

*Extraordinary*



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# A BILL

## FOR

AN ACT TO REPEAL THE VIOLENCE AGAINST PERSONS (PROHIBITION) ACT 2015, AND ENACT AN ACT TO ELIMINATE VIOLENCE IN PRIVATE AND PUBLIC LIFE, PROHIBIT ALL FORMS OF VIOLENCE AGAINST PERSONS AND TO PROVIDE MAXIMUM PROTECTION AND EFFECTIVE REMEDIES FOR VICTIMS AND PUNISHMENT OF OFFENDERS; AND FOR RELATED MATTERS

*Sponsored by Senator Jibrin Isah*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria -

### PART I - OFFENCES

1.-(1) A person commits the offence of rape if the person intentionally penetrates the vagina, anus, mouth or any other part of the body of another person with any other part of the person's body or anything else, where-

Definition of Rape

(a) the other person does not consent to the penetration; or

(b) the consent of the other person is obtained by force or means of threat or intimidation of any kind or by fear of harm or by means of false and fraudulent representation as to the nature of the act or the use of any substance or additive capable of taking away the will of such person or in the case of a married person, by impersonating the person's spouse.

(2) A person convicted of an offence under sub-clause (1) of this clause is liable to a minimum of 12 years and maximum of imprisonment for life except-

(a) where the offender is less than 14 years of age, the offender is liable to a maximum of 14 years imprisonment;

(b) in the case of rape by a group of persons, each offender is liable to a minimum of 20 years imprisonment without an option of fine.

1                    (3) A person who attempts to commit the act of violence in sub-clause  
2                    (1) of this clause, commits an offence to a term of imprisonment not exceeding  
3                    14 years, except-

4                    where the offender is less than 14 years of age, the offender is liable to a  
5                    maximum of 7 years imprisonment;

6                    (4) A person who conspires with another or others to commit the act of  
7                    violence in sub-clause (1), commits an offence and is liable on conviction to a  
8                    term of imprisonment not exceeding 14 years, except-

9                    Where the offender under this sub-clause is less than 14 years of age, the  
10                    offender is liable to a maximum of 7 years imprisonment.

11                    (5) A person who incites, aids, abets, or counsels another person to  
12                    commit the act of violence provided for in sub-clause (1) commits an offence  
13                    and liable upon conviction to a term of imprisonment not exceeding 14 years,  
14                    except-

15                    Where the offender under this sub-clause is less than 14 years of age, the  
16                    offender is liable to a maximum of 7 years imprisonment.

17                    (6) In addition to the punishments provided in this clause, the Court  
18                    shall also award appropriate compensation to the victim as it may deem fit in  
19                    the circumstance.

20                    (7) The Regulatory body shall maintain a register for convicted sexual  
21                    offenders, which shall be accessible to the public.

22                    (8) A court may declare a person who has been convicted of a sexual  
23                    offence a dangerous sexual offender if such person has-

24                    (a) more than one conviction for a sexual offence;

25                    (b) been convicted of a sexual offence which was accompanied; or

26                    (c) been convicted of a sexual offence against a child.

Defilement of  
a Child

27                    **2.-(1)** A person who causes penetration into the private part of a child  
28                    is guilty of the offence of defilement.

29                    (2) A person who defiles a child aged eleven years or less shall on  
30                    conviction be liable to imprisonment for a term of not exceeding 14 years.

1 (3) A person who commits an offence of defilement with a child  
2 between the ages of twelve and fifteen years is liable on conviction to  
3 imprisonment for a term of not exceeding 12 years.

4 (4) A person who commits an offence of defilement with a child  
5 between the ages of sixteen and eighteen years is liable on conviction to  
6 imprisonment for a term of not exceeding 10 years.

7 (5) A person who attempts to commit an act which would cause  
8 penetration with a child is guilty of an offence of attempted defilement, and  
9 liable on conviction to a term of imprisonment not exceeding 7 years.

10 3.-(1) A person who willfully causes or inflicts physical injury on  
11 another person by means of any weapon, substance or object, commits an  
12 offence and is liable on conviction to a term of imprisonment not exceeding  
13 5 years or a fine not exceeding N1,000,000.00 or both.

Inflicting physical  
injury on another

14 (2) A person who attempts to commit the act of violence provided  
15 for in sub-clause(1) of this clause commits an offence and is liable on  
16 conviction to a term of imprisonment not exceeding 3 years or to a fine not  
17 exceeding N500,000.00 or both.

18 (3) A person who incites, aids, abets, or counsels another person to  
19 commit the act of violence provided for in sub-clause (1) of this clause  
20 commits an offence and is liable on conviction to a term of imprisonment not  
21 exceeding 3 years or to a fine not exceeding N500,000.00 or both.

22 (4) A person who receives or assists another who, to the person's  
23 knowledge, commits an offence under sub-clause (1) of this clause, is an  
24 accessory after the fact and is liable on conviction to a term of imprisonment  
25 not exceeding 3 years or to a fine not exceeding N500,000.00 or both.

26 (5) In addition to the punishments provided in this clause, the Court  
27 shall also award appropriate compensation to the victim as it may deem fit in  
28 the circumstance.

29 4. A person who coerces another to engage in any act to the  
30 detriment of that other person's physical or psychological wellbeing,

Coercion

	1	commits an offence and is liable on conviction to term of imprisonment of 3
	2	years.
Willfully placing a person in fear of physical injury	3	<b>5.</b> -(1) A person who willfully or knowingly places a person in fear of
	4	physical injury commits an offence and is liable on conviction to a term of
	5	imprisonment not exceeding 3years or to a fine not exceeding N500,000:00 or
	6	both.
	7	(2) A person who attempts to commit the offence as provided for in
	8	sub-clause (1) of this clause commits an offence and is liable on conviction to a
	9	term of imprisonment not exceeding 1 year or to a fine not exceeding N200,000
	10	or both.
	11	(3) A person who aids, abets, or counsels another person to commit
	12	the offence provided for in sub-clause (1) of this clause commits an offence and
	13	is liable on conviction to a term of imprisonment not exceeding 2 years or to a
	14	fine not exceeding N300,000.00 or both.
	15	(4) A person who receives or assists another who has committed the
	16	offence provided for in sub-clause (1) of this clause is an accessory after the
	17	fact and is liable on conviction to a term of imprisonment not exceeding 2year
	18	or to a fine not exceeding N300,000.00 or both.
Offensive conduct	19	<b>6.</b> -(1) A person who compels another, by force or threat to engage in
	20	any conduct or act, sexual or otherwise, to the detriment of the victim's physical
	21	or psychological well-being commits an offence and is liable on conviction to a
	22	term of imprisonment not exceeding 4years or to a fine not exceeding
	23	N500,000.00 or both.
	24	(2) A person who attempts to commit the offence provided for in sub-
	25	clause (1) of this clause commits an offence and is liable on conviction to a term
	26	of imprisonment not exceeding 3 years or to a fine not exceeding N500,000.00
	27	or both.
	28	(3) A person who incites, aids, abets, or counsels another person to
	29	commit the offence provided for in sub-clause (1) of this clause commits an
	30	offence and is liable on conviction to a term of imprisonment not exceeding

1            3years or to a fine not exceeding N500,000.00 or both.

2            (4) A person who receives or assists another who, to the person's  
3            knowledge, committed the offence provided for in sub-clause (1) of this  
4            clause is an accessory after the fact and is liable on conviction to a term of  
5            imprisonment not exceeding 3 years or to a fine not exceeding N500,000.00  
6            or both.

7            **7.-(1)** The circumcision or genital mutilation of the girl child or     Prohibition of  
female circumcision  
or genital mutilation  
8            woman is hereby prohibited.

9            (2) A person who performs female circumcision or genital  
10           mutilation or engages another to carry out such circumcision or mutilation  
11           commits an offence and is liable on conviction to a term of imprisonment not  
12           exceeding 5 years or to a fine not exceeding N500,000.00 or both.

13           (3) A person who attempts to commit the offence provided for in  
14           sub-clause (2) of this clause commits an offence and is liable on conviction  
15           to a term of imprisonment not exceeding 3 years or to a fine not exceeding  
16           N200,000.00 or both.

17           (4) A person who incites, aids, abets, or counsels another person to  
18           commit the offence provided for in sub-clause (2) of this clause commits an  
19           offence and is liable on conviction to a term of imprisonment not exceeding  
20           3years or to a fine not exceeding N200,000.00 or both.

21           **8.** Any person who, with intent to defraud or conceal an offence or     Frustrating  
investigation  
22           frustrate the investigation and prosecution of offenders under this Bill or  
23           under any other enactment-

24           (a) destroys, alters, mutilates, or falsifies any book or document,  
25           dress or clothing which could serve as evidence or exhibits;

26           (b) omits, or is privy to omitting, any material particular from any  
27           such document, book, dress or clothing, commits a felony and is liable on  
28           conviction to a term of imprisonment not exceeding 3 years or to a fine not  
29           exceeding N500,000.00 or both.

