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LAND USE ACT

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## LAND USE ACT

**An Act to Vest all Land Comprised in the Territory of each State (except land vested in the Federal Government or its agencies) Solely in the Governor of the State, who would Hold such Land in Trust for the People and would Henceforth be Responsible for Allocation of Land in all Urban Areas to Individuals Resident in the State and to Organisations for Residential, Agricultural, Commercial and other Purposes while Similar Powers with Respect to non-urban Areas are Conferred on Local Governments.**

1978 No. 6.

[29th March, 1978] Commence-  
ment.

## PART I

## GENERAL

1. Subject to the provisions of this Act, all land comprised in the territory of each State in the Federation are hereby vested in the Governor of that State and such land shall be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provisions of this Act.

Vesting of all  
land in the  
State.

2. (1) As from the commencement of this Act—

- (a) all land in urban areas shall be under the control and management of the Governor of each State; and
- (b) all other land shall, subject to this Act, be under the control and management of the Local Government within the area of jurisdiction of which the land is situated.

Control and  
management  
of land; advi-  
sory bodies.

(2) There shall be established in each State a body to be known as “the Land Use and Allocation Committee” which shall have responsibility for—

- (a) advising the Governor on any matter connected with the management of land to which paragraph (a) of subsection (1) of this section relates;
- (b) advising the Governor on any matter connected with the resettlement of persons affected by the revocation of rights of occupancy on the ground of overriding public interest under this Act; and
- (c) determining disputes as to the amount of compensation payable under this Act for improvements on land.

(3) The Land Use and Allocation Committee shall consist of such number of persons as the Governor may determine and shall include in its membership—

- (a) not less than two persons possessing qualifications approved for appointment to the civil service as estate surveyors or land officers and who have had such qualification for not less than five years; and
- (b) a legal practitioner.

(4) The Land Use and Allocation Committee shall be presided over by such one of its members as may be designated by the Governor and, subject to such directions as may be given in that regard by the Governor, shall have power to regulate its proceedings.

(5) There shall also be established for each Local Government a body to be known as “the Land Allocation Advisory Committee” which shall consist of such persons as may be determined by the Governor acting after consultation with the Local Government and shall have responsibility for advising the Local Government on any matter connected with the management of land to which paragraph (b) of subsection (1) of this section relates.

Designation  
of urban  
areas.

3. Subject to such general conditions as may be specified in that behalf by the National Council of States, the Governor may for the purposes of this Act by order published in the *State Gazette* designate the parts of the area of the territory of the State constituting land in an urban area.

Applicable  
law for the  
interim  
management  
of land.

4. Until other provisions are made in that behalf and, subject to the provisions of this Act, land under the control and management of the Governor under this Act shall be administered—

- (a) in the case of any State where the Land Tenure Law of the former Northern Nigeria applies, in accordance with the provisions of that Law; and
- (b) in every other case, in accordance with the provisions of the State Land Law applicable in respect of State land in the State,

and the provisions of the Land Tenure Law or the State Land Law, as the case may be, shall have effect with such modifications as would bring those Laws into conformity with this Act or its general intendment.

## PART II

PRINCIPLES OF LAND TENURE, POWERS OF GOVERNOR AND  
LOCAL GOVERNMENTS, AND RIGHTS OF OCCUPIERS

- \*5. (1) It shall be lawful for the Governor in respect of land, Powers of the Governor in relation to land.  
whether or not in an urban area—
- (a) to grant statutory rights of occupancy to any person for all purposes;
  - (b) to grant easements appurtenant to statutory rights of occupancy;
  - (c) to demand rental for any such land granted to any person;
  - (d) to revise the said rental—
    - (i) at such intervals as may be specified in the certificate of occupancy, or
    - (ii) where no intervals are specified in the certificate of occupancy at any time during the term of the statutory right of occupancy;
  - (e) to impose a penal rent for a breach of any covenant in a certificate of occupancy requiring the holder to develop or effect improvements on the land, the subject of the certificate of occupancy, and to revise such penal rent as provided in section 19 of this Act;
  - (f) to impose a penal rent for a breach of any condition, express or implied, which precludes the holder of a statutory right of occupancy from alienating the right of occupancy or any part thereof by sale, mortgage, transfer of possession, sub-lease or bequest or otherwise howsoever without the prior consent of the Governor;
  - (g) to waive, wholly or partially, except as otherwise prescribed, all or any of the covenants or conditions to which a statutory right of occupancy is subject where, owing to special circumstances, compliance therewith would be impossible or great hardship would be imposed upon the holder;
  - (h) to extend except as otherwise prescribed, the time to the holder of a statutory right of occupancy for performing any of the conditions of the right of occupancy upon such terms and conditions as he may think fit.
- (2) Upon the grant of a statutory right of occupancy under the provisions of subsection (1) of this section, all existing rights

to the use and occupation of the land which is the subject of the statutory right of occupancy shall be extinguished.

Powers of  
Local  
Government  
in relation to  
land not in  
urban areas.

6. (1) It shall be lawful for a Local Government in respect of land not in an urban area—

- (a) to grant customary rights of occupancy to any person or organisation for the use of land in the Local Government Area for agricultural, residential and other purposes;
- (b) to grant customary rights of occupancy to any person or organisation for the use of land for grazing purposes and such other purposes ancillary to agricultural purposes as may be customary in the Local Government Area concerned.

(2) No single customary right of occupancy shall be granted in respect of an area of land in excess of 500 hectares if granted for agricultural purposes, or 5,000 hectares if granted for grazing purposes, except with the consent of the Governor.

(3) It shall be lawful for a Local Government to enter upon, use and occupy for public purposes any land within the area of its jurisdiction which is not—

- (a) land within an area declared to be an urban area pursuant to section 3 of this Act;
- (b) the subject of a statutory right of occupancy;
- (c) within any area compulsorily acquired by the Government of the Federation or of the State concerned;
- (d) the subject of any laws relating to minerals or mineral oils,

and for the purpose, to revoke any customary right of occupancy on any such land.

(4) The Local Government shall have exclusive rights to the lands so occupied against all persons except the Governor.

(5) The holder and the occupier according to their respective interests of any customary right of occupancy revoked under subsection (3) of this section shall be entitled to compensation, for the value at the date of revocation, of their unexhausted improvements.

(6) Where land in respect of which a customary right of occupancy is revoked under this Act was used for agricultural purposes by the holder, the Local Government shall allocate to such holder alternative land for use for the same purpose.

(7) If a Local Government refuses or neglects within a reasonable time to pay compensation to a holder and an occupier according to their respective interests under the provisions of subsection (5) of this section, the Governor may proceed to the assessment of compensation under section 29 of this Act and direct the Local Government to pay the amount of such compensation to the holder and occupier according to their respective interests.

7. It shall not be lawful for the Governor to grant a statutory right of occupancy or consent to the assignment or subletting of a statutory right of occupancy to a person under the age of twenty-one years: Restriction on rights of persons under age of 21.

Provided that—

- (a) where a guardian or trustee for a person under the age of 21 years has been duly appointed for such purpose, the Governor may grant or consent to the assignment or subletting of a statutory right of occupancy to such guardian or trustee on behalf of such person under age;
- (b) a person under the age of 21 years upon whom a statutory right of occupancy devolves on the death of the holder, shall have the same liabilities and obligations under and in respect of his right of occupancy as if he were of full age, notwithstanding the fact that no guardian or trustee has been appointed for him.

8. Statutory right of occupancy granted under the provisions of section 5 (1) (a) of this Act shall be for a definite term and may be granted subject to the terms of any contract which may be made by the Governor and the holder not being inconsistent with the provisions of this Act. Special contracts.

✕ 9. (1) It shall be lawful for the Governor—

- (a) when granting a statutory right of occupancy to any person; or
- (b) when any person is in occupation of land under a customary right of occupancy and applies in the prescribed manner; or
- (c) when any person is entitled to a statutory right of occupancy,

Certificates of occupancy.

to issue a certificate under his hand in evidence of such right of occupancy.

(2) Such certificate shall be termed a certificate of occupancy and there shall be paid therefore, by the person in whose name it is issued, such fee (if any) as may be prescribed.



(3) If the person in whose name a certificate of occupancy is issued, without lawful excuse, refuses or neglects to accept and pay for the certificate, the Governor may cancel the certificate and recover from such person any expenses incidental thereto, and in the case of a certificate evidencing a statutory right of occupancy to be granted under paragraph (a) of subsection (1) of this section, the Governor may revoke the statutory right of occupancy.

(4) The terms and conditions of a certificate of occupancy granted under this act and which has been accepted by the holder shall be enforceable against the holder and his successors in title, notwithstanding that the acceptance of such terms and conditions is not evidenced by the signature of the holder or is evidenced by the signature only or, in the case of a corporation, is evidenced by the signature only of some person purporting to accept on behalf of the corporation.

Conditions and provisions implied in certificate of occupancy.

10. Every certificate of occupancy shall be deemed to contain provisions to the following effect—

- (a) that the holder binds himself to pay to the Governor the amount found to be payable in respect of any unexhausted improvements existing on the land at the date of his entering into occupation;
- (b) that the holder binds himself to pay to the Governor the rent fixed by the Governor and any rent which may be agreed or fixed on revision in accordance with the provisions of section 16 of this Act.

Power of Governor or public officer to enter and inspect land and improvements.

11. The Governor or any public officer duly authorised by the Governor in that behalf, shall have the power to enter upon and inspect the land comprised in any statutory right of occupancy or any improvements effected thereon, at any reasonable hours in the day time and the occupier shall permit and give free access to the Governor or any such officer to enter and inspect.

Power of Governor to grant licences to take building materials. Cap. 226.

12. (1) It shall be lawful for the Governor to grant a licence to any person to enter upon any land which is not the subject of a statutory right of occupancy or of a mining lease, mining right or exclusive prospecting licence granted under the Minerals Act or any other enactment, and remove or extract therefrom any stone, gravel, clay, sand or other similar substance (not being a mineral within the meaning assigned to that term in the Minerals Act) that may be required for building or for the manufacture of building materials.

(2) Any such licence may be granted for such period and subject to such conditions as the Governor may think proper or as may be prescribed.

(3) No such licence shall be granted in respect of an area exceeding 400 hectares.

(4) It shall not be lawful for any licensee to transfer his licence in any manner whatsoever without the consent of the Governor first had and obtained, and any such transfer effected without the consent of the Governor shall be null and void.

(5) The Governor may cancel any such licence if the licensee fails to comply with any of the conditions of the licence.

13. (1) The occupier of a statutory right of occupancy shall at all times maintain in good and substantial repair to the satisfaction of the Governor, or of such public officer as the Governor may appoint in that behalf, all beacons or other land marks by which the boundaries of the land comprised in the statutory right of occupancy are defined and in default of his so doing the Governor or such public officer as aforesaid may by notice in writing require the occupier to define the boundaries in the manner and within the time specified in such notice.

Duty of occupier of statutory right of occupancy to maintain beacons.

(2) If the occupier of a statutory right of occupancy fails to comply with a notice served under subsection (1) of this section he shall be liable to pay the expenses (if any) incurred by the Governor in defining the boundaries which the occupier has neglected to define.

14. Subject to the other provisions of this Act and of any laws relating to wayleaves, to prospecting for minerals or mineral oils or to mining or to oil pipelines and subject to the terms and conditions of any contract made under section 8 of this Act, the occupier shall have exclusive rights to the land the subject of the statutory right of occupancy against all persons other than the Governor.

Exclusive rights of occupiers.

15. During the term of a statutory right of occupancy the holder—

The right to improvements.

(a) shall have the sole right to and absolute possession of all the improvements on the land;

(b) may, subject to the prior consent of the Governor, transfer, assign or mortgage any improvements on the land which have been effected pursuant to the terms and conditions of the certificate of occupancy relating to the land.

## PART III

## RENTS

Principles to be observed in fixing and revising rents.

