



LAW HUB DEVELOPMENT  
AND ADVOCACY CENTRE

# TIMELINES

**Under the Administration of Criminal Laws of six states**



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## INTRODUCTION

The administration of justice serves as a fundamental pillar in maintaining societal order and safeguarding the well-being of the public. In the legal system in Nigeria, the mechanisms of justice have been known to move at a sluggish pace, with a high rate of pendency in criminal cases, leaving victims, defendants, and the public at large yearning for fair resolutions of criminal matters. Recognising this, the Administration of Criminal Justice Act (ACJA) of 2015 emerged as a nationwide catalyst for reform. Among its objectives, the ACJA sets out to expedite the judicial process and ensure the efficient management of criminal justice institutions.

As a federation, each state holds the power to further tailor the ACJA's principles to its unique context, subject to the National Minimum Standard (NMS). The NMS comprises "provisions of the ACJA and ACJLs which must be implemented for the innovations in the law to be effectively realized" ([National Minimum Standards](#)). The Administration of Criminal Justice Laws (ACJLs) of individual states acts as vital local adaptations of the national framework.

This publication delves into the ACJLs of six states: Enugu, Oyo, Nasarawa, Adamawa, Kano, and Akwa Ibom. Each jurisdiction represents a unique cultural and legal ecosystem, and consequently, their ACJLs reflect these individual nuances while upholding the core principles of the ACJA.

Why focus on timelines? The notorious saying "justice delayed is justice denied" highlights the importance of time in the administration of justice. Understanding and adhering to the specific timelines stipulated within each state's ACJL is therefore crucial for criminal justice stakeholders such as the judiciary, the police, correctional services, legal practitioners, and the public.

Within these pages, you will find a clear and concise breakdown of the key timelines prescribed by the ACJLs of these six states, from pre-trial procedures to arraignment, bail applications, and trial deadlines. This publication will serve as a practical tool for navigating the often-complex journey through the criminal justice system. These timelines contained in the ACJLs of Enugu, Oyo, Nasarawa, Adamawa, Kano, and Akwa Ibom will aid the collective effort to promote the timely dispensation of justice.

## TIMELINES UNDER THE ADMINISTRATION OF CRIMINAL JUSTICE LAWS (ACJLS)

This document covers the timelines under the ACJL of six (6) states, namely, Enugu, Oyo, Nasarawa, Adamawa, Kano and Akwa Ibom.

One of the objectives of the ACJA and by extension ACJLs of various states, is the efficient management of criminal justice institutions and speedy dispensation of justice, hence the timelines stipulated for stakeholders under the ACJL supports the realization of this objective.

### THE COMPREHENSIVE LIST OF TIMELINES UNDER THE ACJL ENUGU STATE.

<b>S.16</b>	<b>Recording of Arrest.</b> 16(1) When a person is arrested, whether with or without a warrant, and taken to a police station or any other agency effecting the arrest, the police officer making the arrest or the officer in charge of the police station or agency shall cause to be taken immediately, in the prescribed form, the following record of the person arrested as listed in S.16 (1)(a-d) (2) The process of recording in subsection (1) of this section shall be concluded within a reasonable time of the arrest of the person, but not exceeding <b>48 hours</b> .
<b>S.18</b>	<b>Central Criminal Record Registry</b> 2. It shall be the duty of the Chief Registrar of the Courts in the State to transmit the decision of the courts in all criminal trials in the form shown in the schedule to this section to the Central Criminal Record Registry <b>30 days</b> of delivery of final judgment.  4. A police officer in charge of a police station, or officers in charge of an agency authorized by law to make arrest and take records as provided in section 16 (1) of this Law shall forward to the Central Criminal Record Registry on the <b>first week of every month</b> all record as described in that section taken at that station or agency in the manner provided for entry into the Registry.
<b>S.20</b>	<b>Refusal to give name and residence.</b> (3) Should the true name and residence of such person not be ascertained <b>within 24 hours</b> from the time of arrest, or should he fail to execute the recognizance or, if so required to furnish sufficient sureties, he shall forthwith be forwarded to the nearest magistrate having jurisdiction
<b>S.30</b>	<b>Quarterly report of arrests to the Attorney General by Commissioner of Police.</b> (1) The Commissioner of Police in the State and head of every agency authorised by law to make arrest within the State shall remit <b>quarterly</b> to the Attorney-General of the State a record of all arrests made within the state with or without warrant.
<b>S.31</b>	<b>Release on bail of a person arrested without warrant.</b> (1) When a person has been taken into police custody without a warrant for an offence, other than an offence punishable with death, an officer in charge of the police station shall inquire into the case and release the person arrested on bail subject to subsection (2) of this section if it will not be practicable to bring the person before a court having jurisdiction with respect to the offence alleged, <b>within 24 hours</b> after the arrest. (3) Where a person is taken into custody and it appears to the police officer in charge of the station that the offence is of a capital nature, the person arrested shall be detained in custody, and the police officer shall <b>within 48 hours</b> of such arrest refer the matter to the office of the Attorney General for legal advice and where the advice is to prosecute, cause the person arrested to be taken before a court having jurisdiction with

	respect to the offence within a reasonable time.
<b>S.33</b>	<p><b>Remedy of person detained in custody.</b></p> <p>(1) Where a person taken into custody in respect of a non-capital offence is not released on bail <b>after 24 hours</b>, a court having jurisdiction with respect to the offence may be notified by application on behalf of the arrested person.</p>
<b>S.34</b>	<p><b>Police to report to supervising Magistrates.</b></p> <p>(1) An officer in charge of a police station or an official in charge of an agency authorized to make arrest shall on the <b>last working day of every month</b> report to the nearest Magistrate the cases of all persons arrested without warrant within the limits of their respective stations or agency whether the persons have been admitted to bail or not.</p>
<b>S.35</b>	<p><b>Chief Magistrate to visit police stations every month.</b></p> <p>1. The Chief Magistrate, or where there is no Chief Magistrate within the police division, any Magistrate designated by the Chief Judge for that purpose, shall, <b>at least every month</b>, conduct an inspection of police stations or other places of detention within his territorial jurisdiction other than the prison.</p>
<b>S.42</b>	<p><b>Procedure for execution of warrants.</b></p> <p>(4) Every person arrested on any such warrant shall, subject to the provisions of sections 44 and 45 be brought before the court which issued the warrant <b>within 24 hours</b> after he is so arrested.</p>
<b>S.43</b>	<p><b>Power to arrest on warrant but without the warrant.</b></p> <p>A warrant of arrest may be executed notwithstanding that it is not in the possession at the time of the person executing the warrant but the warrant shall, on the demand of the person arrested, be shown to him <b>within 24 hours</b> after his arrest.</p>
<b>S.50</b>	<p><b>Public summons for person absconding.</b></p> <p>If a court has reason to believe, whether after evidence or not, that a person, against whom a warrant of arrest has been issued by itself or by any court or Justice of the Peace, has absconded or is concealing himself so that the warrant cannot be executed, the court may publish a public summons in writing requiring that person to appear at a specific place and a specific time <b>not more than 30 days</b> from the date of publishing the public summons</p>
<b>S.56</b>	<p><b>Time when search warrant may be issued and executed.</b></p> <p>(1) A search warrant may be issued and executed on any day including a Sunday or public holiday. It shall be executed between the <b>hours of five o'clock in the forenoon and eight o'clock at night</b> but the court or justice of the peace may, in its/his discretion, authorize by the warrant the execution of the warrant at any hour.</p> <p>(2) Where a court or justice of the peace authorizes the execution of a search warrant at any hour other than between the <b>hours of five o'clock in the forenoon and eight o'clock at night</b> such authorization may be contained in the warrant at the time of issue or may be endorsed thereon by any court or justice of the peace at any time thereafter prior to its execution</p>
<b>S.67</b>	<p><b>Power to make regulations.</b></p> <p>The Commissioner of Police or Controller of Prisons may make regulations for all or any of the following purposes –</p> <p>(c) providing for the taking by any authorised person of the fingerprints of convicts, suspects and persons charged with or being suspected of having committed any felony,</p>



	<p>misdemeanour, or other offence punishable by imprisonment for <b>one month or more</b> and for the taking of the fingerprints for comparison, of any person reasonably suspected of having made a finger impression on any document or object likely to become an exhibit in a criminal case;</p>
<b>S.68</b>	<p><b>Power of Magistrate to require execution of recognizance for keeping the peace.</b> Whenever a magistrate is informed on oath that any person is likely to commit a breach of peace or disturb the public tranquillity, or to do any wrongful act that may probably occasion a breach of the peace or disturb the public tranquillity, the magistrate may in the manner hereinafter provided, require such person to show cause why he should not be ordered to enter into a recognizance, with or without sureties, for keeping the peace for such period <b>not exceeding one year</b>, as the magistrate thinks fit</p>
<b>S.69</b>	<p><b>Security for good behaviour for suspected persons.</b> Whenever a magistrate is informed on oath that any person is taking precautions to conceal his presence within the local limits of such magistrate's jurisdiction, and that there is reason to believe that such person is taking such precautions with a view to committing any offence, such magistrate may in the manner hereinafter provided, require such person to show cause why he should not be ordered to enter into a recognizance with sureties, for his good behaviour for such period <b>not exceeding one year</b>, as the magistrate thinks fit.</p>
<b>S.70</b>	<p><b>Security for good behaviour for habitual offenders.</b> (f) is so desperate or dangerous as to render his being at large without security hazardous to the community; such magistrate may, in the manner hereinafter provided, require such person to show cause why he should not be ordered to enter into a recognizance, with sureties, for his good behaviour for such period, <b>not exceeding three years</b> as the magistrate thinks fit.</p>
<b>S.82</b>	<p><b>Procedure on failure of person to give security.</b> 2. When such person has been ordered by a magistrate to give security for a period <b>exceeding one year</b>, such magistrate shall, if such person does not give such security as aforesaid, issue a warrant directing him to be detained in prison pending the orders of the High Court, and the proceedings shall be laid as soon as possible before such court.</p>
<b>S.86</b>	<p><b>Release on bail of a person arrested without warrant.</b> (1) When any person has been taken into custody without a warrant for an offence other than an offence punishable with death, any officer in charge of a police station or other agency may in any case, and shall, if it will not be practicable to bring such person before a magistrate having jurisdiction with respect to the offence charged <b>within 24 hours</b> after he was so taken into custody, inquire into the case, and, unless the offence appears to such officer to be of a serious nature, discharge the person upon his entering into a recognizance with or without sureties for a reasonable amount to appear before a court at the time and place named in the recognizance, but where such person is retained in custody he shall be brought before a court having jurisdiction with respect to the offence or empowered to deal with such person <b>within 24 hours</b> whether or not the police inquiries are completed.</p>
<b>S.90</b>	<p><b>Police to report arrest and detention.</b> Officers in charge of police stations shall make a <b>quarterly report</b> to the nearest magistrate the cases of all persons arrested without warrant within the limits of their respective stations whether such persons have been admitted to bail or not. The magistrate shall notify the chief registrar of the High Court of such report who shall forward the same to the Chief Judge for necessary actions.</p>

<b>S.111</b>	<p><b>Forfeiture of recognizance.</b></p> <p>(4) When the penalty is not paid and cannot be recovered in manner provided in this Law, the person bound shall be liable to imprisonment for a term not exceeding <b>six months</b>.</p>
<b>S.115</b>	<p><b>Where recognizance forfeited warrant may issue.</b></p> <p>(b) Where a suspect who is bound by a recognizance or a bond to appear at a police station fails to appear, the police shall apply to the court for a warrant for his arrest and the court may if satisfied with facts in support of the application issue a warrant for his arrest; provided that the magistrate upon such application may issue a warrant for his arrest and production before the Magistrate <b>within 24 hours</b></p>
<b>S.118</b>	<p><b>Registration of bondsperson.</b></p> <p>(3) A person who engages in bail bond services without registration and license or in contravention of the regulation or terms of his license is liable to a fine of five hundred thousand naira or imprisonment for a term not <b>exceeding 12 months</b> or to both fine and imprisonment.</p>
<b>S.119</b>	<p><b>Bondsperson may arrest absconding defendant or suspect.</b></p> <p>A bondsperson may arrest a defendant or suspect who is absconding or who he believes is trying to evade or avoid appearance in court and shall-</p> <p>(a) immediately hand him over to the nearest police station;</p> <p>(b) the person arrested shall be taken to the appropriate court within <b>24 hours</b>.</p>
<b>S.122</b>	<p><b>Issue of summons and contents thereof.</b></p> <p>Where a complaint is made before a magistrate as provided under this Law and the magistrate decides to issue summons in the first instance, such magistrate shall issue a summons directed to the person complained against, stating concisely the substance of such complaint and requiring him to appear at a certain time and place being <b>not less than 48 hours</b> after the service of such summons before the court to answer to the said complaint and to be further dealt with according to law.</p>
<b>S.134</b>	<p><b>Person refusing to give receipt may be arrested.</b></p> <p>Every person who is required to sign a receipt on the back of a duplicate summons to the effect that he has received the summons and fails to sign such receipt may be arrested by the person serving the summons and taken before the court which issued the summons and may be detained in custody or committed to prison for such time <b>not exceeding 14 days</b> as the court may think necessary.</p>
<b>S.144</b>	<p><b>Mode of dealing with witness arrested under warrant.</b></p> <p>(1) Every witness arrested under a warrant issued in the first instance, where the hearing of the case for which his evidence is required is appointed for a time which is <b>more than 24 hours</b> after the arrest, shall if practicable be taken before a magistrate, and the magistrate may, on his furnishing security by recognizance to the satisfaction of the magistrate for his appearance at such hearing, order him to be released from custody, or shall, on his failing to furnish such security, order him to be detained for production at such hearing.</p>
<b>S.145</b>	<p><b>Penalty on witnesses refusing to attend.</b></p> <p>Any witness who –</p> <p>(a) refuses or neglects, without reasonable cause, to attend at a court in compliance with the requirements of a summons duly served in the manner prescribed by law; or</p> <p>(b) departs from the precincts of the court without the leave of the judge or magistrate holding the same shall be liable on summary conviction, to a penalty not exceeding ten thousand naira or to imprisonment for any term <b>not exceeding two months</b>:</p>