Willfully making  
false statement     1                    **9.** A person who wilfully makes false statement, whether oral or  
2                    documentary, in any judicial proceeding under this Bill or with the aim of  
3                    initiating investigation or criminal proceedings under this Bill against another  
4                    person commits an offence under this Bill and is liable on conviction to a fine of  
5                    N500,000 or a term of imprisonment not exceeding 5 years.

Forceful ejection  
from home     6                    **10.-(1)** A person who forcefully evicts his or her spouse from his or  
7                    her home or refuses him or her access commits an offence and is liable on  
8                    conviction to a term of imprisonment not exceeding 3years or to a fine not  
9                    exceeding N500,000.00 or both.

10                    (2) A person who attempts to commit the offence provided for in sub-  
11                    clause (1) of this clause commits an offence and is liable on conviction to a  
12                    term of imprisonment not exceeding 2years or to a fine not exceeding  
13                    N300,000.00 or both.

14                    (3) A person who incites, aids, abets, or counsels another person to  
15                    commit the offence as provided for in sub-clause (1) of this clause commits an  
16                    offence and is liable on conviction to a term of imprisonment not exceeding  
17                    2years or to a fine not exceeding N300,000.00 or both.

18                    (4) A person who receives or assists another who, to the person's  
19                    knowledge, committed the offence provided for in sub-clause (1) of this clause  
20                    is an accessory after the fact and is liable on conviction to a term of  
21                    imprisonment not exceeding 2 years or to a fine not exceeding N300,000.00 or  
22                    both.

Depriving a  
person of his or  
her Liberty     23                    **11.-(1)** A person who deprives another of his or her liberty, except  
24                    pursuant to an order of court r commits an offence and is liable on conviction to  
25                    a term of imprisonment not exceeding 3 years or to a fine not exceeding  
26                    N500,000.00 or both.

27                    (2) A person who attempts to commit the offence provided for in sub-  
28                    clause (1) of this clause commits an offence and is liable on conviction to a  
29                    term of imprisonment not exceeding 2 years or to a fine not exceeding  
30                    N300,000.00 or both.

1                    (3) A person who incites, aids, abets, or counsels another person to  
2                    commit an offence as provided for in sub-clause (1) of this clause commits  
3                    an offence and is liable on conviction to a term of imprisonment not  
4                    exceeding 2 years or to a fine not exceeding N300,000.00 or both.

5                    (4) A person who receives or assists another who, to the person's  
6                    knowledge, committed the offence provided for in sub-clause (1) of this  
7                    clause is an accessory after the fact and is liable on conviction to a term of  
8                    imprisonment not exceeding 2 years or to a fine not exceeding N300,000.00  
9                    or both.

10                    **12.-(1)** A person who causes mischief or destruction or damage to  
11                    property of another with intent to cause or knowing that it is likely to cause  
12                    distress or annoyance to the victim, commits an offence and is liable on  
13                    conviction to a term of imprisonment not exceeding 3 years or to a fine not  
14                    exceeding N500,000.00 or both.

Damage to  
property with  
intent to cause  
Distress

15                    (2) A person who attempts to commit the offence provided for in  
16                    sub-clause (1) of this clause commits an offence and is liable on conviction  
17                    to a term of imprisonment not exceeding 2 years or to a fine not exceeding  
18                    N300,000.00 or both.

19                    (3) A person who incites, aids, abets, or counsels another person to  
20                    commit the offence as provided for in sub-clause (1) of this clause commits  
21                    an offence and is liable on conviction to a term of imprisonment not  
22                    exceeding 2 years or to a fine not exceeding N300,000.00 or both.

23                    (4) A person who receives or assists another who, to the person's  
24                    knowledge, committed the offence provided for in sub-clause (1) of this  
25                    clause is an accessory after the fact and is liable on conviction to a term of  
26                    imprisonment not exceeding 2 years or to a fine not exceeding N300,000.00  
27                    or both.

28                    (5) In addition to the punishments provided in this clause, the Court  
29                    shall also award appropriate compensation to the victim as it may deem fit in  
30                    the circumstance.



Forced financial  
dependence or  
economic abuse

1                    **13.-(1)** A person who causes forced financial dependence or  
2                    economic abuse of another commits an offence and is liable on conviction to a  
3                    term of imprisonment not exceeding 4years or to a fine not exceeding  
4                    N1,000,000.00 or both.

5                    (2) A person who attempts to commit the offence provided for in sub-  
6                    clause (1) of this clause commits an offence and is liable on conviction to a  
7                    term of imprisonment not exceeding 2 years or to a fine not exceeding  
8                    500,000.00 or both.

9                    (3) A person who incites, aids, abets, or counsels another person to  
10                    commit the offence as provided for in sub-clause (1) of this clause commits an  
11                    offence and is liable on conviction to a term of imprisonment not exceeding 2  
12                    years or to a fine not exceeding N500,000.00 or both.

13                    (4) A person who receives or assists another who, to the person's  
14                    knowledge, committed the offence provided for in sub-clause (1) of this clause  
15                    is an accessory after the fact and is liable on conviction to a term of  
16                    imprisonment not exceeding 2 years or to a fine not exceeding N500,000.00 or  
17                    both.

Forced isolation  
or separation from  
family and friends

18                    **14.-(1)** A person who forcefully isolates or separates another from  
19                    family and friends commits an offence and is liable on conviction to a term of  
20                    imprisonment not exceeding 5 years or to a fine not exceeding N1,000,000.00  
21                    or both.

22                    (2) A person who attempts to commit the act of violence provided for  
23                    in sub-clause(1) of this clause commits an offence and is liable on conviction  
24                    to a term of imprisonment not exceeding 3 years or to a fine not exceeding  
25                    N500,000.00 or both.

26                    (3) A person who incites, aids, abets, or counsels another person to  
27                    commit the offence as provided for in sub-clause (1) of this clause commits an  
28                    offence and is liable on conviction to a term of imprisonment not exceeding 3  
29                    years or to a fine not exceeding N500,000.00 or both.

30                    (4) A person who receives or assists another who, to the person's

1        knowledge, committed the offence provided for in sub-clause (1) of this  
 2        clause is an accessory after the fact and is liable on conviction to a term of  
 3        imprisonment not exceeding 3 years or to a fine not exceeding N500,000.00  
 4        or both.

5                **15.**-(1) A person who causes emotional, verbal and psychological     Emotional, verbal  
 6        abuse on another commits an offence and is liable on conviction to a term of     and psychological  
 7        imprisonment not exceeding 4 years or to a fine not exceeding N500,000.00     abuse  
 8        or both.

9                (2) A person who attempts to commit the act of violence provided  
 10        for in sub-clause (1) of this clause commits an offence and is liable on  
 11        conviction to a term of imprisonment not exceeding 3 years or to a fine not  
 12        exceeding N300,000.00 or both.

13                (3) A person who incites, aids, abets, or counsels another person to  
 14        commit the act of violence as provided for in sub-clause (1) of this clause  
 15        commits an offence and is liable on conviction to a term of imprisonment not  
 16        exceeding 3 years or to a fine not exceeding N300,000.00 or both.

17                (4) A person who receives or assists another who, to the person's  
 18        knowledge, committed the offence provided for in sub-clause (1) of this  
 19        clause is an accessory after the fact and is liable on conviction to a term of  
 20        imprisonment not exceeding 3 years or to a fine not exceeding N300,000.00  
 21        or both.

22                **16.**-(1) A person who subjects a widow to harmful traditional     Harmful widowhood  
 23        practices commits an offence and is liable on conviction to a term of     practices  
 24        imprisonment not exceeding 5 years or to a fine not exceeding N500,000.00  
 25        or both.

26                (2) A person who attempts to commit the act of violence provided  
 27        for in sub-clause (1) of this clause commits an offence and is liable on  
 28        conviction to a term of imprisonment not exceeding 1 year or to a fine not  
 29        exceeding N200,000.00 or both.

30                (3) A person who incites, aids, abets, or counsels another person to

1     commit the act of violence as provided for in sub-clause (1) of this clause  
 2     commits an offence and is liable on conviction to a term of imprisonment not  
 3     exceeding 1 year or to a fine not exceeding N200,000.00 or both.

4             (4) A person who receives or assists another who, to the person's  
 5     knowledge, committed the offence provided for in sub-clause (1) of this clause  
 6     is an accessory after the fact and is liable on conviction to a term of  
 7     imprisonment not exceeding 1 year or to a fine not exceeding N100,000.00 or  
 8     both.

Abandonment  
 of children, spouse  
 and other dependents  
 without means of  
 sustenance

9             **17.**-(1) A person who abandons a wife or husband, children or other  
 10     dependent without any means of sustenance commits an offence and is liable  
 11     on conviction to a term of imprisonment not exceeding 3 years or to a fine not  
 12     exceeding N500,000.00 or both.

13            (2) A person who attempts to commit the act of violence provided for  
 14     in sub-clause (1) of this clause commits an offence and is liable on conviction  
 15     to a term of imprisonment not exceeding 2 years or to a fine not exceeding  
 16     N200,000.00 or both.