**16.** In determining the amount of the original rent to be fixed for any particular land and the amount of the revised rent to be fixed on any subsequent revision of rent, the Governor—

- (a) shall take into consideration the rent previously fixed in respect of any other like land in the immediate neighbourhood, and shall have regard to all the circumstances of the case;
- (b) shall not take into consideration any value due to capital expended upon the land by the same or any previous occupier during his term or terms of occupancy, or any increase in the value of the land the rental of which is under consideration, due to the employment of such capital.

Power of Governor to grant rights of occupancy free of rent or at reduced rent.

**17.** (1) The Governor may grant a statutory right of occupancy free of rent or at a reduced rent in any case in which he is satisfied that it would be in the public interest to do so.

(2) Where a statutory right of occupancy has been granted free of rent the Governor may, subject to the express provisions of the certificate of occupancy, nevertheless impose a rent in respect of the land the subject of the right of occupancy if and when he may think fit.

Acceptance of rent not to operate as a waiver of forfeiture.

**18.** Subject to the provisions of sections 20 and 21 of this Act, the acceptance by or on behalf of the Governor of any rent shall not operate as a waiver by the Governor of any forfeiture accruing by reason of the breach of any covenant or condition, express or implied, in any certificate of occupancy granted under this Act.

Penal rent.

**19.** (1) When in any certificate of occupancy the holder has covenanted to develop or effect improvements on the land the subject of the certificate of occupancy and has committed a breach of such covenant the Governor may—

- (a) at the time of such breach or at any time thereafter, so long as the breach remains unremedied, fix a penal rent which shall be payable for twelve months from the date of such breach; and
- (b) on the expiration of twelve months from the date of such breach and on the expiration of every subsequent

twelve months so long as the breach continues revise the penal rent to be paid.

(2) Such penal rent or any revision thereof shall be in addition to the rent reserved by the certificate of occupancy and shall be recoverable as rent:

Provided that the first penal rent fixed shall not exceed the rent so reserved and any revised penal rent shall not exceed double the penal rent payable in respect of the twelve months preceding the date of revision.

(3) If the Governor fixes or revises a penal rent he shall cause a notice in writing to be sent to the holder informing him of the amount thereof and the rent so fixed or revised shall commence to be payable one calendar month from the date of the receipt of such notice.

(4) If the breach for which a penal rent has been imposed is remedied before the expiration of the period for which such rent has been paid, the Governor may in his discretion refund such portion of the penal rent paid for such period as he may think fit.

(5) The fact that a penal rent or a revised penal rent has been imposed shall not preclude the Governor, *in lieu* of fixing a subsequent penal rent, from revoking the statutory right of occupancy:

Provided that the statutory right of occupancy shall not be revoked during the period for which a penal rent has been paid.

**20.** (1) If there has been any breach of any of the provisions of section 22 or 23 of this Act the Governor may *in lieu* of revoking the statutory right of occupancy concerned, demand that the holder shall pay an additional and penal rent for and in respect of each day during which the land the subject of the statutory right of occupancy or any portion thereof or any buildings or other works erected thereon shall be or remain in the possession, control or occupation of any person whomsoever other than the holder.

Additional  
penal rent for  
unlawful  
alienation.

(2) Such additional and penal rent shall be payable upon demand and shall be recoverable as rent.

(3) The acceptance by or on behalf of the Governor of any such additional and penal rent shall not operate as a waiver by the Governor of any breach of section 22 or 23 of this Act which may continue after the date up to and in respect of which such additional and penal rent has been paid or is due and owing and the Governor shall accordingly be entitled to exercise

in respect of any such continuing breach all or any of the powers conferred upon him by this Act.

#### PART IV

##### ALIENATION AND SURRENDER OF RIGHTS OF OCCUPANCY

Prohibition of alienation of customary right of occupancy except with requisite consent or approval.

**21.** It shall not be lawful for any customary right of occupancy or any part thereof to be alienated by assignment, mortgage, transfer of possession, sublease or otherwise howsoever—

- (a) without the consent of the Governor in cases where the property is to be sold by or under the order of any court under the provisions of the applicable Sheriffs and Civil Process Law; or
- (b) in other cases without the approval of the appropriate Local Government.

Prohibition of alienation of statutory right of occupancy without consent of Governor.

**22.** It shall not be lawful for the holder of a statutory right of occupancy granted by the Governor to alienate his right of occupancy or any part thereof by assignment, mortgage, transfer of possession, sublease or otherwise howsoever without the consent of the Governor first had and obtained:

Provided that the consent of the Governor—

- (a) shall not be required to the creation of a legal mortgage over a statutory right of occupancy in favour of a person in whose favour an equitable mortgage over the right of occupancy has already been created with the consent of the Governor;
- (b) shall not be required to the reconveyance or release by a mortgagee to a holder or occupier of a statutory right of occupancy which that holder or occupier has mortgaged to that mortgagee with the consent of the Governor;
- (c) to the renewal of a sub-lease shall not be presumed by reason only of his having consented to the grant of a sub-lease containing an option to renew the same.

(2) The Governor when giving his consent to an assignment, mortgage or sub-lease may require the holder of a statutory right of occupancy to submit an instrument executed in evidence of the assignment, mortgage or sub-lease and the holder shall when so required deliver the said instrument to the Governor in order that the consent given by the Governor under subsection (1) of this section may be signified by endorsement thereon.

**23.** (1) A sub-lessee of a statutory right of occupancy may, with the prior consent of the Governor and with the approval of the holder of the statutory right of occupancy, demise by way of sub-underlease to another person the land comprised in the sub-lease held by him or any portion of the land.

Sub-under-  
leases.

(2) The provisions of subsection (2) of section 22 of this Act shall apply *mutatis mutandis* to any transaction effected under subsection (1) of this section as if it were a sub-lease granted under section 22 of this Act.

**24.** The devolution of the rights of an occupier upon death shall—

Devolution of  
rights of  
occupancy on  
death.

- (a) in the case of a customary right of occupancy, unless non customary law or any other customary law applies, be regulated by the customary law existing in the locality in which the land is situated; and
- (b) in the case of a statutory right of occupancy (unless any non customary law or other customary law applies) be regulated by the customary law of the deceased occupier at the time of his death relating to the distribution of property of like nature to a right of occupancy;

Provided that—

- (a) no customary law prohibiting, restricting or regulating the devolution on death to any particular class of persons or the right to occupy any land shall operate to deprive any person of any beneficial interest in such land (other than the right to occupy the same) or in the proceeds of sale thereof to which he may be entitled under the rules of inheritance of any other customary law;
- (b) a statutory right of occupancy shall not be divided into two or more parts on devolution by the death of the occupier, except with the consent of the Governor.

**25.** In the case of the devolution or transfer of rights to which any non-customary law applies, no deed or will shall operate to create any proprietary right over land except that of a plain transfer of the whole of the rights of occupation over the whole of the land.

Effect of deed  
or will where  
non-custom-  
ary law  
applies.

**26.** Any transaction or any instrument which purports to confer on or vest in any person any interest or right over land other than in accordance with the provisions of this Act shall be null and void.

Null and void  
transactions  
and instru-  
ments.

Surrender of  
statutory  
rights of  
occupancy.

27. The Governor may accept on such terms and conditions as he may think proper the surrender of any statutory right of occupancy granted under this Act.

## PART V

### REVOCATION OF RIGHTS OF OCCUPANCY AND COMPENSATION THEREFOR

Power of  
Governor to  
revoke rights  
of occupancy.

28. (1) It shall be lawful for the Governor to revoke a right of occupancy for overriding public interest.

(2) Overriding public interest in the case of a statutory right of occupancy means—

- (a) the alienation by the occupier by assignment, mortgage, transfer of possession, sub-lease, or otherwise of any right of occupancy or part thereof contrary to the provisions of this Act or of any regulations made thereunder;
- (b) the requirement of the land by the Government of the State or by a Local Government in the State, in either case for public purposes within the State, or the requirement of the land by the Government of the Federation for public purposes of the Federation;
- (c) the requirement of the land for mining purposes or oil pipelines or for any purpose connected therewith.

(3) Overriding public interest in the case of a customary right of occupancy means—

- (a) the requirement of the land by the Government of the State or by a Local Government in the State, in either case for public purposes within the State, or the requirement of the land by the Government of the Federation for public purposes of the Federation;
- (b) the requirement of the land for mining purposes or oil pipelines or for any purpose connected therewith;
- (c) the requirement of the land for the extraction of building materials;
- (d) the alienation by the occupier by sale, assignment, mortgage, transfer of possession, sub-lease, bequest or otherwise of the right of occupancy without the requisite consent or approval.

(4) the Governor shall revoke a right of occupancy in the event of the issue of a notice by or on behalf of the President if such notice declares such land to be required by the Government for public purposes.

(5) The Governor may revoke a statutory right of occupancy on the ground of—

- (a) a breach of any of the provisions which a certificate of occupancy is by section 10 of this Act deemed to contain;
- (b) a breach of any term contained in the certificate of occupancy or in any special contract made under section 8 of this Act;
- (c) a refusal or neglect to accept and pay for a certificate which was issued in evidence of a right of occupancy but has been cancelled by the Governor under subsection (3) of section 9 of this Act.

(6) The revocation of a right of occupancy shall be signified under the hand of a public officer duly authorised in that behalf by the Governor and notice thereof shall be given to the holder.

(7) The title of the holder of a right of occupancy shall be extinguished on receipt by him of a notice given under subsection (6) of this section or on such later date as may be stated in the notice.

**29.** (1) If a right of a occupancy is revoked for the cause set out in paragraph (b) of subsection (2) of section 28 of this Act or in paragraph (a) or (c) of subsection (3) of the same section, the holder and the occupier shall be entitled to compensation for the value at the date of revocation of their unexhausted improvements.

Compensation payable on revocation of right of occupancy by Governor in certain cases.

(2) If a right of occupancy is revoked for the cause set out in paragraph (c) of subsection (2) of section 28 of this Act or in paragraph (b) of subsection (3) of the same section the holder and the occupier shall be entitled to compensation under the appropriate provisions of the Minerals Act or the Petroleum Act or any legislation replacing the same.

Cap. 226.  
Cap. 350.

(3) If the holder or the occupier entitled to compensation under this section is a community the Governor may direct that any compensation payable to it shall be paid—

- (a) to the community; or
- (b) to the chief or leader of the community to be disposed of by him for the benefit of the community in accordance with the applicable customary law; or
- (c) into some fund specified by the Governor for the purpose of being utilised or applied for the benefit of the community.



(4) Compensation under subsection (1) of this section shall be, as respects—

- (a) the land, for an amount equal to the rent, if any, paid by the occupier during the year in which the right of occupancy was revoked;
- (b) buildings, installation or improvements thereon, for the amount of the replacement cost of the building, installation or improvement, that is to say, such cost as may be assessed on the basis of the prescribed method of assessment as determined by the appropriate officer less any depreciation, together with interest at the bank rate for delayed payment of compensation and in respect of any improvement in the nature of reclamation works, being such cost thereof as may be substantiated by documentary evidence and proof to the satisfaction of the appropriate officer;
- (c) crops on land apart from any building, installation or improvement thereon, for an amount equal to the value as prescribed and determined by the appropriate officer.

(5) Where the land in respect of which a right of occupancy has been revoked forms part of a larger area, the compensation payable shall be computed as in subsection (4) (a) of this section less a proportionate amount calculated in relation to that part of the area not affected by the revocation, but of which the portion revoked forms a part and any interest payable shall be assessed and computed in the like manner.

(6) Where there is any building, installation or improvement or crops on the land to which subsection (5) of this section applies, then compensation shall be computed as specified hereunder, that is as respects—

- (a) such land, on the basis specified in that subsection;
- (b) any building, installation or improvement or crops thereon (or any combination of two or all of those things) on the basis specified in that subsection and subsection (4) of this section, or so much of those provisions as are applicable,

and any interest payable under those provisions shall be computed in the like manner.