<b>S.147</b>	<p><b>Power to dispense with personal attendance of defendant in certain case.</b></p> <p>(1) Whenever a court issues a summons in respect of any offence for which the penalty is a fine not exceeding Ten thousand Naira or imprisonment for a term <b>not exceeding six months</b> or both, the court on application of the defendant-</p>
<b>S.151</b>	<p><b>State to bear expenses for medical and other bodily examination.</b></p> <p>3. Where the medical personnel appointed in accordance with (2) above declines or refuses to perform the examination, or demands any payment from either the complainant or defendant or induces any other condition on them, a report of such will be made to the Court, and the Court if satisfied of the truth of the allegation shall upon conviction under this section impose punishment of <b>two months'</b> imprisonment or (N200,000) two hundred thousand naira in lieu of imprisonment or both.</p>
<b>S.154</b>	<p><b>Witness refusing to be sworn or produce document.</b></p> <p>1. When a person attending court and who is required to give evidence, without any sufficient excuse or reason-</p> <p>(a) refuses to be sworn or to affirm as a witness.</p> <p>(b) having been sworn or having taken affirmation refuses to answer any question put to him;</p> <p>(c) refuses or neglects to produce any document or anything which he is required by the court to produce, the court may adjourn the hearing of the case and may in the meantime by warrant, commit the person to prison or other place of safe custody for a period <b>not exceeding 30 days.</b></p>
<b>S.157</b>	<p><b>Adjournment on daily basis where bail is refused.</b></p> <p>Where in any proceedings before a court the defendant is in custody and not granted bail, the court shall hear the matter from day to day until conclusion. Provided that where it is not possible to adjourn the hearing of the matter from day to day, the adjournment shall <b>not exceed three days</b> at any instance.</p>
<b>S.176</b>	<p><b>Limitation of period for making a private complaint.</b></p> <p>In every case where no time is specially limited for making a complaint for a summary conviction offence in the law relating to such offence, such complaint if made other than by a person in his official capacity shall be made <b>within six months</b> from the time when the matter of such complaint arose, and not after.</p>
<b>S.179</b>	<p><b>Procedure for instituting criminal proceedings in magistrates' court.</b></p> <p>2. The charge sheet filed by the prosecution shall be served on the defendant <b>within seven days</b> of its being filed or such time as the court may allow.</p> <p>3. The trial of a charge preferred under subsection (1) paragraphs (a) and (b) of this section shall commence <b>not later than 30 days</b> from the date of filing the charge, and the trial of the person brought under the charge shall be completed within a reasonable time.</p> <p>4. Where a charge is preferred under subsection (1) paragraphs (a) and (b) of this section and the trial does not commence <b>within 30 days</b> of bringing the charge, or trial has commenced but has not been completed after the expiration of the time prescribed in section 259 of this law, the Court shall forward to the Chief Judge the particulars of the charge and reasons for failure to commence the trial or to complete the trial provided that the trial shall continue from day to day pending the directive of the Chief Judge.</p>
<b>S.180</b>	<p><b>Front loading of processes at the magistrate court.</b></p> <p>2. The Defendant shall file and serve on the prosecution all documents and materials it intends to rely for his defence <b>within 14 days</b> of service on him by the prosecution</p>
<b>S.182</b>	<p><b>Returns by Controller- of Prisons.</b></p>

	1. The Comptroller of Prisons shall make return every quarter the Chief Judge and to the Attorney-General of all persons awaiting trial held in custody within the state for a period <b>beyond 180 days</b> from the date of arraignment
<b>S.212</b>	<b>Power to bind parties to be of good behaviour.</b> 1. On any summary trial the court may, whether the complaint be dismissed or not, bind over either the complainant or defendant, or both, with or without a surety or sureties, to be of good behaviour. Where any person so bound, in default of compliance with the order, he may be imprisoned for any term <b>not exceeding three months</b> , in addition to any other punishment to which such person is liable.
<b>S.214</b>	<b>Perjury. Summary procedure.</b> If it appears to a court that a person has been guilty of perjury in any proceeding before it, the court, subject to the provisions of section 216, may – (a) commit him for trial upon information of perjury and bind any person by recognizance to give evidence at his trial; or (b) try him summarily as for a contempt of court and if he is found guilty commit him to prison for <b>six months</b> or impose a fine on him in accordance with the scale of fine as provided in this Law
<b>S.221</b>	<b>Power to remand person charged.</b> Notwithstanding the provisions of sections 223 to 226 of this Law, a magistrate, without prejudice to any other power which he may possess and contained in this law, may for the purpose of ascertaining whether it is expedient to deal with a case summarily, either before or during the hearing of the case, adjourn the case and remand the person charged for a period <b>not exceeding 48 hours</b> or release him on bail
<b>S.226</b>	<b>Time protocol for remand orders.</b> 1. Where an order of remand of the person is made pursuant to section 224 of this Law, the order shall be for a period <b>not exceeding 14 days</b> in the first instance, and the case shall be returnable within the same period. 2. Where, on application in writing, good cause is shown why there should be an extension of the remand period, the court may make an order for further remand of the person for a period <b>not exceeding 14 days</b> and make the proceedings returnable within the same period. 4. At the expiration of the remand order made pursuant to subsection (1) or (2) of this section, and if the person is still remanded with his trial having not commenced, or charge having not been filed at the relevant court having jurisdiction, the court shall issue a hearing notice on the Commissioner of Police or any other law enforcement agency concerned and the Director of Public Prosecutions of the State and adjourn the matter within a period <b>not exceeding 14 days</b> of the expiration of the period of remand order made under subsection (1) or (2) of this section, to inquire as to the position of the case and for the Commissioner of Police and the Director of Public Prosecutions to show cause why the person remanded should not be unconditionally released. 5. Where the Commissioner of Police and the Director of Public Prosecutions show good cause pursuant to subsection (4) of this section and make a request to that effect, the court – (a) may extend the remand of the person for a final period <b>not exceeding 30 days</b> for the person to be arraigned for trial before an appropriate court or tribunal; and (b) shall make the case returnable within the said period of <b>30 days</b> from the date the hearing notice was issued pursuant to subsection (4) of this section.
<b>S.229</b>	<b>Adjournment for Attorney General's decision.</b> Where an adult charged with an indictable offence is being tried summarily by a magistrate, such magistrate shall, at the request of any person in charge of the

	<p>prosecution, made at any time before judgment, adjourn the hearing of the charge in order that the Attorney General may be consulted with a view to obtaining an order as in section 169 to have the case dealt with as one for trial on information in accordance with the provisions of Chapter 16. Provided that the order of the Attorney General shall be filed <b>within 30 days</b> from the date the magistrate grants such request of the prosecution, failing which the magistrate shall proceed to try and conclude the case summarily</p>
<b>S.235</b>	<p><b>Case files, legal advice, and related proceeding.</b>  2. The office of the Attorney General shall, <b>within 14 days</b> of receipt of the police case file, issue his legal advice, and where he is of the opinion that the defendant has no prima facie case to answer, he shall serve a copy of the legal advice on-</p> <p>(a) the police or the head of the police legal unit or such other law enforcement agency that filed the charge.  (b) the magistrate before whom the person was remanded in prison, if he is in remand custody, or before whom the person was granted bail, if he is on bail; and  (c) the defendant, or through the prison authority, if he is remanded in custody, or through his legal representative, if any;</p>
<b>S.238</b>	<p><b>Contents of proofs of evidence.</b>  2. Where at the close of the case for the prosecution, the defendant intends to present a defence, he shall <b>within 30 days</b> file and serve on the prosecution, written deposition of all his witnesses, list of documents and materials to be relied upon during trial if any</p>
<b>S.239</b>	<p><b>Signing of information.</b>  3. Whenever an information has been filed in the court, the Chief Judge or Administrative Judge shall take appropriate steps to ensure that the information filed is assigned to a judge <b>within seven days</b> of its filing.  4. On assigning the information, the appropriate court to which the information is assigned shall <b>within 14 days</b> of such assignment issue hearing notices to the witnesses and the defendant and a production warrant properly endorsed by the Judge in respect of the defendant if he is in custody, for the purpose of ensuring his appearance on the date of trial and the Registrar shall ensure the prompt service of the notice and information <b>not less than three days</b> from the date stated therein for the hearing of the information.  7. Where it is impossible or impracticable to effect personal service of the hearing notice and information on the defendant, same may be served on him, with leave of court through his legal practitioner, if any, or on his surety or sureties, or on any adult in his household, and such service shall be deemed to be due service on the defendant: Provided that nothing in this section shall prevent the defendant from being tried by reason only that the notice of trial and information were served on him <b>less than three days</b> before the date of trial, if he consents to being so tried</p>
<b>S.251</b>	<p><b>Form of notice of trial.</b>  A. B. Take notice that you will be tried on the information of which this is a true copy, at the session to be held at ..... on ..... the ..... day of..... 20..... Also find attached is the “Information on Legal Representation” Form which you must complete and return to the Registry of this court <b>within 14 days</b> of service on you of this notice of trial.</p>
<b>S.255</b>	<p><b>Time and mode of summoning parties on information.</b>  1. The Sheriff or other proper officer aforesaid shall, as soon as may be after having received a copy of the information and notice of trial, and <b>three days</b> at least before the day specified therein for trial, or within such lesser time as the court may for good cause order, by himself or his deputy or other officer, deliver to the party charged the said copy and notice and explain to him the nature thereof, and when the said party is not in custody or shall have been admitted to bail and cannot readily be found he shall leave a copy of the said information and notice of trial with some one of his household, for him</p>

	<p>at his dwelling-house, or with someone of his bail, for him, and if none of such can be found, shall affix the said copy and notice to the outer or principal door of the dwelling house of the party charged or of any of his bail:</p> <p>Provided that —</p> <p>(a) nothing herein contained shall prevent any person in custody or awaiting trial at the opening of or during any sessions, from being tried thereat, if he shall have been served with a copy of the information and notice of trial <b>not less than three days</b> before the date on which he is to be tried;</p> <p>(b) such last mentioned period of <b>three days</b> may be reduced to a shorter period if such person shall express his assent thereto and no special objection be made thereto on the part of the State.</p>
<b>S.258</b>	<p><b>Time for raising certain objections, day-to-day trial and adjournments.</b></p> <p>2(a) Upon arraignment the trial of the defendant shall proceed from day-to-day until the conclusion of the trial. (b) Where day-to-day trial is impracticable after arraignment, each party shall be entitled to not more than two adjournments, and there shall not be more than two adjournments at the instance of the court, Provided that no adjournment during trial shall exceed <b>14 days inclusive of weekends</b>.</p>
<b>S.259</b>	<p><b>Time Standards.</b></p> <p>In all criminal proceedings, the court proceedings shall be guided by the following maximum time standards-</p> <p>(a) For capital offences, a maximum period of <b>540 (five hundred and forty) days</b></p> <p>(b) For other offences triable on information, a maximum period of <b>360 (three hundred and sixty) days</b></p> <p>(c) For all summary trials, a maximum period of <b>180 (one hundred and eighty) days</b></p> <p>(d) For bail applications, a maximum period of <b>30 days</b></p> <p>(e) For all other interlocutory applications, a maximum period of <b>90 (ninety) days</b></p>
<b>S.260</b>	<p><b>Court may extend time.</b></p> <p>2. In computing time, the period of court vacation, <b>annual leave</b> of a magistrate and industrial actions shall not be taken into account.</p>
<b>S.261</b>	<p><b>Case management register to be maintained by Chief Registrar.</b></p> <p>1. A case management register shall be maintained in the office of the Chief Registrar, who shall submit <b>quarterly</b> reports of compliance with the time standards to the Judicial Service Commission of Enugu State for appropriate disciplinary action in cases of default by any court.</p>
<b>S.265</b>	<p><b>Fine for non-attendance of witness.</b></p> <p>A person who fails to attend as witness in either of the cases mentioned in sections 262 and 263 of this Law without reasonable explanation shall be liable, on the summary order of the court, to a fine in a reasonable sum to be fixed by the court, but not less than five thousand naira and, in default of payment, to imprisonment for a term corresponding to the fixed sum, but the period of imprisonment <b>shall not exceed two months</b>.</p>
<b>S.274</b>	<p><b>Contents of proofs of evidence.</b></p> <p>2. Where at the close of the case for the prosecution, the defendant intends to present a defence, he shall <b>within 30 days</b> file and serve on the prosecution, written deposition of all his witnesses, list of all the exhibits intended to be tendered and copies of documentary evidence to be tendered</p>
<b>S.306</b>	<p><b>Three offences of the same kind within 12 months may be charged together.</b></p> <p>When a person is accused of more offences than one committed within the period of <b>12</b></p>

	<p><b>months</b> from the first to the last of such offence whether in respect of the same person or thing or not, he may be charged with and tried at one trial for any number of them not exceeding three.</p>
<b>S.335</b>	<p><b>Procedure for trial on charge for certain offences.</b> 5. Any contravention of the provisions of sub section 2 of this section shall be an offence and liable on conviction to a minimum term of <b>one year</b> imprisonment.</p>
<b>S.372</b>	<p><b>Witness refusing to be sworn or produce document.</b> 1. When any person attending either in obedience to a summons or by virtue of a warrant or being present in court and being verbally required by the court to give evidence in any case – (c) refuses or neglects to produce any documents which he is required by the court to produce; without in any such case offering any sufficient excuse for such refusal or neglect, the court may, if it thinks fit, adjourn the hearing of the case for any period <b>not exceeding eight days</b> where practicable, and may in the meantime, by warrant, commit such person to prison or to other place of safe custody, unless he sooner consents to do what is so required of him</p>
<b>S.412</b>	<p><b>Power to order detention for one day in precincts of the court.</b> Where the court has power to pass a sentence of imprisonment, the court may, in case of a simple offence, in lieu of passing sentence of imprisonment, may order that the offender be detained within the precincts of the court or at any police station till <b>such hour, not later than eight in the evening on the day</b> on which he is convicted, as the court may direct; Provided that the court shall, before making an order of detention under this section, take into consideration the distance between the place of detention and the offender's abode, if his abode is known to or ascertainable by the court, and shall not make any such order of detention under this section as will deprive the offender of a reasonable opportunity of returning to his abode <b>on the day on which such order of detention is made.</b></p>
<b>S.413</b>	<p><b>Consecutive sentences of imprisonment.</b> Where a sentence of imprisonment is passed on any person by a court, the court may order that the sentence shall commence at the expiration of any other term of imprisonment to which that person has been previously sentenced by any competent court or tribunal in Nigeria. However, where two or more sentences passed by a Magistrates' Courts are ordered to run consecutively, the aggregate term of imprisonment shall <b>not exceed four years</b> or the limit of jurisdiction of the adjudicating magistrate whichever is greater.</p>
<b>S.414</b>	<p><b>Date from which sentence commences.</b> A sentence of imprisonment takes effect from and <b>includes the whole of the day</b> of the date on which it was pronounced.</p>
<b>S.415</b>	<p><b>Power to order payment of fine in lieu of imprisonment.</b> 2. In the case of a conviction in the High Court, the amount of the fine shall be in the discretion of the court, and any term of imprisonment imposed in default of payment of the fine shall <b>not exceed two years.</b></p>
<b>S.422</b>	<p><b>Scale of imprisonment for non-payment of money adjudged to be paid.</b> 1. The Governor shall have power to review from time to time the provisions for fines, compensation or sums of money under the law. 2. Subject to the provisions of the written law on which the order is founded, the period of imprisonment, whether with or without labour, which is imposed by the court in respect of the non-payment of any sum to be paid by an order, shall be such period as in</p>