17            (3) A person who incites, aids, abets, or counsels another person to  
 18     commit the act of violence as provided for in sub-clause (1) of this clause  
 19     commits an offence and is liable on conviction to a term of imprisonment not  
 20     exceeding 2 years or to a fine not exceeding N200,000.00 or both.

21            (4) A person who receives or assists another who, to the person's  
 22     knowledge, committed the offence provided for in sub-clause (1) of this clause  
 23     is an accessory after the fact and is liable on conviction to a term of  
 24     imprisonment not exceeding 1 year or to a fine not exceeding N100,000.00 or  
 25     both.

26            (5) In addition to the punishments provided in this clause, the Court  
 27     shall also award appropriate compensation to the victim as it may deem fit in  
 28     the circumstance.

Stalking

29            **18.**-(1) A person who stalks another commits an offence and is liable  
 30     on conviction to a of imprisonment not exceeding 2 years or to a fine not

1        exceeding N500,000.00 or both.

2                (2) A person who attempts to commit the act of violence provided  
3        for in sub-clause (1) of this clause commits an offence and is liable on  
4        conviction to a term of imprisonment not exceeding 1 year or to fine not  
5        exceeding N200,000.00 or both.

6                (3) A person who incites, aids, abets, or counsels another person to  
7        commit the act of violence as provided for in sub-clause (1) of this clause  
8        commits an offence and is liable on conviction to a term of imprisonment not  
9        exceeding 1 year or to a fine not exceeding N200,000.00 or both.

10               (4) A person who receives or assists another who, to the person's  
11        knowledge, committed the offence provided for in sub-clause (1) of this  
12        clause is an accessory after the fact and is liable on conviction to a term of  
13        imprisonment not exceeding 1 year or to a fine not exceeding N100,000.00  
14        or both.

15               **19.-(1)** A person who intimidates another commits an offence and     Intimidation  
16        is liable on conviction to a term of imprisonment not exceeding 1 year or to a  
17        fine not exceeding N200,000.00 or both.

18               (2) A person who attempts to commit the act of violence provided  
19        for in sub-clause (1) of this clause commits an offence and is liable on  
20        conviction to a term of imprisonment not exceeding 6 months or to a fine not  
21        exceeding N100,000.00 or both.

22               (3) A person who incites, aids, abets, or counsels another person to  
23        commit the act of violence as provided for in sub-clause (1) of this clause  
24        commits an offence and is liable on conviction to a term of imprisonment not  
25        exceeding 6 months or to a fine not exceeding N100,000.00 or both.

26               (4) A person who receives or assists another who, to the person's  
27        knowledge, committed the offence provided for in sub-clause (1) of this  
28        clause is an accessory after the fact and is liable on conviction to a term of  
29        imprisonment not exceeding 6 months or to a fine not exceeding  
30        N100,000.00 or both.

Spousal Battery     1                    **20.-(1)** A person who batters his or her spouse commits an offence and  
2                    is liable on conviction to a term of imprisonment not exceeding 5 years or to a  
3                    fine not exceeding N500,000.00 or both.

4                    (2) A person who attempts to commit the act of violence provided for  
5                    in sub-clause (1) of this clause commits an offence and is liable on conviction  
6                    to a term of imprisonment not exceeding 1 year or to a fine not exceeding  
7                    N100,000.00 or both.

8                    (3) A person who incites, aids, abets, or counsels another person to  
9                    commit the act of violence as provided for in sub-clause (1) of this clause  
10                    commits an offence and is liable on conviction to a term of imprisonment not  
11                    exceeding 1 year or to a fine not exceeding N200,000.00 or both.

12                    (4) A person who receives or assists another who, to the person's  
13                    knowledge, committed the offence provided for in sub-clause (1) of this clause  
14                    is an accessory after the fact and is liable on conviction to a term of  
15                    imprisonment not exceeding 1 year or to a fine not exceeding N200,000.00 or  
16                    both.

17                    (5) In addition to the punishments provided in this clause, the Court  
18                    shall also award appropriate compensation to the victim as it may deem fit in  
19                    the circumstance.

Harmful Traditional Practices     20                    **21.-(1)** A person who carries out harmful traditional practices on  
21                    another commits an offence and is liable on conviction to a term of  
22                    imprisonment not exceeding 4 years or to a fine not exceeding N500,000.00 or  
23                    both.

24                    (2) A person who attempts to commit the act of violence provided for  
25                    in sub-clause (1) of this clause commits an offence and is liable on conviction  
26                    to a term of imprisonment not exceeding 2 years or to a fine not exceeding  
27                    N300,000.00 or both.

28                    (3) A person who incites, aids, abets, or counsels another person to  
29                    commit the act of violence as provided for in sub-clause (1) of this clause  
30                    commits an offence and is liable on conviction to a term of imprisonment not

1            exceeding 2 years or to a fine not exceeding N300,000.00 or both.

2            (4) A person who receives or assists another who, to the person's  
3            knowledge, committed the offence provided for in sub-clause (1) of this  
4            clause is an accessory after the fact and is liable on conviction to a term of  
5            imprisonment not exceeding 2 year or to a fine not exceeding N300,000.00  
6            or both.

7            (5) In addition to the punishments provided in this clause, the Court  
8            shall also award appropriate compensation to the victim as it may deem fit in  
9            the circumstance.

10            **22.**-(1) A person who uses chemical, biological or any other     Attack with  
11            harmful liquid on another commits an offence and is liable on conviction to a     Harmful Substance  
12            term of life imprisonment without an option of fine.

13            (2) A person who attempts to commit the act of violence described  
14            in sub-clause (1) of this clause, commits an offence and is liable on  
15            conviction to a term of imprisonment not exceeding 25 years without an  
16            option of fine.

17            (3) A person who incites aids, abets, or counsels another person to  
18            commit the act of violence, as provided for in sub-clause (1) of this clause,  
19            commits an offence and is liable on conviction to a term of imprisonment not  
20            exceeding 25 years without an option of fine.

21            (4) A person who receives or assists another who, to the person's  
22            knowledge, committed the offence provided for in sub-clause (1) of this  
23            clause is an accessory after the fact and is liable on conviction to a term of  
24            imprisonment not exceeding 25 years without the option of fine.

25            (5) In addition to the punishments provided in this clause, the Court  
26            shall also award appropriate compensation to the victim as it may deem fit in  
27            the circumstance.

28            **23.**-(1) A person commits an offence if he intentionally administers     Administering  
29            a substance to, or causes a substance to be administered to or taken by,     a Substance with  
30            another person with the intention of stupefying or overpowering that person     Intent

1     so as to enable any person to engage in a sexual, or other unlawful activity with  
2     that person.

3             (2) A person who commits an offence under this clause is, in addition  
4     to any other offence under this Bill, liable on conviction to a term of  
5     imprisonment not exceeding 20 years, without an option of fine.

Political Violence

6             **24.**-(1) A person who commits a political violence as defined under  
7     clause 54 of this Bill relating to political violence commits an offence and is  
8     liable on conviction to a term of imprisonment not exceeding 4 years or to a fine  
9     not exceeding N500,000.00 or both.

10            (2) A person who attempts to commit the act of violence provided for  
11    in sub-clause(1) of this clause, commits an offence and is liable on conviction  
12    to a term of imprisonment not exceeding 2 years or to a fine not exceeding  
13    N300,000.00 or both.

14            (3) A person who incites, aids, abets, or counsels another person to  
15    commit the act of violence as provided for in sub-clause(1) of this clause,  
16    commits an offence and is liable on conviction to a term of imprisonment not  
17    exceeding 2 years or to a fine not exceeding N300,000.00 or both.

18            (4) A person who receives or assists another who, to the person's  
19    knowledge, committed the offence provided for in sub-clause (1) of this clause  
20    is an accessory after the fact and is liable on conviction to a term of  
21    imprisonment not exceeding 2 years or to a fine not exceeding N200,000.00 or  
22    both.

Violence by  
State Actors

23            **25.**-(1) A state actor who commits political violence commits an  
24    offence and is liable on conviction to a term of imprisonment not exceeding 4  
25    years or to a fine not exceeding N1,000,000.00 or both.

26            (2) A person who attempts to commit the act of violence provided for  
27    in sub-clause (1) of this clause commits an offence and is liable on conviction  
28    to a term of imprisonment not exceeding 3 years or to a fine not exceeding  
29    N700,000.00 or both.

30            (3) A person who incites, aids, abets, or counsels another person to

1        commit the act of violence as provided for in sub-clause (1) of this clause  
2        commits an offence and is liable on conviction to a term of imprisonment not  
3        exceeding 2 years or to a fine not exceeding N500,000.00 or both.

4                (4) A person who receives or assists another who, to the person's  
5        knowledge, committed the offence provided for in sub-clause (1) of this  
6        clause is an accessory after the fact and is liable on conviction to a term of  
7        imprisonment not exceeding 1 years or to a fine not exceeding N300,000.00  
8        both.

9                (5) The State is liable for the offence committed by its agents and  
10       the Court shall award appropriate compensation commensurate with the  
11       extent and amount of damages.

