

**EKITI STATE ADMINISTRATION OF
CRIMINAL JUSTICE (FIRST
AMENDMENT) LAW, 2022.**

NO. 1 OF 2022.

EKITI STATE OF NIGERIA

**EKITI STATE ADMINISTRATION OF CRIMINAL JUSTICE (FIRST
AMENDMENT) LAW, 2022.**

ARRANGEMENT OF SECTIONS

1. Amendment of the Ekiti State Administration of Criminal Justice Law, No. 1 of 2014.
2. Insertion of a new proviso as Section 1A to the Principal Law.
3. Amendment of Section 4 of the Principal Law.
4. Amendment of Section 9 (3) of the Principal Law.
5. Insertion of a new proviso as subsection (4) to Section 9 of the Principal Law.
6. Insertion of a new proviso as subsection (5) to Section 9 of the Principal Law.
7. Insertion of a new proviso as Section 21A of the Principal Law.
8. Amendment of Section 66 (1) of the Principal Law.
9. Amendment of Section 71 (2) of the Principal Law.
10. Amendment of Section 74 (1) of the Principal Law.
11. Renumbering Section 74 (4) of the Principal Law.
12. Insertion of a new proviso as subsection (4) (b) to Section 74 of the Principal Law.
13. Amendment of Section 74 (5) of the Principal Law.
14. Deletion of Section 75 of the Principal Law.
15. Amendment of Section 76 of the Principal Law.
16. Amendment of Section 77 (b) (iv) of the Principal Law.
17. Amendment of Section 93 of the Principal Law.
18. Amendment of Section 121 of the Principal Law.
19. Amendment of Section 127 of the Principal Law.
20. Amendment of Section 140 (1) & (2) of the Principal Law.
21. Amendment of Section 181(b) of the Principal Law.
22. Amendment of Section 187 of the Principal Law.
23. Amendment of Section 190 (1) (c) of the Principal Law.
24. Amendment of Section 190 (2) of the Principal Law.

25. Amendment of Section 198 of the Principal Law.
26. Amendment of Section 200 of the Principal Law.
27. Amendment of Section 232 of the Principal Law.
28. Amendment of Section 235 of the Principal Law.
29. Amendment of Section 260 (2) of the Principal Law.
30. Substitution of Section 264 (3) of the Principal Law.
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34. Amendment of Section 283 of the Principal Law.
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42. Amendment of Section 347 of the Principal Law.
43. Insertion of a new Part 41A to the Principal Law.
44. Insertion of a new Section 370 to the Principal Law.
45. Insertion of a new Section 371 to the Principal Law.
46. Insertion of a new Section 372 to the Principal Law.
47. Insertion of a new Section 373 to the Principal Law.
48. Insertion of a new Section 374 to the Principal Law.
49. Insertion of a new Section 375 to the Principal Law.
50. Insertion of a new Section 376 to the Principal Law.
51. Insertion of a new Section 377 to the Principal Law.
52. Amendment of Section 371 of the Principal Law.
53. Amendment of Form No. 2 of the First Schedule of the Principal Law.

54. Amendment of Form No. 6 of the First Schedule of the Principal Law.
55. Amendment of Form No. 9 of the First Schedule of the Principal Law.
56. Amendment of Form No. 10 of the First Schedule of the Principal Law.
57. Amendment of Form No. 11 of the First Schedule of the Principal Law.
58. Amendment of Form No. 12 of the First Schedule of the Principal Law.
59. Amendment of Form No. 13 of the First Schedule of the Principal Law.
60. Amendment of Form No. 14 of the First Schedule of the Principal Law.
61. Amendment of Form No. 15 of the First Schedule of the Principal Law.
62. Amendment of Form No. 16 of the First Schedule of the Principal Law.
63. Amendment of Form No. 17 of the First Schedule of the Principal Law.
64. Amendment of Form No. 18 of the First Schedule of the Principal Law.
65. Amendment of Form No. H of the Fourth Schedule of the Principal Law.
66. Amendment of Form No. J of the Fourth Schedule of the Principal Law.
67. Renumbering of Sections 370-372 of the Principal Law.
68. Citation.

**A LAW TO AMEND THE PROVISIONS ON CRIMINAL JUSTICE
ADMINISTRATION IN THE HIGH COURTS AND
MAGISTRATES' COURTS OF EKITI STATE AND FOR OTHER CONNECTED
PURPOSES.**

NO. 1 OF 2022.

EKITI STATE OF NIGERIA.

ENACTED BY EKITI STATE HOUSE OF ASSEMBLY AS FOLLOWS:

Amendment of Criminal Law referred to as No. 1 of 2014. 1. The provisions of the Ekiti State Administration of Justice Law, No. 1 of 2014 (in this “the Principal Law”) is hereby amended as set out in this Law. *Ekiti State Administration of Criminal Justice Law, No. 1 of 2014.*

Purposes.

Insertion of a new proviso as Section 1A to the Principal Law. 2. A new proviso is hereby inserted as Section 1A to read as follows:
Section 1A: The Purposes of this Law shall be to -
 (1) *ensure efficiency and speedy dispensation of criminal justice.*
 (2) *prevent undue delay of proceedings;*
 (3) *ensure efficient management of criminal justice institutions;*
 (4) *protect the society from crime; and*
 (5) *protect the rights and interests of the suspect, the defendant and the victim.*

Arrest in Lieu.

Amendment of Section 4 of the Principal Law. 3. Section 4 of the Principal Law is hereby deleted and substituted with another Section 4 as follows:
Section 4:
 (1) *A person shall not be arrested in lieu of any other person in a criminal matter.*
 (2) *The provisions of subsection (1) of this Section shall not apply to sureties.*
 (3) *Where a person is arrested in place of another, the Court shall upon an application on notice before it, order the immediate release of such person, where it finds that the person ought not to have been arrested.*
 (4) *A person or law enforcement officer who arrest in contravention of subsection (1) of this Section commits an offence and is liable for misconduct.*

Arrested persons to be taken at once to Police Station.

*Amendment of
Section 9 (3) of
the Principal Law.*

4. Section 9 (3) of the Principal Law is hereby deleted and substituted with another Section 9 (3) as follows:

Section 9 (3): Where any person who is arrested with or without a warrant volunteers to make a confessional statement, the Police Officer shall ensure that the making and taking of such statement is recorded on video and the said recording and copies of it may be produced at the trial provided that in the absence of video facility, the said statement shall be in writing in the presence of a legal practitioner of his choice who may be procured within a reasonable time, or where he has no legal practitioner of his choice or could not get such legal practitioner within a reasonable time in the presence of an officer of Legal Aid Council of Nigeria or an official of a Civil Society Organization or an officer of the Office of the Public Defender or a Justice of Peace. The legal practitioner or any other person mentioned in this subsection shall not interfere while the suspect is making his statement.