(7) For the purposes of this section, “installation” means any mechanical apparatus set up or put in position for use or materials set up in or on land or other equipment, but excludes any fixture in or on any building.

30. Where there arises any dispute as to the amount of compensation calculated in accordance with the provisions of section 29 of this Act, such dispute shall be referred to the appropriate Land Use and Allocation Committee.

Reference of dispute as to compensation.

31. The provisions of the Public Lands Acquisition (Miscellaneous Provisions) Act shall not apply in respect of any land vested in, or taken over by, the Governor or any Local Government pursuant to this Act or the right of occupancy to which is revoked under the provisions of this Act but shall continue to apply in respect of land compulsorily acquired before the commencement of this Act.

Exclusion of the application of the Public Lands Acquisition (Miscellaneous Provisions) Act 1976 1976 No. 33.

32. The revocation of a statutory right of occupancy shall not operate to extinguish any debt due to the Government under or in respect of such right of occupancy.

Debt due to Government not extinguished by revocation.

33. (1) Where a right of occupancy in respect of any developed land on which a residential building has been erected is revoked under this Act, the Governor or the Local Government, as the case may be, may in his or its discretion offer *in lieu* of compensation payable in accordance with the provisions of this Act, resettlement in any other place or area by way of a reasonable alternative accommodation (if appropriate in the circumstances).

Option to accept resettlement in case of revocation of right of occupancy.

(2) Where the value of any alternative accommodation as determined by the appropriate officer or the Land Use and Allocation Committee is higher than the compensation payable under this Act, the parties concerned may by agreement require that the excess in value in relation to the property concerned shall be treated as a loan which the person affected shall refund or repay to the Government in the prescribed manner.

(3) Where a person accepts a resettlement pursuant to subsection (1) of this section, his right to compensation shall be deemed to have been duly satisfied and no further compensation shall be payable to such person.

## PART VI

### TRANSITIONAL AND OTHER RELATED PROVISIONS

34. (1) The following provisions of this section shall have effect in respect of land in an urban area vested in any person immediately before the commencement of this Act.

Transitional provisions on land in urban areas.

(2) Where the land is developed the land shall continue to be held by the person in whom it was vested immediately before the commencement of this Act as if the holder of the land was the holder of a statutory right of occupancy issued by the Governor under this Act.

(3) In respect of land to which subsection (2) of this section applies there shall be issued by the Governor on application to him in the prescribed form a certificate of occupancy if the Governor is satisfied that the land was, immediately before the commencement of this Act, vested in that person.

(4) Where the land to which subsection (2) of this section applies was subject to any mortgage, legal or equitable, or any encumbrance or interest valid in law such land shall continue to be so subject and the certificate of occupancy issued, shall indicate that the land is so subject, unless the continued operation of the encumbrance or interest would in the opinion of the Governor be inconsistent with the provisions, or general intendment of this Act.

(5) Where on the commencement of this Act the land is undeveloped, then—

(a) one plot or portion of the land not exceeding half of one hectare in area shall subject to subsection (6) of this section, continue to be held by the person in whom the land was so vested as if the holder of the land was the holder of a statutory right of occupancy granted by the Governor in respect of the plot or portion as aforesaid under this Act; and

(b) all the rights formerly vested in the holder in respect of the excess of the land shall on the commencement of this Act be extinguished and the excess of the land shall be taken over by the Governor and administered as provided in this Act.

(6) Paragraph (a) of subsection (5) of this section shall not apply in the case of any person who was on the commencement of this Act also the holder of any undeveloped land elsewhere in any urban area in the State and in respect of such a person all his holdings of undeveloped land in any urban area in the State shall be considered together and out of the undeveloped land so considered together—

(a) one plot or portion not exceeding half of one hectare in area shall continue to be held by such a person as if a right of occupancy had been granted to him by the Governor in respect of that plot or portion; and

(b) the remainder of the land (so considered together) in excess of half of one hectare shall be taken over by the Governor and administered in accordance with this Act and the rights formerly vested in the holder in respect of such land shall be extinguished.

(7) No land to which subsection (5) (a) or (6) of this section applies held by any person shall be further subdivided or laid out in plots and no such land shall be transferred to any person except with the prior consent in writing of the Governor.

(8) Any instrument purporting to transfer any undeveloped land in contravention of subsection (7) of this section shall be void and of no effect whatsoever in law and any party to any such instrument shall be guilty of an offence and liable on conviction to imprisonment for one year or a fine of ₦5,000.

(9) In relation to land to which subsection (5) (a) or (6) (a) of this section applies there shall be issued by the Governor on application therefor in the prescribed form a certificate of occupancy if the Governor is satisfied that the land was immediately before the commencement of this Act vested in that person.

**35.** (1) Section 34 of this Act shall have effect notwithstanding that the land in question was held under a leasehold, whether customary or otherwise, and formed part of an estate laid out by any person, group or family in whom the leasehold interest or reversion in respect of the land was vested immediately before the commencement of this Act, so however that if there has been any improvements on the land effected by the person, group or family in whom the leasehold interest or reversion was vested as aforesaid the Governor shall, in respect of the improvements, pay to that person, group or family, compensation computed as specified in section 29 of this Act.

Compensation for improvements in certain cases.

(2) There shall be deducted from the compensation payable under subsection (1) of this section, any levy by way of development or similar charges paid in respect of the improvements on the land by the lessee to the person, group or family in whom the leasehold interest or reversion was vested and the amount to be deducted shall be determined by the Governor taking into consideration all the circumstances of the case.

**36.** (1) The following provisions of this section shall have effect in respect of land not in an urban area, which was immediately before the commencement of this Act held or occupied by any person.

Transitional provisions on land not in urban areas.

(2) Any occupier or holder of such land, whether under customary rights or otherwise howsoever, shall if that land was on the commencement of this Act being used for agricultural purposes, continue to be entitled to possession of the land for use for agricultural purposes as if a customary right of occupancy had been granted to the occupier or holder thereof by the appropriate Local Government and the reference in this subsection to land being used for agricultural purposes includes land which is, in accordance with the customary law of the locality concerned, allowed to lie fallow for purposes of recuperation of the soil.

(3) On the production to the Local Government by the occupier of such land, at his discretion, of a sketch or diagram or other sufficient description of the land in question and on application therefor in the prescribed form the Local Government shall, if satisfied that the occupier or holder was entitled to the possession of such land whether under customary rights or otherwise howsoever, and that the land was being used for agricultural purposes at the commencement of this Act, register the holder or occupier as one to whom a customary right of occupancy had been issued in respect of the land in question.

(4) Where the land is developed, the land shall continue to be held by the person in whom it was vested immediately before the commencement of this Act as if the holder of the land was the holder of a customary right of occupancy issued by the Local Government, and if the holder or occupier of such developed land, at his discretion, produces a sketch or diagram showing the area of the land so developed, the Local Government shall, if satisfied that that person immediately before the commencement of this Act has the land vested in him, register the holder or occupier as one in respect of whom a customary right of occupancy has been granted by the Local Government.

(5) No land to which this section applies shall be sub-divided or laid out in plots and no such land shall be transferred to any person by the person in whom the land was vested as aforesaid.

(6) Any instrument purporting to transfer any land to which this section relates shall be void and of no effect whatsoever in law and every party to any such instrument shall be guilty of an offence and liable on conviction to a fine of ₦5,000 or to imprisonment for 1 year.

Penalty for  
false claims,

**37.** If any person other than one in whom any land was lawfully vested immediately before the commencement of this

Act enters any land in purported exercise of any right in relation to possession of the land or makes any false claim in respect of the land to the Governor or any Local Government for any purpose under this section he shall be guilty of an offence and liable on conviction to imprisonment for one year or to a fine of ₦5,000. etc. in respect of land.

**38.** Nothing in this Part shall be construed as precluding the exercise by the Governor or as the case may be the Local Government concerned of the powers to revoke, in accordance with the applicable provisions of this Act, rights of occupancy, whether statutory or customary, in respect to any land to which this Part of this Act relates. Preservation of power of Governor to revoke rights of occupancy.

## PART VII

### JURISDICTION OF HIGH COURTS AND OTHER COURTS

**39.** (1) The High Court shall have exclusive original jurisdiction in respect of the following proceedings— Jurisdiction of High Courts.

- (a) proceedings in respect of any land the subject of a statutory right of occupancy granted by the Governor or deemed to be granted by him under this Act; and for the purposes of this paragraph, proceedings includes proceedings for a declaration of title to a statutory right of occupancy;
- (b) proceedings to determine any question as to the persons entitled to compensation payable for improvements on land under this Act.

(2) All laws, including rules of court, regulating the practice and procedure of the High Court shall apply in respect of proceedings to which this section relates and the laws shall have effect with such modifications as would enable effect to be given to the provisions of this section.

**40.** Where on the commencement of this Act proceedings had been commenced or were pending in any court or tribunal (whether at first instance or on appeal) in respect of any question concerning or pertaining to title to any land or interest therein, such proceedings may be continued and be finally disposed of by the court concerned but any order or decision of the court shall only be as respects the entitlement of either of the parties to the proceedings to a right of occupancy, whether statutory or customary, in respect of such land as provided in this Act. Special provisions in respect of pending proceedings.

Jurisdiction of area courts or customary courts, etc.

41. An area court or customary court or other court of equivalent jurisdiction in a State shall have jurisdiction in respect of proceedings in respect of a customary right of occupancy granted by a Local Government under this Act; and for the purposes of this paragraph proceedings includes proceedings for a declaration of title to a customary right of occupancy and all laws including rules of court regulating practice and procedure of such courts shall have effect with such modifications as would enable effect to be given to this section.

Proceedings for recovery of rent in respect of certificate of occupancy, etc.

42. (1) Proceedings for the recovery of rent payable in respect of any certificate of occupancy may be taken before a Magistrates Court of competent jurisdiction by and in the name of the Chief Lands Officer or by and in the name of any other officer appointed by the Governor in that behalf.

(2) Proceedings for the recovery of rent payable in respect of any customary right of occupancy may be taken by and in the name of the Local Government concerned in the area court or customary court or any court of equivalent jurisdiction.

## PART VIII

### SUPPLEMENTAL

Prohibition of and penalties for unauthorised use of land.

43. (1) Save as permitted under section 34 of this Act, as from the commencement of this Act no person shall in an urban area—

- (a) erect any building, wall, fence or other structure upon; or
- (b) enclose, obstruct, cultivate or do any act on or in relation to,

any land which is not the subject of a right of occupancy or licence lawfully held by him or in respect of which he has not received the permission of the Governor to enter and erect improvements prior to the grant to him of a right of occupancy.

(2) Any person who contravenes any of the provisions of subsection (1) of this section shall on being required by the Governor so to do and within the period of time fixed by the Governor, remove any building, wall, fence, obstruction, structure or thing which he may have caused to be placed on the land and he shall put the land in the same condition as nearly as may be in which it was before such contravention.

(3) Any person who contravenes any of the provisions of subsection (1) of this section shall be guilty of an offence and

liable on conviction to imprisonment for one year or to a fine of ₦5,000.

(4) Any person who fails or refuses to comply with a requirement made by the Governor under subsection (2) of this section shall be guilty of an offence and liable on conviction to a fine of ₦100 for each day during which he makes default in complying with the requirement of the Governor.

**44.** Any notice required by this Act to be served on any person shall be effectively served on him— Service of notices.

- (a) by delivering it to the person on whom it is to be served; or
- (b) by leaving it at the usual or last known place of abode of that person; or
- (c) by sending it in a prepaid registered letter addressed to that person at his usual or last known place of abode; or
- (d) in the case of an incorporated company or body, by delivering it to the secretary or clerk of the company or body at its registered or principal office or sending it in a prepaid registered letter addressed to the secretary or clerk of the company or body at that office; or
- (e) if it is not practicable after reasonable inquiry to ascertain the name or address of a holder or occupier of land on whom it should be served, by addressing it to him by the description of "holder" or "occupier" of the premises (naming them) to which it relates, and by delivering it to some person on the premises or, if there is no person on the premises to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

**45.** (1) The Governor may delegate to the State Commissioner all or any of the powers conferred on the Governor by this Act, subject to such restrictions, conditions and qualifications, not being inconsistent with the provisions, or general intendment, of this Act as the Governor may specify. Delegation of powers.