	<p>the opinion of the court will satisfy the justice of the case but shall not exceed the maximum fixed in the following scale: Limitation of imprisonment in default of payment of fine shall not exceed the following where fine-</p> <p>(a) does not exceed N3,000 .. <b>seven days</b>;</p> <p>(b) above N3000 but not exceeding N5000 .. <b>14 days</b>;</p> <p>(c) above N5000 but not exceeding 10,000 .. <b>one month</b>;</p> <p>(d) above N10,000 not exceeding N20,000 .. <b>two months</b>;</p> <p>(e) above N20,000 but not exceeding N50,000 .. <b>six months</b>;</p> <p>(f) above N50,000 but not exceeding N100,000.. <b>eight months</b>;</p> <p>(g) above N100,000 .. <b>one year</b>;</p> <p>3. No commitment for non-payment of a fine shall be for a period longer than <b>two years</b>, except where the law under which the conviction has taken place enjoins or allows a longer period.</p>
<b>S. 428</b>	<p><b>Limit of three months.</b></p> <p>When the court orders the imprisonment of any person, the court may, if it thinks fit, order that such imprisonment shall not commence forthwith, but shall commence on any day <b>not more than three months</b> after the date of such order as the court may fix, and in such case the court may either release the person until such day or discharge him upon his entering into a recognizance, with or without sureties, conditioned for his reappearance on such day to undergo such imprisonment.</p>
<b>S.429</b>	<p><b>Execution of warrants.</b></p> <p>Any warrant of commitment issued under the provisions of this chapter may be executed on <b>any day including Sunday or public holiday</b>.</p>
<b>S.438</b>	<p><b>Procedure on the execution of distress warrants.</b></p> <p>In the execution of a distress warrant the following provisions shall have effect:</p> <p>(a) a warrant of distress shall be executed by or under the direction of the sheriff;</p> <p>(b) if the person charged with the execution of the warrant is prevented from executing the warrant by the fastening of doors or otherwise, the court may, by writing under his hand endorsed on the warrant, authorize him to use such force as may be necessary to enable him to execute the warrant;</p> <p>(c) the wearing apparel and bedding of the person and of his family to the value of twenty thousand naira, the tools and implements of his trade, shall not be taken;</p> <p>(d) except as provided in paragraph (e) of this subsection and so far as the person on whose movable property the distress is levied consents in writing to an earlier sale, the goods distrained on shall be sold at public auction <b>not less than five days</b> and <b>not more than 14 days</b> after the making of the distress, but where consent in writing is so given, the sale may be in accordance with the consent;</p>
<b>S.455</b>	<p><b>Conditional release of offenders.</b></p> <p>2. The court may make an order under subsection (1) of this section- (a) dismissing the charge; or (b) discharging the offender conditionally on his entering into a recognizance, with or without sureties, to be of good behaviour and to appear at any time during such period <b>not exceeding three years</b> as may be specified in the order.</p>
<b>S.463</b>	<p><b>Variation of terms and conditions of probation.</b></p> <p>The court before which a person is bound by a recognizance under this Part to appear for conviction and sentence or for sentence may-</p> <p>(a) at any time if it appears to it on the application of the probation officer that it is expedient that the terms or conditions of the recognizance should be varied, summon the person bound by the recognizance to appear before it and if he fails to show cause why the variation should not be made:</p> <p>(i) vary the terms of the recognizance by extending or diminishing the duration, which</p>



	shall <b>not exceed three years</b> from the date of the original order, or (ii) alter the conditions or insert additional conditions;
<b>S.471</b>	<b>Performance of Community Service Order.</b> 1. The Community Service Order shall be performed for a period of not more than six months and the offender shall not work for more than <b>five hours a day</b> .
<b>S.475</b>	<b>Discharge of Community Service Order.</b> Where an offender has been ordered to undergo community service for a period of <b>more than four months</b> , the supervising officer shall, from time to time, give a report to the Registrar on the offender's performance and general conduct.
<b>S.477</b>	<b>Court may direct release of prisoner before completion of sentence.</b> 1. Where upon the Comptroller General of Prisons makes a report to the court recommending that a person: (a) sentenced and serving his sentence in prison is of good behaviour; and (b) has served at least one third of his prison term, if he is sentenced to imprisonment for a term of at least <b>15 years</b> or if he is sentenced to life imprisonment, the court may, after hearing the prosecution and the prisoner or his legal representative, order that the remaining term of his imprisonment be suspended, with or without conditions, as the court considers fit, and the prisoner shall be released from prison on the order.
<b>S.484</b>	<b>Order for disposal of property regarding which offence committee.</b> Where the court orders the forfeiture or confiscation of any property as provided in subsection (1) but does not make an order for its destruction or for its delivery to any person, the court may direct that the property shall be kept or sold and the same if sold, the proceeds thereof shall be held as it directs until some person establishes to the court's satisfaction a right thereto. If no person establishes such a right <b>within six months</b> from the date of forfeiture or confiscation of such property, the proceeds thereof shall be paid into and form part of the general revenue
<b>S.500</b>	<b>Procedure when defendant is suspected to be of unsound mind.</b> 4. The medical officer shall keep such person under observation during the period of his remand and before the expiration of such period shall certify under his hand to the court his opinion as to the state of mind of such person, and if he is unable within the period to form any definite conclusion, shall so certify to the court and shall ask for a further remand. Such further remand may extend to a period of <b>two months</b> .
<b>S.521</b>	<b>Power of representative.</b> A representative may on behalf of a corporation- (c) express assent to the trial of the corporation on information, notwithstanding that a copy of the information and notice of trial have not been served on the corporation <b>three days or more</b> before the date on which the corporation is to be tried.
<b>S.538</b>	<b>Establishment of the Enugu State Justice Reform Team.</b> 5. Members of the Team shall hold office for <b>four years</b> renewable only once and shall be paid such allowances as may be determined by the Attorney-General.
<b>S.539</b>	<b>Further functions of the committee.</b> (e) it collates, analyzes and publishes <b>annually</b> information in relation to the administration of criminal justice sector in the State;
<b>S.540</b>	<b>Secretariat of the team.</b> 3. The Secretary shall be a legal practitioner of not less than five years post call experience and shall possess sound knowledge of the practical functioning of the

	criminal justice system and adequate experience in justice system administration.
<b>S.541</b>	<p><b>Officers of the Team</b></p> <p>1. There shall be the following officers of the Team who shall be elected from among its members for <b>three years</b> tenure renewable only once, namely-</p> <p>(a) The Team facilitator  (b) The Deputy Team facilitator  (c) Secretary  (d) Publicity Secretary/PRO</p>
<b>S.542</b>	<p><b>Funds and Accounts.</b></p> <p>2. The Secretary shall submit to the Attorney-General not later than 30th September in <b>each financial year</b>, an estimate of its expenditure and income during the <b>next financial year</b>.</p>
<b>S.543</b>	<p><b>Annual report.</b></p> <p>The Team shall prepare and publish an <b>annual report</b> of its activities.</p>

**THE COMPREHENSIVE LIST OF TIMELINES UNDER THE ACJL OYO STATE.**

<b>S.17</b>	<p><b>Recording of Arrests.</b></p> <p>(2) The process of recording in subsection (1) of this section shall be concluded within a reasonable time of the arrest of the person, but <b>not exceeding 24 hours</b>.</p> <p>(4) The Commissioner of Police shall transmit to the office of the Attorney General duplicate case file and such other records in relation to offences under the law of the State immediately after the conclusion of the investigation but <b>not later than two weeks</b> and the office of the Attorney-General shall <b>within four weeks</b> of the receipt of the records of arrest provide the Commissioner of Police with legal opinion on the appropriate actions to be taken in respect of the state offences.</p>
<b>S.20</b>	<p>Refusal to give name and residence.</p> <p>(3) Where the true name and address of the person arrested cannot be ascertained <b>within 24 hours</b> from the time of arrest, or if he fails to execute recognizance, or, where so required, to furnish sufficient sureties, he shall forthwith be brought before the nearest Magistrate having jurisdiction.</p>
<b>S.30</b>	<p><b>Quarterly report of Arrests to the Attorney General.</b></p> <p>(1) The Commissioner of Police in the State and head of every agency authorised by law to effect arrests within the State shall remit <b>quarterly</b> to the Attorney General a record of all arrest made with or without warrant in relation to offences under the law of the State or arrest made within the State.</p>
<b>S.31</b>	<p><b>Release on bail of a person arrested without warrant.</b></p> <p>(1) Where a person has been taken into police custody without a warrant for an offence other than an offence punishable with death, an officer in charge of a police station shall inquire into the case and release the person arrested on bail subject to subsection (2) of this section, and where it will not be practicable to bring the person before a court having jurisdiction, with respect to the offence alleged <b>within 24 hours</b> of arrest.</p>
<b>S.33</b>	<p><b>Remedy of person detained in custody.</b></p> <p>(1) Where a person taken into custody in respect of a non-capital offence is released on bail <b>after 24 hours</b>, a court having jurisdiction with respect to the offence may be notified by application on behalf of the arrested person.</p>

S.34	<p><b>Police to Report to Supervising Magistrate.</b></p> <p>(1) An officer in charge of a police station or an official in charge of an agency authorised to make arrest shall, <b>on the last working day of every month</b>, report to the nearest Magistrate the cases of all persons arrested without warrant within the limits of their respective stations or agency whether the person have been admitted to bail or not.</p>
S.35	<p><b>Chief Magistrates to Visit places of Detention.</b></p> <p>35. (1) The Chief Magistrate, or where there is no or Chief Magistrate within the police division, any Magistrate designated by the Chief Judge for that purpose, shall, <b>at least every month</b>, conduct an inspection of police stations or other places of detention within his territorial jurisdiction other than the prison</p>
S.42	<p><b>Summons for Person absconding.</b></p> <p>Where a court has reason to believe, whether after evidence or that a person, against whom a warrant of arrest has been issued by itself or by any court or Justice of the Peace, has absconded or is concealing himself so that the warrant cannot be executed, the court may publish the summons in writing requiring that person to appear at a specific place and time not less than <b>30 days</b> from the date of publishing the summons.</p>
S.56	<p><b>Security for good behaviour for suspected persons.</b></p> <p>Where a Magistrate is informed on oath that -</p> <p>(f) is so desperate or dangerous as to render his being at large without security hazardous to the community, such Magistrate may, in the manner provided in this Law, require such person to show cause why he should not be ordered to enter into a recognizance with sureties for his good behaviour for such period, <b>not exceeding three years</b>, as the Magistrate deems fit.</p>
S.63	<p><b>Inquiry as to truth of information.</b></p> <p>4(c) a person shall not be remanded in custody under the powers conferred by this section for a period exceeding <b>15 days at a time</b>.</p>
S.76	<p><b>Consequences of failure to obey order or to appear.</b></p> <p>Where a person against whom an order under section 73 of the Law is made does not perform the act specified in the order or appear and apply to have the order set aside or</p> <p>(a) offends public safety, to a fine of not less than N100,000.00 for individual and not less than N1,000,000.00 in case of a corporate body or imprisonment for <b>a term of six months</b>; or</p> <p>(b) threatens human life, to a fine of not less than N200,000.00 for individual and not less than N2,000,000.00 in case of a corporate body or imprisonment <b>for a term of 12 months</b>.</p>
S.82	<p><b>Order to attach property.</b></p> <p>(3) Any property under attachment shall not be sold until the expiration of <b>three months</b> from the date of the attachment unless it is subject to speedy decay or the Judge or Magistrate considers that the sale would be for the benefit of the owner, in either of which cases the Judge or Magistrate may cause it to be sold whenever he thinks fit.</p>
S.93	<p><b>Limitation of period for making a private complaint.</b></p> <p>In every case where no time is specifically limited for making a complaint for a summary conviction of an offence in the law relating to such offence, if made other than complaint by a person in his official capacity, shall be made within six years from the time when the matter of such complaint arose, and not after</p>
S.99	<p><b>Chief Judge may transfer a case.</b></p> <p>(4) The investigation body shall submit its report <b>within two weeks</b> of appointment except otherwise specified.</p>

<b>S.100</b>	<p><b>When cases may be remitted to another court.</b></p> <p>(b) in the opinion of the court, the offence ought to be conveniently inquired into or tried by another court, within a reasonable period <b>not exceeding seven days</b>, send the case and all processes relating to the case to the head of court for re-assignment to that other court, and where appropriate, remand the person charged in custody or require him to give security for his attendance before that other court to answer the charges and to be dealt with accordingly.</p>
<b>S. 111</b>	<p><b>Modes of instituting Criminal Proceedings in a Magistrates Court.</b></p> <p>(2) The charge sheet filed by the prosecution shall be served on the defendant <b>within seven days</b> of its being filed or such time as the court may allow.</p> <p>(3) The trial of a charge preferred under paragraph (a) of subsection (1) of this section shall commence <b>not later than 30 days</b> from the date of filing the charge, and the trial of the person brought under the charge shall be completed within a reasonable time.</p> <p>(4) Where a charge preferred under paragraphs (a) subsection (1) of this section and the trial does not commence <b>within 30 days</b> of bringing the charge, or trial has commenced but has not been completed <b>after 180 days</b> of arraignment on that charge, the Court shall forward to the Chief Judge the particulars of the charge and reasons for failure to commence the trial or to complete the trial.</p> <p>5) A court seized of criminal proceedings shall <b>in every quarter</b> forward returns of the particulars of all cases, including charges, remand and other proceedings commenced and dealt with in his court within the quarter, to the Chief Judge.</p>
<b>S.112</b>	<p><b>Returns by Comptroller General of Prisons.</b></p> <p>(1) The Comptroller-General of Prisons or any officer authorised by him shall make return <b>every 90 days</b> to the Chief Judge and the Attorney-General of all persons awaiting trial held in custody within the State for a period beyond <b>180 days</b> before the date of arraignment.</p>
<b>S.117</b>	<p><b>Issue of Summons and its content.</b></p> <p>117. Where a complaint is made before a Magistrate as provided in section 115 of this Law and the Magistrate decides to issue a summons, the summons shall be directed to the suspect, stating concisely the substance of the complaint and requiring him to appear at a certain time and place <b>not less than 48 hours</b> after the service of the summons before the court to answer to the complaint and to be further dealt with according to law.</p>
<b>S.119</b>	<p><b>Summons with immediate return date in special circumstances.</b></p> <p>Where, on a complaint being made before a Magistrate as provided in section 115 of this Law, the Magistrate decides to issue a summons, the defendant may be directed to appear immediately in case where an affidavit is made by the complainant either at the time of making the complaint or subsequently that the defendant is likely to leave the district <b>within 48 hours</b>.</p>
<b>S.129</b>	<p><b>Person refusing to sign receipt may be arrested.</b></p> <p>A person who is required to sign a receipt on the back of a duplicate summons to the effect that he received the summons and fails to sign the receipt may be-</p> <p>(a) arrested by the person serving the summons or any other person with powers of arrest under this Law and taken before the court which issued the summons; and</p> <p>(b) detained in custody or committed to prison for such time <b>not exceeding 14 days</b> as the court may deem fit.</p>
<b>S.159</b>	<p><b>Recognisance by parent or guardian of a child.</b></p> <p>(1) Where a child is arrested with or without warrant and cannot be brought forthwith before a court, the police officer in immediate charge for the time being of the police station to</p>