Provided that non-compliance with any requirement of subsection (3) above shall not preclude the admissibility in evidence of any confession otherwise admissible under the relevant provisions of the Evidence Act.

Arrested persons to be taken at once to Police Station.

*Insertion of
9 new proviso as
Subsection (4) to
in Section 9 of the
over Principal Law.
been made
of the*

5. New proviso as subsection (4) is hereby inserted in Section of the Principal Law as follows:

(4) Where a suspect does not understand or speak or write English language, an interpreter, shall record and read the statement to the suspect to his understanding and the suspect shall then endorse the statement as having by him and the interpreter shall attest to the making statement.

Arrested persons to be taken at once to Police Station.

*Insertion of
9 new proviso as*

6. New proviso as subsection (5) is hereby inserted in Section of the Principal as follows:

subsection (5) to Section 9 of the Principal Law.

(5) The interpreter shall endorse his name, address, occupation, designation or other particulars on the statement.

Chief Magistrate to visit police stations every month.

Insertion of a new proviso as Section 21A of the Principal Law.

7. A new proviso is hereby inserted as Section 21A to read as follows:

Section 21A:

(1) The Chief Magistrate, or where there is no Chief Magistrate within the police division, any Magistrate designated by the Chief Judge for that purpose, shall at least once every month conduct an inspection of police stations or other places of detention within the jurisdiction other than the correction facility.

(2) During the visit, the Magistrate may –

(a) call for and inspect the record of arrests;

(b) direct the arraignment of a suspect(s); or

(c) where bail has been refused grant bail to any suspect where appropriate if the offence for which the suspect is held is within the jurisdiction of the Magistrate.

(3) An officer in charge of a police station or official in charge of an agency authorized to make an arrest shall make available to the visiting Chief Magistrate or designated Magistrate under subsection (1) of this Section –

(a) the full record of arrest and record of bail;

(b) decisions on bail applications made within the period; and

(c) any other facility the Magistrate requires in exercising the powers under subsection (1) of this Section.

(4) Where there is default by an officer in charge of a police station or official in charge of an agency authorized to make arrest to comply with the provisions of subsection (3) of this Section, the default shall be treated as a misconduct and shall be dealt with in accordance with the relevant Police

Regulation under the Police Act, or pursuant to any other disciplinary procedure prescribed by any provision regulating the conduct of the police officer or official of the agency.

Transfer of case where cause of complaint has arisen out of jurisdiction of Court.

Amendment of Section 66 (1) of the Principal Law. **8.** Section 66 (1) of the Principal Law is hereby amended by substituting the word “Prison” with “Nigerian Correctional Centre” to now read:

Section 66 (1): If the defendant is in custody and the Magistrate directing such transfer deems it expedient that such custody should be continued or if he is not in custody, that he should be placed in custody, the Magistrate shall by his warrant, commit the defendant to Nigerian Correctional Centre until he can be taken before a Magistrate of the District where the cause arose.

Discontinuance of criminal cases by the Attorney-General.

Amendment of Section 71 (2) of the Principal Law. **9.** Section 71 (2) of the Principal Law is hereby amended by substituting the word “Prison” with “Nigerian Correctional Service” to now read:

Section 71 (2): If the defendant has been committed to prison he shall be released, or if on bail the recognizances shall be discharged, and, where the defendant is not before the Court when such discontinuance is entered, the Registrar or other proper officer of the Court shall immediately cause notice in writing of the entry of such discontinuance to be given to the officer in charge of the Nigerian Correctional Service or other place in which the defendant may be detained and such notice shall be sufficient authority to discharge the defendant or if the defendant is not in custody shall immediately cause such notice in writing to be given to the defendant and his sureties and shall in either case cause a similar notice in writing to be given to any witnesses bound over to prosecute.

Issuance of legal advice.
Amendment of Section 74(1) of the Principal Law. 10. Section 74 (1) of the Principal Law is hereby amended by inserting the word “*certified*” between “all” and “duplicate” *the Principal Law.* in line 1.

Issuance of legal advice.
Renumbering of Section 74(4) of the Principal Law. 11. Section 74 (4) of the Principal Law is hereby renumbered Section 74(4)(a).

Issuance of legal advice.
Insertion of a new subsection (4) (b) to Section 74 of the Principal Law. 12. A new proviso is hereby inserted as subsection (4) (b) of Section 74 of the Principal Law as follows:
a taking over of Constitution original case file in
Section 74 (4)(b): The police shall within 7 days of the receipt of the legal advice in respect of a case indicating prima facie case against a person or notice of a case pursuant to the provision of the forward to the Attorney-General the respect of such case.

Issuance of legal advice.
Amendment of Section 74 (5) of the Principal Law. 13. Section 74 (5) of the Principal Law is hereby amended by substituting the word “**Prison authority**” with “**Nigerian Correctional Service**” to now read:
Section 74 (5): The Office of the Attorney-General shall ensure service of the copy of the legal advice upon a person in respect of whom legal advice is preferred through the Nigerian Correctional Service if the person is remanded in custody and through the appropriate Court if the person is on bail.

Plea Bargain.
Deletion of Section 75 of the Principal Law. 14. Section 75 of the Principal Law is hereby deleted.

Plea Bargain and Sentence Agreement.

Amendment of 15. Section 76 of the Principal Law is hereby deleted and replaced *Section 76 of the* with another Section 76 as follows:
Principal Law. **Section 76:**

(1) *Notwithstanding anything to the contrary in this Law or any other Law, the prosecutor may subject to the approval of the Attorney-General and Commissioner for Justice –*

(a) *receive and consider a plea bargain from a defendant charged with an offence either directly or on behalf of the defendant; or*

(b) *offer a plea bargain to a defendant charged with an offence.*

(2) *Where the Attorney-General and Commissioner for Justice is of the view that the offer or acceptance of a plea bargain is in the interest of justice. Public policy and the need to prevent abuse of legal process, the Attorney-General and Commissioner for Justice may offer or accept the plea bargain.*

(3) *Subject to the provision of subsection (2) above, the prosecution may with the consent of the victim or the victim’s representative enter into plea bargaining with the defendant before or after the close of the case where the defendant –*

(a) *has agreed to return the proceeds of the crime, make restitution to the victim or the victim’s representative; or*

(b) *in a case of conspiracy, has fully cooperated with the investigation and prosecution of the crime by providing relevant information for the successful prosecution of other offenders, but the prosecution may not enter into plea bargaining after the defence case is opened.*