12               **26.** A person who knowingly and willfully has carnal knowledge of  
13       another within the prohibited degrees of consanguinity and affinity  
14       contained in the Schedule to this Bill with or without consent, commits  
15       incest and is liable on conviction to a minimum term of-

Incest [Schedule  
to the Bill]

16                (a) 10 years imprisonment without an option of fine.

17                (b) where the two parties consent to commit incest, provided that  
18       the consent was not obtained by fraud or threat, 5 years imprisonment  
19       without an option of fine.

20               **27.-(1)** A person who intentionally exposes his or her genital  
21       organs, or a substantial part thereof, with the intention of causing distress to  
22       the other party, or that another person seeing it may be tempted or induced to  
23       commit an offence under this Bill, commits an offence termed "indecent  
24       exposure".

Indecent  
Exposure

25                (2) A person who intentionally exposes his or her genital organs, or  
26       a substantial part thereof, and induces another to either massage, or touch  
27       with the intention of deriving sexual pleasure from such acts commits an  
28       offence under this clause .

29                (3) A person who commits an offence under this clause is liable to  
30       upon conviction to a term of imprisonment of not exceeding 2 years or to a



1 fine not exceeding N500, 000 or both.

## PART II - JURISDICTION

Jurisdiction 3 **28.** The High Court of the Federal Capital Territory, Abuja shall have  
4 the jurisdiction to hear and grant any application brought under this Bill.

Application for  
Protection Order

5                   **29.-(1)** An application for a protection order may, be made before the  
6                   High Court, following a complaint of violence by the complainant, and such  
7                   order, if granted, shall be effective throughout the Federal Republic of Nigeria  
8                   and no time limit or prescription shall apply in relation to a person seeking to  
9                   apply for such protection order.

10           (2) Any complainant may, in the prescribed manner, apply to the  
11   Court for a protection order.

(3) If the complainant is not represented by counsel, the police officer with whom a complaint of violence has been lodged shall inform the complainant of the remedies he or she may be entitled to under this Bill including the right to lodge a criminal complaint against the respondent if a criminal offence has been committed under this Bill.

(4) Notwithstanding the provisions of any other law, the application may be brought on behalf of the complainant by any other person, including a police officer, a protection officer, an accredited service provider, a counselor, health service provider, social worker or teacher who has interest in the well-being of the complainant.

22            Provided that the application shall be brought with the written consent  
23    of the complainant, except in circumstances where the complainant is-

24 (a) a minor;

25 (b) a person with mental disorder;

26 (c) unconscious; or

27 (d) a person who the court is satisfied is unable to provide the required  
28 consent.

(5) Notwithstanding the provisions of any other law, any minor, or any person on behalf of a minor, may apply to the Court for a protection order

1        without the assistance of a parent guardian or any other person and  
2        supporting affidavit by persons who have knowledge of the matter  
3        concerned may accompany the application.

4                (6) The application and affidavits shall be filed in Court.

5                **30.**-(1) The Court shall as soon as is reasonably possible, consider  
6        an application submitted to it under clause 29 (6) of this Bill and may, for that  
7        purpose, consider such additional evidence as it deems fit, including oral  
8        evidence or evidence by affidavit, which shall form part of the record of the  
9        proceedings.

Consideration  
of Application

10                (2) If the Court is satisfied that there is prima facie evidence that the  
11        respondent is committing, has committed or that there is imminent  
12        likelihood that the respondent may commit an act of violence under this Bill,  
13        the Court shall, notwithstanding the fact that the respondent has not been  
14        given notice of the proceedings contemplated in sub-clause (1) of this  
15        clause, issue an interim protection order against the respondent, in the  
16        prescribed manner.

17                (3) An interim protection order shall be served on the respondent in  
18        the prescribed manner and must call on the respondent to show cause on the  
19        return date, specified in the order why a protection order should not be  
20        issued.

21                (4) A copy of the application referred to in clause 29 of this Bill and  
22        the record of any evidence taken under sub-clause (1) of this clause, shall be  
23        served on the respondent together with the interim protection order.

24                (5) If the Court does not issue an interim protection order under  
25        sub-clause (2) of this clause, the Court shall direct the Registrar of the Court  
26        to cause certified copies of the application concerned and any supporting  
27        affidavit to be served on the respondent in the prescribed manner, together  
28        with a prescribed notice calling on the respondent to show cause on the  
29        return date, specified in the notice, why a protection order should not be  
30        issued.

Issuing of  
Protection Orders

1                    (6) An interim protection order shall be served on the respondent in  
2     the prescribed manner and shall call on the respondent to show cause on the  
3     return date, specified in the order why a protection order, should not be issued.

4                    (7) The return dates referred to in sub-clauses (3) and (5) of this clause  
5     may not be less than 5 days after service has been effected upon the  
6     respondent.

7                    **31.**-(1) If the respondent does not appear on a return date  
8     contemplated in section 30 (3) or (5) of this Bill, and if the Court is satisfied  
9     that-

10                   (a) proper service has been effected on the respondent; and

11                   (b) the application contains a prima facie evidence that the respondent  
12     has committed, is committing or that there is an imminent likelihood that he  
13     may commit an act of violence under this Bill-

14     the court shall issue a protection order in the prescribed form.

15                   (2) If the respondent appears on the return date in order to oppose the  
16     issuing of a protection order, the court shall proceed to hear the matter and  
17     consider-

18                   (a) any evidence previously received under section 30 (1) of this Bill;

19     and

20                   (b) such further affidavits or oral evidence as it may direct, which  
21     shall form part of the record of the proceedings.

22                   (3) The Court may, on its own accord or on the request of the  
23     complainant, if it is of the opinion that it is just or desirable to do so, order that  
24     in the examination of witnesses, including the complainant, a respondent who  
25     is not represented by a legal practitioner-

26                   (a) is not entitled to cross-examine directly a person who is in a  
27     domestic relationship with the respondent; and

28                   (b) shall put any question to such a witness by stating the question to  
29     the Court, and the court is to repeat the question accurately to the witness.

30                   (4) The Court shall, after a hearing as contemplated in sub-clause (2)

1 of this clause, issue a protection order in the prescribed form if it finds, on a  
2 balance of probabilities, that the respondent has committed, is committing  
3 or that there is an imminent likelihood that the respondent may commit an  
4 act of violence under this Bill.

5 (5) Upon the issuing of a protection order, the Registrar of the  
6 Court shall, in the prescribed manner, cause-

7 (a) the original of such order to be served on the respondent; and

8 (b) a certified copy of such order, and the original warrant of arrest  
9 contemplated in clause 34 (1) (a), to be served on the complainant.

10 (6) The Registrar of the Court shall, in the prescribed manner,  
11 forward certified copies of any protection order and of the warrant of arrest  
12 contemplated in clause 34 (1) (a) to the police station of the complainant's  
13 choice.

14 (7) Subject to the provisions of clause 32 (7) of this Bill, a  
15 protection order issued under this clause remains in force until it is set aside,  
16 and the execution of such order shall not be automatically suspended upon  
17 the filing of an appeal.

18 **32.** The Court may, by means of a protection order referred to in  
19 section 29 or 30 of this Bill, prohibit the respondent from-

Court's Powers  
in respect of  
Protection Orders

20 (a) committing any act of violence under this Bill;

21 (b) enlisting the help of another person to commit any such act;

22 (c) entering a shared household provided that the court may impose  
23 this prohibition only if it appears to be in the best interests of the  
24 complainant;

25 (d) entering a specified part of such a shared household;

26 (e) entering the complainant's residence;

27 (f) entering the complainant's place of employment;

28 (g) preventing the complainant from entering or remaining in the  
29 shared household or a specified part of the shared household;

1                    (h) alienating or disposing the shared household or encumbering  
2     same;

3                    (i) renouncing the respondent's rights in the shared household except  
4     in favour of the complainant; or

5                    (j) committing any other act as specified in the protection order.

6                    (2) The Court may impose any additional condition, which it deems  
7     reasonably necessary to protect and provide for the safety, health or well-being  
8     of the complainant, including an order-

9                    (a) to seize any arm or dangerous weapon in the possession or under  
10    the control of the respondent;

11                   (b) that a police officer shall accompany the complainant to a  
12    specified place to assist with arrangements regarding the collection of personal  
13    property;

14                   (c) directing the respondent to secure alternative accommodation for  
15    the complainant;

16                   (d) order a temporal relocation to any safe place as may be deem fit in  
17    the interest of the complainant; or

18                   (e) approve a mediation channel upon submission by the  
19    complainant.

20                   (3) In ordering a prohibition under sub-clause 1 (c) of this clause, the  
21    Court may impose on the respondent obligations as to the discharge of rent or  
22    mortgage payments having regard to the financial needs and resources of the  
23    complainant and the respondent.

24                   (4) The Court may order the respondent to pay emergency monetary  
25    relief having regard to the financial needs and resources of the complainant and  
26    the respondent, and such order has the effect of a civil judgment of a court.