	<p>which the child is brought, shall in the interest of the child remove him from association with any reputed criminal or prostitute, and release the child on a recognizance entered into by his parent or guardian, with or without sureties except-</p> <p>(b)the offence charged is punishable with imprisonment for a term <b>exceeding three years</b>.</p>
<b>S.161</b>	<p><b>Bail where a defendant is charged with offence exceeding three years imprisonment.</b> A defendant charged with an offence punishable with imprisonment for a term <b>exceeding three years</b> shall, on application to the court, be released on bail except in any of the following circumstances –</p>
<b>S.186</b>	<p><b>Registration of Bonds Persons.</b> (3) A person who engages in bail bond services without registration and licence or in contravention of the regulation or terms of his licence is liable to a fine of Five Hundred Thousand Naira or imprisonment for a term <b>not exceeding 12 months</b> or to both fine and imprisonment.</p>
<b>S.187</b>	<p><b>Bondsperson may arrest absconding defendant or person.</b> Where a bonds person arrests a defendant or person who is absconding or who he believes is trying to evade or avoid appearance in court-</p> <p>(a) he shall immediately hand him over to the nearest police station; and (b)the defendant arrested shall be taken to the appropriate court <b>within 12 hours</b></p>
<b>S.208</b>	<p><b>Separate charges for distinct offences.</b> For every distinct offence with which a defendant is accused, there shall be a separate charge and every charge shall be tried separately except in the following circumstances-</p> <p>(a) any three offences committed by a defendant <b>within 12 months</b> whether or not they are of the same or similar character or whether or not they are in respect of the same person or persons;</p>
<b>S.244</b>	<p><b>Mode of dealing with witness arrested under warrant.</b> (1)A witness arrested under a warrant shall, if with practicable and where the hearing of the case for which his evidence is required is fixed for a time which is <b>more than 24 hours</b> after the arrest, be taken before a Magistrate and the Magistrate-</p>
<b>S.245</b>	<p><b>Penalty on Witness refusing to attend.</b> (1) A witness who - (b). departs from the premises of the Court without the leave of the Judge or Magistrate hearing the case, is liable on summary conviction, to a fine not exceeding N10,000.00 or to imprisonment for a term <b>not exceeding two months</b> or to community service as may be determined by the court</p>
<b>S.249</b>	<p><b>Witness refusing to be sworn or produce document.</b> (1) When a person attending court and who is required to give evidence, without any sufficient excuse or reason (a) refuses to be sworn or to affirm as a witness; or (b)having been sworn or having taken affirmation refuses to answer any question put to him; or (c ) refuses or neglects to produce any document or anything which he is required by the court to produce. the court may adjourn the hearing of the case and may in the meantime by warrant, commit the person to prison or other place of safe custody for a period <b>not exceeding 30 days</b>.</p>
<b>S.269</b>	<p><b>Plea bargain guidelines.</b> (17) Any person who, wilfully and without just cause, obstructs or impedes the vesting or transfer of any money, asset or property under this Law, commits an offence and is liable on</p>



	conviction to imprisonment for seven <b>years</b> without an option of fine.
<b>S.277</b>	<p><b>Procedure when defendant is suspected to be of unsound mind.</b></p> <p>(3) Where the court is not satisfied that the defendant is capable of making his defence, the court shall adjourn the trial or proceedings and shall remand the person for a period <b>not exceeding one month</b> to be detained for observation in some suitable place.</p> <p>(4) A defendant detained in accordance with subsection (3) of this section shall be kept under observation by a medical officer during the period of his remand and before the expiration of that period, the medical officer shall-</p> <p>(a) give to the court his opinion in writing as to the state of mind of that person; and</p> <p>(b) where he is unable within the period to form any definite opinion, he shall so certify to the court and ask for a further remand and such further remand may extend to <b>a period of three months</b>.</p> <p>(7) The medical officer in charge of the asylum or such other suitable place shall, within a period <b>not exceeding one month</b> in the first instance or on application to the court for a <b>further period of three months</b>, submit to the court a report in writing containing his opinion on the soundness of mind of the defendant.</p>
<b>S.284</b>	<p><b>Safe custody of defendant discharged.</b></p> <p>Where the finding states that the defendant committed the act alleged, the court before which the trial has been held shall, where the act would have but for the finding of incapacity constituted an offence, order the person to be kept in safe custody in such place and manner as the court thinks fit and shall <b>within 31 days</b> of the order, report the case for an order of the Governor.</p>
<b>S.295</b>	<p><b>Time and protocol for Remand Orders.</b></p> <p>(1) Where an order of remand of the person is made pursuant to section 292 of this Law, the order shall be for a period <b>not exceeding 14 days</b> in the first instance, and the case shall be returnable within the same period.</p> <p>(2) Where, on application in writing, good cause is shown why there should be an extension of the remand period, the court may make an order for further remand of the person for a period <b>not exceeding 14 days</b> and make the proceedings returnable within the same period.</p> <p>(4) At the expiration of the remand order made pursuant to subsection (1) or (2) of this section, and where the person is still remanded with his trial having not commenced, or charge having not been filed at the relevant court having jurisdiction, the court shall issue a hearing notice on-</p> <p>(a) the Commissioner of Police of the State and the Attorney-General; or</p> <p>(b) any relevant authority in whose custody the person is or at whose instance the person is remanded, and adjourn the matter within a period <b>not exceeding 14 days</b> of the expiration of the period of the remand order made under subsection (1) or (2) of this section, to inquire as to the position of the case and for the Commissioner of Police and the Attorney-General to show cause why the person remanded should not be unconditionally released.</p>
<b>S.333</b>	<p><b>Custody or sale of property.</b></p> <p>(2) Where no person establishes a right <b>within six months</b> from the date of forfeiture or confiscation of the property, the proceeds of the sale shall be paid into the Consolidated Revenue Fund of the State or any other appropriate account, as the case may be</p>
<b>S.338</b>	<p><b>Procedure on seizure of property taken during arrest or investigation or stolen.</b></p> <p>(1) The seizure by the police of property taken during arrest or investigation under this Law, or alleged or suspected to have been stolen or found in circumstances which create a suspicion of the commission of an offence, shall within a period not exceeding <b>48 hours</b> of</p>



	<p>the taking of the property or thing, be reported to a court, and the court shall make an order in respect of the property or its delivery to the person entitled to its possession or such other orders as it may deem fit in the circumstances.</p> <p>(2) Where the person entitled to the possession of property referred to in subsection (1) of this section is unknown, the court may detain it and shall issue a public notice specifying the articles of which the property consists and requiring any person who may have a claim to it, to appear before the court and establish his claim <b>within six months</b> from the date of the notice.</p>
<b>S.339</b>	<p><b>Procedure where owner of property seized is unknown.</b></p> <p>(2) At any time <b>within six years</b> from the date of property coming into the possession of the police, the court may direct the property or the proceeds of the sale of the property to be delivered to any person proving his title to it, on payment by him, of any expenses incurred by the court in the matter.</p>
<b>S.345</b>	<p><b>Destruction of Articles relating to counterfeiting where no charge is laid.</b></p> <p>(2) Notice of an action to be taken under subsection (1) (a) of this section shall have been given to the person who appears to be the owner of a currency, matter or thing, where the person is known and can easily be found, that the currency or thing will be destroyed at the end of <b>a specified number of days</b> unless the owner shows that the currency is not counterfeit or that the thing is not intended to be used for the purpose of making counterfeit currency.</p>
<b>S.348</b>	<p><b>Summary procedure in perjury.</b></p> <p>(1) Where it appears to a court that a person has committed perjury in any proceeding before it, the court, subject to subsection (2) of this section and in addition, in the case of a Magistrate, to subsection (3) of this section may-</p> <p>(b) try him summarily for contempt of court and where he is guilty, commit him to prison for a period <b>not exceeding six months</b> or fine him such sum in accordance with the scale of fine in the Fourth Schedule to this Law.</p>
<b>S.350</b>	<p><b>Non-appearance and non-representation of legal practitioner.</b></p> <p>(3) Where the defendant wishes to engage another legal practitioner of his choice, the court shall allow him reasonable time but not <b>exceeding 30 days</b> to do so.</p> <p>(8) Where a legal practitioner intends to disengage from a matter, he shall notify the court, <b>not less than three days</b> before the date fixed for hearing and such notice shall be served on the court and all parties.</p>
<b>S.351</b>	<p><b>When summary trial shall be heard.</b></p> <p>(1) Trial shall be held summarily when -</p> <p>(c) in respect of a trial for an offence punishable with <b>less than three years</b> imprisonment in the Magistrate Court or Tribunal.</p>
<b>S.370</b>	<p><b>Power to bind parties to be of good behaviour.</b></p> <p>(2) A person who breaches an order made, pursuant to subsection (1) of this section, may be imprisoned for a term <b>not exceeding three months</b> in addition to any other punishment to which the person is liable.</p>
<b>S.373</b>	<p><b>Power to Remand.</b></p> <p>Without prejudice to any other power which a Magistrate may possess, he may, for the purpose of ascertaining whether it is expedient to deal with a case summarily, either before or during the hearing of the case, adjourn the case and remand the person charged for a period not <b>exceeding 48 hours</b> or release him on bail.</p>

<p><b>S.374</b></p>	<p><b>Law officer may require case to be adjourned or dealt with specially.</b>  (2) On receipt of the request, the Magistrate shall adjourn the proceeding until such a time as information, complaint or charge is filed in the High court, provided that the information, complaint or charge shall be filed <b>within a period of 30 days</b> of the date the order granting the request.  (3) The Magistrate shall make the case returnable for a period <b>not exceeding 32 days</b> from the date of the grant of the request.  (4) Where at the end of the period of <b>30 days</b> provided in subsection (2) of this section, the information, complaint or charge against the defendant has not been filed at the High Court, the Magistrate shall proceed on the return date to try the charge summarily where he has jurisdiction, or may make an order releasing the defendant on bail pending his arraignment on the information, complaint or charge as requested by the law officer</p>
<p><b>S.375</b></p>	<p><b>Adjournment for law officer’s decision.</b>  (2) The request of the law officer so consulted shall be filed <b>within 14 days</b> of the days of the date the Magistrate grants the request of the person prosecuting, failing which the Magistrate may grant the defendant bail.</p>
<p><b>S.377</b></p>	<p><b>Case files, legal advice and related proceedings.</b>  (2) The Attorney-General shall, <b>within 28 days</b> of receipt of the police case file, issue and serve his legal advice indicating whether or not there is a prima facie case against the defendant for which he can be prosecuted.  (10) Where the defendant indicates in the form referred to in subsection (9) of this section that, he wishes to be represented by a legal practitioner of the Legal Aid Council or any other organisation providing free legal representation, he shall forward the form to the Chief Registrar of the court before whom the information complaint or charge for his trial has been filed and the Chief Registrar shall, <b>within 14days</b> of receipt of the form, ensure that a legal practitioner of the Legal Aid Council as stipulated under this subsection or any other organisation providing free legal representation for the defendant, and by notice in writing inform the defendant of the particulars of the legal representation arranged for him.</p>
<p><b>S.383</b></p>	<p><b>Assignment of charge, complaint or information and issuance of notice of trial.</b>  (1) Where a charge, complaint or information has been filed in the court, the Chief Judge shall take appropriate steps to ensure that the charge complaint or information filed is assigned to a court for trial <b>within 15 working days</b> of its filing.  (2) On assigning the charge, complaint or information the court to which the information is assigned shall <b>within 10 working days</b> of the assignment issue notice of trial to the witnesses and defendants and a production warrant properly endorsed by the Judge in respect of the defendant charged, where he is in custody, for the purpose of ensuring his appearance on the date of arraignment, and the Chief Registrar shall ensure the prompt service of the notice and information <b>not more than three days</b> from the date they are issued.  (6) Nothing in this section shall prevent the defendant from being tried by reason only that the notice of trial and the charge, complaint or information served on him <b>less than three days</b> before the date of trial, where he consents to being so tried.</p>
<p><b>S.384</b></p>	<p><b>Charge, complaint or information by private person.</b>  (2) Where an application for consent to prosecute is made to the Attorney-General by a private legal practitioner and the Attorney-General declines to grant such consent, he shall give his reasons for doing so in writing <b>within 15 working days</b> from the date of the receipt of the application.</p>
<p><b>S.389</b></p>	<p><b>Form of Notice of Trial.</b>  Also find attached is the “information on Legal Representations” Form which you must</p>

	complete and return to the Registry of this court <b>within 14 days</b> of service on you of this notice of trial.
<b>S.391</b>	<b>Time and mode of summoning parties charge, complaint or information.</b> The Sheriff or other proper officer shall, on mode of receipt of the charge, complaint or information summoning and notice of trial, serve the person named in the parties notice <b>at least seven working days</b> before the date charge, specified on the notice.
<b>S.397</b>	<b>Time for raising certain objections, day to day trial and adjournments.</b> (4) Where day-to-day trial is impracticable after arraignment, no party shall be entitled to more than five adjournment from arraignment to final judgment provided that the interval between each adjournment shall <b>not exceed 14 working days</b> . (5) Where it is impracticable to conclude a criminal proceeding after the parties have exhausted their five adjournments each, the interval between one adjournment to another <b>shall not exceed seven seven days</b> inclusive of weekends.
<b>S.401</b>	<b>Fine for non-attendance of witness.</b> A person who fails to attend as witness in either of the cases mentioned in sections 398 and 399 of this Law is liable, on the summary order of the court, to a fine in a reasonable sum to be fixed by the court, but not less than N5,000.00 or community service and in default of payment, to imprisonment for a term corresponding to the fixed sum but the period of imprisonment <b>shall not exceed a period of one month</b> .
<b>S.419</b>	<b>Consecutive sentence of imprisonment.</b> (2) Where two or more sentences passed by a magistrate court are ordered to run consecutively, the aggregate term of imprisonment shall <b>not exceed four years</b> of the limit of jurisdiction of the adjudicating Magistrate.
<b>S.427</b>	<b>Default in payment of fine.</b> (1) In the case of a conviction in the High Court, where no amount of fine is stipulated, the amount of the fine shall be at the discretion of the court, and any term of imprisonment imposed in default of payment of the fine shall <b>not exceed two years</b> .
<b>S.426</b>	Scale of Imprisonment table – refer to table in ACJL booklet.
<b>S.427</b>	<b>Limitation of imprisonment in default of payment of fine.</b> A commitment for non-payment of a fine shall not be for a longer period than <b>two years</b> , except where the law under which the conviction has taken place prescribes or allows a longer period.
<b>S.434</b>	<b>Right of person imprisoned in default to be released on paying sum and effect of part payment.</b> (3) Subject to subsection (2) of this section, where an amount is paid towards a fine- (a) the imprisonment shall be reduced by a number of days bearing as nearly as possible the same proportion <b>to the total number of days</b> for which the person is committed as the sum so paid towards the fine bears to the amount of the fine for which the person is liable; (5) In reckoning- (a) the number of days by which a term of imprisonment would be reduced under this section, <b>the first day of imprisonment</b> shall be taken into account;
<b>S.437</b>	<b>Procedure on the execution of distress warrant.</b> In the execution of a distress warrant the following shall have effect- (d) except as provided in paragraph (e) of this section and so far as the person on whose movable property the distress is levied consents in writing to an earlier sale, the goods distrained on shall be sold at public auction <b>not less than five days</b> and <b>not more than 14 days</b> after the making of the distress, but where consent in writing is so given, the sale may