(4) *The prosecutor and the defendant or the defence counsel may, before the plea to the charge, enter into agreement in respect of –*

(a) *the term of the plea bargain which may include the sentence recommended within the appropriate range of punishment stipulated for the offence or a plea of guilty by the defendant to the offence charged or a lesser offence which may warrant conviction on the charge and;*

(b) *an appropriate sentence to be imposed by the court where the defendant intends to plead guilty upon conviction.*

- (5) The prosecutor may only enter into an agreement contemplated in subsection (4) of this Section –**
- (a) after consultation with the police or the security agency responsible for the investigation of the case and the victim or the representative; and**
 - (b) taking into consideration the nature of and circumstances relating to the offence, the defendant and public interest:**

Provided that in determining whether it is in the public interest to enter into a plea bargain, the prosecution shall weigh all relevant factors, including the –

- (i) defendant's willingness to cooperate in the investigation or prosecution of other;**
 - (ii) defendant's criminal record or history of involvement in criminal activities;**
 - (iii) defendant's remorse, contrition or willingness to assume responsibility for the act or conduct;**
 - (iv) desirability of prompt and certain disposition of the case;**
 - (v) likelihood of obtaining a conviction at trial and the probable effect on witnesses;**
 - (vi) probable sentence or other consequences if the defendant is convicted;**
 - (vii) need to avoid delay in the disposition of other pending cases; and**
 - (viii) expenses of trial and appeal and the defendant's willingness to make restitution or pay compensation to the victim where appropriate.**
- (6) The prosecution shall afford the victim or the representative the opportunity to make representations to the prosecutor in respect of –**
- (a) the content of the agreement; and**
 - (b) the inclusion in the agreement of a compensation or restitution order.**
- (7) An agreement between the parties contemplated in subsection (4) of this Section shall –**
- (a) be in writing, clearly stating the terms of the agreement and any admission made;**
 - (b) be signed by the prosecutor, the defendant, the legal practitioner and the interpreter, as the case may be; and**
 - (c) state that the defendant has been informed before the conclusion of the agreement that the defendant**

- (i) *has a right to remain silent and the consequence of not remaining silent; and*
 - (ii) *is not obliged to make any confession or admission which could be used in evidence against the defendant.*
- (8) *The presiding Judge or Magistrate before whom the criminal proceeding is pending shall not participate in the negotiation contemplated in subsection (3) of this Section.*
- (9) *Where a plea agreement is reached by the prosecution and the defence, the prosecutor shall inform the court that the parties have reached an agreement and the presiding Judge or Magistrate shall require the defendant to confirm the terms of agreement.*
- (10) *The presiding Judge or Magistrate shall ascertain whether –*
 - (a) *the defendant admits the allegation in the charge to which guilty is pleaded; and*
 - (b) *the agreement is voluntarily reached without any undue influence.*
- (11) *Where the presiding Judge or Magistrate is of the opinion that the defendant cannot be convicted of the offence which the agreement was reached and to which the defendant pleaded guilty or that the agreement is in conflict with the defendant's right referred to in subsection (7) of this Section, the Judge or Magistrate shall record a plea of not guilty in respect of such charge and order that the trial proceed.*
- (12) *Where the presiding Judge or Magistrate is satisfied with the terms of the plea bargain of the offence to which the defendant has pleaded guilty, the Judge or Magistrate shall consider the sentence agreed upon in the agreement and if –*
 - (a) *satisfied that such sentence is an appropriate sentence, convict the defendant on the plea to that offence and impose the sentence;*
 - (b) *or of the view that –*
 - (i) *a lesser sentence than the sentence agreed be imposed, the prosecution shall be notified of such lesser sentence and the prosecution shall be at liberty to withdraw the offer; or*
 - (ii) *the offence requires a heavier sentence than the sentence agreed upon, the Judge or Magistrate shall inform the defendant of*

such heavier sentence considered to be appropriate.

- (13) Where a defendant has been informed of the heavier sentence as contemplated in subsection (12) (b) (ii) of this Section, the defendant may –**
- (a) abide by the plea of guilty as agreed upon and subject to the defendant's right to lead evidence and to present argument relevant to sentencing, agree that the presiding Judge or Magistrate proceed with the sentencing; or**
 - (b) withdraw from the plea agreement, in which event the trial shall proceed de novo before another presiding Judge or Magistrate, as the case may be.**
- (14) Where a trial proceeds de novo before another presiding Judge or Magistrate as contemplated in subsection (13)(b) of this Section –**
- (a) no reference shall be made to the agreement; and**
 - (b) no admission contained in the statements shall be admissible against the defendant, the prosecutor and the defendant may not enter into a similar plea and sentence agreement.**
- (15) Where a person is convicted and sentence under the provisions of subsection (1) of this Section, such person shall not be charged or tried again on the same facts for the offence earlier charged to which the defendant had pleaded to a lesser offence.**
- (16) The presiding Judge or Magistrate shall make an order that any money, asset or property agreed to be forfeited under the plea bargain shall be transferred to the victim or the legal representative of the victim or any other person as may be directed by the court.**
- (17) Notwithstanding the provisions of any existing law, the prosecutor shall take reasonable steps to ensure that any money, asset or property agreed to be forfeited or returned by the defendant under a plea bargain are transferred to the victim, the legal representative of the victim or other person lawfully entitled to it.**
- (18) Any person who, wilfully and without just cause, obstructs or impedes the transfer of any money, asset or property under this Section, commits an offence and is liable on conviction to a custodial sentence for seven (7) years without an option of fine.**

Methods of Instituting Criminal Proceedings.

*Deletion of
Section 77 (b) (iv)
of the Principal Law*

16. Section 77 (b) (iv) of the Principal Law is hereby deleted.

*Amendment of
Section 93 of
the Principal Law.*

Person refusing to endorse may be arrested.

17. Section 93 of the Principal Law is hereby amended by substituting the word “Prison” with “Correctional Center” to now read:

Section 93: Every person who is required to endorse to the effect that he has received the summons and fails to endorse may be arrested by the person serving the summons and taken before the Court which issued the summons and may be detained in custody or committed to Correctional Centre for such time as the Court may think necessary.

*Amendment of
Section 121 of
Centre” the Principal Law.*

Persons before whom recognizance may be executed.

18. Section 121 of the Principal Law is hereby amended by substituting the word “Prison” with “Correctional Centre” to now read:

Section 121: When in respect of any recognizance the Court has fixed the amount in which the sureties, if any, are to be bound, the recognizance need not be entered into before the said Court, but may be entered into by the parties before any other Court, or before any Registrar, or before any superior Police Officer or officer in charge of a Police Station, or where any of the parties is in a prison before the superintendent or other person in charge of such Correctional Centre, and all the consequences of Law shall ensue and the provisions of this Law with respect to recognizances before a Court shall apply as if the recognizance had been entered into before the Court.