(2) Where the power to grant certificates has been delegated to the State Commissioner, such certificates shall be expressed to be granted on behalf of the Governor.

**46.** (1) The National Council of States may make regulations for the purpose of carrying this Act into effect and particularly with regard to the following matters— Power to make regulations.



- (a) the transfer by assignment or otherwise howsoever of any rights of occupancy, whether statutory or customary, including the conditions applicable to the transfer of such rights to persons who are not Nigerians;
- (b) the terms and conditions upon which special contracts may be made under section 8 of this Act;
- (c) the grant of certificates of occupancy under section 9 of this Act;
- (d) the grant of temporary rights of occupancy;
- (e) the method of assessment of compensation for the purposes of section 29 of this Act.

(2) The Governor may, subject to subsection (1) of this section make regulations with regard to the following matters—

- (a) the method of application for any licence or permit and the terms and conditions under which licences may be granted;
- (b) the procedure to be observed in revising rents;
- (c) the fees to be paid for any matter or thing done under this Act;
- (d) the forms to be used for any document or purpose.

Exclusion of certain proceedings.  
Cap. 62.

**47.** (1) This Act shall have effect notwithstanding anything to the contrary in any law or rule of law including the Constitution of the Federal Republic of Nigeria and, without prejudice to the generality of the foregoing, no court shall have jurisdiction to inquire into—

- (a) any question concerning or pertaining to the vesting of all land in the Governor in accordance with the provisions of this Act; or
- (b) any question concerning or pertaining to the right of the Governor to grant a statutory right of occupancy in accordance with the provisions of this Act; or
- (c) any question concerning or pertaining to the right of a Local Government to grant a customary right of occupancy under this Act.

(2) No court shall have jurisdiction to inquire into any question concerning or pertaining to the amount or adequacy of any compensation paid or to be paid under this Act.

Modification of existing laws.

**48.** All existing laws relating to the registration of title to, or interest in, land or the transfer of title to or any interest in land shall have effect subject to such modifications (whether by way

of addition, alteration or omission) as will bring those laws into conformity with this Act or its general intendment.

**49.** (1) Nothing in this Act shall affect any title to land whether developed or undeveloped held by the Federal Government or any agency of the Federal Government at the commencement of this Act and, accordingly, any such land shall continue to vest in the Federal Government or the agency concerned.

Exemption with respect to Federal Government lands, etc.

(2) In this section, "agency" includes any statutory corporation or any other statutory body (whether corporate or unincorporate) or any company wholly-owned by the Federal Government.

**50.** (1) Notwithstanding anything to the contrary in this Act or any other enactment, all laws and subsidiary legislation made at any time between the commencement of this Act and 30th September 1979 by an Administrator (or former Governor), the Executive Council, a Commissioner or any other authority or any public officer of a State shall be deemed to have been validly made and shall have effect as if they had been made under or pursuant to the Act and accordingly, shall hereafter continue to have effect according to their tenor and intendment as if they were regulations made under or pursuant to section 46 of this Act.

Validity of Laws, etc.

1978 No. 5.  
1978 No. 94.

(2) For the purposes of subsection (1) of this section—

- (a) all contracts and all executive and judicial acts, including acts pertaining to the establishment, membership and functions of any Land Use and Allocation Committee or of any other authority or to the appointment of any person, shall be deemed to have been validly entered into or done and shall hereafter continue to have effect as provided in the said subsection; and
- (b) any instrument or other evidence relating to the allocation of any land, whether or not expressed to have been made under this Act, shall be deemed to have been validly issued or given under or pursuant to this Act and shall continue to have effect according to its tenor and intendment accordingly.

**51.** (1) In this Act, unless the context otherwise requires— "agricultural purposes" includes the planting of any crops of economic value;

Interpretation.

- “appropriate officer” means the Chief Lands Officer of a State and in the case of the Federal Capital Territory, Abuja, means the Chief Federal Lands Officer;
- “customary right of occupancy” means the right of a person or community lawfully using or occupying land in accordance with customary law and includes a customary right of occupancy granted by a Local Government under this Act;
- “developed land” means land where there exists any physical improvement in the nature of road development services, water, electricity, drainage, building, structure or such improvement that may enhance the value of the land for industrial, agricultural or residential purposes;
- “easement” means a right annexed to land to utilize other land in different holding in a particular manner (not involving the taking of any part of the natural produce of that land or of any part of its soil) or to prevent the holder of the other land from utilizing his land in a particular manner;
- “Government” means the Government of the Federation or the Government of a State;
- “Governor” means the Governor of the State concerned;
- “grazing purposes” includes only such agricultural operations as are required for growing fodder for livestock on the grazing area;
- “High Court” means the High Court of the State concerned;
- “holder”, in relation to a right of occupancy, means a person entitled to a right of occupancy and includes any person to whom a right of occupancy has been validly assigned or has validly passed on the death of a holder but does not include any person to whom a right of occupancy has been sold or transferred without a valid assignment, nor a mortgagee, sub-lessee or sub-underlessee;
- “improvements” or “unexhausted improvements” means anything of any quality permanently attached to the land, directly resulting from the expenditure of capital or labour by an occupier or any person acting on his behalf, and increasing the productive capacity, the utility or the amenity thereof and includes buildings, plantations of longlived crops or trees, fencing, wells, roads and irrigation or reclamation works, but does not include the result of ordinary cultivation other than growing produce;
- “interest at the bank rate” means a simple interest payable at the rate *per cent* per annum at which the Central Bank of Nigeria will rediscount bills of exchange;

“Local Government” means the appropriate Local Government or any other body having or exercising the powers of a Local Government as provided by law in respect of the area where the land in question is situated;

“mortgage” includes a second and subsequent mortgage and equitable mortgage;

“occupier” means any person lawfully occupying land under customary law and a person using or occupying land in accordance with customary law and includes the sub-lessee or sub-underlessee of a holder;

“public purposes” includes—

- (a) for exclusive Government use or for general public use;
- (b) for use by any body corporate directly established by law or by any body corporate registered under the Companies and Allied Matters Act as respects which the Government owns shares, stocks or debentures; Cap. 59.
- (c) for or in connection with sanitary improvements of any kind;
- (d) for obtaining control over land contiguous to any part or over land the value of which will be enhanced by the construction of any railway, road or other public work or convenience about to be undertaken or provided by the Government;
- (e) for obtaining control over land required for or in connection with development of telecommunications or provision of electricity;
- (f) for obtaining control over land required for or in connection with mining purposes;
- (g) for obtaining control over land required for or in connection with planned urban or rural development or settlement;
- (h) for obtaining control over land required for or in connection with economic, industrial or agricultural development;
- (i) for educational and other social services;

“statutory right of occupancy” means a right of occupancy granted by the Governor under this Act;

“sub-lease” includes a sub-underlease;

“urban area” means such area of the State as may be designated as such by the Governor pursuant to section 3 of this Act.

(2) The powers of a Governor under this Act shall, in respect of land comprised in the Federal Capital Territory, Abuja, or

any land held or vested in the Federal Government in any State, be exercisable by the President or any Minister designated by him in that behalf and references in this Act to Governor shall be construed accordingly.

Short title.

**52.** This Act may be cited as the Land Use Act.

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LAND USE ACT  
LIST OF SUBSIDIARY LEGISLATION

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	Page
1. The land use (Declaration of Urban Areas, Fees and Forms) Regulations .. ..	443
2. The Land use (Advisory Committees) Regulations	471

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THE LAND USE (DECLARATION OF URBAN AREAS,  
FEES AND FORMS) REGULATIONS

OY.S.L.N. 13  
of 1978.

*Date of Commencement: 4th May, 1978*

1. These Regulations may be cited as the Land Use (Declaration of Urban Areas, Fees and Forms) Regulations. Short title.
2. The areas described in the First Schedule hereto are hereby declared as urban areas for purposes of the Land Use Act. Declaration of Urban areas.  
First Schedule.
3. No certificate of occupancy shall be granted for a term exceeding ninety-nine years. Duration of certificate of occupancy.
4. The fees set out in the Second Schedule hereto shall be payable in respect of the matters or things specified therein. Fees.  
Second Schedule.
5. In any certificate of occupancy under these Regulations there shall, unless expressly excepted, be reserved by virtue of these Regulations to the Governor the right to fix and revise the rent for such periods as may be specified in the certificate of occupancy. Rents.
6. Each matter or thing specified in the Third Schedule hereto shall be in the form set out immediately below it respectively in the said Schedule. Forms.  
Third Schedule.

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FIRST SCHEDULE

PART A

IBADAN

- (a) A radius of twelve kilometres from Mapo Hall;
- (b) Ajoda New Town including the buffer zone;
- (c) The new Airport;
- (d) All Ibadan Metropolitan Planning Authority's schemes in Ibadan;
- (e) All Property Development Corporation of Oyo State schemes;
- (f) Owode Industrial Estate;
- (g) International Institute of Tropical Agriculture site.

## PART B

*Ogbomoso, Oyo, Iseyin, and Saki*

- (a) A radius of six kilometres from the town centre;
- (b) Property Development Corporation of Oyo State Estate;
- (c) Proposed Government Industrial Estates;
- (d) All Local Government Planning Authorities schemes;

## PART C

*Eruwa, Kisi, Moniya, Idi-Ayunre, Iyana-Offa and Okeho*

A radius of four kilometres from the town centre.

## SECOND SCHEDULE\*

## FEES

	₦ k
1. Application for certificate of occupancy or for allocation of urban land .. .. .	5 00
2. Application for certificate of occupancy or for allocation of rural land .. .. .	2 00
3. Application for certificate of occupancy or allocation of any agricultural land .. .. .	0 00
4. Application for certificate of occupancy or allocation of Commercial/Industrial land .. .. .	25 00
5. Application for assignment, charge, or surrender of any certificate of occupancy .. .. .	5 00
6. For registering a caution .. .. .	5 00
7. For rectification of the register .. .. .	2 00
8. For inspection of entry on the register .. .. .	1 00
9. For copies of documents (exclusive of plans):	
(i) For the first folio of 100 words or part thereof .. .. .	1 00
(ii) For every folio of 100 words or part thereof thereafter	50
For copies of the plans, such sum as the register may direct.	
10. For approval of a subsequent transaction to a grant of right of occupancy .. .. .	10 50

\*The fees in this schedule are obsolete and under review



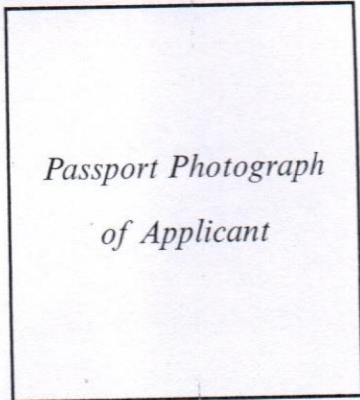
THIRD SCHEDULE  
OYO STATE OF NIGERIA

LAND USE ACT  
CAP 202, LAWS OF THE FEDERATION OF NIGERIA

FORM LUD (B.1.)

APPLICATION FOR A CERTIFICATE OF  
OCCUPANCY ON DEVELOPED URBAN/RURAL  
PROPERTY IN .....