	<p>be in accordance with the consent;</p> <p>(g) a written account of the costs and charges incurred in respect of the execution of a warrant of distress shall, as soon as practicable, be delivered by the person charged with the execution of the warrant to the court, and the person on whose movable property the distress was levied may, at any time <b>within one month</b> after the making of the distress, inspect the account, without payment of any fee or reward, at any time during office hours, and to take a copy of the account;</p>
<b>442</b>	<p><b>Conditional release of defendant and payment of compensation for loss or injury and of costs.</b></p> <p>(2) The court may make an order under subsection (1) of this section- (a) dismissing the charge; or</p> <p>(b) discharging the defendant conditionally on his entering into a recognizance, with or without sureties, to be of good behaviour and to appear at any time during such period <b>not exceeding three years</b> as may be specified in the order.</p>
<b>S.446</b>	<p><b>Variation of terms and conditions of probation.</b></p> <p>The court before which a defendant is bound by a recognizance under this Part to appear for conviction and sentence or for sentence may -</p> <p>(a) at any time where it appears to it on the application of the probation officer that it is expedient that the terms or conditions of the recognizance should be varied, summon the defendant bound by the recognizance to appear before it and if he fails to show cause why the variation should not be made-</p> <p>(i) vary the terms of the recognizance by reducing or extending the duration, which shall <b>not exceed three years</b> from the date of the original order, or</p> <p>(ii) alter the conditions or insert additional conditions.</p>
<b>S.448</b>	<p><b>Suspended sentence and community service.</b></p> <p>(3) A convict shall not be sentenced to suspended sentence or to community service for an offence involving the use of arms, offensive weapon, sexual offences or for an offence which the punishment exceeds imprisonment for a term of <b>three years</b>.</p>
<b>S.450</b>	<p><b>Performance Community Service Order.</b></p> <p>(1) The community service order shall be performed for a period of <b>not more than 6 months</b> and the convict shall not work for <b>more than five hours a day</b>.</p>
<b>S.454</b>	<p><b>Discharge of Community Service Order.</b></p> <p>(1) Where a convict has been ordered to undergo community service for a period of <b>more than four months</b>, the supervising officer shall, from time to time, give a report to the Registrar on the convict's performance and general conduct</p>
<b>S.456</b>	<p><b>Court may direct release of prisoner before completion of sentence.</b></p> <p>(b) has served at least one-third of his prison term, where he is sentenced to imprisonment for a term of <b>at least 15 years</b> or where he is sentenced to life imprisonment,</p>
<b>S.457</b>	<p><b>Establishment of the Administration of Criminal Justice Monitoring Committee.</b></p> <p>The Committee shall consist of -</p> <p>(j) A representative of the Civil Society working on human right and access to justice or women rights to be appointed by the Committee to serve for a period of <b>two years</b> only;</p>
<b>S.458</b>	<p><b>Functions of the committee.</b></p> <p>(g) <b>quarterly report</b> is submitted to the Chief Judge to keep him abreast of developments towards improved criminal justice delivery and for necessary action; an</p>

<b>S.459</b>	<b>Secretariat of the Committee.</b> (3) The Secretary shall be a legal practitioner of not less than <b>10 years</b> post call experience and shall possess sound knowledge of the practical functioning of the criminal justice system and adequate experience in justice system administration. (5) The Secretary shall hold office for a term of <b>four years</b> and may, subject to satisfactory performance of his functions, be re-appointed for another term of <b>four years</b> only.
<b>S.461</b>	<b>Annual estimates and accounts.</b> (1) The Secretary shall submit to the Attorney General not later than <b>30th September in each financial year</b> , an estimate of its expenditure and income during the next financial year. 2) The Committee shall keep proper accounts and records in respect of each financial year and shall cause its accounts to be audited <b>not later than two months from the end of each financial year</b> .
<b>S.463</b>	<b>Annual Report.</b> The Committee shall prepare and publish an <b>annual</b> report of its activities.
<b>S.464</b>	<b>Proceedings and Quorum of the Committee.</b> (3) subject to the provisions of the applicable standing order, the Committee shall meet at least <b>once a quarter</b> .
<b>S.469</b>	<b>Power of representative.</b> (c) express assent to the trial of the corporation on a charge, complaint or information, notwithstanding that a copy of the charge, complaint or information and notice of trial has not been served on the corporation <b>three days or more</b> before the date on which the corporation is to be tried
<b>S.473</b>	<b>Appeal from Magistrates.</b> (4) The notice of appeal shall be given in every case before the expiration of the <b>30 days</b> after the day on which the court has made the decision appealed against. (6) An appellant, in an appeal brought in accordance with this Part, shall, <b>within 30 days</b> of the pronouncement of the decision appealed against, filed with the registrar of the court from which the appeal is brought a memorandum of ground of appeal setting forth the grounds of his appeal which shall be signed by the appellant or the legal practitioner representing him
<b>S.442</b>	<b>Notice of Trial Form.</b> Also find attached is the “Information on Legal Representation” Form which you must complete and return to the Registry of this court <b>within 14 days</b> of service on you of this notice of trial.

**THE COMPREHENSIVE LIST OF TIMELINES UNDER THE ACJL ADAMAWA STATE.**

<b>S.17</b>	<b>Recording of Arrest</b>  (2) The process of recording in subsection (1) of this section shall be concluded within a reasonable time of the arrest of the suspect, but not exceeding <b>48 hours</b> .
<b>S.18</b>	<b>Central Criminal Records Registry.</b> (3) It shall be the duty of the State Command to ensure that the decisions of the court in all criminal trials are transmitted to the Central Criminal Records Registry <b>within 30 days</b> of the judgment.

**S.21 Refusal to give Name and Residence**

(3) Where the true name and address of the suspect cannot be ascertained **within 24 hours** from the time of arrest, or if he fails to execute bond, or, where so required, to furnish sufficient sureties, he shall forthwith be brought before the nearest Magistrate having jurisdiction.

**S.31 Quarterly report of Arrests to the Attorney General.**

(1) The Commissioner of Police in the State, Controller of Prisons in the State and head of every agency authorised by law to make arrest in respect of state offences, shall remit quarterly to the Attorney-General of the State, a record of all arrests made with or without warrant in relation to state offences.

**S.32 Release on bail of a suspect arrested without warrant.**

32. (1) Where a suspect has been taken into police custody of without a warrant for an offence other than an offence punishable with death, an officer in charge of a police station shall inquire into the case and release the suspect arrested on bail subject to subsection (2) of this section, and where it will not be practicable to bring the suspect before a court having jurisdiction with respect to the offence alleged, **within 24 hours after the arrest.**

**S.34 Remedy of Suspect detained in custody.**

(1) Where a suspect taken into custody in respect of a non-capital offence is not released on bail after **24 hours**, a court having jurisdiction with respect to the offence may be notified by application on behalf of the suspect

**S.35 Police to report to supervising Magistrate.**

(1) An officer in charge of a police station or an official in charge of an agency authorised to make arrest shall on the **last working day of every month** report to the nearest Magistrate the cases of all suspects arrested without warrant within the limits of their respective stations or agency whether the suspects have been admitted to bail or not.

**S.36 Chief Magistrate to visit Police stations every month.**

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

**S.40 Warrant may be issued on any day.**

A warrant of arrest may be issued **on any day**, including a Sunday or public holiday

**S.43 Public summons for person absconding.**

Where a court has reason to believe, whether after evidence or not, that a suspect, against whom a warrant of arrest has been issued by itself or by any court or Justice of the Peace, has absconded or is concealing himself so that the warrant cannot be executed, the court may publish a public summons in writing requiring that person to appear at a specific place and a specific time **not less than 30 days** from the date of publishing the public summons.

**S.44 Publication of Public Summons.**



	(2) A statement in writing from the Judge of the High Court or a Magistrate to the effect that the public summons was duly published on a <b>specified day</b> , shall be conclusive evidence that requirements of this section have been complied with and that the public summons was published on such day.
<b>S.45</b>	<b>Execution of warrant and procedure.</b> (1) A warrant of arrest may be executed on <b>any day, including warrant and a Sunday or public holiday</b> .
<b>S.56</b>	<b>Power of Magistrate to require execution of bond for keeping the peace.</b> (1)(b) do any wrongful act that may probably occasion a breach of the peace or disturb the public tranquillity: the Magistrate may in the manner provided in this Part, require the suspect to show cause why he should not be ordered to enter into a bond, with or without sureties, for keeping the peace for such period, <b>not exceeding one year</b> , as the Magistrate deems fit.
<b>S.57</b>	<b>Security for good behaviour for suspected persons.</b> (b) there is reason to believe that the suspect is taking the precautions with a view to committing an offence: the Magistrate may, in the manner provided in this Part, require the suspect to show cause why he should not be ordered to enter into a bond, with sureties, for his good behaviour for such period, <b>not exceeding one year</b> , as the Magistrate deems fit.
<b>S.58</b>	<b>Security for good behaviour for habitual offenders.</b> (f) is so desperate or dangerous as to render his being at large without security hazardous to the community: such Magistrate may, in manner provided in this Law, require such suspect to show cause why he should not be ordered to enter into a bond, with sureties, for his good behaviour for such period, <b>not exceeding three years</b> , as the Magistrate deems fit.
<b>S.64</b>	<b>Inquiry as to truth of information.</b> (4) For the purposes of subsection (3) of this section: (a) a suspect against whom proceeding are not being taken under Section 56 of this Law shall not be directed to enter into a bond for maintaining good behaviour; (b) the conditions of the bond, whether as to the amount or as to the provisions of sureties or the number of sureties or the pecuniary extent of their liability shall not be more onerous than those specified in the order under Section 60 of this Law; and (c) a suspect shall not be remanded in custody under the powers conferred by this section for a period <b>exceeding 15 days at a time</b> .
<b>S.77</b>	<b>Consequences of failure to obey or to appear.</b> Where a suspect against whom an order under section 74 of this Law is made does not perform the act specified in the order or appear and apply to have the order set aside or modified, he is liable, where the act: (a) offends public safety, to a fine of not less than one hundred thousand naira for individual and not less than one million naira in case of a corporate body or imprisonment for a term of <b>six months</b> ; or (b) threatens human life, to a fine of not less than two hundred thousand naira for individual and not less than two million naira in case of a corporate body or imprisonment for a term of <b>12 months</b> .
<b>S.83</b>	<b>Order to attach property.</b> (3) Any property under attachment shall not be disposed of till <b>the expiration of three months</b> from the date of the attachment unless it is subject to speedy decay, or the Judge or Magistrate considers that the disposal would be for the benefit of the owner, in either of which case, the

	Judge or Magistrate may cause it to be disposed whenever he thinks it is in the interest of justice to do so.
<b>S.84</b>	<p><b>Restoration of attached property.</b></p> <p>(1) Where <b>within one year</b> from the date of the attachment, a attached suspect, whose property is or has been at the disposal of the property Court under Section 82 of this Law, appears voluntarily or being arrested is brought before the Court and proves to its satisfaction that he;...</p> <p>(2) Where <b>after one year</b> from the date of attachment, the suspect whose property is attached or has been at the disposal of the court does not appear voluntarily, the property or the net proceed of its sale shall be forfeited to the Federal or State Government as the case maybe.</p>
<b>S.94</b>	<p><b>Limitation of period for making a private complaint.</b></p> <p>In every case where no time is specially limited for making a complaint for a summary conviction offence in the law relating to such offence, such complaint if made other than by a person in his official capacity shall be made <b>within six years</b> from the time when the matter of such complaint arose, and not after.</p>
<b>S.100</b>	<p><b>Chief Judge may transfer a case.</b></p> <p>(3) Where the Chief Judge is to exercise this power subsequent to a petition, the Chief Judge shall cause the petition to be investigated by an independent body of not more than three reputable legal practitioners <b>within one week</b> of receipt of such petition.</p> <p>(4) The investigating body shall submit its report <b>within two weeks</b> of appointment except otherwise specified.</p>
<b>S.101</b>	<p><b>When cases may be remitted to another court.</b></p> <p>A court before which a person charged with having committed an offence is brought shall where:</p> <p>(b) in the opinion of the court, the offence ought to be conveniently inquired into or tried by another court, within a reasonable period <b>not exceeding seven days</b>, send the case and all processes relating to the case to the head of court for re-assignment to that other court, and where appropriate, remand the suspect charged in custody or require him to give security for his attendance before that other court to answer the charges and to be dealt with accordingly.</p>
<b>S.112</b>	<p><b>Mode of instituting criminal proceedings in a Magistrates court.</b></p> <p>(2) The charge sheet filed by the prosecution shall be served on the defendant <b>within seven days</b> of its being filed or such time as the court may allow.</p> <p>(3) The trial of a charge preferred under subsection (1) paragraphs (a) and (b) of this section shall commence <b>not later than 30 days</b> from the date of filing the charge, and the trial of the person brought under the charge shall be completed within a reasonable time.</p> <p>(4) Where a charge is preferred under subsection (1) paragraphs (a) and (b) of this section and the trial does not commence <b>within 30 days</b> of bringing the charge, or trial has commenced but has not been completed after <b>180 days</b> of arraignment on that charge, the Court shall forward to the Chief Judge the particulars of the charge and reasons for failure to commence the trial or to complete the trial.</p> <p>(5) A Court seized of criminal proceedings shall make <b>quarterly returns</b> of the particulars of all cases, including charges, remand and other proceedings commenced and dealt with in his Court within the quarter, to the Chief Judge.</p>
<b>S.113</b>	<p><b>Returns by Comptroller of prisons.</b></p> <p>(1) The Comptroller of Prisons shall make returns <b>every 30 days</b> to the Chief Judge of the State and to the Attorney of General of the State of all persons awaiting trial held in custody in Prisons for a period beyond <b>one hundred and eighty days</b> from the date of arraignment.</p>

**S.118 Issue and service of summons.**

A summons may be issued or served **on any day, including a Sunday or public holiday.**

**S.119 Issue of summons and contents thereof.**

Where a complaint is made before a Magistrate as provided in Section 117 of this Law and the Magistrate decides to issue a summons, the summons shall be directed to the suspect, stating concisely the substance of the complaint and requiring him to appear at a certain time and place **not less than 48 hours** after the service of the summons before the court to answer to the complaint and to be further dealt with according to Law.

**S.121 Summons with immediate return date in special circumstances.**

Where on a complaint being made before a Magistrate as provided in section 115 of this Law, the Magistrate decides to issue a summons, the defendant may be directed to appear immediately in cases where an affidavit is made by the complainant either at the time of making the complaint or subsequently that the defendant is likely to leave the district **within 48 hours.**

**S.130 Person refusing to sign receipt may be arrested.**

A person who is required to sign a receipt on the back of a duplicate summons to the effect that he has received the summons and fails to sign the receipt may be:-

- (a) arrested by the person serving the summons or any other person with powers of arrest under this Law and taken before the court which issued the summons; and
- (b) detained in custody or committed to prison for such time **not exceeding 14 days** as the court may deem fit.

**S.136 Power to dispense with personal attendance of defendant in certain cases.**

(1) Where a Magistrate or a Judge issues a summons in respect of any offence for which the penalty is a fine of not exceeding Ten thousand Naira or imprisonment for a term **not exceeding six months** or both, the Magistrate or Judge on application of the defendant:

**S.149 Time when search warrant may be issued and executed.**

A search warrant may be issued and executed at **any time on any day, including a Sunday or public holiday.**

**S.161 Bond by parent or guardian of a child.**

(1) Where a child is arrested with or without warrant and cannot be brought forthwith before a court, the police officer in immediate charge for the time being of the police station to which the child is brought, shall inquire into the case and shall except:-

- (a) the charge is one of homicide;
- (b) the offence charged is punishable with imprisonment for a term **exceeding three years;**
- (c) it is necessary in the interest of the child to remove him from association with any reputed criminal or prostitute, release the child on a bond entered into by his parent or guardian, with or without sureties.