*Amendment of
Section 127 of
Centre” the Principal Law.*

Power to revoke bail.

19. Section 127 of the Principal Law is hereby amended by substituting the word “Prison” with “Correctional Centre” to now read:

Section 127: Where a defendant who has been admitted to bail by a Magistrate is indicted by a Law Officer for an offence which is not bailable by a Magistrate, the Magistrate shall, on being informed of the fact by any superior Police Officer, issue a warrant for the arrest of the defendant and commit him to the Correctional Centre in the same manner as if he had been originally committed for trial of the offence for which he is indicted.

Power of court to order prisoner to be brought before it.

Amendment of Section 140 (1) & (2) of the Principal Law is hereby amended Section 140 (1) & (2) substituting the word “Prison” with “Correctional Centre” of the Principal Law. to now read:

Section 140: (1) Where any person for whose appearance or arrest a Court is empowered to issue a summons or warrant is to be confined in any prison, the Court may issue an order to the Superintendent of the Correctional Centre requiring him to cause such prisoner to be brought at a time to be named in the order before such Court.

(2) The Superintendent of Prisons on receipt of such order, shall act in accordance and shall provide for the safe custody of the prisoner during his absence from the Correctional Centre for the purpose stated in subsection (1) of this Section.

Penalty on witnesses refusing to attend.

Amendment of Section 181(b) of the Principal Law. 21. Section 181(b) of the Principal Law is hereby deleted and replaced with another Section 181 (b) as follows:

Section 181:

(b) departs from the precincts of the Court without the leave of the Judge or Magistrate, commits an offence and is liable on summary conviction to a penalty not exceeding twenty thousand Naira (₦20,000) or to a custodial sentence not exceeding two (2) months.

Fine for non-attendance of witness.

Amendment of Section 187 of the Principal Law.

22. Section 187 of the Principal Law is hereby amended by deleting “Five Thousand Naira” and substituting with “Twenty Thousand Naira (₦20,000)” to now read:

Section 187: Every person who defaults in attending as a witness in either of the cases mentioned in Sections 185 and 186 of this Law shall be liable, on the summary order of the Court, to a fine of Twenty Thousand Naira (₦20,000).

Witness refusing to be sworn, or produce documents.

Amendment of Section 190(1)(c) of the Principal Law.

23. Section 190(1)(c) of the Principal Law is hereby amended by substituting the word “Prison” with “Correctional Centre” to now read:

(1) (c) refuses or neglects to produce any documents which he is required by the Court to produce, without offering any sufficient excuse for such refusal or neglect, the Court may, if it deems fit, adjourn the hearing of the case for any period not exceeding eight days where practicable, and may in the meantime, by warrant, commit such person to the correctional centre or other place of safe custody, unless he consents to do what is so required of him.

Witness refusing to be sworn, or produce documents.

Amendment of Section 190(2) of the Principal Law.

24. Section 190(2) of the Principal Law is hereby amended by substituting the word “Prison” with “Correctional Centre” to now read:

(2) If such person, upon being brought before the Court at or before such adjourned hearing again refuses to do what is so required of him, the Court may, if it deems fit, again adjourn the hearing of the case, and commit him to correctional centre or other place of safe custody for the same period, and so again from time to time until such person consents to do what is so required of him.

Certificates of certain government technical officers.

Amendment of Section 198 of the Principal Law.

25. Section 198 of the Principal Law is hereby amended by deleting “Evidence Law applicable in the State” and substituting with “Evidence Act” to now read:

Section 198: Certificates signed by any of Government officers shall be admissible in evidence in accordance with the relevant provisions of the Evidence Act.

Public to have access to hearing.

Amendment of Section 200 of the Principal Law.

26. Section 200 of the Principal Law is hereby deleted and replaced with another Section 200 as follows:

Section 200:

- (1) *Subject to the provisions of Sections 202 and 217 of this Law and any other written law specifically relating to the room or place in which any trial is to take place, a trial shall be conducted in an open court to which the public generally may have access to, as far as it can conveniently contain them.*
- (2) *Notwithstanding the provisions of subsection (1) of this Section, the court may conduct its proceedings, whether wholly or in part via audio virtual, video conference or other facility as may be agreed to by parties, as long as the parties and their legal representatives, as well as interested members of the public take part, using telephone or video conferencing facilities, without the necessity of physical attendance in the courtroom.*
- (3) *Where parties are unable to agree to a particular technological platform, the court shall direct that the matter be heard through a platform of its discretion.*

Non-Appearance of Prosecutor.

Amendment of Section 232 of the Principal Law.

27. Section 232 of the Principal Law is hereby deleted and replaced with another Section 232 as follows:

Section 232:

- (1) *Where the defendant appears voluntarily in obedience to summons, or is brought before the court under a warrant on the day the matter comes up before the court for hearing and the prosecution –*
- (a) *Having to the satisfaction of the court had due notice of the time and place of hearing, does not appear in person or in the manner authorised by*

any written law, the court shall strike out the case and discharge the defendant, unless the court, having received a reasonable excuse for the non-appearance of the prosecutor or a representative or for other sufficient reason which the court deems fit to adjourn the hearing of the case to some future date upon such terms as the court may determine; or

(b) Having appeared, failed to produce any witness in support of the case, the court shall strike out the case and discharge the defendant unless the court, having received a reasonable excuse from the prosecution for the non-appearance of the witness or for further sufficient reason, which the court deem it fit to adjourn the hearing of the case to some future date upon such terms as the court deems just, the court shall forward the report of non-attendance of the prosecutor to appropriate authorities.

(2) Where a court exercises its discretion under subsection (1) of this Section, the discharge of the defendant shall not operate as an acquittal.

Non-appearance of defendant.

Substitution of 28. The provisions of Section 235 of the Principal Law is hereby *Section 235 of* substituted for a new provisions as follows:
the Principal Law. **Section 235:**

(1) Where a case is called in which summons has been served and the defendant does not appear and no sufficient excuse is offered for the absence, then the court where it is -

(a) satisfied that the summons, if any, has been duly served, may issue a bench warrant for the arrest of the defendant; or

(b) not satisfied that the summons has been duly served or where a warrant has been issued, in the first instance, for the arrest of the defendant, shall adjourn the hearing of the case to some future day, in order that proper service may be effected or, until the defendant is arrested, as the case may be.