(Name of town or village)



1. Applicant's full names (*in capitals*). (State whether Mr, Mrs, Miss, Dr or Chief. Age last birthday: date of birth .....
2. Home town and Local Government area of applicant .....
3. State of Origin .....
4. Present contact address in Nigeria .....
5. Corporate name, if registered under the Companies Decree or Registration of Business Names Act or Co-operative name if licensed under the Co-operative Societies Law or under the Land (Perpetual Succession) Act .....
6. Registration details of paragraph 5 (*e.g.*, photostat of registration certificate) .....
7. State capacity in which you own this property, *e.g.*, self built, by purchase, by inheritance, or how else (if by inheritance, particulars of consent of family) .....
8. Registration particulars of Power of Attorney (*if any*) .....
9. State whether property is used for residential, commercial, industrial or for any other purpose (*specify which*) .....
10. Describe exact location of property (plot number, block number, street/ward number on a named lay-out) .....
11. Length of time for which property has been in your possession .....
12. Estimated present value of property .....
13. Approximate area occupied by property (that is, total size of plot)
14. Particulars of deed of conveyance (*if any*) .....
15. Particulars of approved building plan (*if any*) .....
16. State property's Tenement Rate Number (*if any*) .....
17. Occupation of applicant .....
18. Name and address of current or last employer (*if any*) .....
19. Any other relevant information .....

Notes:

- (a) A separate application form must be completed in respect of each developed property for which a certificate of occupancy is required.
- (b) Information supplied on this form is treated as strictly confidential.
- (c) A sum of five or two *naira* certificate fee as the case may be must accompany each completed application form.
- (d) I realise that it is an offence to make a false statement/claim on this form and that any certificate of occupancy obtained through such false claim is fraudulent and may result in its nullification.
- (e) The Land Use and Allocation Committee accepts no responsibility for an application form not completed properly and for which reason such an application may be rejected.

....., 20 .....  
*Usual signature or thumb-print of Applicant or his/her Solicitor* .....  
*Date*

*(If on behalf of a Corporate or Co-operative body, state post held)* .....

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Law.

DECLARED at ..... this ..... day of ....., 20 .....

BEFORE ME

.....  
*Commissioner for Oaths/Notary Public*

\*Please submit completed form and any attachments to the Land and Allocation Office of the area in which property is situated.

FOR OFFICIAL USE ONLY

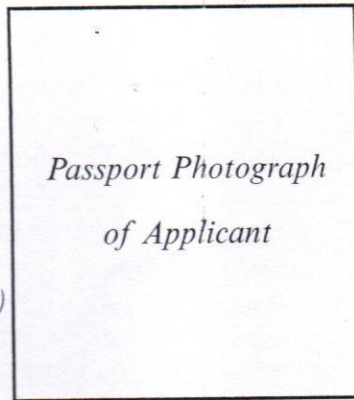
- (i) File No.
- (ii) ~~₦~~5.00/~~₦~~2.00 Certificate fee paid on R.V. No.
- (iii) Application No.
- (iv) Date Received
- (v) Action Officer
- (vi) Certificate of Occupancy No.
- (vii) Date Certificate Issued

*Remarks (if any)*

\_\_\_\_\_

FORM LUD (B.2.)

OYO STATE OF NIGERIA  
 APPLICATION FOR A CERTIFICATE OF  
 OCCUPANCY ON UNDEVELOPED RESIDENTIAL  
 URBAN/RURAL PROPERTY IN .....  
 (*Name of town or village*)



1. Applicant's full names (*in capitals*). (State whether Mr, Mrs, Miss, Dr or Chief. Age last birthday: date of birth .....
2. Home town and Local Government Area of applicant .....
3. State of Origin .....
4. Present contact address in Nigeria .....
5. Corporate Name, if registered under the Companies and Allied Matters Act or Co-operative name if licensed under the Co-operative Societies Law. ....
6. Registration details of paragraph 5 (*e.g.*, photostat copy of registration certificate) .....
7. State capacity in which you own this property, *e.g.*, by lease, by purchase, by inheritance, or how else and since when .....
8. Registration particulars of power of Attorney (*if any*) .....
9. State whether the property is to be used for residential, commercial, industrial or any other purpose (*specify which*) .....
10. Describe exact location of property (*e.g.*, plot on a named lay-out). Attach Site Plan, Plot No., Block No. where applicable .....
11. Approximate size of property .....
12. Evidence of title, *e.g.*, conveyance, agreement, receipts, etc .....
13. State whether property is freehold, leasehold or subject to mortgage .....
14. Particulars of approved building plan (*if any*) .....
15. How much money are you prepared to invest on developing property or to complete developing it? .....
16. How soon are you prepared to make the investment? .....
17. Give approximate size of each other undeveloped property owned in Oyo State (*Use reverse side of form if necessary*) .....
18. Current income tax receipt or particulars of current P.A.Y.E. ....
19. Occupation of Applicant .....
20. Name and address of current or last employer (*if any*) .....
21. Any other relevant information .....

Notes:

- (a) A separate application form must be completed in respect of each undeveloped property for which a certificate of occupancy is required.
- (b) Information supplied in this form is treated as strictly confidential.
- (c) Five *naira* or two *naira* Certificate Fee as the case may be must accompany each completed application form.
- (d) I realise that it is an offence to make a false statement of claim on this form and that any certificate of occupancy obtained through such false claim is fraudulent and may result in its nullification.
- (e) The Land Use and Allocation Committee accepts no responsibility for an application form not completed properly, and for which reason such an application may be rejected.

....., 20 .....  
*Usual signature or thumb-print of Applicant or his/her Solicitor* ..... *Date*

(If on behalf of a Corporate or Co-operative body, state post held) .....

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Law.

DECLARED at ..... this ..... day of ....., 20 .....

BEFORE ME

.....  
*Commissioner for Oaths/Notary Public*

Please submit completed form and any attachments to the Land and Allocation Office of the area in which property is situated.

FOR OFFICIAL USE ONLY

- (i) File No.
- (ii) ~~₦~~5.00/~~₦~~2.00 Certificate Fee paid on R.V. No.
- (iii) Application No.
- (iv) Date received
- (v) Action Officer
- (vi) Certificate of Occupancy No
- (vii) Date Certificate Issued

*Remarks (if any)*

\_\_\_\_\_

FORM LUD (B.3.)

OYO STATE OF NIGERIA
APPLICATION FOR ALLOCATION OF VACANT RESIDENTIAL
URBAN/RURAL LAND IN
(name of town or village)

FOR OFFICIAL USE ONLY

- (i) File No.
(ii) N5.00/N2.00 Application fee paid on R.V. No.
(iii) Application No.
(iv) Date Received
(v) Action Officer
(vi) Date Application Approved
(vii) Premium paid N
(viii) Receipt No.



- 1. Applicant's full names (in capitals), state whether Mr, Mrs, Miss, Dr, Chief
2. Age last birthday; date of birth
3. Home town and Local Government area
4. State of origin
5. Present contact address in Nigeria
6. Corporate name, if registered under the Companies and Allied Matters Act or Co-operative name if registered under the Co-operative Societies Law.
7. Registration particulars of power of Attorney (if any)
8. Purpose for which land is required: residential, commercial, industrial, any other (specify which)
9. Type of residential building or commercial or industrial activities proposed
10. How much money are you prepared to invest on developing land?
11. How soon do you intend to develop land if allocated one?
12. Area at which land is required
13. Will you accept an allocation elsewhere other than in an area of your choice?
14. Length of lease required
15. Approximate size of plot required: 100' x 100'; 120' x 100'; 150' x 100' (metric version) 30m x 30m; 36m x 30m; 45m x 30m
16. Will you accept a smaller plot if offered?
17. What other right(s) of occupancy do you hold in Oyo State (use reverse side if necessary)

- 18. Amount of Income Tax paid within the last three years (photostat copy of receipts to be attached) if under P.A.Y.E. system, state particulars .....
- 19. Occupation of applicant .....
- 20. Name and address of current or last employer (if any) .....
- 21. Any other relevant information .....

Notes:

- (a) A separate form must be completed in respect of each application for an undeveloped land.
- (b) Information supplied in this form is treated as strictly confidential.
- (c) A sum of five *naira* or two *naira* application fee as the case may be must accompany each application submitted. It is non-refundable even if application is withdrawn or rejected.
- (d) I realise that it is an offence to make a false statement of claim and that any allocation granted me on the basis of such false claim is fraudulent and may result in its forfeiture.
- (e) The Land Use and Allocation Committee accepts no responsibility for an application form not completed properly and for which reason such an application may be rejected.

....., 20 .....

Usual signature or thumb-print of Applicant or his/her Solicitor ..... Date

(If on behalf of a Corporate or Co-operative body, state post held) .....

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Law.

DECLARED at ..... this ..... day of ....., 20 .....

BEFORE ME

.....  
Commissioner for Oaths/Notary Public

\*Please submit completed form and any attachments to the Land use and Allocation Office of the area in which property is situated.

ACTION BY THE LAND USE AND ALLOCATION COMMITTEE  
..... SCHEME

Allocation Block No. .... Plot .....

Type of land use allowed .....

Time limit for full development .....

Rental and Reversible Rent .....

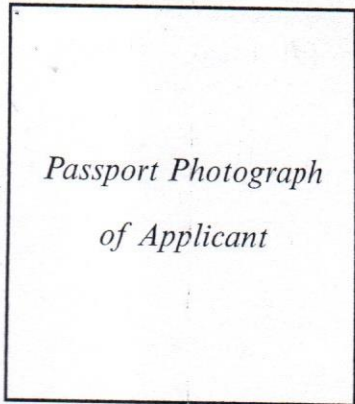
Certificate of Occupancy No. .... of .....

....., 20 .....

Signature of Action Officer ..... Date

FORM LUD (C.1.)

OYO STATE OF NIGERIA  
 APPLICATION FOR CERTIFICATE OF OCCUPANCY  
 OF DEVELOPED/UNDEVELOPED/ COMMERCIAL/  
 INDUSTRIAL/URBAN/RURAL/LAND  
 IN .....  
 (*Name of town or village*)



1. Applicant's full names (*in capitals*). State whether Mr, Mrs, Dr, Miss or Chief. Age last birthday: date of birth .....
2. Home town of applicant .....
3. State of Origin .....
4. Present contact address in Nigeria .....
5. Corporate name, if registered under the Companies and Allied Matters Act or Co-operative Name, if licensed under the Co-operative Societies Law. ....
6. Registration details of paragraph 5 (*e.g.*, photostat copy of registration certificate) .....
7. Occupation of applicant .....
8. State capacity in which you own this property, *e.g.*, self-built, by purchase, by inheritance, etc. (if by inheritance, give particulars of consent of family) .....
9. Registration particulars of power of Attorney (*if any*) .....
10. State whether property is used for commercial, industrial or any other purpose (*specify which*) .....
11. Describe exact location of property, Plot No., Block No., Street/ Ward No. ....
12. Length of time for which property has been in your possession .....
13. Estimated present value of property .....
14. Approximate area occupied by property (*i.e.*, total size of plot) .....
15. Evidence of title, *e.g.*, conveyance, agreement, receipt, etc .....
16. State whether property is freehold, leasehold or subject to a mortgage .....
17. Particulars of approved building plan (*if any*).....
18. State property's Tenement Rate number (*if any*) .....
19. Name and address of current or last employer (*if any*) .....
20. Any other relevant information .....

Notes:

- (a) A separate application form must be completed in respect of each developed property for which a right of occupancy is required.
- (b) Information supplied on this form is treated as strictly confidential.

- (c) A sum of ₦25.00 right of occupancy fee must accompany each completed application form.
- (d) I realise that it is an offence to make a false statement/claim in this form and that any right of occupancy obtained through such false claim is fraudulent and may result in its nullification.
- (e) The Land Use Advisory Committee accepts no responsibility for an application form not completed properly and for which reason such application may be rejected.

....., 20 .....

*Usual signature or thumb-print of Applicant or his/her Solicitor* ..... *Date*

*(If on behalf of a Corporate or Co-operative body, state post held)* .....

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Law.

DECLARED at ..... this ..... day of ....., 20 .....