**S.162 Bail where a suspect is charged with capital offence.**

(2)(b) extraordinary delay in the investigation, arraignment and prosecution for a period **exceeding one year;** or

**S.163 Bail where a suspect is charged with offences exceeding three years imprisonment.**

	A defendant charged with an offence punishable with imprisonment for a term exceeding <b>three years</b> shall on application to the court, be released on bail except in any of the following circumstances:
<b>S.180</b>	<b>Forfeiture of Bond.</b> (4) When the penalty is not paid and cannot be recovered in manner provided in this Law, the person bound shall be liable to imprisonment for a term <b>not exceeding six months</b> .
<b>S.188</b>	<b>Registration of Bonds person</b> (3) A person who engages in bail bond services without registration and licence or in contravention of the regulation or terms of his license is liable to a fine of five hundred thousand naira or imprisonment for a term <b>not exceeding 12 months</b> or to both fine and imprisonment
<b>S.189</b>	<b>Bondsperson may arrest absconding defendant or suspect.</b>  Where a bondsperson arrests a defendant or suspect who is absconding or who he believes is trying to evade or avoid appearance in court he shall:  (a) immediately hand him over to the nearest police station; and  (b) the defendant arrested shall be taken to the appropriate court <b>within 12 hours</b> .
<b>S.210</b>	<b>Separate charges for distinct offences.</b> For every distinct offence with which a defendant is accused, there shall be a separate charge and every charge shall be tried separately except in the following circumstances: (a) any three offences committed by a defendant <b>within 12 months</b> whether or not they are of the same or similar character or whether or not they are in respect of the same person or persons:
<b>S.233</b>	<b>Procedure for trial on charge for certain offences.</b> (5) Any contravention of the provisions of subsection (2) of this section shall be an offence and liable on conviction to a minimum term of <b>one year imprisonment</b> .
<b>S.246</b>	<b>Mode of dealing with witness arrested under warrant.</b> (1) A witness arrested under a warrant shall, if practicable and where the hearing of the case for which his evidence is required is fixed for a time which is more than 24 hours after the arrest, be taken before a Magistrate and the Magistrate:
<b>S.247</b>	<b>Penalty on witnesses refusing to attend.</b> (1) A witness who: (b) departs from the premises of the Court without the leave of the Judge or Magistrate hearing the case, is liable, on summary conviction, to a fine not exceeding ten thousand naira or to imprisonment for a term <b>not exceeding two months</b> .
<b>S.251</b>	<b>Witness refusing to be sworn or produce document.</b> (1) When a person attending court and who is required to give evidence, without any sufficient excuse or reason: (c) refuses or neglects to produce any document or any thing which he is required by the court to produce, the court may adjourn the hearing of the case and may in the meantime by warrant, commit the person to prison or other place of safe custody for a period <b>not exceeding 30 days</b> .

<b>S.271</b>	<p><b>Defendant may plead guilty for lesser offence(s) than offence charged.</b></p> <p>(14) Any person who wilfully and without just cause obstructs or impedes the vesting or transfer of any money, asset or property under this Law shall be guilty of an offence and liable to imprisonment <b>for seven years</b> without an option of fine.</p>
<b>S.279</b>	<p><b>Procedure where defendant is suspected to be of unsound mind.</b></p> <p>(3) Where the court is not satisfied that the defendant is capable of making his defence, the court shall adjourn the trial or proceedings and shall remand the person for a period <b>not exceeding one month</b> to be detained for observation in some suitable place</p> <p>(4) A defendant detained in accordance with subsection (3) of this section shall be kept under observation by a medical officer during the period of his remand and before the expiration of that period, the medical officer shall:-</p> <p>(a) give to the court his opinion in writing as to the state of mind of that person; and</p> <p>(b) where he is unable within the period to form any definite opinion, he shall so certify to the court and ask for a further remand and such further remand may extend to a period of <b>three months</b>.</p> <p>(7) The medical officer in charge of the asylum or such other suitable place shall, within a period <b>not exceeding one month</b> in the first instance or on application to the court for a further period of <b>three months</b>, submit to the court a report in writing containing his opinion on the soundness of mind of the defendant</p>
<b>S.282</b>	<p><b>Release if defendant of unsound mind, pending investigation or trial.</b></p> <p>(4) Where the order is not given <b>within two months</b>, the court may discharge the defendant or release him on bail on satisfaction that doing so will not endanger the life of the defendant or the life of anyone else.</p>
<b>S.286</b>	<p><b>Safe custody of defendant discharged.</b></p> <p>Where the finding states that the defendant committed the act alleged, the court before which the trial has been held shall, where the act would have but for the finding of incapacity constituted an offence, order the person to be kept in safe custody in such place and manner as the court thinks fit and shall, <b>within 31 days</b> of the order, report the case for an order of the Attorney-General of the State.</p>
<b>S.297</b>	<p><b>Time protocol for remand.</b></p> <p>(1) Where an order of remand of the suspect is made pursuant to Section 294 of this Law, the order shall be for a order period <b>not exceeding 14 days</b> in the first instance, and the case shall be returnable within the same period.</p> <p>(2) Where, on application in writing, good cause is shown why there should be an extension of the remand period, the court may make an order for further remand of the suspect for a period <b>not exceeding 14 days</b> and make the proceedings returnable within the same period.</p> <p>(4) At the expiration of the remand order made pursuant to subsection (1) or (2) of this section, and where the suspect is still remanded with his trial having not commenced, or charge having not been filed at the relevant court having jurisdiction, the court suo motu or upon application shall issue a hearing notice on:</p> <p>(a) the Commissioner of Police and the Attorney-General of the State; or</p> <p>(b) any relevant authority in whose custody the suspect is or at whose instance the suspect is remanded, and adjourn the matter within a period <b>not exceeding 14 days</b> of the expiration of the period of remand order made under subsection (1) or (2) of this section, to inquire as to the position of the case and for the Commissioner of Police and the Attorney-General of the State to show cause why the suspect remanded should not be unconditionally released</p> <p>(5) Where the Commissioner of Police and the Attorney-General of the State show good cause pursuant to subsection (4) of this Section and make a request to that effect, the court:</p>

	<p>(a) may extend the remand of the suspect for a final period not exceeding <b>14 days</b> for the suspect to be arraigned for trial before an appropriate court; and</p> <p>(b) shall make the case returnable within the said period of <b>14 days</b> from the date the hearing notice was issued pursuant to subsection (4) of this section.</p>
<b>S.333</b>	<p><b>Custody or sale of property.</b></p> <p>(2) Where no person establishes a right within <b>six months</b> from the date of forfeiture or confiscation of the property, the proceeds of the sale shall be paid into the Consolidated Revenue Fund of the State or any other appropriate account, as the case may be.</p>
<b>S.338</b>	<p><b>Procedure on seizure of property taken during arrest or investigation or stolen.</b></p> <p>(1) The seizure by the police of property taken during arrest or investigation under this Law, or alleged or suspected to have been stolen or found in circumstances which create a suspicion of the commission of an offence, shall, within a period not investigation <b>exceeding 48 hours</b> of the taking of the property or thing, be reported to a court, and the court shall make an order in respect of the disposal of the property or its delivery to the person entitled to its possession or such other orders as it may deem fit in the circumstances</p> <p>2) Where the person entitled to the possession of property referred to in subsection (1) of this section is unknown, the court may detain it and shall issue a public notice specifying the articles of which the property consists and requiring any person who may have a claim to it, to appear before the court and establish his claim <b>within six months</b> from the date of the notice.</p>
<b>S.339</b>	<p><b>Procedure where owner of property seized is unknown.</b></p> <p>(2) At any time <b>within six years</b> from the date of the property coming into the possession of the police, the court may, direct the property or the proceeds of the sale of the property to be delivered to any person proving his title to it, on payment by him, of any expenses incurred by the court in the matter</p>
<b>S.345</b>	<p><b>Destruction of articles relating to counterfeiting where no charge is laid.</b></p> <p>(2) Notice of an action to be taken under subsection (1) (a) of this section shall have been given to the person who appears to be the owner of a currency, matter or thing, where the person is known and can easily be found, that the coin or thing will be destroyed at the end of a <b>specified number of days</b> unless the owner shows that the currency is not counterfeit or that the thing is not intended to be used for the purpose of making counterfeit currency</p>
<b>S.348</b>	<p><b>Summary procedure in perjury.</b></p> <p>(1) Where it appears to a court that a person has committed perjury in any proceedings before it, the court, subject to the provisions of subsection (2) of this section and in addition, in the case of a Magistrate, to subsection (3) of this section, may:</p> <p>(a) commit him for trial on information of perjury and bind any person by bond to give evidence at his trial; or</p> <p>(b) try him summarily for contempt of court and where he is found guilty, commit him to prison for a period <b>not exceeding six months</b> or fine him in such sum in accordance with the scale of fine in the Fourth Schedule to this Law.</p>
<b>S.350</b>	<p><b>Non-appearance and non-representation of legal practitioner.</b></p> <p>(3) Where the defendant wishes to engage another legal practitioner of his choice, the court shall allow him reasonable time but not exceeding 30 days to do so.</p>



	(8) Where a legal practitioner intends to disengage from a matter, he shall notify the Court, not less than three days before the date fixed for hearing and such notice shall be served on the Court and all parties
<b>S.352</b>	<b>Non-appearance of complainant.</b> (2) Where the court receives a reasonable excuse for the non-appearance of the complainant or his representative or for other sufficient reason, it shall adjourn the hearing of the complaint to some <b>future day</b> on such terms as the court may deem just.
<b>S.353</b>	<b>Non-appearance of defendant.</b> (b) where not satisfied that the summons has been duly served or where a warrant had been issued, in the first instance, for the arrest of the defendant, shall adjourn the hearing of the case to some <b>future day</b> , in order that proper service may be effected or, until the defendant is arrested, as the case may be.
<b>S.370</b>	<b>Power to bind parties to be of good behaviour.</b> (2) A person who breaches an order made, pursuant to subsection (1) of this section, may be imprisoned for a term <b>not exceeding three months</b> in addition to any other punishment to which the person is liable.
<b>S.373</b>	<b>Power to remand.</b> Without prejudice to any other power which a Magistrate may possess, he may, for the purposes of ascertaining whether it is expedient to deal with a case summarily, either before or during the hearing of the case, adjourn the case and remand the person charged for a period <b>not exceeding 48 hours</b> or release him on bail.
<b>S.374</b>	<b>Law officer may require case to be adjourned or dealt with specially.</b> (1) A law officer, in a case where a charge of an indictable offence is being proceeded with summarily by a Magistrate, may, at any time before judgment, request the Magistrate to deal with the case as one for trial on information. (2) On receipt of the request, the Magistrate shall adjourn the proceeding until such a time as information or charge is filed in the High court, provided that the information shall be filed within a period of <b>30 days</b> of the date the order granting the request. (3) The Magistrate shall make the case returnable for a period not exceeding <b>32 days</b> from the date of the grant of the request. (4) Where at the end of the period of <b>30 days</b> provided in subsection (2) of this section, the information or charge against the defendant has not been filed at the High Court, the Magistrate shall proceed on the return date to try the charge summarily where he has jurisdiction, or may make an order releasing the defendant on bail pending his arraignment on the information or charge as requested by the law officer.
<b>S.375</b>	<b>Adjournment for law officers' decision.</b> (1) Where a charge for an offence is being tried summarily law officer's by a Magistrate, he shall, at the request of a person in charge of decision the prosecution made at any time before judgment, adjourn the hearing of the charge for consultation with a law officer with a view to obtaining a request to proceed in accordance with Section 374 of this Law. (2) The request of the law officer so consulted shall be filed <b>within 14 days</b> of the date the Magistrates grants the request of the person prosecuting, failing which the Magistrate shall proceed to try and conclude the case summarily. (3) Where the Magistrate grants an adjournment at a request under subsection (1) of this section, the adjournment shall not be for a period <b>exceeding 15 days</b> , and the Magistrate may accordingly grant the defendant bail.

**S.376 Security for peace in cases tried summarily.**

(2) The convict may be ordered to be imprisoned until the bond is entered into, but the imprisonment shall not:

(a) extend for a term **longer than one year**;

**S.377 Case files, legal advice and related proceedings.**

(2) The Attorney-General of the State shall, **within 14 days** of receipt of the police case file, issue and serve his legal advice indicating whether or not there is a prima facie case against the defendant for which he can be prosecuted.

(10) Where the defendant indicates in the form referred to in subsection (8) of this section that he wishes to be represented by a legal practitioner of the Legal Aid Council or any other organisation providing free legal representation, he shall forward the form to the Chief Registrar of the court before whom the charge or information for his trial has been filed and the Chief Registrar shall, **within 14 days** of receipt of the form, ensure that a legal practitioner of the Legal Aid Council as stipulated under subsection (10) or any other organization providing free legal representation for the defendant, and by notice in writing inform the defendant of the particulars of the legal representation arranged for him.

**S.383 Assignment of information and issuance of notice of trial.**

(1) Where an information has been filed in the court, the Chief Judge shall take appropriate steps to ensure that the information filed is assigned to a court for trial **within 15 working days** of its filing.

(2) On assigning the information, the court to which the information is assigned shall **within 10 working days** of the assignment issue notice of trial to the prosecution witnesses and defendants and a production warrant properly endorsed by the Judge in respect of the defendant charged, where he is in custody, for the purpose of ensuring his appearance on the date of arraignment, and the Chief Registrar shall ensure the prompt service of the notice and information not **more than three days** from the date they are issued.

6) Nothing in this section shall prevent the defendant from being tried by reason only that the notice of trial and the information were served on him **less than three days** before the date of trial, where he consents to being so tried.

**S.384 Information by private person.**

(2) Where an application for consent to prosecute is made to the Attorney-General of the State by a private legal practitioner and the Attorney-General declines to grant such consent, he shall give his reason(s) for doing so in writing **within 15 working days** from the date of the receipt of the application.

**S.391 Time and mode of summoning parties on information.**

The Sheriff or other proper officer shall on receipt of information and notice of trial, serve the person named in the notice at least **seven working days** before the date specified on the notice.

**S.395 Time for raising certain objections, day to day trial and adjournment.**

(4) Where day-to-day trial is impracticable after arraignment, no party shall be entitled to more than five adjournments from arraignment to final judgment: provided always that the interval between each adjournment shall **not exceed 14 working days**.