- (2) Where the defendant is afterward arrested upon a bench warrant, the defendant shall be brought before the Court immediately, which may then commit the defendant by warrant to correctional facility or to such other place of safe custody as it deems fit, and order that the defendant be brought before the Court at a certain date.*
- (3) The victim shall, by direction of the Court, be served due notice of the date ordered under subsection (2) of this Section.*
- (4) Where the Court, in exercise of its discretion, has granted bail to the defendant and the defendant, in disregard for the Court order, fails to surrender to the order of the Court or fails to attend Court without reasonable explanation, the Court shall continue with the trial in absentia and convict accordingly, unless the Court sees reasons otherwise: Provided that proceedings in the absence of the defendant shall take place after two (2) adjournments or as the court may deem fit.*
- (5) Notwithstanding the provisions of Section 208 of this Law, the court shall direct substituted service and commencement of trial upon presentation of an affidavit of effort, where a summon has been issued for a defendant who is not in custody and defendant fails to appear without reasonable excuse and after issuance of a warrant, the defendant is found to have escaped or could not be located, and at the close of prosecution's case, the court shall consider its verdict and deliver judgment.*
- (6) The conviction imposed by the court under subsection (5) of this Section shall start to count from the day of the re-arrest of the defendant.*
- (7) In commencing the trial of the defendant under this Section, the court shall deem the plea of the defendant as not guilty to the charge.*

Arraignment, time for raising certain objections.

Amendment of Section 260 (2) of the Principal Law. evidence the information, prosecution's case. 29. Section 260 (2) of the Principal Law is hereby amended by deleting the word “not” to now read as follows:
Section 260 (2): An objection to the sufficiency of disclosed in the proof of evidence attached to shall not be raised before the close of the

Substitution of Section 264(3) of the Principal Law. **Court shall remand defendant in custody.** 30. Section 264 (3) of the Principal Law is hereby deleted and substituted for a Section 264 (3) as follows:
Section 264 (3): No request Form in accordance with subsection (1) of this Section shall be filled before any Magistrate Court unless the Certified True Copy of the case file of Police Investigations in respect of such request is first forwarded to the Director of Public Prosecutions for Legal Advice and every such request form shall contain reasons for the request for remand.

Insertion of new subsections (4)&(5) to Section 264 of 264 of Principal Law. offence unless of Police Investigations Director of Public Prosecutions for **Court shall remand defendant in custody.** 31. The Principal Law is hereby amended by the insertion of new subsections (4) & (5) as follows:
(4): No charge or request form shall be filed by Police before any Court in respect of any indictable Certified True Copy of the case file is first forwarded to the Legal Advice.

(5): The proof of receipt of the Certified True Copy of the case file by the Director of Public Prosecutions shall be attached with the request form or the charge sheet and unless the proof of receipt is so attached, no request form or charge sheet shall be entertained by the Magistrate Court.

Court shall remand defendant in custody.

*Renumbering of
Section 264 of
of the Principal Law.*

32. The provisions of Section 264 of the Principal Law are hereby renumbered and re-arranged with the insertion the new provisions as subsections (4) & (5) as follows:

(4): No charge or request form shall be filed by Police before any Court in respect of any indictable offence unless Certified True Copy of the case file of Police Investigations is first forwarded to the Director of Public Prosecutions for Legal Advice.

(5): The proof of receipt of the Certified True Copy of the case file by the Director of Public Prosecutions shall be attached with the request form or the charge sheet and unless the proof of receipt is so attached, no request form or charge sheet shall be entertained by the Magistrate Court.

(6) Following an examination of the remand form filed by the Police, the Magistrate shall consider the conduct, personality and social circumstances of the person concerned before making an order of remand.

(7) Except in capital offence cases, a Magistrate may grant bail to any person brought before him pursuant to subsection (1) of this Section pending the arraignment of such person before the appropriate Court or Tribunal.

(8) An order of remand made pursuant to subsection (1) of this Section shall not exceed a period of thirty (30) days in the first instance and at the expiration of which the Magistrate shall order the release of the person remanded unless good cause is shown why there should be a further remand order for a period not exceeding one month.

(9) At the expiration of the further order made pursuant to subsection (6) above, the Magistrate shall issue a hearing notice to the Commissioner of Police and Director of Public Prosecutions and adjourn the matter in order to inquire as to the position of the case and for the Commissioner of Police and Director of Public Prosecutions to show cause why the person remanded should not be released.

(10) The Magistrate may extend the order to remand only if satisfied that there is a good cause shown and that necessary steps have been taken to arraign the person before an appropriate Court or Tribunal.

(11) The power to make inquiry as conferred by this Section shall be exercised whether the suspect is present in Court or not.

(12) In this Section unless the context otherwise requires, "offences triable on information" means any offence -

(a) which on conviction shall be punished by a term of imprisonment exceeding two years;

(b) which on conviction shall be punished by imposition of a fine exceeding fifty thousand Naira; or

(c) which on conviction shall be punished by death.

(13) An application for remand shall be made in accordance with the form prescribed in the schedule to this Law.

Place of commitment.

Amendment of Section 267 of "the Principal Law" **33.** Section 267 of the Principal Law is hereby amended by substituting the word "**Prison**" with "**Correctional Centre**" to now read:
Law *All persons committed to correctional centre under this shall be committed to the Prisons or other place of safe custody.*

Authority for carrying out non-capital sentences.

Amendment of Section 283 of "the Principal Law" **34.** Section 283 of the Principal Law is hereby amended by substituting the word "**Prison**" in line 2 with "**Correctional Centre**" and "**Prisons**" in line 3 with "**Nigerian Correctional Service**" to now read:
Law *A warrant signed by the Judge or Magistrate sentencing or committing any person to correctional centre for non-payment of a penalty or fine, shall be full authority to the Superintendent of any Nigerian Correctional Service and*

to all other persons for carrying into effect the sentence described in such warrant not being a sentence of death.

Steps to be taken by the Registrar.

Amendment of Section 306(a) of the Principal Law. **35.** Section 306(a) of the Principal Law is hereby amended by substituting the word “Prison” in line 2 with “Correctional Service” and “Prison” in line 4 with “Correctional Centre” to now read:

by the safe custody copies shall be retained handed to the officer in charge of the correctional person is to be confined; **Section 306:(a) hand two copies of the certificate issued the Judge under the provisions of Section 305 to the correctional service officer responsible for of the sentenced person, one of such by the prison officer and the other Superintendent or other centre in which the**

General power of awarding imprisonment in default of payment of penalty.