**BEFORE ME**

.....  
*Commissioner for Oaths/Notary Public*

\*Please submit completed form and any attachments to the Land Department of the Local Government area in which property is situated.

**FOR OFFICIAL USE ONLY**

- (i) File No .....
- (ii) ₦25.00 Fee paid on R.V. No .....
- (iii) Application No .....
- (iv) Action Officer .....
- (v) Customary/Statutory Right of Occupancy No .....
- (vi) Date Issued .....

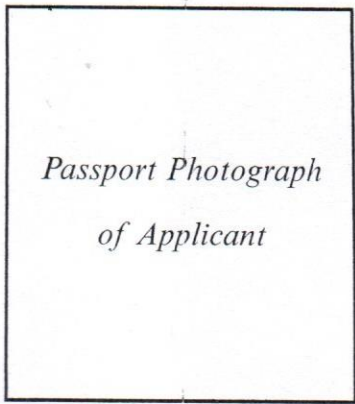
*Remarks (if any)*

\_\_\_\_\_



FORM LUD (C.2.)

OYO STATE OF NIGERIA  
 APPLICATION FOR CERTIFICATE/STATUTORY  
 RIGHT OF OCCUPANCY FOR VACANT  
 COMMERCIAL/INDUSTRIAL/URBAN/RURAL  
 LAND IN .....  
 (Name of town or village)



1. Applicant's Full Names (*in capitals*). State Mr, Mrs, Miss, Dr, Chief. Age last birthday; date of birth .....
2. Name of Town of Applicant .....
3. State of Origin .....
4. Present Contact Address in Nigeria .....
5. Corporate Name, if registered under the Companies and Applied matters Act or Co-operative Name, if licensed under the Co-operative Societies Law. ....
6. Registration details of paragraph 5 (*e.g.*, photostat copy of registration certificate) .....
7. State Capacity in which you own this property, *e.g.*, by lease, by purchase, by inheritance, or how else; and since when .....
8. Registration particulars of power of Attorney (*if any*) .....
9. State whether the property is to be used for commercial, industrial or any other purposes (*specify which*) .....
10. How much are you prepared to invest on developing property or to complete developing it? .....
11. How soon are you prepared to develop the land? .....
12. Describe exact location of property (*e.g.*, plot on a named lay-out or street) .....
13. Approximate size of Property .....
14. Particulars of Deed of Conveyance (*if any*) .....
15. State whether property is freehold, leasehold, or subject to a mortgage .....
16. Particulars of Approved Building Plan (*if any*) .....
17. Give approximate size of each other undeveloped property owned in Oyo State (*use reverse side of form if necessary*) .....
18. Occupation of applicant .....
19. Name and Address of current or last Employer (*if any*) .....
20. Any other relevant information .....

Notes:

- (a) A separate application form must be completed in respect of each undeveloped property for which a right of occupancy is required.
- (b) Information supplied on this form is treated as strictly confidential.
- (c) A sum of ₦25.00 right of occupancy fee must accompany each application form.
- (d) I realise that it is an offence to make a false statement/claim in this form and that any right of occupancy obtained through such false claim is fraudulent and may result in its nullification.
- (e) The Land Use Advisory Committee accepts no responsibility for an application form not completed properly and for which reason such an application may be rejected.

....., 20 .....

*Usual signature or thumbprint of applicant or of Attorney (if on behalf of a Corporate or Co-operative body, state post held) .....*

*Date*

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Law.

DECLARED at ..... this ..... day of ....., 20 .....

BEFORE ME

.....  
*Commissioner for Oaths/Notary Public*

Please submit completed form and any attachments to the Land Department of the Local Government area in which property is situated.

FOR OFFICIAL USE ONLY

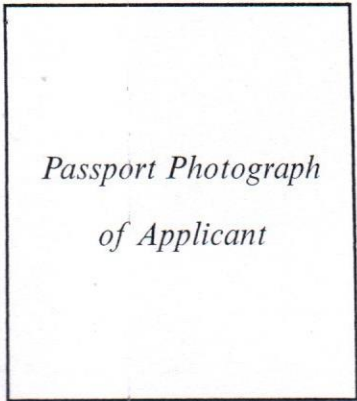
- (i) File No .....
- (ii) ₦25.00 Fee paid on R.V. No .....
- (iii) Application No .....
- (iv) Date Received .....
- (iv) Action Officer .....
- (v) Customary/Statutory Right of Occupancy No .....
- (vi) Date Issued .....

*Remarks (if any)*

\_\_\_\_\_

FORM LUD (R.1.)

OYO STATE OF NIGERIA  
 APPLICATION FOR A CERTIFICATE/STATUTORY  
 RIGHT OF OCCUPANCY OF DEVELOPED  
 AGRICULTURAL LAND IN .....  
 (*Name of town or village*)



1. Applicant's full names (*in capitals*). State whether Mr, Mrs, Miss, Dr, Chief. Age last birthday; date of birth .....
2. Home town of applicant .....
3. State of origin of applicant .....
4. Present contact address in Nigeria .....
5. Corporate name, if registered under the Companies and Allied Matters Act or Co-operative name, if licensed under the Co-operative Societies Law. ....
6. Registration details of paragraph 5 (*e.g.*, photostat copy of registration certificate) .....
7. State capacity in which you own property, *e.g.*, by lease, purchase, inheritance, etc.; (if by inheritance give particulars of consent of family) .....
8. *Type of farming carried out on land*
  - (i) subsistence farming .....
  - (ii) small-scale farming .....
  - (iii) co-operative farming .....
  - (iv) mechanised farming .....
9. *Approximate land usage*
  - (i) planting economic crops like cocoa, coffee, kolanuts, palm-trees, etc .....
  - (ii) planting food crops like yam, maize, cassava, vegetables, beans, rice and other cereals .....
  - (iii) for plantation of long-lived crops like banana, cashew, citrus and other fruits .....
  - (iv) poultry and livestock, including land for grazing purposes
  - (v) left for irrigation/recuperation .....
  - (vi) for farm building, *e.g.*, offices, stores, living quarters .....
  - (vii) other agricultural purposes (*state them*) .....
  - (a) .....
  - (b) .....
10. Describe exact location of property .....
11. Particulars of deed of conveyance (*if any*) .....

- 12. State whether property is freehold, leasehold or subject to a mortgage .....
- 13. For how long have you owned this property? .....
- 14. Estimated current value of property (*including improvements, movable and immovable assets*) .....
- 15. Name and Address of current or last Employer (*if any*) .....
- 16. Any other relevant information .....

Notes:

- (a) A separate application form must be completed in respect of each agricultural land for which a right of occupancy is required, an extension which is not contiguous to the main land should therefore be treated separately.
- (b) Information supplied in this form is treated as strictly confidential.
- (c) I realise that it is an offence to make a false statement/claim in this form and that any right of occupancy obtained through such false claim is fraudulent and may result in its nullification.
- (d) The Land Use Advisory Committee accepts no responsibility for an application form not completed properly and for which reason such an application may be rejected.

....., 20 .....

Usual signature or thumb-print of ..... Date  
 Applicant or his/her Solicitor

(If on behalf of a Corporate or Co-operative body, state post held) .....

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Law.

DECLARED at ..... this ..... day of ....., 20 .....

BEFORE ME

.....  
 Commissioner for Oaths/Notary Public

FOR OFFICIAL USE ONLY

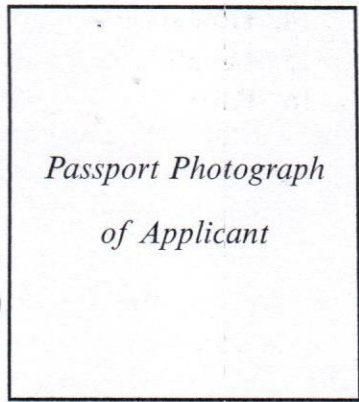
- (i) File No .....
- (ii) Application No .....
- (iii) Date Received.....
- (iv) Action Officer .....
- (v) Customary/Statutory Right of Occupancy No .....
- (vi) Date Issued .....

Remarks (if any)

\_\_\_\_\_

FORM LUD (R.2.)

OYO STATE OF NIGERIA  
 APPLICATION FOR AN ALLOCATION OF VACANT  
 UNDEVELOPED AGRICULTURAL LAND  
 IN .....  
 (*name of town or village*)



FOR OFFICIAL USE ONLY

- (i) File No .....
- (ii) Application No .....
- (iii) Date Received .....
- (iv) Action Officer .....
- (v) Date Application Approved .....
- (vi) Premium paid ₦ .....
- (vii) Receipt No. ....
- 1. Applicant's full names (in capitals; state whether Mr, Mrs, Miss, Dr, Chief) .....
- 2. Age last birthday; date of birth .....
- 3. Home Town of Applicant .....
- 4. Present Contact Address in Nigeria .....
- 5. Corporate Name, if registered under the Companies and Allied Matters Act or Co-operative Name, if licensed under the Co-operative Societies Law. ....
- 6. Registration details of paragraph 5 (e.g., photostat copy of registration certificate) .....
- 7. Purpose for which land is required
  - (i) type of residential building proposed .....
  - (ii) type of commercial building proposed .....
  - (iii) type of industrial building proposed .....
  - (iv) type of building for other activity (*Name it*) .....
- 8. If required for agricultural purpose, indicate which
  - (i) subsistence farming .....
  - (ii) small-scale farming .....
  - (iii) co-operative farming .....
  - (iv) mechanised farming .....
- 9. Approximate size of land required for the stated purpose(s) .....
- 10. Will you accept a smaller plot of land if offered? .....
- 11. Area at which land is required (e.g., street, plot or farmland) .....
- 12. Are you prepared to accept an allocation elsewhere other than in an area of your choice? .....

- 13. How much are you prepared to invest on developing the land? .....
- 14. How soon do you intend to develop the land if allocated one? .....
- 15. Length of lease required .....
- 16. Particulars of other right(s) of occupancy which you hold in Oyo State *(use reverse side of form if necessary)* .....
- 17. Current Income Tax receipt or if P.A.Y.E., state particulars
  - (i) 20 ...../20..... ₦
  - (ii) 20 ...../20..... ₦
  - (iii) 20 ...../20..... ₦
- 18. Occupation of applicant .....
- 19. Name and address of current or last Employer *(if any)* .....
- 20. Any other relevant information .....

Notes:

- (a) A separate application form must be completed in respect of each distinctive purpose *(e.g., residential or agricultural)* for which land is required.
- (b) Information supplied in this form is treated as strictly confidential.
- (c) I realise that it is an offence to make a false statement/claim on this form, and that any right of occupancy obtained through such false claim is fraudulent and may result in its nullification.
- (d) The Land Use Advisory Committee accepts no responsibility for an application form not completed properly and for which reason such an application may be rejected.

....., 20 .....

*Usual signature or thumb-print of applicant or his/her Solicitor* ..... *Date*

*(If on behalf of a Corporate or Co-operative body, state post held)* .....

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Law.

DECLARED at ..... this ..... day of ....., 20 .....

BEFORE ME

.....  
*Commissioner for Oaths/Notary Public*

ACTION BY THE LAND USE ADVISORY COMMITTEE  
..... SCHEME

Allocation Block No. .... Plot .....

Type of Land Use allowed .....

Time limit for full development .....

Rental and Revisionary Rent .....

Right of Occupancy No. .... of .....

....., 20 .....

*Signature of Action Officer* ..... *Date*

- 13. How much are you prepared to invest on developing the land? .....
- 14. How soon do you intend to develop the land if allocated one? .....
- 15. Length of lease required .....
- 16. Particulars of other right(s) of occupancy which you hold in Oyo State *(use reverse side of form if necessary)* .....
- 17. Current Income Tax receipt or if P.A.Y.E., state particulars
  - (i) 20 ...../20..... ₦
  - (ii) 20 ...../20..... ₦
  - (iii) 20 ...../20..... ₦
- 18. Occupation of applicant .....
- 19. Name and address of current or last Employer *(if any)* .....
- 20. Any other relevant information .....