27                   (5) The Court may issue any direction to ensure that the complainant's  
28    physical address is not disclosed in any manner, which may endanger the  
29    safety, health or well-being of the complainant.

1                    (6) If the court is satisfied that it is in the best interests of any child,  
2        it may-

3                    (a) refuse the respondent contact with such child; or

4                    (b) order contact with such child on such conditions as it may  
5        consider appropriate.

6                    (7) The Court may not refuse to issue a protection order or impose  
7        any condition or make any order which it is competent to impose or make  
8        under this clause , merely on the grounds that other legal remedies are  
9        available to the complainant.

10                   (8) If the Court is of the opinion that any provision of a protection  
11        order deals with a matter that should, in the interests of justice, be dealt with  
12        further under any other relevant law, including the Matrimonial Causes Act,  
13        Cap. M7 Laws of the Federation of Nigeria, 2004, Child's Rights Act, the  
14        Court shall order that such a provision shall be in force for such limited  
15        period as the court determines, in order to afford the party concerned the  
16        opportunity to seek appropriate relief under such law.

17                   **33.-(1)** A police officer, at the scene of an incident of violence or as     *Power of Police*  
18        soon thereafter as reasonably possible or to whom a report of violence has  
19        been made, shall have the duty of-

20                   (a) assisting a victim of violence to file a complaint regarding the  
21        violence;

22                   (b) providing or arranging safe transport for the victim to an  
23        alternative residence, safe place or shelter where such is required;

24                   (c) providing or arranging transportation for the victim to the  
25        nearest hospital or medical facility for treatment of injuries where such  
26        treatment is needed;

27                   (d) explaining to the victim the victim's rights to protection against  
28        violence and remedies available in terms of this Bill;

29                   (e) explaining to the victim that he or she has the right to lodge a  
30        criminal complaint in addition to any remedy provided under this Bill; and

1                    (f) accompanying the victim to victim's residence to collect personal  
2 belongings.

3                    (2) A police officer may, without an order from the Court or a warrant  
4 of arrest, arrest any person whom-

5                    (a) he or she suspects upon reasonable grounds to have committed any  
6 of the offences under Part I of this Bill; and

7                    (b) a complaint has been made for having committed any of the  
8 offences under Part I of this Bill.

9                    (3) A police officer in carrying out his or her duties under this Bill  
10 shall have the power to-

11                    (a) remove or supervise the removal of a person excluded from a  
12 shared residence where the court has issued such an order under this Bill;

13                    (b) remove or supervise the removal of any dangerous weapon used in  
14 order to commit an act of violence as contemplated in this Bill;

15                    (c) collect and store fingerprints including DNA of accused and  
16 convicted offenders; and

17                    (d) perform any other act considered necessary in order to ensure the  
18 safety and well-being of the complainant.

Warrant of Arrest  
upon issuing  
Protection Order

19                    **34.-(1)** Whenever a court issues a protection order, the court may  
20 make an order-

21                    (a) authorizing the issue of a warrant for the arrest of the respondent,  
22 in the prescribed form; and

23                    (b) suspending the execution of such warrant subject to compliance  
24 with any prohibition, condition, obligation or order imposed under clause 32 of  
25 this Bill.

26                    (2) The warrant referred to in sub-clause (1)(a) of this clause remains  
27 in force unless the protection order is set aside, or cancelled after execution.

28                    (3) The Registrar of the Court shall issue the complainant with a  
29 second or further warrant of arrest, if the complainant files an affidavit in the  
30 prescribed form in which it is stated that such warrant is required for the

1            complainant's protection and that the existing warrant of arrest has been-

2                    (a) executed or cancelled; or

3                    (b) lost or destroyed.

4                    (4) A complainant may hand the warrant of arrest together with an  
5            affidavit in the prescribed form, where it is stated that the respondent has  
6            contravened any prohibition, condition, obligation or order contained in a  
7            protection order, to any police officer.

8                    (5) If it appears to the police officer concerned that there are  
9            reasonable grounds to suspect that the complainant may suffer imminent  
10           harm as a result of the alleged breach of the protection order by the  
11           respondent, the police officer shall forthwith arrest the respondent for  
12           allegedly committing the offence referred to in Part I of this Bill.

13                   (6) If the police officer concerned is of the opinion that there are  
14           insufficient grounds for arresting the respondent under sub-clause (5), he or  
15           she shall hand a written notice to the respondent which-

16                    (a) specifies the name, the residential address and the occupation or  
17           status of the respondent;

18                    (b) calls upon the respondent to appear before a court, and on the'  
19           date and at the time specified in the notice, on a charge of committing the  
20           offence referred to in clause 32 (1); and

21                    (c) contains a certificate signed by the police officer concerned to  
22           the effect that he or she handed the original notice to the respondent and that  
23           he or she explained the import thereof to the respondent.

24                    (7) The police officer shall forward a duplicate of a notice referred  
25           to in sub-clause (6) to the Registrar of the Court concerned, and the mere  
26           production in the Court of such a duplicate original shall be a prima facie  
27           proof that the original was handed to the respondent specified therein.

28                    (8) In considering whether or not the complainant may suffer  
29           imminent harm, as contemplated in sub-clause (5), the police officer shall  
30           take into account the-



- 1                    (a) risk to the safety, health or well-being of the complainant:
- 2                    (b) seriousness of the conduct comprising an alleged breach of the
- 3                    protection order; and
- 4                    (c) length of time since the alleged breach occurred.

5                    (9) Whenever a warrant of arrest is handed to a police officer under  
6                    sub-clause (4) (a) of this clause, the police officer shall inform the complainant  
7                    of the complainant's right to simultaneously lay a criminal charge against the  
8                    respondent, if applicable, and explain to the complainant how to lay such a  
9                    charge.

Variation or  
Setting aside of  
Protection Order

10                   **35.**-(1) A complainant or a respondent may, upon written notice to the  
11                   other party and the court concerned, apply for the variation or setting aside of a  
12                   protection order referred to in clause 30 in the prescribed manner.

13                   (2) If the Court is satisfied that a good cause has been shown for the  
14                   variation or setting aside of the protection order, it may issue an order to this  
15                   effect, provided that the Court shall not grant such an application to the  
16                   complainant unless it is satisfied that the application is made freely and  
17                   voluntarily.

18                   (3) The Registrar of the Court shall forward a notice as prescribed to  
19                   the complainant and the respondent if the protection order is varied or set aside  
20                   as contemplated in sub-clause (1) of this clause.

Discharge

21                   **36.** Where a protection order has been made, any of the following  
22                   persons may apply to have it discharged-

23                   (a) if the application for the order was made by a Police Officer in  
24                   respect of any dependent person by-

- 25                   (i) the Police Officer,
- 26                   (ii) the person who brought the application, or
- 27                   (iii) the respondent to that application;

28                   (b) if the application for the order was made by a Police Officer in any  
29                   other case by virtue of section 28-

- 30                   (i) the Police Officer,

1                    (ii) the person who was the applicant for the order, or  
 2                    (iii) the respondent to that application;  
 3                    (c) in any other case-  
 4                    (i) the person who was the applicant for the order, or  
 5                    (ii) the person who was the respondent to the application for the  
 6 order and the Court, upon hearing any such application, shall make such  
 7 order, as it considers appropriate in the circumstances.

8                    **37.-(1)** A respondent who contravened an interim protection order  
 9 or a protection order, or while an interim protection order is in force, refuses  
 10 to permit the applicant or any dependent person to enter and remain in the  
 11 place to which the order relates or does any act for the purpose of preventing  
 12 the applicant or such dependent person from so entering or remaining  
 13 commits an offence and is liable, on summary conviction, to a fine not  
 14 exceeding N500,000.00 or to a term of imprisonment not exceeding 2 years  
 15 or both.

Offences relating  
to Protection  
Orders

16                    (2) The provisions of sub-clause (1) shall be without prejudice to  
 17 any punishment or sanction as to contempt of court or any other liability,  
 18 whether civil or criminal that may be incurred by the respondent concerned.

19                    (3) A person who, in an affidavit referred to in this clause , willfully  
 20 makes a false statement in a material respect commits an offence and is  
 21 liable on conviction to a fine of not exceeding N500,000.00 or , to a term of  
 22 imprisonment not exceeding 2 years.

23                    **38.** The affidavit, application and forms of Protection Order  
 24 referred to in this Part of the Bill shall be in accordance with the Schedule to  
 25 this Bill.

Application and  
Forms of Protection  
Order

26                    **39.-(1)** In addition to the rights guaranteed under Chapter IV of the  
 27 Constitution of the Federal Republic of Nigeria, 1999, or any other  
 28 international human rights instrument to which Nigeria is a party, every  
 29 victim of violence, as defined in this Bill, is entitled to the following rights-  
 30 (a) to receive the necessary materials, comprehensive medical,

Rights of Victims

1     psychological, social and legal assistance through governmental agencies or  
2     non-governmental agencies providing such assistance;

3             (b) to be informed of the availability of legal, health and social  
4     services and other relevant assistance and be readily afforded access to them;

5             (c) to rehabilitation and re-integration programme of the State to  
6     enable victims to acquire, where applicable and necessary, pre-requisite skills  
7     in any vocation of the victim's choice and also in necessary formal education or  
8     access to micro credit facilities;

9             (d) any rules and or regulations made by any institution or  
10    organization prohibiting or restraining the reporting of offences or complaint  
11    with the provisions of this Bill, shall, to the extent of the inconsistencies be null  
12    and void: and

13            (e) no complainant of any offence under this Bill shall be expelled,  
14    disengaged. suspended or punished in any form whatsoever by virtue of the  
15    action of compliance with the provisions of this Bill.

