for one year or a fine of one thousand naira or both; and in addition, his licence shall be revoked.

17.—(1) The application, licence and permit to be used for the purpose of this Law shall be in the form set out in Forms 1, 2 and 3 Scheduled specified in the Second Schedule.

(2) No fees shall be charged for the issue of licence or permit under this Law.

18. The Governor may make regulations generally for the purpose of carrying into effect the objects of this Law.

ISLAMIC RELIGIOUS PREACHINGS LAW, CAP. 70

FIRST SCHEDULE

SUPPLEMENTARY PROVISIONS

1. The members shall hold office for a period of three years from the date of their appointment but shall be eligible for re-appointment.

2. The Board and the Committees may regulate their own proceedings and may make standing orders for that purpose and, may function notwithstanding any vacancy in their membership or the absence of any member.

3. The members not being public officers shall be paid such allowances as the Administrator may determine.

4.—(1) A member may resign his appointment by writing under his hand addressed to the person or authority which appointed him and upon the receipt of the resignation by such person or authority, the appointment of the members shall determine.

(2) The Administrator may revoke the appointment of any member on being satisfied that the member is unable or unfit to discharge his functions as a member.

ISLAMIC RELIGIOUS PREACHINGS LAW, CAP. 70 Section 17.
SECOND SCHEDULE
FORM 1
APPLICATION FOR LICENCE

.....Local Government
To the (Licensing Authority)
I (applicant of etc.): hereby make application for licence to be religious preacher/Koranic
commentator/a singer in
.....
District of the.....
LOCAL GOVERNMENT
Date
.....
(Signature of Applicant)

ISLAMIC RELIGIOUS PREACHINGS LAW, CAP. 70
FORM 2
ISLAMIC RELIGIOUS PREACHINGS BOARD
GONGOLA STATE OF NIGERIA
LICENCE TO PREACH

.....By virtue of the powers conferred
on the Board in that behalf by the Islamic Religious Preachings Law
(Cap. 70) the Board hereby certified that
(applicant) of.....(address) etc. is duly licenced under section
5(d) of the Law to be a religious preacher/Koranic/commentator/a singer
in.....Local Government Area.
GIVEN under the common seal of the Board this.....day of
..... 19.....
The Common Seal of the Islamic Religious Preachings Board was hereunto affixed in the
presence of
.....Chairman
by
.....Secretary
Conditions (if any)

ISLAMIC RELIGIOUS PREACHINGS LAW, CAP. 70
FORM, 3
PERMIT TO PREACH

Applicant, by name.....of.....
is hereby permitted to preach aton.....
day offromto.....

and for.....days thereafter.

This permit shall be in force for.....from the date thereof.

DATED thisday of..... 19.....

.....SECRETARY LOCAL GOVERNMENT

THIRD SCHEDULE

List of approved Bodies or Organizations:-

1. Jama'atu-nasril Islam;
2. Kano Law School or School for Arabic Studies, Kano;
3. Ahmadu Bello University, Zaria;
4. Al-Azhar University, Cairo;
5. Islamic University, Medina;
6. Islamic University of Omdurman, Sudan;
7. Islamic University of Al-Baida, Libya;
8. Cairo University;
9. Kuwait University;
10. University of London.

Any Islamic Institution approved from time to time by the State's Ministry of Education.