Notes:

- (a) A separate application form must be completed in respect of each distinctive purpose *(e.g., residential or agricultural)* for which land is required.
- (b) Information supplied in this form is treated as strictly confidential.
- (c) I realise that it is an offence to make a false statement/claim on this form, and that any right of occupancy obtained through such false claim is fraudulent and may result in its nullification.
- (d) The Land Use Advisory Committee accepts no responsibility for an application form not completed properly and for which reason such an application may be rejected.

....., 20 .....

*Usual signature or thumb-print of applicant or his/her Solicitor* ..... *Date*

*(If on behalf of a Corporate or Co-operative body, state post held)* .....

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Law.

DECLARED at ..... this ..... day of ....., 20 .....

BEFORE ME

.....  
*Commissioner for Oaths/Notary Public*

ACTION BY THE LAND USE ADVISORY COMMITTEE  
..... SCHEME

Allocation Block No. .... Plot .....

Type of Land Use allowed .....

Time limit for full development .....

Rental and Revisionary Rent .....

Right of Occupancy No. .... of .....

....., 20 .....

*Signature of Action Officer* ..... *Date*

FORM LUD (AD.)

OYO STATE OF NIGERIA  
LAND USE ACT ADVERTISEMENTS

The following applications have been made for statutory/customary certificates of occupancy:

<i>No. of Application</i>	<i>Description of Land</i>	<i>Developed or Undeveloped</i>	<i>Name and Address of Applicant</i>

Particulars of the above described lands can be seen at the Land Registry at .....  
Any person may by notice in writing signed by himself or his agent and delivered at the registry within one month from the date of the paper containing this advertisement object to the registration. The notice must state the grounds of the objection, and give an address for service in one of the following places:

.....  
*Registrar*

....., 20 .....

*N.B.* This form may also be used for a notice required to be served on any person with the substitution of the words "service of this notice" for the words "the paper containing this advertisement".

FORM LUD (CA.1.)

OYO STATE OF NIGERIA  
LAND USE ACT  
CAUTION AGAINST GRANT OF STATUTORY/  
CUSTOMARY RIGHT OF OCCUPANCY

I, ..... hereby lodge a caution against the  
*(name and address of cautioner)*  
first registration of ..... *(describe the land)* shown and edged with red on the attached plan.

And I hereby solemnly and sincerely declare that .....  
*(give particulars of applicant's interest in the land)*



And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Law

DECLARED at ..... this ..... day of ....., 20 .....  
(state where)

.....  
*Signature of Cautioner*

BEFORE ME

.....  
(Add Style of Office)

FOR OFFICIAL USE ONLY

- (i) File No .....
- (ii) ₦5.00 fee paid on R.V. No .....
- (iii) Application No .....
- (iv) Date Received .....
- (v) Action Officer .....
- (vi) Certificate of Occupancy No .....
- (vii) Date Certificate Issued .....

*Remarks (if any)*

FORM LUD (CA.2.)

OYO STATE OF NIGERIA  
LAND USE ACT  
APPLICATION TO WITHDRAW A CAUTION

Application No. .... Date .....

I, (Name and address of cautioner or person entitled to withdraw the caution) hereby apply to withdraw the caution registered in my name on the ..... (date) against the above mentioned application for right of occupancy (or the charge dated, etc., on the land comprised in the above mentioned title)

.....  
*Applicant*

FOR OFFICIAL USE ONLY

- (i) File No. ....
- (ii) ₦5.00 fee paid on R.V. No. ....
- (iii) Application No. ....
- (iv) Date Received .....
- (v) Action Officer .....
- (vi) Certificate of Occupancy No. ....
- (vii) Date Certificate Issued .....

*Remarks (if any)*

FORM LUD (Cert. 1.)

OYO STATE OF NIGERIA  
LAND USE ACT  
CERTIFICATE OF STATUTORY RIGHT OF OCCUPANCY

....., 20 ..... (No. .... Page ..... Volume .....)

This is to certify that A.B. of is entitled to a statutory right of occupancy in and over the land described in the Schedule, and more particularly delineated in the plan annexed hereto (for a term of ..... years from the date hereof) according to the true intent and meaning of the Land Use Act and subject to the provisions thereof and to the following special terms and conditions:

- 1. (Commencing rent).
- 2. (Term of revision).

Given under my hand the day and year above written.

.....  
*Governor, Oyo State of Nigeria*

FORM LUD (Cert. 2.)

OYO STATE OF NIGERIA  
LAND USE ACT  
CERTIFICATE OF CUSTOMARY RIGHT OF OCCUPANCY

....., 20 ..... (No. .... Page ..... Volume .....)

This is to certify that A.B. of ..... is entitled to a customary right of occupancy in and over the land described in the Schedule, and/or more particularly delineated in the plan annexed hereto (for a term of ..... years from the date hereof) according to the true intent and meaning of the Land Use Act and subject to the provisions thereof and to the following special terms and conditions:

- 1. (Commencing rent).
- 2. (Term of revision).

GIVEN under my hand the day and year above written.

.....  
*Chairman ..... Municipal Local  
Government or the Governor,  
Oyo State of Nigeria*

OYO STATE OF NIGERIA

APPLICATION FOR APPROVAL OF A SUBSEQUENT TRANSACTION TO A GRANT OF RIGHT OF OCCUPANCY

- 1. Particulars of Holding .....
- 2. Nature of Grant—state whether
  - (i) Sublease; or .....
  - (ii) Assignment; or .....
  - (iii) Mortgage .....
- 3. Grantor's
  - (i) Full names .....
  - (ii) Address .....
- 4. Grantee's
  - (i) Full names .....
  - (ii) Nationality; and .....
  - (iii) Address .....
- 5. Situation and area of land .....
- 6. Agreed length of term .....
- 7. Agreed rent per annum .....
- 8. If assignment, agreed amount of consideration .....
- 9. Purpose for which application is made: Residence, trading, security for loan, etc. ....
- 10. Other special terms and conditions agreed (*if any*) .....
- 11. Treasury Receipt Voucher particulars of the current year's rent. ....

I am prepared within one week of demand to place on deposit at Government Treasury ₦10.50 to cover the approval fee. Should I withdraw the above application after making such deposit I agree to forfeit the whole or such portion thereof as the Commissioner of Lands or the Land Officer or Estate Officer of the State may decide.

.....  
Date

.....  
Signature of Applicant (Grantor)

\_\_\_\_\_

FORM LUD (CH.1.)

OYO STATE OF NIGERIA  
LAND USE ACT  
CHARGE AND SUB-CHARGE

Certificate No. .... Date .....

In consideration of (etc.), the receipt whereof I hereby acknowledge:

I(A.B ..... of ..... etc.) by this deed charge the certificate of statutory/customary right of occupancy above referred to with the payment to (C.D ..... of ..... etc.) on the ..... of ....., 20 ....., of the principal sum of ..... with interest in the meantime at ..... per centum per annum and if that sum is not so paid with interest as aforesaid on the day aforesaid I further charge the said certificate with interest at the rate aforesaid on the principal money for the time being owing on this security payable half-yearly (quarterly) on the (etc.) in every year.

(Add any further provisions required).

And I the said C.D. apply to be registered as owner of the charge hereby created.

SIGNED and delivered by the  
said

.....  
*this (date) in my presence*

.....  
*Signature of registered owner of  
Certificate*

.....  
*Signature of witness*  
Address .....  
Occupation .....  
Signed and delivered by the said .....

.....  
*this (date) in my presence*

.....  
*Signature of owner of charge*

.....  
*Signature of witness*  
Address .....  
Occupation .....

*N.B.* (1) The original and a duplicate or copy (which is not liable to stamp duty) of the charge must be left at the registry. The original will be returned, if desired, after completion of the registration.

(2) This form may be used for a sub-charge, substituting for "certificate of statutory/customary right of occupancy above referred to" the words "the charge (dated) and registered (date)".

FOR OFFICIAL USE ONLY

- (i) File No .....
- (ii) ₦5.00 fee paid on R.V. No. ....
- (iii) Application No. ....
- (iv) Date received .....
- (v) Action Officer .....
- (vi) Certificate of Occupancy No .....
- (vii) Date Certificate Issued .....

*Remarks (if any)*

FORM LUD (CH.2.)

OYO STATE OF NIGERIA

LAND USE ACT  
CERTIFICATE OF TITLE TO CHARGE

Certificate No. ....

This is to certify that the annexed charge on the land comprised in the above mentioned certificate was on the (date) registered in the Land Registry at ..... Copies of the entries in the register relating to the said charge and particulars of incumbrances having priority to the charge are within.

DATED, etc .....

*Seal of Registry*

FOR OFFICIAL USE ONLY

- (i) File No .....
- (ii) ₦5.00 fee paid on R.V. No. ....
- (iii) Application No .....
- (iv) Date Received .....
- (v) Action Officer .....
- (vi) Certificate of Occupancy No. ....
- (vii) Date Certificate Issued .....

*Remarks (if any)*

FORM LUD (CH.3.)

OYO STATE OF NIGERIA  
LAND USE ACT  
RELEASE OF A CHARGE

Certificate No ..... Date .....

I (registered owner of charge) by this Deed release the charge dated (date) and registered (date) of which I am registered owner.

And I (registered owner of certificate of charge) hereby apply that the said charge may be withdrawn from the register.

SIGNED and delivered by the

said .....  
*Signature of owner of charge*

this ..... day of ....., 20 .....  
in my presence

.....  
*Signature of Witness*

Address .....

Occupation .....

SIGNED and delivered by the

said .....  
*Signature of registered owner  
Certificate*

this ..... day of ....., 20 .....  
in my presence

.....  
*Signature of Witness*

Address .....

Occupation .....

FOR OFFICIAL USE ONLY

- (i) File No .....
- (ii) ₦5.00 fee paid on R.V. No. ....
- (iii) Application No .....
- (iv) Date Received .....
- (v) Action Officer .....
- (vi) Certificate of Occupancy No. ....
- (vii) Date Certificate Issued .....

*Remarks (if any)*

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OYO STATE OF NIGERIA

LAND USE ACT  
ASSIGNMENT OF RIGHT OF OCCUPANCY

WHEREAS under the provisions of the Land Use Act a statutory/  
customary right of occupancy over the lands described in the Schedule,  
and/or more particularly delineated in the plan attached to the certificate  
of occupancy numbered ..... and registered as No. ....  
at Page ..... of Volume ..... of the Register of Instruments  
affecting land at ..... and dated the ..... day of ....., 20 .....,  
was granted to ..... of .....

Now these present witness that in consideration of the sum of  
₦ ..... (A.B. on behalf of\*) the said .....  
doth hereby assign to ..... all .....  
right title and interest in the said lands acquired under the said certificate  
of occupancy at the rent and subject to the conditions therein reserved  
and contained from the ..... day of ....., 20 ..... for  
the residue unexpired of the term granted by the said certificate of  
occupancy.

IN WITNESS WHEREOF the said ..... (as Attorney for the  
above-named ..... by virtue of his power of Attorney dated  
the ..... day of ....., 20 ..... and registered as No .....  
at Page ..... of Volume ..... of the Register of Instruments affecting  
land at .....)† and the said ..... (as Attorney  
for the above-named ..... by virtue of his power of Attorney  
dated the ..... day of ....., 20 ....., and registered as  
No ..... at Page ..... of Volume ..... of the Register of  
Instruments affecting land at .....) have hereunto set their  
hands and seal(s) this ..... day of ....., 20 .....

SIGNED, SEALED AND DELIVERED)  
by the said .....)  
in the presence of .....)  
.....)  
and by the said .....)  
in the presence of .....)

.....  
*Approved*

\*To be inserted when the representative of the assignor holds a power  
of Attorney.

†To be inserted when the representative of the assignee executes under  
a power of Attorney.

FORM LUD (CH.3.)