16            (2) No person may be present during any proceedings under this Bill  
17    except-

18            (a) officers of the Court;

19            (b) the parties to the proceedings;

20            (c) any person bringing an application on behalf of the complainant  
21    under section 29 (4);

22            (d) any legal practitioner representing any party to the proceedings;

23            (e) accredited service provider;

24            (f) witnesses;

25            (g) not more than 3 persons for the purpose of providing support to the  
26    complainant;

27            (h) not more than 3 persons for the purpose of providing support to the  
28    respondent; and

29            (i) any other person whom the Court permits to be present provided  
30    that the court may, if it is satisfied that it is in the interests of justice, exclude any

1 person from attending any part of the proceedings.

2 (3) Nothing in this clause limits any other power of the Court to  
3 hear proceedings in camera or to exclude any person from attending such  
4 proceedings.

5 **40.**-(1) No person shall publish in any manner any information  
6 which might, directly or indirectly, reveal the identity of any party to the  
7 proceedings. Prohibition of  
Publication of  
certain information

8 (2) The Court if it is satisfied that it is in the interest of justice, may  
9 direct that any further information relating to proceedings held under this  
10 Bill shall not be published provided that no direction under this sub-clause  
11 applies in respect of the publication of a bona fide law report which does not  
12 mention the names or reveal the identities of the parties to the proceedings or  
13 of any witness at such proceedings.

14 (3) A person who contravenes the provisions of this sub-clause  
15 commits an offence and is liable on conviction to a term imprisonment not  
16 exceeding 3 years or to a fine not exceeding N500,000.00 or both.

17 **PART III - ESTABLISHMENT AND MANAGEMENT OF SURVIVORS OF**  
18 **VIOLENCE SUPPORT FUND**

19 **41.** There shall be established and maintained by the Regulatory  
20 Body, a fund known as the Survivors of Violence Support Fund, (in this Bill  
21 referred to as "the Fund") into which shall be paid and credited- Establishment of  
the Victims Support  
Fund

22 (a) Grants or allocations from the Federal Government in support  
23 of survivor of violence;

24 (b) such monies as may, from time to time, be lent, deposited or  
25 granted to the Regulatory body, for the purpose of supporting victims of  
26 violence under this Bill;

27 (c) all Grants received from both local and international  
28 organizations for the purpose of supporting victims of violence under this  
29 Bill;

30 (d) all fines paid as punishment for offences under this Bill;

	1	(e) all properties forfeited for being used to perpetrate acts of violence
	2	under this Bill; and
	3	(f) all other monies and assets which may accrue to the Fund from
	4	time to time.
Management of the Fund	5	<b>42.</b> The Fund shall be managed in accordance with rules made by the
	6	Regulatory body, with the approval of the Minister responsible for Justice-
	7	(a) specifying the manner in which the assets of the Fund are to be
	8	held and regulating the making payments into and out of the Fund;
	9	(b) prescribing the qualifications for accessing the Fund;
	10	(c) Specifying the procedure for supporting victims of violence; and
	11	(d) requiring the keeping of proper accounts and records for the
	12	purposes of the Fund in such form as may be specified in the rules.
Application of the proceeds of the Fund	13	<b>43.</b> The Regulatory body shall apply the proceeds of the Fund to-
	14	(i) cost of administration of the Fund;
	15	(ii) defraying expenses incurred in supporting victims of violence
	16	under the Bill;
	17	(iii) cost of maintenance of any property acquired or vested in the
	18	Regulatory body for the purpose of supporting victims of violence;
	19	(iv) cost of rehabilitation and reintegration of survivors of violence
	20	under this Bill; and
	21	(v) undertaking such other expenses and activities as are connected
	22	with all or any of the functions of the Regulatory body to supporting survivor of
	23	violence under this Bill.
Donations to the Institute	24	<b>44.</b> The Regulatory body may, subject to the provisions of this Bill,
	25	receive donations from persons, organizations, bodies or governments for the
	26	purpose of the Bill.
Restriction on Donations	27	<b>45.</b> The Regulatory body shall not accept any donation or gift if the
	28	conditions attached by the person or organization making the gift are
	29	inconsistent with the functions of the Regulatory body under this Bill.

1                    **46.** The Regulatory body shall, not later than 30th September of     Annual Estimates  
2                    each year, submit to the Supervisory Minister, an estimate of the expenditure     and Expenditure  
3                    and income from and into the Fund for the next succeeding year.

4                    **47.** The Regulatory body shall cause to be kept proper accounts of     Audit of accounts  
5                    the Fund in respect of each year and proper records in relation thereto and     of the Fund  
6                    shall cause the accounts to be audited not later than 6 months after the end of  
7                    each year by auditors appointed from the list in accordance with the  
8                    guidelines supplied by the Auditor-General of the Federation.

9                    **48.**-(1) The Regulatory body shall prepare and submit to the     Annual Report  
10                    Supervisory Minister, not later than 30th June in each year, a report in such  
11                    form as the Supervisory Minister may direct on the operationalization of the  
12                    Fund during the preceding year, and shall include in the report a copy of the  
13                    audited accounts for that year and auditor's report thereon.

14                    (2) The Supervisory Minister shall, upon receipt of the report  
15                    referred to in sub clause (1) of this clause, cause a copy of the report and the  
16                    audited accounts, and the auditor's report thereon to be submitted to the  
17                    National Assembly.

18                    **PART IV - SERVICE PROVIDERS**

19                    **49.**-(1) Subject to such rules as may be made, any voluntary     Registration and  
20                    association registered under the Companies and Allied Matters Act by the     Powers of Service  
21                    Corporate Affairs Commission or any other law for the time being in force     Providers  
22                    with the objective of protecting the rights and interests of victims of violence  
23                    by any lawful means including providing of legal aid, medical, financial or  
24                    other assistance shall register itself with the Regulatory Body as a service  
25                    provider for the purposes of this Bill.

26                    (2) The Regulatory body shall-

27                    (a) keep a register of all accredited service providers and circulate  
28                    same to all police stations, protection officers and the courts; and

29                    (b) draw up guidelines for the operation of the accredited service  
30                    providers.

1                    (3) A service provider so registered under sub-clause (1) shall have  
2     the power to-

3                    (a) record the violence incidence report in the prescribed form if the  
4     aggrieved person so desires and forward a copy to the Magistrates and the  
5     Protection Officer having jurisdiction in the area where the violence took  
6     place;

7                    (b) get the aggrieved person medically examined and forward a copy  
8     of the medical report to the Protection Officer and the police station within the  
9     locality of which the violence act took place; and

10                  (c) ensure that the aggrieved person is provided shelter in a shelter  
11     home, if the person so requires and forward a report of the lodging of the  
12     aggrieved person in the shelter home to the Police station within the locality of  
13     which the act of violence took place.

14                  (4) No suit, prosecution or other legal proceeding shall lie against any  
15     service provider who is, or who is deemed to be acting or purporting to act  
16     under this Bill, for anything which is in good faith done or intended to be done  
17     in the exercise of powers or discharge of functions under this Bill towards the  
18     prevention of the commission of violence.

Protection Officers 19                  **50.-(1)** The Regulatory Body shall appoint such number of protection  
20     officers in each Area Council as it may consider necessary, to assist the Court in  
21     the discharge of its duties under this Bill, to co-ordinate the activities of the  
22     police and the accredited service providers in the protection officer's Area  
23     Council to ensure that the victims or survivors of violence-

24                  (a) have easy access to accredited service providers:

25                  (b) have easy access to transportation to an alternative residence or a  
26     safe shelter, the nearest hospital or medical facility for treatment, if the  
27     complainant so requires;

28                  (c) are able to collect their belongings or properties from a shared  
29     household or the victim/survivor's residence, if the complainant so requires;

30                  (d) are able to access the court for orders under this Bill; or

1                    (e) have access to every possible assistance in the service of interim  
2                    protection order on the respondent, and the enforcement of any order that  
3                    may have been made by the court under this Bill.

4                    (2) The protection officer may, upon the failure of the respondent to  
5                    make payment ordered by the Court under this Bill, direct an employer or a  
6                    debtor of the respondent or any bank in which the respondent operates any  
7                    account, to directly pay to the complainant or deposit with Court a portion of  
8                    the wages or salaries or debt due to or accrued to the credit of respondent or  
9                    monies in any bank account operated by the respondent, which amount may  
10                    be adjusted towards the emergency monetary relief payable by the  
11                    respondent.