(5) Where it is impracticable to conclude a criminal proceeding after the parties have exhausted their five adjournments each, the interval between one adjournment to another shall

	not exceed seven days inclusive of weekends.
<b>S.401</b>	<b>Fine for non-attendance of witness.</b> A person who fails to attend as witness in either of the cases attendance mentioned in Sections 398 and 399 of this Law is liable, on the of witness summary order of the court, to a fine in a reasonable sum to be fixed by the court, but not less than five thousand naira and, in default of payment, to imprisonment for a term corresponding to the fixed sum, but the period of imprisonment shall not exceed a period of one month
<b>S.419</b>	<b>Consecutive sentence of imprisonment.</b> (2) Where two or more sentences passed by a Magistrate court are ordered to run consecutively, the aggregate term of imprisonment shall not exceed four years of the limit of jurisdiction of the adjudicating Magistrate.
<b>S.421</b>	<b>Default in payment of fine.</b> (1) In the case of a conviction in the High Court, where no amount of fine is stipulated, the amount of the fine shall be at the discretion of the court, and any term of imprisonment imposed in default of payment of the fine shall not exceed two years.
<b>S.426</b>	<b>Table - Scale of Imprisonment for Non-Payment of Money ordered To Be Paid</b> Refer to table in ACJL booklet.
<b>S.427</b>	<b>Limitation of imprisonment in default of payment of fine.</b> A commitment for non-payment of a fine shall not be for a imprisonment longer period than two years, except where the law under which in default of the conviction has taken place prescribed or allows a longer payment of fine period.
<b>S.434</b>	<b>Time for raising certain objections, day-day trial and adjournments.</b> (3) Upon arraignment the trial of the defendant shall proceed from day-to-day until the conclusion of the trial. (4) Where day-to-day trial is impracticable after arraignment, no party shall be entitled to more than five adjournments from arraignment to final judgment: provided always that the interval between each adjournment shall not exceed 14 working days. (5) Where it is impracticable to conclude a criminal proceeding after the parties have exhausted their five adjournments each, the interval between one adjournment to another shall not exceed seven days inclusive of weekends.
<b>S.437</b>	<b>Procedure on the execution of distress warrant.</b> In the execution of a distress warrant the following provisions shall have effect: (d) except as provided in paragraph (e) of this subsection and so far as the person on whose movable property the distress is levied consents in writing to an earlier sale, the goods distrained on shall be sold at public auction not less than five days and not more than 14 days after the making of the distress, but where consent in writing is so given, the sale may be in accordance with the consent;  (g) a written account of the costs and charges incurred in respect of the execution of a warrant of distress shall, as soon as practicable, be delivered by the person charged with the execution of the warrant to the Court, and the convict on whose movable property the distress was levied may, at any time within one month after the making of the distress, inspect the account, without payment of any fee or reward, at any time during office hours, and to take a copy of the account;
<b>S.451</b>	<b>Deportation order may be limited.</b> An order of deportation may be expressed to be in force for a limited time or for an unlimited time or may require the defendant to report himself to the nearest Immigration office or police

	station at intervals of <b>not less than 30 days</b> .
<b>S.452</b>	<b>Execution of deportation.</b>  (2) Where a defendant leaves or attempts to leave the district or place to which he has been confined prior to deportation while the order of deportation is still in force, without the written consent of the Minister of Interior which consent shall be given subject to any term as to security for good behaviour or otherwise as the Minister of Interior shall deem fit, or wilfully neglects or refuses to report himself as ordered, such person is liable to imprisonment <b>for six months</b> and to be again deported on a fresh warrant under the original order or under a new order.
<b>S.455</b>	<b>Conditional release of defendant and payment of compensation for loss or injury and of costs.</b>  (2) The court may make an order under subsection (1) of this section: (a) dismissing the charge; or (b) discharging the defendant conditionally on his entering into a bond, with or without sureties, to be of good behaviour and to appear at any time during such period <b>not exceeding three years</b> as may be specified in the order.
<b>S.459</b>	<b>Variation of terms and conditions of probation.</b>  (a) at any time where it appears to it on the application of the probation officer that it is expedient that the terms or conditions of the bond should be varied, summon the defendant bound by the bond to appear before it and if he fails to show cause why the variation should not be made:-  (i) vary the terms of the bond by extending or reducing the duration, which <b>shall not exceed three years</b> from the date of the original order; or...
<b>S.461</b>	(3) A convict shall not be sentenced to suspended sentence or to community service for an offence involving the use of arms, offensive weapon, sexual offences or for an offence which the punishment exceeds imprisonment for a term <b>of three years</b> .
<b>S.463</b>	<b>Performance of Community Service Order.</b>  (1) The Community Service Order shall be performed for a period of <b>not more than six months</b> and the convict shall not work for more than <b>five hours a day</b> .
<b>S.467</b>	<b>Discharge of community service order.</b>  (1) Where a convict has been ordered to undergo community service for a period of <b>more than four months</b> , the supervising officer shall, from time to time, give a report to the Registrar on the convict's performance and general conduct.
<b>S.469</b>	<b>Court may direct release of prisoner before completion of sentence.</b>  (b) has served at least one third of his prison term, where he is sentenced to imprisonment for a term of at <b>least 15 years</b> or where he is sentenced to life imprisonment, the court may, after hearing the prosecution and the prisoner or his legal representative, order that the remaining term of his imprisonment be suspended, with or without conditions, as the court considers fit,

and the prisoner shall be released from prison on the order

**S.470 Establishment of the ACJMC.**

(g) the Chairman of any of the local branches of the Nigeria Bar Association in the State to serve for **two years** only.

(i) a representative of the Civil Society working on human rights and access to justice or women rights to be appointed by the Committee to serve for a period of **two years** only.

(k) a representative of the civil society on human rights and access to justice or women rights to be appointed by the Attorney-General of the State to serve for a period of **two years** only.

**S.472 Secretariat of the committee.**

(3) The Secretary shall be a legal practitioner of not less than **ten years** post call experience and shall possess sound knowledge of the practical functioning of the criminal justice system and adequate experience in justice system administration.

(4) The Secretary shall be responsible for the execution n of the policy of the committee and the day-to-day running of the affairs of the Committee.

(5) The Secretary shall hold office for a term of **four years** and may, subject to satisfactory performance of his functions, be re-appointed for another term of **four years and no more**.

**S.474 Annual Estimates and Accounts.**

(1) The Secretary shall submit to the Attorney-General of the and accounts State **not later than 30th September in each financial year**, an estimate of its expenditure and income during the next financial year.

(2) The Committee shall keep proper accounts and records in respect of each financial year and shall cause its accounts to be audited **not later than two months** from the end of each **financial year**.

**S.475 Annual report.**

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

**S.482 Power of Representative.**

(c) express assent to the trial of the corporation on information, notwithstanding that a copy of the information and notice of trial have not been served on the corporation **three days or more** before the date on which the corporation is to be tried.

**S.486 Appeal from Magistrates Court**

(4) The notice of appeal shall be given in every case before the expiration of **the thirtieth day after** the day on which the court has made the decision appealed against.

(6) An appellant in an appeal brought in accordance with the provisions of this Part shall **within 30 days** of the pronouncing of the decision appeal against file with the registrar of the court from which the appeal is brought a brief setting forth the grounds of his appeal which shall be signed by the appellant or the legal practitioner representing him.

**THE COMPREHENSIVE LIST OF TIMELINES UNDER THE ACJL NASARAWA STATE.**

<b>S.15</b>	<b>Recording of Arrests.</b> (2) The process of recording in subsection (1) of this section shall be concluded within a reasonable time of the arrest of the suspect, but <b>not exceeding 48 hours.</b>
<b>S.16</b>	<b>Central Criminal Records Registry</b> (4) The State Police Command shall ensure that the decisions of the court in all criminal trials are transmitted to the State and Central Criminal Records Registries <b>within 30 days</b> of the judgement.
<b>S. 19</b>	<b>Refusal to give name and residence.</b> (3) Where the true name and address of the suspect cannot be ascertained <b>within 24 hours</b> from the time of arrest, or if he fails to execute recognizance, or, where so required, to furnish sufficient sureties, he shall forthwith be brought before the nearest Magistrate having jurisdiction.
<b>S.23</b>	
<b>S.29</b>	<b>Quarterly report of arrests to the Attorney-General.</b> (1) The Commissioner of Police in a State and head of every agency authorised by law to make arrest within a State shall remit <b>quarterly</b> to the Attorney-General a record of all arrests made with or without warrant in relation to offences or arrests within the State.
<b>S.30</b>	<b>Release on bail of a suspect arrested without warrant.</b> (1) Where a suspect has been taken into police custody without a warrant for an offence other than an offence punishable with death, an officer in charge of a police station shall inquire into the case and release the suspect arrested on bail subject to subsection (2) of this section, and where it will not be practicable to bring the suspect before a court having jurisdiction with respect to the offence alleged, <b>within 24 hours</b> after the arrest.
<b>S.32</b>	<b>Remedy of suspect detained in custody.</b> (1) Where a suspect taken into custody in respect of a non-capital offence is not released on bail <b>after 24 hours</b> , a court having jurisdiction with respect to the offence may be notified by application on behalf of the suspect
<b>S.33</b>	<b>Police to report to supervising Magistrates.</b> (1) An officer in charge of a police station or an official in charge of an agency authorised to make arrest shall, on the <b>last working day of every month</b> , report to the nearest Magistrate the cases of all suspects arrested without warrant within the limits of their respective stations or agency whether the suspects have been admitted to bail or not.
<b>S.34</b>	<b>Chief Magistrate to visit police stations every month.</b> (1) The Chief Magistrate, or where there is no Chief Magistrate within the police division, any Magistrate designated by the Chief Judge for that purpose, shall, <b>at least every month</b> , conduct an inspection of police stations or other places of detention within his territorial jurisdiction other than the prison
<b>S.38</b>	<b>Warrant may be issued on any day.</b> A warrant of arrest may be issued on <b>any day, including a Sunday or public holiday.</b>
<b>S.41</b>	<b>Public summons for person absconding.</b> Where a court has reason to believe, whether after evidence or not, that a suspect, against whom a warrant of arrest has been issued by itself or by any court has absconded or is



	concealing himself so that the warrant cannot be executed, the court may publish a public summons in writing requiring that person to appear at a specific place and a specific time <b>not less than 30 days</b> from the date of publishing the public summons
<b>S.43</b>	<b>Execution of warrant and procedure.</b> (1) A warrant of arrest may be executed on <b>any day, including a Sunday or public holiday.</b>
<b>S.54</b>	<b>Power of Magistrate to require execution of recognizance for keeping peace.</b> (1) Where a Magistrate is informed on oath that a suspect is likely to: (a) commit a breach of the peace or disturb the public tranquillity, or  (b) do any wrongful act that may probably occasion a breach of the peace or disturb the public tranquillity, the Magistrate may, in the manner provided in this Part, require the suspect to show cause why he should not be ordered to enter into a recognizance, with or without sureties, for keeping the peace for such period, <b>not exceeding one year</b> , as the Magistrate deems fit.
<b>S.55</b>	<b>Security for good behaviour for suspected persons.</b> Where a Magistrate is informed on oath that: (a) a suspect is taking precautions to conceal his presence within the local limits of the Magistrate's jurisdiction; and  (b) there is reason to believe that the suspect is taking the precautions with a view to committing an offence, the Magistrate may, in the manner provided in this Part, require the suspect to show cause why he should not be ordered to enter into a recognizance, with sureties, for his good behaviour for such period <b>not exceeding one year</b> , as the Magistrate deems fit.
<b>S.56</b>	<b>Security for good for habitual offenders.</b> Where a Magistrate is informed on oath that a suspect within the local limits of his jurisdiction. (f) is so desperate or dangerous as to render his being at large without security hazardous to the community, such Magistrate may, in the manner provided in this Law, require such suspect to show cause why he should not be ordered to enter into a recognizance with sureties for his good behaviour for such period, <b>not exceeding three years</b> , as the Magistrate deems fit
<b>S.62</b>	<b>Inquiry as to truth of information.</b> (4)(c) a suspect shall not be remanded in custody under the powers conferred by this section for a period exceeding <b>15 days at a time.</b>
<b>S.65</b>	
<b>S.75</b>	<b>Consequences of failure to obey order or to appear.</b> (c) threatens human life, to a fine of not less than N200,000.00 for individual and not less than N2,000,000.00 in case of a corporate body or imprisonment for <b>a term of 12 months.</b>
<b>S.81</b>	<b>Order to attach property.</b> (3) Any property under attachment shall not be sold until the expiration of <b>three months</b> from the date of the attachment unless it is subject to speedy decay or the Judge or Magistrate considers that the sale would be for the benefit of the owner, in either of which cases the Judge or Magistrate may cause it to be sold whenever he thinks fit.
<b>S.82</b>	<b>Restoration of attached property.</b>

	<p>(1) Where within <b>one year</b> from the date of the attachment, a suspect, whose property is or has been at the disposal of the Court under Section 80 of this Law, appears voluntarily or being arrested is brought before the Court and proves to its satisfaction that he:</p> <p>(2) Where, after <b>one year</b> from the date of attachment, the suspect whose property is attached or has been at the disposal of the court does not appear voluntarily, the property or the net proceed of its sale shall be forfeited to the State Government as the case may be.</p>
<b>S.89</b>	<p><b>Form of Complaint.</b></p> <p>(6) After the investigation, the police shall charge the suspect to court where the punishment for the offence is <b>less than three years</b> or refer the matter to the Attorney-General where the offence attracts more than <b>three years imprisonment</b>.</p>
<b>S.92</b>	<p><b>Limitation of period for making private Complaint.</b></p> <p>In every case where no time is specially limited for making a complaint for a summary conviction of an offence in the law relating to such offence, such complaint, if made other than by a person in his official capacity, shall be made <b>within two years</b> from the time when the matter of such complaint arose, and not after.</p>
<b>S.98</b>	<p><b>Chief Judge may transfer a case.</b></p> <p>(3) Where the Chief Judge is to exercise this power subsequent to a petition, the Chief Judge may cause the petition to be investigated by an independent body of not more than three reputable legal practitioners <b>within one week</b> of receipt of such petition.</p> <p>(4) The investigating body, if so appointed, shall submit its report <b>within two weeks</b> of appointment except otherwise specified</p>
<b>S.99</b>	<p><b>When cases may be remitted to another court.</b></p> <p>A court before which a person charged with having committed an offence is brought shall, where:</p> <p>(a) the offence ought to be properly inquired into or tried by another court; or</p> <p>(b) in the opinion of the court, the offence ought to be conveniently inquired into or tried by another court, within a reasonable period <b>not exceeding seven days</b>, send the case and all processes relating to the case to the head of court for re-assignment to that other court, and where appropriate, remand the suspect charged in custody or require him to give security for his attendance before that other court to answer the charges and to be dealt with accordingly.</p>
<b>S.110</b>	<p><b>Mode of instituting criminal proceedings in a Magistrate Court.</b></p> <p>(2) The charge sheet filed by the prosecution shall be served on the defendant <b>within seven days</b> of its being filed or such time as the court may allow.</p> <p>(3) The trial of a charge preferred under subsection (1) (a) and (b) of this section shall commence <b>not later than 30 days</b> from the date of filing the charge, and the trial of the person brought under the charge shall be completed within a reasonable time.</p> <p>(4) Where a charge is preferred under subsection (1) (a) and (b) of this section and the trial does not commence <b>within 30 days</b> of bringing the charge, or trial has commenced but has not been completed <b>after 180 days</b> of arraignment on that charge, the Court shall forward to the Chief Judge the particulars of the charge and reasons for failure to commence the trial or to complete the trial.</p> <p>(5) A Court seized of criminal proceedings shall make <b>quarterly returns</b> of the particulars of all cases, including charges, remand and other proceedings commenced and dealt with in his Court within the quarter, to the Chief Judge</p>
<b>S.111</b>	<p><b>Returns by Controller of Prisons.</b></p>

