

Attachment 1

CROSS RIVER STATE OF NIGERIA

GAZETTE

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page

Cross River State Law No. 6 of 2005 – A Law to prohibit domestic violence
against women and maltreatment of widows

A37-A38

Supplement to Cross River State of Nigeria Gazette No. 13 vol. 38 Dated 25th August. 2005

-PART A

Assented to this 26th November, 2004

DONALDDUKE
Governor
Cross River State

CROSS RIVER STATE OF NIGERIA

2005, NO. 6

A Law to prohibit domestic violence against women and maltreatment of widows

*Long Title
Commencement*

BE IT ENACTED by the Cross River State House of Assembly as follows:

Enactment.

1. (1) Upon the commencement of this law, any person who subjects any women to any form of unwholesome treatment or domestic violence commits an offence.

prohibition of
domestic
Violence.

(2) A person shall, upon trial and conviction for the offence in sub-section (1) of this section be sentenced to imprisonment for one year or be liable to a fine of not less than twenty thousand Naira (~~₦~~20,000.00) for a first offender and to imprisonment not exceeding three years, or to a fine not exceeding sixty-thousand Naira (~~₦~~60,000.00) for each subsequent offence.

penalty for
Unwholesome
treatment/
domestic
Violence.

2. Upon the commencement of this law, no person shall subject a widow to any form of maltreatment and or obnoxious traditions.

prohibition of
Maltreatment of
widows.

3. Any person who:

- (a) Forces, coerces, entices, induces, mesmerizes or hypnotizes a widow to drink the water or any other liquid used to bath and or clean her husband's corpse or subject her to pass through any ordeal or observe any obnoxious tradition;
- (b) Shaves a widow's hair with any instrument;
- (c) Throws a widow out of her matrimonial home and deny her any form of inheritance due her;
- (d) Forces a widow to wear clothes as to be half naked;

Is guilty of an offence and shall upon conviction be liable to imprisonment for a term not exceeding one year or a fine not less than twenty thousand Naira (~~₦~~20,000.00) for a first offender and to imprisonment not exceeding three years without option of fine for each subsequent offence.

Power of Arrest 4. Any person who contravened the provisions of this law may be arrested without warrant and taken without delay to the nearest police station where he may be granted bail until he is brought before a magistrate court for trial.

Interpretation 5. In this law, unless the context otherwise requires-

“Domestic violence” means any abusive use of physical force or energy to cause damage. or injury to a woman at home, in the house or any other place.

“Instrument” means razor blade, broken bottle, scissors knives or any object.

“Maltreatment” means to treat abusively.

“Obnoxious tradition” means any tradition, custom or culture that is unpleasant and offensive.

“Unwholesome treatment” means treatment not conducive to physical or mental health.

“Widow” means a woman who has not married again after her husband’s death.

“Woman” means a person of the female sex up to and above eighteen years old.

Short Title. 6. This Law may be cited as domestic violence and maltreatment of widows (prohibition) Law, 2004 and shall come into force on 17th October, 2004.

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

NTUFAM JOHN ACHOT OKON
Clerk of the House