12                    **51.** The Regulatory body shall appoint a person as the Coordinator     Coordinator for  
13                    for the prevention of violence under this Bill who shall submit annual report     prevention of  
14                    to the Federal Government on the implementation of this Bill, a copy of     Violence  
15                    which shall be deposited with the National Bureau of Statistics.

16                    PART V - REGULATORY BODY AND CONSEQUENTIAL AMENDMENT

17                    **52.** The National Agency for the Prohibition of Trafficking in     Regulatory  
18                    Persons and Other related Matters (NAPTIP) is mandated to administer the     body  
19                    provisions of this Bill and collaborate with the relevant stakeholders  
20                    including faith based organizations.

21                    **53.-(1)** Any offence committed or proceedings instituted before the     General Savings  
22                    commencement of this Bill under the provisions of the-     and Repeal

- 23                    (a) Criminal Code, Cap. LFN, 2004;  
24                    (b) Penal Code, Cap. LFN, 2004;  
25                    (c) Criminal Procedure Code, Cap. LFN, 2004;  
26                    (d) any other law or regulation relating to any act of violence  
27                    defined by this Bill shall as the case may require be enforced or continue to  
28                    be enforced by the provisions of this Bill.

29                    (2) Any provision of the Bill shall supersede any other provision on



1     similar offences in the Criminal Code, Penal Code and Criminal Procedure  
2     Code.

Interpretation     3                    **54.** In this Bill-

4     "Abandonment of women, children and other persons" means deliberately  
5     leaving women, children and other persons. under the perpetrator's care,  
6     destitute and without any means of subsistence;

7     "accredited service provider" means governmental, non-governmental, faith  
8     based, voluntary and charitable associations or institutions providing shelter,  
9     homes, counseling, legal, financial, medical or other assistance to victims of  
10    domestic violence and are registered with the appropriate Government  
11    Ministry under the provisions of this Bill;

12    "circumcision of a girl or woman" means cutting off all or part of the external  
13    sex organs of a girl or woman other than on medical ground;

14    "civil proceedings" means-

15                    (a) proceedings for the making, variation or discharge of a protection  
16    order, safety order or interim protection order;

17                    (b) proceedings by way of appeal or case stated which are related to  
18    proceedings to which paragraph (a) applies; or

19                    (c) proceedings under this Bill for compensation or award;

20    "Court" means the High Court of the Federal Capital Territory;

21    "damage to property" means the willful destruction or causing of mischief to  
22    any property belonging to a person or in, which a person has, a vested interest;

23    "dangerous weapon" means any instrument or machine directed toward a  
24    person with the intention of inflicting bodily harm on such person and includes  
25    a gun, knife, stick, whip or other household appliance capable of inflicting  
26    bodily harm on a person;

27    "domestic relationship" means a relationship between any person and a  
28    perpetrator of violence constituted in any of the following ways-

29                    (a) they are or were married to each other, including marriages  
30    according to any law, custom or religion;

1                    (b) they live or have lived together in a relationship in the nature of  
2                    marriage, although they are not or were not married to each other;

3                    (c) they are the parents of a child or children or are the persons who  
4                    have or had a parental responsibility for that child or children:

5                    (d) they are family members related by consanguinity, affinity or  
6                    adoption;

7                    (e) they are or were in an engagement, dating or customary  
8                    relationship, including actual or perceived romantic, intimate or sexual  
9                    relationship of any duration; or

10                   (f) they share or recently shared the same residence.

11                   "domestic violence" means any act perpetrated on any person in a domestic  
12                   relationship where such act causes harm or may cause imminent harm to the  
13                   safety, health or well being of any person;

14                   "economic abuse" means-

15                   (a) forced financial dependence;

16                   (b) denial of inheritance or succession rights,

17                   (c) the unreasonable deprivation of economic or financial  
18                   resources to which any person is entitled or which any person requires out of  
19                   necessity, including-

20                   (i) household necessities,

21                   (ii) mortgage bond repayments, or

22                   (iii) payment of rent in respect of a shared residence; or

23                   (d) the unreasonable disposal or destruction of household effects or  
24                   other property in which any person has an interest;

25                   "emergency monetary relief" means compensation for monetary losses  
26                   suffered by any person arising from an act of violence and does not in any  
27                   way constitute a maintenance order, including-

28                   (a) loss of earnings;

29                   (b) medical and dental expenses;

30                   (c) relocation and accommodation expenses;

- 1                    (d) household necessities; or
- 2                    (e) legal fees related to obtaining and serving the protection order.
- 3    "emotional, verbal and psychological abuse" means a pattern of degrading or
- 4    humiliating conduct towards any person, including-
- 5                    (a) repeated insults,
- 6                    (b) ridicule or name calling;
- 7                    (c) repeated threats to cause emotional pain; or
- 8                    (d) the repeated exhibition of obsessive possessiveness, which is of
- 9    such a nature as to constitute a serious invasion of such person's privacy,
- 10   liberty, integrity or security;
- 11   "forced isolation from family and friends" includes preventing a person from
- 12   leaving the home or from having contact with family, friends or the outside
- 13   community;
- 14   "harassment" means engaging in a pattern of conduct that induces fear of harm
- 15   or impairs the dignity of a person including-
- 16                    (a) stalking of whatever nature, including cyber-stalking:
- 17                    (b) repeatedly making telephone calls or inducing another person to
- 18   make telephone calls to a person, whether or not conversation ensues; and
- 19                    (c) repeatedly sending, delivering or causing delivery of information
- 20   such as letters, telegrams, packages, facsimiles, electronic mail, text messages
- 21   or other objects to any person;
- 22   "harmful traditional practices" means all traditional behaviour, attitudes or
- 23   practices, which negatively affect the fundamental rights of women, girls, or
- 24   any person and includes harmful widowhood practices, denial of inheritance or
- 25   succession rights, female genital mutilation or female circumcision, forced
- 26   marriage and forced isolation from family and friends:
- 27   "incest" means an indecent act or an act which causes penetration with a person
- 28   who is, to perpetrator's knowledge, the perpetrator's daughter or son,
- 29   granddaughter or son, sister or brother, mother or father, niece or nephew,
- 30   aunt/uncle, grandmother or granduncle;

1        "indecent exposure" means the intentional exposure of the genital organs, or  
2        a substantial part thereof, with the intention of causing distress to the other  
3        party;

4        "intimidation" means the uttering or conveying of a threat or causing any  
5        person to receive a threat, which induces fear, anxiety or discomfort;

6        "perpetrator" means any person who has committed or allegedly committed  
7        an act of violence as defined under this Bill;

8        "persons" in this Bill is as defined in the Interpretation Act under section 18,  
9        Cap. I23, Laws of the Federation of Nigeria, 2004;

10       "physical abuse" means acts or threatened acts of physical aggression  
11       towards any person such as slapping, hitting, kicking and beating;

12       "political violence" means any act or attempted act of violence perpetrated  
13       in the course of political activities, such as elections, and includes any of the  
14       following acts-

15                (a) thuggery;

16                (b) mugging;

17                (c) use of force to disrupt meetings; or

18                (d) the use of dangerous weapons that may cause bodily harm or  
19       injury;

20       "protection officer" means an officer appointed under clause 50 of this Bill in  
21       relation to and for the purpose of this Bill;

22       "protection Order" means an official legal document, signed by a Judge that  
23       restrains an individual or State actors from further abusive behaviour  
24       towards a victim;

25       "sexual abuse" means any conduct which violates, humiliates or degrades  
26       the sexual integrity of any person;

27       "sexual assault" means the intentional and unlawful touching, striking or  
28       causing of bodily harm to an individual in a sexual manner without the  
29       victim's consent;

30       "sexual exploitation" occurs where a perpetrator, for financial or other

1     reward, favour or compensation invites, persuades, engages or induces the  
2     services of a victim, or offers or performs such services to any other person;

3     "sexual harassment" means unwanted conduct of a sexual nature or other  
4     conduct based on sex or gender which is persistent or serious and demeans,  
5     humiliates or creates a hostile or intimidating environment and this may  
6     include physical, verbal or non-verbal conduct;

7     "Sexual intimidation" means-

8             (a) any action or circumstances which amount to demand for sexual  
9     intercourse with either a male or a female under any guise, as a condition for  
10    passing examination, securing employment, business patronage, obtaining any  
11    favour in any form, as defined in this Bill or any other enactment;

12            (b) the actual demand for sexual intercourse with either a male or  
13    female under any guise, as a condition for passing examination, securing  
14    employment, business patronage and or obtaining any favour in any form, as  
15    defined in this Bill or any other enactment;

16            (c) acts of deprivation, withholding, replacing or short-changing of  
17    entitlements, privileges, rights, benefits, examination or test marks or scores,  
18    and any other form of disposition capable of coercing any person to submit to  
19    sexual intercourse for the purpose of receiving reprieve thereto; or

20            (d) any other action or inaction construed as sexual intimidation or  
21    harassment under any other enactment in force in Nigeria.