Amendment of Section 319(2) of the Principal Law. **36.** Section 319(2) of the Principal Law is hereby deleted and replaced with another Section 319(2) as follows:
Section 319:

(2) Subject to the provisions of a written Law on which an order is founded, the period of imprisonment, whether with or without labour, which is imposed by the Court in respect of the non-payment of any sum to be paid by an order, shall be such period as in the opinion of the Court will satisfy the justice of the case but shall not exceed the maximum fixed in the following scale:

Imprisonment in default of payment of fine shall not exceed the following where fine:

	<i>Does not exceed ₦15,000</i>	-	<i>seven (7) days</i>
	<i>Does not exceed ₦20,000</i>	-	<i>fourteen (14)</i>
<i>days</i>	<i>Does not exceed ₦25,000</i>	-	<i>one (1) month</i>
	<i>Does not exceed ₦30,000</i>	-	<i>two (2) months</i>
	<i>Does not exceed ₦35,000</i>	-	<i>four (4) months</i>
	<i>Does not exceed ₦40,000</i>	-	<i>six (6) months</i>
	<i>Does not exceed ₦45,000</i>	-	<i>one (1) year</i>
	<i>Does not exceed ₦50,000</i>	-	<i>two (2) years</i>

Power to postpone issue of warrant of commitment.

*Amendment of
Section 322(1) of
the Principal Law.*

37. Section 322(1) of the Principal Law is hereby amended by substituting the word “**Prison**” in lines 4, 5 & 6 with “**Correctional Center**”, “**Correctional Service**” and “**Correctional Centre**” respectively to now read:

Section 322:(1) Where the person liable to pay any sum and to whom time has been given to pay either with or without a surety or sureties makes default in such payment or fails to enter into the security required by the Court, the Court may issue its warrant of commitment requiring any Police Officer to take and convey such person to correctional centre and there deliver him to the Superintendent of Correctional Service, and requiring him to receive such person into the correctional centre and imprison him with or without labour, as the case may be, for such time as shall be directed and appointed by the warrant of commitment, unless the sum of money adjudged to be paid by the order and also all other costs, charges, and expenses shall be paid.

Commencement of imprisonment.

*Amendment of
Section 324 of
Centre”*

38. Section 324 of the Principal Law is hereby amended by substituting the word “**Prison**” with “**Correctional**” to now read:

Section 324: Where any person is brought to any Correctional Centre to be imprisoned by virtue of a warrant of commitment, there shall be endorsed on such warrant the day on which such person was arrested and the imprisonment shall be computed from such day.

Varying of or discharging order for sureties.

*Amendment of
Section 325 of
Centre”*

39. Section 325 of the Principal Law is hereby amended by substituting the word “**Prison**” with “**Correctional**” to now read as follows:

Section 325: Where any person has been committed to correctional centre by the Court for default in finding a surety or sureties, the Court may, on application made to it by such person or by some person acting on his behalf, inquire into the case of such person, and if new evidence is produced to the Court or on proof of a change of circumstances, the Court, having regard to all the circumstances of the case may reduce the amount for which it ordered that the surety or sureties should be bound, or dispense with the surety or sureties, or otherwise deal with the case as the Court shall deem just.

*Amendment of
Section 326(1) of
the Principal Law.*

Right of person imprisoned in default.

40. Section 326 (1) of the Principal Law is hereby amended by substituting the word “Prison” in lines 1 & 3 with “Correctional Centre” and “Prisons” in line 5 with “Nigerian Correctional Service” to now read:

Section 326 (1): Where any person has been committed to correctional centre by the Court for non-payment of any sum of money adjudged to be paid by an order, such person may pay or cause to be paid to the officer in charge of the Correctional Centre the sum mentioned in the warrant of commitment together with the amount of the costs, charges and expenses, the Superintendent of Nigerian Correctional Service shall receive same and discharge such person, unless he is in his custody for some other matter.

*Amendment of
by Section 326(3)(b)
Correctional of the Principal Law.*

Right of person imprisoned in default.

41. Section 326 (3) (b) of the Principal Law is hereby amended substituting the word “Prison” with “Nigerian Correctional Service” to now read:

Section 326 (3)(b):the Superintendent or other officer in charge of the Correctional Centre in which a person who has made such part payment is confined shall as soon as practicable take such person before a Court and such Court shall certify the amount by which the term of imprisonment originally awarded is reduced by such

payment in part satisfaction and shall make such order as is required in the circumstances.

Rules governing community service.

*Substitution of
Section 347 of
the Principal Law.*

42. Section 347 of the Principal Law is hereby deleted and substituted with a new Section 347 as follows:

Section 347:

*may
sentence*

(1) A person convicted of an offence triable summarily be ordered by the court to render Service in lieu of or fine.

of

(2) The Court, in exercising its power under subsection (1) this section shall consider the need to –

(a) decongest the correctional facilities and institutions;

(b) rehabilitate and reintegrate convicted persons by making them undergo productive work; and

(c) avoid mixing persons convicted of simple offences with persons convicted of serious offences.

*for
offender,
State Government
program.*

(3) The Community Service Order shall contain such requirements as the court may consider necessary effective supervision and rehabilitation of the including that the offender enrolls for the vocational training or skills acquisition

–

(4) A Community Service Order shall be in the nature of

(a) environmental sanitation;

(b) assisting in the care of children and the elderly in Government approved homes;

(c) any other type of service which in the opinion of the court would have a beneficial and salutary effect on the character of the offender:

(i) the community service officer and the person against whom the order is made shall enter into a written agreement specifying the number of hours of service that would be rendered on a daily or weekly basis;

- (ii) *the written agreement referred to in subsection (4) (c) (i) of this Section shall be filed in the court's registry by the community service officer;*
- (iii) *where the person against whom the order is made refuses or defaults to enter into the written agreement or where the person breaches the terms of the agreement on more than three (3) occasions without any lawful justification or excuse, the court on the application of the community service officer shall issue a bench warrant for the arrest of such person;*
- (iv) *the person against whom the order was made shall bear the burden of showing any lawful or valid excuse justifying or excusing the breach of the written agreement, in which case the court may permit the continuation of the community service order;*
- (v) *the court, if satisfied that the person against whom the order was made has no lawful or valid excuse, shall impose custodial sentence or fine having regard to the punishment prescribed for the offence prescribed for the offence to which the person was charged and the length of community service already performed.*

*General and
the
responsibility for social*

(5) A community service officer shall be appointed in each Magisterial District in the State by the Attorney-Commissioner for Justice after consultation with the commissioner charged with the development.

*General
the use of*

(6) Nothing in this Law shall preclude the Attorney- and Commissioner for Justice and the court from diversionary and restorative measures.