OYO STATE OF NIGERIA

LAND USE ACT  
RELEASE OF A CHARGE

Certificate No ..... Date .....

I (registered owner of charge) by this Deed release the charge dated (date) and registered (date) of which I am registered owner.

And I (registered owner of certificate of charge) hereby apply that the said charge may be withdrawn from the register.

SIGNED and delivered by the

said .....  
*Signature of owner of charge*

this ..... day of ....., 20 .....  
in my presence

.....  
*Signature of Witness*

Address .....

Occupation .....

SIGNED and delivered by the  
said .....  
this ..... day of ....., 20 .....  
in my presence  
*Signature of registered owner  
Certificate*

.....  
*Signature of Witness*

Address .....

Occupation .....

FOR OFFICIAL USE ONLY

- (i) File No .....
- (ii) ₦5.00 fee paid on R.V. No. ....
- (iii) Application No .....
- (iv) Date Received .....
- (v) Action Officer .....
- (vi) Certificate of Occupancy No. ....
- (vii) Date Certificate Issued .....

*Remarks (if any)*

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OYO STATE OF NIGERIA

LAND USE ACT  
ASSIGNMENT OF RIGHT OF OCCUPANCY

WHEREAS under the provisions of the Land Use Act a statutory/  
customary right of occupancy over the lands described in the Schedule,  
and/or more particularly delineated in the plan attached to the certificate  
of occupancy numbered ..... and registered as No. ....  
at Page ..... of Volume ..... of the Register of Instruments  
affecting land at ..... and dated the ..... day of ....., 20 .....,  
was granted to ..... of .....

Now these present witness that in consideration of the sum of  
₦ ..... (A.B. on behalf of\*) the said .....  
doth hereby assign to ..... all .....  
right title and interest in the said lands acquired under the said certificate  
of occupancy at the rent and subject to the conditions therein reserved  
and contained from the ..... day of ....., 20 ..... for  
the residue unexpired of the term granted by the said certificate of  
occupancy.

IN WITNESS WHEREOF the said ..... (as Attorney for the  
above-named ..... by virtue of his power of Attorney dated  
the ..... day of ....., 20 ..... and registered as No. ....  
at Page ..... of Volume ..... of the Register of Instruments affecting  
land at .....)† and the said ..... (as Attorney  
for the above-named ..... by virtue of his power of Attorney  
dated the ..... day of ....., 20 ....., and registered as  
No. .... at Page ..... of Volume ..... of the Register of  
Instruments affecting land at .....) have hereunto set their  
hands and seal(s) this ..... day of ....., 20 .....

SIGNED, SEALED AND DELIVERED)  
by the said .....)  
in the presence of .....)  
.....)  
and by the said .....)  
in the presence of .....)

.....  
*Approved*

\*To be inserted when the representative of the assignor holds a power  
of Attorney.  
†To be inserted when the representative of the assignee executes under  
a power of Attorney.

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FOR OFFICIAL USE ONLY

- (i) File No .....
- (ii) ₦5.00 Certificate Fee paid on R.V. No. ....
- (iii) Application No .....
- (iv) Date Received .....
- (v) Action Officer .....
- (vi) Certificate of Occupancy No. ....
- (vii) Date Certificate Issued .....

Remarks (if any)

FORM LUD (SU.)

OYO STATE OF NIGERIA

LAND USE ACT  
SURRENDER OF RIGHT OF OCCUPANCY

WHEREAS under the provisions of the Land Use Act a right of occupancy over the lands described in the Schedule, and more particularly delineated in the plan attached to the certificate of occupancy numbered ..... and registered as No. .... at page ..... of Volume ..... of the Register of Instruments affecting land at ..... and dated the ..... day of ....., 20 ..... was granted to ..... of .....

AND WHEREAS the said ..... desires to surrender the said right of occupancy and the ..... is willing to accept such surrender.

NOW THESE presents witness that (A.B. on behalf of)\* the said ..... hereby surrenders all rights, title and interest in the said ..... in and under the said certificate of occupancy as from the ..... day of ....., 20 .....

IN WITNESS WHEREOF the said ..... (as Attorney for the above-named ..... by virtue of his power of Attorney dated the ..... day of ....., 20 ....., and registered as No ..... at page ..... of Volume ..... of the Register of Instruments affecting land at .....)\* has hereunto set his hand and seal this ..... day of ....., 20 .....

Signed, sealed and delivered by the  
said .....  
in the presence of .....

Approved .....

\*To be inserted when the representative of the holder of the certificate holds a power of Attorney.

## FOR OFFICIAL USE ONLY

- (i) File No .....
- (ii) ₦5.00 Certificate Fee paid on R.V. No. ....
- (iii) Application No .....
- (iv) Date Received .....
- (v) Action Officer .....
- (vi) Certificate of Occupancy No. ....
- (vii) Date Certificate Issued .....

*Remarks (if any)*

FORM LUD (SUP.)

## OYO STATE OF NIGERIA

LAND USE ACT  
SUPPLEMENTAL CERTIFICATE OF OCCUPANCY

....., 20 ..... (*Volume and page of register*)

WHEREAS under the provisions of the Land Use Act a statutory/customary occupancy over the lands described in the Schedule, and more particularly delineated in the plan attached to the certificate of occupancy numbered ..... and registered as No ..... at page ..... of Volume ..... of the Register of Instruments affecting land at ..... and dated the ..... day of ....., 20 ....., was granted to ..... for a term of ..... years from the ..... day of ....., 20 .....

AND WHEREAS by a supplemental certificate of occupancy numbered ..... and registered as No ..... at page ..... of Volume ..... of the Register of Instruments affecting land at ..... and dated the ..... day of ....., 20 ....., the term of the original right of occupancy was extended to the ..... day of ....., 20 .....

AND WHEREAS the right of occupancy is now vested in (the said) ..... for the residue of the term thereof:

And whereas it is desired to extend the term of the right of occupancy in manner hereinafter appearing:

Now these presents, supplemental to the recited certificate of occupancy numbered ....., CERTIFY as follows:

(1) ..... of ..... is entitled to a right of occupancy in and over the lands hereinbefore referred to according to the true intent and meaning of the Land Use Act and subject to the provisions thereof for a further period of ..... years from the ..... day of ....., 20 ....., being the date of the expiry of the (original) (extended) right of occupancy, subject to the special terms and conditions contained in the certificate of occupancy No. .... (as subsequently amended and) (as hereinafter amended).

(2) The special terms and conditions contained in certificate of occupancy No ..... (as amended) are hereby (further) amended as follows:

- (1)
- (2)
- (3)

etc., etc.

Given under my hand the day and year first above written.

.....

*(Delete words in brackets if not applicable).*

FOR OFFICIAL USE ONLY

- (i) File No .....
- (ii) ₦25.00 Certificate fee paid on R.V. No. ....
- (iii) Application No .....
- (iv) Date Received .....
- (v) Action Officer .....
- (vi) Certificate of Occupancy No. ....
- (vii) Date Certificate Issued .....

*Remarks (if any)*

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THE LAND USE (ADVISORY COMMITTEES)  
REGULATIONS

OY.S.L.N. 15  
of 1978.

[4th May, 1978] Date of  
commence-  
ment.

1. These Regulations may be cited as the Land Use (Advisory Committees) Regulations. Short title.

2. The advisory committees mentioned in the First, Second and Third Schedules hereto are hereby established and they shall consist of the members specified immediately below them respectively in the said Schedules. Establishment  
of advisory  
committees  
and appoint-  
ment of  
members  
thereof.  
Schedules.

3. (1) Subject to the provisions of sub-paragraph (4) hereof, every member including the chairman of each of the advisory committees in the First, Second and Third Schedules hereto other than *ex officio* members, shall hold office for such period not exceeding two years, as may be fixed at the time of his appointment. Tenure of  
office of  
members of  
advisory  
committees.

(2) There shall be appointed by the Governor a secretary for each of the advisory committees and he shall be responsible for the day to day administration of the advisory committee of which he is secretary.

(3) The seat of a member of an advisory committee shall become vacant if—

- (a) he dies;
- (b) he has been absent from three consecutive meetings of the advisory committee without leave of the chairman;
- (c) he has become incapable by reason of illness of further discharging his duties;
- (d) he has contravened the provisions of the Land Use Act or any subsidiary legislation made thereunder, and the Governor decides to remove him;
- (e) he is certified to be insane or adjudged to be a lunatic;
- (f) he is convicted of any criminal offence involving fraud or dishonesty;
- (g) he resigns his seat by writing under his hand addressed to the Governor;
- (h) he is removed by the Governor on the ground that the member has, in the opinion of the Governor, ceased to be a fit or proper person.

(4) A person who has vacated his office as a member of an advisory committee shall be eligible for re-appointment but any re-appointment shall not run consecutively to the previous appointment.

Powers, functions and meetings of an advisory committee.

4. (1) Each advisory committee shall carry out its duties under the Land Use Act in accordance with such general or specific directions as the Governor may give.

(2) Each advisory committee shall meet from time to time to discharge its duties under the Land Use Act at a place and time appointed for its meetings.

(3) Special meetings of an advisory committee shall be convened if the Governor or its chairman so wishes in order to consider any matter that is specified in a notice of such a meeting.

(4) The functions of the Land Use and Allocation Committee shall be—

(a) to advise the Governor on any matter connected with the management of land in all urban areas;

(b) to advise the Governor on any matter connected with the resettlement of persons affected by the revocation of rights of occupancy on the grounds of overriding public interest under the Act; and

(c) to determine disputes as to the amount of compensation payable under the Act for improvements on land.

(5) The function of the Land Use and Allocation Subcommittee shall be to advise the Land Use and Allocation Committee on any of the matters referred or delegated to it by that committee.

(6) The function of each Land Allocation Advisory Committee shall be to advise the Local Government on any matter connected with land under its control and management within the area of jurisdiction of which the land is situated.

Procedure and meetings of the committees.

5. (1) The Chairman shall preside at every meeting of the committee at which he is present, and if he is absent, the members present at the meeting shall select one of their members to preside thereat.

(2) The Chairman or the member presiding at a meeting of the committee in his absence shall have a vote, and in the event of an equality of votes a casting vote.

6. Twelve members, in the case of the Land Use and Allocation Committee, five members, in the case of the Land Use and Allocation Sub-committee, and six members, in the case of the Land Allocation Advisory Committee (including in each case the Chairman or other member presiding) shall form a quorum at any meeting of the respective committees. Quorum.

7. Minutes of the proceedings of each advisory committee shall be kept, and where the minutes are signed by the person who had acted as a Chairman of a meeting to which the minutes relate, or of a meeting at which they were read, they shall be evidence of the proceedings of the first mentioned meeting. Minutes.

8. No act or proceeding of an advisory committee shall be questioned or rendered invalid by reason only of a vacancy among its members or by reason of any defect in the appointment of a member. Vacancy.

9. There shall be paid to members of an advisory committee other than *ex-officio* members such remuneration or allowances as the Governor may determine. Remuneration of members of an advisory committee.

### FIRST SCHEDULE

#### THE LAND USE AND ALLOCATION COMMITTEE

- (a) a full/part-time Chairman being a person appearing to the Governor to be of probity;
- (b) the persons for the time being holding the following offices:
  - (i) the Permanent Secretary, Department of Local Government or his representative;
  - (ii) the Permanent Secretary, Ministry of Agriculture and Natural Resources or his representative;
  - (iii) the Solicitor-General and Permanent Secretary, Ministry of Justice or his representative;
  - (iv) the Surveyor-General of Oyo State;
  - (v) the Chief Town Planning Officer of Oyo State;
  - (vi) the Chief Land Officer of Oyo State;
  - (vii) the General Manager, Oyo State Housing Corporation;
- (c) two persons possessing qualifications approved for appointment to the public service as Estate Surveyors or Land Officers and who have been so qualified for not less than five years;
- (d) a legal practitioner;
- (e) four traditional rulers, one from each zone of the State;