22    "Stakeholders" means institutions, both governmental and non-governmental,  
23    and persons involved in the prevention of violence against persons, including  
24    those in the service of providing care for victims or survivors of violence.

25    "spouse" means husband or wife as recognised under the Matrimonial Causes  
26    Act, Islamic and Customary Law;

27    "spousal battery" means the intentional and unlawful use of force or violence  
28    upon a spouse, including the unlawful touching, beating or striking of a spouse  
29    by another against the spouse's will with the intention of causing bodily harm to  
30    that person:

1        "stalking" means repeatedly -

2                    (a) watching, or loitering outside of or near the building or place  
3        where such person resides, works, carries on business, studies or happens to  
4        be; or

5                    (b) following, pursuing or accosting any person in a manner which  
6        induces fear or anxiety; or

7                    (c) any other meaning ascribed to it by the Cybercrimes  
8        (Prohibition, Prevention, Etc.) Act currently in force.

9        "State actors" means group of persons; structured or organised institutions  
10       and agencies;

11       "substance attack" means the exposure of any person to any form of  
12       chemical, biological or any other harmful liquid with the intention to cause  
13       grievous bodily harm, which includes acid attack, hot water, or oil;

14       "Supervisory Minister" means the Minister responsible for the federal  
15       ministry under which the Regulatory Agency is domiciled at the relevant  
16       time.

17       "trafficking" means the supply, recruitment, procurement, capture, removal,  
18       transportation, transfer, harbouring, sale, disposal or receiving of a person,  
19       within or across the borders of the Federal Republic of Nigeria, for use in  
20       sexual acts, including sexual exploitation or pornography of any person;

21       "victim"-

22                    (a) means any person or persons, who, individually or collectively,  
23       have suffered harm, including-

24                    (i) physical or mental injury,

25                    (ii) emotional suffering,

26                    (iii) economic loss, or

27                    (iv) substantial impairment of their fundamental rights, through  
28       acts or omissions that are in violation of this Bill or the criminal laws of the  
29       country; and

30                    (b) includes the immediate family or dependents of the direct

1     victim and any other person who has suffered harm in intervening to assist  
2     victims in distress;

3     "violence" means any act or attempted act, which causes or may cause any  
4     person physical, sexual, psychological, verbal, emotional or economic harm  
5     whether this occurs in private or public life, in peace time and in conflict  
6     situations:

7     "violence in the private sphere" means any act or attempted act perpetrated by a  
8     member of the family, relative, neighbour or member of a community, which  
9     causes or may cause any person physical, sexual, psychological, verbal,  
10     emotional or economic harm;

11     "violence in the public sphere" means any act or attempted act perpetrated by  
12     the State or non-State actors before, during and after elections, in conflict or  
13     war situations, which threatens peace, security and well-being of any person or  
14     the nation as a whole;

15     "violence perpetrated by non-State actors" includes-

- 16             (a) wrongful arrest and detention;  
17             (b) assault;  
18             (c) use of force without lawful authority;  
19             (d) unlawful entry into the premises; or  
20             (e) demolition of property without due processes:

21     "vulnerable groups" means women, children, persons living under extreme  
22     poverty, persons with disability, the sick and the elderly, ethnic and religious  
23     minority groups, refugees, internally displaced persons, migrants and persons  
24     in detention.

25             **55.** This Bill applies only to the Federal Capital Territory, Abuja.

Citation

26             **56.** This Bill may be cited as the Violence Against Persons  
27     (Prohibition) Act, (Repeal and Enactment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Violence against Persons (Prohibition) Act, 2015, and enact an Act to eliminate violence in private and public life, prohibit all forms of violence against persons and to provide maximum protection and effective remedies for victims, and punishment of offenders.



1 SCHEDULE

2 *Clauses 26 and 38*

3 AFFIDAVIT, APPLICATION AND FORMS OF PROTECTION ORDER

4 FORM 1

5 GENERAL FORM OF APPLICATION FOR PROTECTION ORDER

6 In the.....Court.

7 In the.....Division/District.

8 Suit No.....

9 *Between*

10 A.B.....Complainant

11 *and*

12 C.D.....Respondent

13 APPLICATION FOR PROTECTION ORDER BY THE VICTIM

14 The Complainant applies that he/she be protected by the Honourable Court by  
15 the issuance of a protection order against the Respondent.

16 Dated this.....day of.....

17 .....

18 *Complainant/Complainant's Counsel*

19 FORM 2

20 GENERAL FORM OF APPLICATION FOR PROTECTION ORDER BY A PERSON

21 OTHER THAN THE VICTIM

22 In the.....Court.

23 In the.....Division/District.

24 Suit No .....

25 *Between*

26 A.B.....Complainant

27 C.D.....Respondent

28 *and*

29 E.F.....Guardian/ Social Worker/Police Office, etc.

1 APPLICATION FOR PROTECTION ORDER BY A PERSON OTHER  
2 THAN THE VICTIM  
3 I, E.F. Guardian to A.B. the Complainant hereby applies that A B be  
4 protected by the Honourable Court by the issuance of a Protection Order  
5 against the Respondent.  
6 Dated this..... day of.....  
7 E.F.  
8 .....  
9 *Guardian/Police Officer/Social Worker, etc.*  
10 FORM 3  
11 AFFIDAVIT IN SUPPORT OF APPLICATION FOR PROTECTION ORDER  
12 In the..... Court  
13 In the.....Division/District  
14 Suit No.....  
15 *Between*  
16 A.B.....Complainant  
17 *and*  
18 C.D.....Respondent  
19 E.F.....Respondent  
20 I, A.B .....of .....hereby make oath and state as  
21 follows:  
22 1. That I am the Complainant/Guardian of the Complainant/A Police  
23 Officer/A Protection Officer/An Accredited Service Provider/A Counsellor/  
24 A Health Service Provider/Social Worker/Teacher, etc.  
25 .....  
26 *DEPONENT*  
27 Sworn to at .....Court Registry  
28 This.....day of.....  
29 BEFORE ME  
30 COMMISSIONER FOR OATHS

1 FORM 4

2 CONSENT TO APPLICATION FOR PROTECTION ORDER IN RELATION TO A

3 PERSON NOT BEING A MINOR, MENTALLY RETARD ED PERSON,

4 UNCONSCIOUS OR A PERSON WHO THE COURT IS SATISFIED IS UNABLE TO

5 PROVIDE CONSENT

6 In the..... Court

7 In the.....Division/District

8      Suit No.....

9 *Between*

10 A.B.....Complainant

11 *and*

12 C.D.....Respondent

13 EF.....Guardian

14 CONSENT TO APPLICATION FOR PROTECTION ORDER

15 I, A.B.....Complainant in this case hereby  
16 consents to the application by EF, for the issuance of a Protection Order on my  
behalf.

17 Dated this.....day of.....

18 .....

19 *Complainant*

20 FORM 5

21 GENERAL FORM OF INTERIM PROTECTION ORDER

22 In the.....Court.

23 In the.....Division/District.

Suit No.....

*Between*

A.B.....Complainant

26 *and*

27 C.D.....Respondent

28 *and*

29 E.F. ....Guardian/Police Officer, etc.

30 To: CD ..... Respondent

INTERIM PROTECTION ORDER

WHEREAS the Complainant/Guardian, etc. has applied that the Complainant be protected by this Honourable Court against you;

AND WHEREAS there is a prima facie evidence that you have committed an act or acts of domestic violence against the Complainant, or that there is imminent likelihood of your committing such violence against the Complainant;

You are hereby commanded to show cause on the.....day of..... the return date, why a protection order should not be issued against you.

THIS ORDER shall serve as a protection order for the Complainant until the return date. Given under my hand this.....day of .....

*Judge/Magistrate*

FORM6

GENERAL FORM OF PROTECTION ORDER

In the ..... Court

In the..... Division/District

Suit No.....

*Between*

A.B.....Complainant

*and*

C.D.....Respondent

*and*

E.F.....Guardian/Police Officer, etc.

To: CD .....Respondent

PROTECTION ORDER

WHEREAS the Complainant/Guardian, etc has applied that the complainant be protected by this Honourable Court against you;

AND WHEREAS there is a prima facie evidence that you have committed an act or acts of domestic violence against the complainant, or that there is

1    imminent likelihood of your committing such violence against the  
2    complainant;

3    You are hereby prohibited from: (insert whichever is appropriate)

4            (a) committing any act of domestic violence;

5            (b) enlisting the help of another person to commit any such act;

6            (c) entering a shared household: Provided that the court may impose  
7    this prohibition only if it appears to be in the best interest of the complainant;

8            (d) entering a specified part of such a shared household;

9            (e) entering the complainant's residence;

10          (f) entering the complainant's place of employment;

11          (g) preventing the complainant from entering or remaining in the  
12    shared household or a specified part of the shared household;

13          (h) alienating or disposing the shared household or encumbering  
14    same;

15          (i) renouncing his rights in the shared household except in favour of  
16    the complainant;

17          (j) committing any other act as specified in the protection order; or

18          (k) as the court deems fit.

19    Given under my hand this .....day of.....

20

.....

*Judge/Magistrate*