*community
the*

(7) The enforcement measure prescribed under subsection (6) of this Section shall be carried out through the service office and any relevant department within the Ministry of Justice

*Insertion of a
of
new Part 41A to the
Principal Law.*

43. The Principal Law is hereby amended by the insertion
of
a new Part 41A to provide for new Sections 370 to 377 as
follows:

**PART 41A – THE ADMINISTRATION OF
CRIMINAL JUSTICE MONITORING COMMITTEE.**

*Insertion of a
new Section 370 to
the Principal Law.*

44. The Principal Law is hereby amended by the insertion of
a new Section as Section 370 to read as follows:

**Section 370: *Establishment of the Administration of
Criminal Justice Monitoring Committee.***

*(1) There is established the Administration of Criminal
Justice Monitoring Committee (in this Law referred
to as “the Committee”).*

(2) The committee shall consist of:

*(a) the Chief Judge of Ekiti State who shall be the
Chairman;*

(b) the Attorney-General of Ekiti State;

(c) a Judge of High Court of Ekiti State;

*(d) the Commissioner of Police or his representative
not below the rank of Deputy/Assistant
Commissioner of Police;*

*(e) the Assistant Comptroller, Nigeria Correctional
Service, Ado Ekiti Custodial Center;*

*(f) the Executive Secretary of the Office of Public
Defender;*

(g) the Director of Public Prosecution;

*(h) one representative of the three (3) branches of the
Nigerian Bar Association to serve for two years;*

*(i) the State Coordinator of the Legal Aid Council of
Nigeria; and*

*(j) one (1) representative of Justice Development &
Peace Initiative; and*

*(k) one Chief Magistrate to be nominated by the
Chief Judge.*

*(3) A member not being a Public Officer may resign his
appointment by a letter to the Chairman.*

*(4) Members of the Committee shall be paid such
allowances as are applicable to State Boards,
Commissions and Agencies.*

Insertion of a new Section 371 to the Principal Law.

45. The Principal Law is hereby amended by the insertion of a new Section as Section 371 to read as follows:

Section 371: Functions of the Committee.

- (1) The Committee shall be charged with the responsibility of ensuring effective and efficient application of this Law by relevant agencies.*
- (2) Without prejudice to the generality of subsection (1) of this Section, the Committee shall ensure that:*
 - (a) criminal matters are speedily dealt with;*
 - (b) congestion of criminal cases in courts is drastically reduced;*
 - (c) congestion in Custodial center is reduced to the barest minimum;*
 - (d) the relationship between the organs charged with the responsibility for all aspects of administration of justice is cordial and there exists maximum co-operation amongst the organs in the administration of justice in Ekiti State;*
 - (e) collate, analyse and publish information in relation to the administration of criminal justice sector in Ekiti State;*
 - (f) submit quarterly report to the Chief Judge of Ekiti State to keep him abreast of developments towards improved criminal Justice delivery and for necessary action; and*
 - (g) carry out such other activities as are necessary for the effective and efficient administration of criminal justice.*

Insertion of a new Section 372 to the Principal Law.

46. The Principal Law is hereby amended by the insertion of a new Section as Section 372 to read as follows:

Section 372: Secretariat of the Committee.

- (1) The Committee shall establish and maintain a secretariat with such number of staff as it considers necessary for the efficient running of its staff;*
- (2) The Secretariat shall be headed by a Secretary who shall be appointed by the Attorney-General of Ekiti State on the recommendation of the Committee;*
- (3) The Secretary shall be a legal practitioner of not less than 10 years post call experience and shall possess*

sound knowledge of practical functioning of the criminal justice system and adequate experience in justice system administration;

- (4) The Secretary shall be responsible for the execution of the policy of the Committee and the day-to-day running of the affairs of the Committee;*
- (5) The Secretary shall hold office for a term of 4 years and may, subject to satisfactory performance of his functions, be re-appointed for another term of 4 years and no more;*
- (6) Subject to this Section, the Secretary shall hold office on such terms as to emoluments and otherwise as may be specified in his letter of appointment.*

Insertion of a new Section 373 to the Principal Law.

47. The Principal Law is hereby amended by the insertion of a new Section as Section 373 to read as follows:

Section 373: Fund of the Committee.

- (1) There is established for the Committee a fund into which shall be paid:
 - (a) budgetary allocation to it through the office of the Attorney-General of Ekiti State;*
 - (b) such monies as may, from time to time, be provided to the Committee by any public, private or international organisation by way of a grant, support or assistance on such terms as are consistent with its functions; and*
 - (c) such monies as may be received by the Committee in relation to the exercise of its functions under this Law.**
- (2) The Secretary of the Committee shall be the accounting officer for the purpose of controlling and disbursing monies from the Fund established under this Section.*

Insertion of a new Section 374 to the Principal Law.

48. The Principal Law is hereby amended by the insertion of a new Section as Section 374 to read as follows:

Section 374: Annual Estimates and Accounts.

- (1) The Secretary shall submit to the Attorney-General not later than 30th September in each financial year,*

an estimate of its expenditure and income during the next financial year.

- (2) The Committee shall keep proper accounts and records in respect of each financial year and shall cause its accounts to be audited by auditors to be approved by the State Auditor-General in accordance with guidelines issued by him not later than 2 months from the end of each financial year.*

Insertion of a new Section 375 to the Principal Law.

49. The Principal Law is hereby amended by the insertion of a new Section as Section 375 to read as follows:

Section 375: Annual Report.

The Committee shall prepare and publish an annual report of its activities.

Insertion of a new Section 376 to the Principal Law.

50. The Principal Law is hereby amended by the insertion of a new Section as Section 376 to read as follows:

Section 376: Power to obtain Information.

- (1) For the purpose of carrying out the functions conferred on the Committee under this Law, the Committee –*

(a) shall have a right of access to all the records of any of the organs in the administration of justice sector to which this Law applies; and

(b) may, by notice in writing served on any person in charge of any such organs require that person to furnish information on such matters as may be specified in the notice.

- (2) A person required to furnish information under subsection (1) of this Section shall comply with the notice within a stipulated time.*

Insertion of a new Section 377 to the Principal Law.

51. The Principal Law is hereby amended by the insertion of a new Section as Section 377 to read as follows:

Section 377: Proceedings and Quorum.

(1) The Committee may make standing orders regulating its proceedings.

(2) The quorum at a meeting of the Committee shall consist of the Chairman or any person

acting in that capacity and four (4) other members of the Committee.

(3) Subject to the provisions of the applicable standing order, the Committee shall meet at least once a quarter.

(4) At a meeting of the Committee, the Chairman, or in his absence, any person acting in that capacity as members may elect shall preside at that meeting.

(5) The validity of proceedings of the Committee is not affected by:

(a) a vacancy in the membership of the Committee; or

(b) a defect in the appointment of a member of the Committee.

(6) A member of the Committee who has a personal interest in any arrangement entered into or proposed to be considered by the Committee shall disclose his interest to the Committee and shall not vote on any question relating to the arrangement.

Interpretation.

Amendment of Section 371 of the Principal Law. Nigerian
follows:

52. Section 371 of the Principal Law is hereby amended by redefining “**Law Officers**” and substituting the word “**Superintendent of Police**” with “**Superintendent of Correctional Service**” and its interpretation as

State, Public of the Attorney-practitioner to appear for and

“Law Officers” means the Attorney-General of Ekiti the Solicitor-General of Ekiti State, the Director of Prosecutions, State Counsel in the chambers General of Ekiti State and any private legal authorized (by fiat) by the Attorney-General on behalf of the Attorney-General.

the

“Superintendent of Nigerian Correctional Service” has same meaning as in the Correctional Service Act.

FORM NO. 2 (Section 34) – Order of Recognizance to keep the Peace, and be of Good Behaviour.

Amendment of **53.** Form 2 of the First Schedule is hereby amended by substituting *Form No. 2 of the* the word “**Prison**” in lines 15 and 24 with “**Nigerian** *First Schedule of* **Correctional Centre**”.

the Principal Law.

FORM NO. 6 (Section 134) – Conviction (Forfeited Recognisance).

Amendment of **54.** Form 6 of the First Schedule is hereby amended by substituting *Form No. 6 of the* the word “**Prison**” in line 20 with “**Nigerian** **Correctional** *First Schedule of* **Centre**”.

the Principal Law.

FORM NO. 9 (Section 190) – Warrant of Commitment of Witness.

Amendment of **55.** Form 9 of the First Schedule is hereby amended by substituting *Form No. 9 of the* the word “**Prison**” in line 9 with “**Nigerian** **Correctional** *First Schedule of* **Centre**”.

the Principal Law.

FORM NO. 10 (Section 264) - Commitment on Reward.

Amendment of **56.** Form 10 of the First Schedule is hereby amended by substituting *Form No. 10 of the* the word “**Prison**” in lines 2, 10 and 12 with “**Nigerian** *First Schedule of* **Correctional Centre**”.

Principal Law.

FORM NO. 11 (Section 280) – Conviction (with Security).

Amendment of **57.** Form 11 of the First Schedule is hereby amended by substituting *Form No. 11 of the* the word “**Prison**” in line 19 with “**Nigerian** **Correctional** *First Schedule of* **Centre**”.

the Principal Law.

FORM NO. 12 (Section 282) – Conviction (Imprisonment).

Amendment of **58.** Form 12 of the First Schedule is hereby amended by substituting *Form No. 12 of the* the word “**Prison**” in lines 12 and 20 with “**Nigerian** *First Schedule of* **Correctional Centre**”.

the Principal Law.

FORM NO. 13 (Section 287) – Order for Money (Not a Civil Debt).

Amendment of **59.** Form 13 of the First Schedule is hereby amended by substituting *Form No. 13 of the* the word “**Prison**” in line 15 with “**Nigerian Correctional First Schedule of Centre**”.

the Principal Law.

FORM NO. 14 (Section 341) – Order of Dismissal with Damages.

Amendment of **60.** Form 14 of the First Schedule is hereby amended by substituting *Form No. 14 of the* the word “**Prison**” in line 18 with “**Nigerian Correctional First Schedule of Centre**”.

the Principal Law.

FORM NO. 15 (Section 287) – Order for other matters.

Amendment of **61.** Form 15 of the First Schedule is hereby amended by substituting *Form No. 15 of the* the word “**Prison**” in lines 13 and 24 with “**Nigerian First Schedule of Correctional Centre**”.

the Principal Law.

FORM NO. 16 (Section 248) – Oder of Dismissal.

Amendment of **62.** Form 16 of the First Schedule is hereby amended by substituting *Form No. 16 of the* the word “**Prison**” in line 17 with “**Nigerian Correctional First Schedule of Centre**”.

the Principal Law.

FORM NO. 17 (Section 248) – Conviction on Plea of Guilty for indictable offence.

Amendment of **63.** Form 17 of the First Schedule is hereby amended by substituting *Form No. 17 of the* the word “**Prison**” in lines 9 and 15 with “**Nigerian First Schedule of Correctional Centre**”.

the Principal Law.

FORM NO. 18 (Section 321) – Conviction for Penalty and, in default of payment, imprisonment.

Amendment of **64.** Form 18 of the First Schedule is hereby amended by substituting *Form No. 18 of the* the word “**Prison**” in line 17 with “**Nigerian Correctional First Schedule of Centre**”.

the Principal Law.

FORM H (Section 283) – Warrant to carry out sentence.

Amendment of **65.** Form H of the Fourth Schedule is hereby amended by substituting *Form No. H of the* the word “**Prison**” in line 2 with “**Nigerian Correctional Fourth Schedule of Centre**”.

the Principal Law.

FORM J (Section 74(6)) - Commitment on Reward.

Amendment of **66.** Form J of the Fourth Schedule is hereby amended by substituting *Form No. J of the* the word “**Prison**” in lines 2, 10 and 12 with “**Nigerian Fourth Schedule of Correctional Centre**”

the Principal Law.

Renumbering.

Renumbering of **67.** Sections 370-372 of the Principal Law are hereby renumbered *Sections 370-372 of* as Sections 378-380 and re-arranged as follows: *the Principal Law.* **Sections:**

378. Repeal.

379. Interpretation.

380. Citation.

Citation.

68. This Law may be cited as Ekiti State Administration of Criminal Justice (First Amendment) Law, 2022.

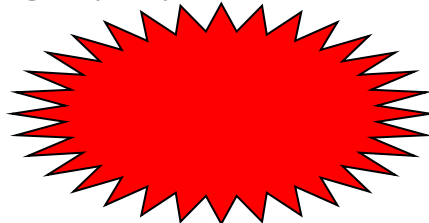
This printed impression has been carefully compared by me with the Bill, which has been passed by the Ekiti State House of Assembly and found by me to be a true copy of the said Bill.

.....
MR. TOLA ESAN
Clerk of the House of Assembly

.....
RT. HON. FUNMINIYI AFUYE
Speaker of the House

Governor's Assent

I hereby signify my assent to this Bill



DR. JOHN KAYODE FAYEMI
Executive Governor of Ekiti State

**MADE AT ADO EKITI THIS DAY OF
.....2022**

EKITI STATE ADMINISTRATION OF CRIMINAL JUSTICE (FIRST AMENDMENT) LAW, 2022