	(1) The Controller of Prisons shall make returns <b>every 90 days</b> to the Chief Judge and to the Attorney-General of all persons awaiting trial held in custody in the prisons in the state for a period <b>beyond 180 days</b> from the date of arraignment
<b>S.116</b>	<b>Issue and service of Summons.</b> A summons may be issued or served on <b>any day, including a Sunday or public holiday.</b>
<b>S.117</b>	<b>Issue of summons and its contents.</b> Where a complaint is made before a Magistrate as provided in Section 115 of this Law and the Magistrate decides to issue a summons, the summons shall be directed to the suspect, stating concisely the substance of the complaint and requiring him to appear at a certain time and place <b>not less than 48 hours</b> after the service of the summons before the court to answer to the complaint and to be further dealt with according to law.
<b>S.119</b>	<b>Summons with immediate return date in special circumstances.</b> Where, on a complaint being made before a Magistrate as provided in Section 115 of this Law, the Magistrate decides to issue a summons, the defendant may be directed to appear immediately in cases where an affidavit is made by the complainant either at the time of making the complaint or subsequently that the defendant is likely to leave the district <b>within 48 hours.</b>
<b>S.129</b>	<b>Person refusing to sign receipt may be arrested.</b> A person who is required to sign a receipt on the back of a duplicate summons to the effect that he has received the summons and fails to sign the receipt may be: (a) arrested by the person serving the summons or any other person with powers of arrest under this Law and taken before the court which issued the summons; and (b) -detained in custody or committed to prison for such time <b>not exceeding 14 days</b> as the court may deem fit
<b>S.135</b>	<b>Power to dispense with personal attendance of defendant in certain cases.</b> (1) Where a Magistrate issues a summons in respect of any offence for which the penalty is a fine not exceeding N10,000.00 or imprisonment for a term <b>not exceeding six months</b> or both, the Magistrate, on application of the defendant:
<b>S.148</b>	<b>Time when search warrant may be issued and executed.</b> A search warrant may be issued and executed at any time on <b>any day, including a Sunday or public holiday.</b>
<b>S.160</b>	<b>Recognizance by parent or guardian of a child.</b> (1) Where a child is arrested with or without warrant and cannot be brought forthwith before a court, the police officer in immediate charge for the time being of the police station to which the child is brought, shall inquire into the case and shall except- (a) the charge is one of homicide; (b) the offence charged is punishable with imprisonment for a term <b>exceeding three years;</b> (c) it is necessary in the interest of the child to remove him from association with any reputed criminal or prostitute, release the child on a recognizance entered into by his parent or guardian, with or without sureties.
<b>S.161</b>	<b>Bail where a suspect is charged with capital offence.</b> (2) For the purpose of exercise of discretion in subsection (1) of this section, "exceptional circumstance" includes: (a) ill health of the applicant which shall be confirmed and certified by a qualified medical practitioner employed in a Government hospital, provided that the suspect is able to prove that there are no medical facilities to take care of his illness by the authority detaining him; (b) extraordinary delay in the investigation, arraignment and prosecution for a period

	exceeding one year;
<b>S.162</b>	<b>Bail where a defendant is charged with offence exceeding three years imprisonment.</b> A defendant charged with an offence punishable with imprisonment for a term exceeding three years shall, on application to the court, be released on bail except in any of the following circumstances
<b>S.163</b>	<b>Bail where a defendant charged with offences not exceeding three years imprisonment.</b> In any other circumstance other than those referred to in Sections 161 and 162 of this Law, the defendant shall be entitled to bail, unless the court sees reasons to the contrary
<b>S.178</b>	<b>Forfeiture of recognizance</b> (4) When the penalty is not paid and cannot be recovered in the manner provided in this Law, the person bound shall be liable to imprisonment for a term not exceeding six months.
<b>S.186</b>	<b>Registration of bonds persons.</b> (3) A person who engages in bail bond services without registration and licence or in contravention of the regulation or terms of his licence is liable to a fine of five hundred thousand naira or imprisonment for a term not exceeding 12 months or to both fine and imprisonment
<b>S.187</b>	<b>Bondsperson may arrest absconding defendant or suspect.</b> Where a bondsperson arrests a defendant or suspect who is absconding or who he believes is trying to evade or avoid appearance in court he shall: (a) immediately hand him over to the nearest police station; and (b) the defendant arrested shall be taken to the appropriate court within 12 hours.
<b>S.208</b>	<b>Separate charges for distinct offences.</b> For every distinct offence with which a defendant is accused, there shall be a separate charge and every charge shall be tried separately except in the following circumstances: (a) any. three offences committed by a defendant within 12 months whether or not they are of the same or similar character or whether or not they are in respect of the same person or persons;
<b>S.231</b>	<b>Procedure for trial on charge for certain offences.</b> (3) Any contravention of the provisions of subsection (2) of this section shall be an offence and liable on conviction to a minimum term of one year imprisonment.
<b>S.244</b>	<b>Mode of dealing with witness arrested under warrant.</b> (1) A witness arrested under a warrant shall, if practicable and where the hearing of the case for which his evidence is required is fixed for a time which is more than 24 hours after the arrest, be taken before a Magistrate and the Magistrate
<b>S.245</b>	<b>Penalty on witnesses refusing to attend.</b> 245. (1) A witness who: (a) refuses or neglects, without reasonable cause, to attend court in compliance with the requirements of a summons duly served in the manner prescribed by law, or (b) departs from the premises of the Court, without the leave of the Judge or court hearing the case, is liable on summary conviction, to a fine not exceeding N50,000.00 or to imprisonment for a term not exceeding two months.
<b>S.249</b>	<b>Witness refusing to be sworn or produce documents.</b> (1) When a person attending court and who is required to give evidence, without any sufficient excuse or reason: (a) refuses to be sworn or to affirm as a witness;

	<p>(b) having been sworn or having taken affirmation refuses to answer any question put to him; or</p> <p>(c) refuses or neglects to produce any document or anything which he is required by the court to produce, the court may adjourn the hearing of the case and may in the meantime by warrant, commit the person to prison or other place of safe custody for a period <b>not exceeding 30 days</b>.</p>
<b>S.269</b>	<p><b>Plea bargain guidelines.</b></p> <p>(14) Any person who, wilfully and without just cause, obstructs or impedes the vesting or transfer of any money, asset or property under this Law, commits an offence and is liable on conviction to imprisonment for <b>seven years</b>.</p>
<b>S.277</b>	<p><b>Procedure when defendant is suspected to be of unsound mind.</b></p> <p>(3) Where the Court is not satisfied that the defendant is capable of making his defence, the Court shall adjourn the trial or proceedings and shall remand the person for a <b>period not exceeding one month</b> to be detained for observation in some suitable place.</p> <p>(4)(b) where he is unable within the period to form any definite opinion, he shall so certify to the court and ask for a further remand and such further remand may extend to a period of <b>three months</b>.</p> <p>(7) The medical officer in charge of the asylum or such other suitable place shall, within a period <b>not exceeding one month</b> in the first instance or on application to the court for <b>a further period of three months</b>, submit to the court a report in writing containing his opinion on the soundness of mind of the defendant.</p>
<b>S.280</b>	<p><b>Release of defendant of unsound mind pending investigation or trial.</b></p> <p>(4) Where the order is not given <b>within two months</b>, the court may discharge the defendant or release him on bail on satisfaction that doing so will not endanger the life of the defendant or the life of anyone else.</p>
<b>S.284</b>	<p><b>Safe custody of defendant discharged.</b></p> <p>Where the finding states that the defendant committed the offence alleged, the court before which the trial has been held shall, where the act would have but for the finding of incapacity constituted an offence, order the person to be kept in safe custody in such place and manner as the court thinks fit and shall, <b>within 31 days</b> of the order, report the case for an order</p>
<b>S.324</b>	<p><b>Custody or sale of property.</b></p> <p>(1) Where the court orders the forfeiture or confiscation of any property but does not make an order for its destruction or for its delivery to any person, the court may direct that the property shall be kept or sold and that the property, if sold, the proceeds of the sale be held as it directs until some person establishes to the court's satisfaction, a right to the property.</p> <p>(2) Where no person establishes a right <b>within six months</b> from the date of forfeiture or confiscation of the property, the proceeds of the sale shall be paid into the Consolidated Revenue Fund of the Federation, Consolidated Revenue Fund of the State or any other appropriate account, as the case may be</p>
<b>S.329</b>	<p><b>Procedure on seizure of property taken during arrest or found in circumstances which create a suspicion of the commission of an offence,</b></p> <p>shall, within a period <b>not exceeding 48 hours</b> of the taking of the property or thing, be reported to a court, and the court shall make an order in respect of the disposal of the property or its delivery to the person entitled to its possession or such other orders as it may deem fit in the circumstances.</p>

	<p>(2) Where the person entitled to the possession of property referred to in subsection (1) of this section is unknown, the court may detain it and shall issue a public notice specifying the articles of which the property consists and requiring any person who may have a claim to it, to appear before the court and establish his claim <b>within six months</b> from the date of the notice.</p>
<b>S.330</b>	<p><b>Procedure where owner of property seized is unknown.</b></p> <p>(2) At any time <b>within six years</b> from the date of the property coming into the possession of the police, the court may direct the property or the proceeds of the sale of the property to be delivered to any person proving his title to it, on payment by him, of any expenses incurred by the court in the matter.</p>
<b>S.336</b>	<p><b>Destruction of articles relating to counterfeiting where no charge is laid.</b></p> <p>(2) Notice of an action to be taken under subsection (1) (a) of this section shall have been given to the person who appears to be the owner of a currency, matter or thing, where the person is known and can easily be found, that the coin or thing will be destroyed at the end of a <b>specified number of days</b> unless the owner shows that the currency is not counterfeit or that the thing is not intended to be used for the purpose of making counterfeit currency</p>
<b>S.339</b>	<p><b>Summary procedure in perjury.</b></p> <p>(1) Where it appears to a court that a person has committed perjury in any proceeding before it, the court, subject to the provisions of subsection (2) of this section and in addition, in the case of a Magistrate, to subsection (3) of this section, may:</p> <p>(a) commit him for trial on information of perjury and bind any person by recognizance to give evidence at his trial; or</p> <p>(b) try him summarily for contempt of court and where he is found guilty, commit him to prison for a period <b>not exceeding six months</b> or fine him in such sum in accordance with the scale of fine in the Fourth Schedule to this Law</p>
<b>S.341</b>	<p><b>Non-appearance and non-representation of legal practitioner.</b></p> <p>(3) Where the defendant wishes to engage another legal practitioner of his choice, the court shall allow him reasonable time but <b>not exceeding 30 days</b> to do so.</p> <p>(8) Where a legal practitioner intends to disengage from a matter, he shall notify the court, <b>not less than three days</b> before the date fixed for hearing and such notice shall be served on the court and all parties.</p>
<b>S.342</b>	<p><b>When summary trials shall be held.</b></p> <p>(1) Trial shall be held summarily:</p> <p>(a) in the High Court in respect of perjury;</p> <p>(b) in respect of an offence which by a Law made by the House of Assembly is triable summarily; and</p> <p>(c) in respect of a trial for an offence punishable with <b>less than three years</b> imprisonment in the Magistrate Court.</p>
<b>S.356</b>	<p><b>Notes of evidence to be recorded electronically or in writing.</b></p> <p>(1) Without prejudice to Section 340 (2) of this Law, court proceedings may be recorded electronically and verbatim such that at the end of <b>each day's</b> proceeding a transcript of such recording shall be printed to enable certification or authentication by the Judge or Magistrate who conducted the proceedings.</p> <p>(2) Where court proceedings are not recorded as stated in sub-section (1), the court shall in every case take notes in writing of the oral evidence, in a book to be kept for that purpose and the book shall be signed by the court at the conclusion of <b>each day's proceedings</b>.</p>
<b>S.361</b>	<p><b>Power to bind parties to be of good behaviour.</b></p>



(1) In a summary trial, the court may, whether the complaint is dismissed or not, by order bind over either the complainant or defendant, or both, with or without a surety or sureties, to be of good behaviour.

(2) A person who breaches an order made, pursuant to subsection (1) of this section, may be imprisoned for a term **not exceeding three months** in addition to any other punishment to which the person is liable.

**S.364 Power to remand.**  
Without prejudice to any other power which a Magistrate may possess, he may, for the purposes of ascertaining whether it is expedient to deal with a case summarily, either before or during the hearing of the case, adjourn the case and remand the person charged for a period **not exceeding 48 hours** or release him on bail

**S.365 Security for peace in cases tried summarily.**  
(1) A defendant convicted of an offence tried summarily may, instead of, or in addition to any prescribed punishment, be ordered to enter into his own recognizance, with or without sureties, in such amount as the court thinks fit that he shall keep the peace and be of good behaviour for a reasonable period fixed by the court.

(2) The convict may be ordered to be imprisoned until the recognizance is entered into, but the imprisonment shall not:

(a) extend for a term **longer than one year**; and

(b) together with the fixed term of imprisonment, if any, extend for a term longer than the longest term for which he might be sentenced to be imprisoned without fine for the offence which he was convicted.

**S.366 Case files, legal advice, and related proceedings.**  
(2) The Attorney-General shall, **within 14 days** of receipt of the police case, file, issue and serve his legal advice indicating whether or not there is a prima facie case against the defendant for which he can be prosecuted.

(10) Where the defendant indicates in the form referred to in subsection (8) of this section that, he wishes to be represented by a legal practitioner of the Legal Aid Council or any other organisation providing free legal representation, he shall forward the form to the Chief Registrar of the court before whom the charge for his trial has been filed and the Chief Registrar shall, **within 14 days** of receipt of the form, ensure that a legal practitioner of the Legal Aid Council as stipulated under this subsection or any other organization providing free legal representation for the defendant, and by notice in writing inform the defendant of the particulars of the legal representation arranged for him

**S.368 Assignment of charge and issuance of notice of trial.**  
(1) Where a charge has been filed in the court, the Chief Judge shall take appropriate steps to ensure that the charge filed is assigned to a court for trial **within 15 working days** of its filing.

(2) On assigning the charge, the court to which the charge is assigned shall within **10 working days** of the assignment issue notice of trial to the witnesses and defendants and a production warrant properly endorsed by the Judge in respect of the defendant charged, where he is in custody, for the purpose of ensuring his appearance on the date of arraignment, and the Chief Registrar shall ensure the prompt service of the notice and charge **not more than three days** from the date they are issued.

(6) Nothing in this section shall prevent the defendant from being tried by reason only that the notice of trial and the charge were served on him less than **three days** before the date of trial, where he consents to being so tried

<b>S.369</b>	<b>Charge by private person.</b> (2) Where an application for consent to prosecute is made to the Attorney-General by a private legal practitioner and the Attorney-General declines to grant such consent, he shall give his reasons for doing so in writing <b>within 15 working days</b> from the date of the receipt of the application
<b>S.376</b>	<b>Time and mode of summoning parties on charge.</b> The Sheriff or other proper officer shall, on receipt of the charge and notice of trial, serve the person named in the notice <b>at least seven working days</b> before the date specified on the notice
<b>S.382</b>	Time for raising certain objections day-to-day trial and adjournments. (3) Upon arraignment, the trial of the defendant shall proceed from <b>day-to-day</b> until the conclusion of the trial.  (4) Where <b>day-to-day</b> trial is impracticable after arraignment, no party shall be entitled to more than five adjournments from arraignment to final judgment provided that the interval between each adjournment shall <b>not exceed 14 working days</b> . (5) Where it is impracticable to conclude a criminal proceeding after the parties have exhausted their five adjournments each, the interval between one adjournment to another <b>shall not exceed seven days</b> inclusive of weekends.
<b>S.386</b>	<b>Fine for non-attendance of witness.</b> A person who fails to attend as witness in either of the cases mentioned in Sections 384 and 385 of this Law is liable, on the summary order of the court, to a fine in a reasonable sum to be fixed by the court, but not less than NS,000.00 and, in default of payment, to imprisonment for a term corresponding to the fixed sum, but the period of imprisonment shall <b>not exceed a period of one month</b> .
<b>S.402</b>	<b>Court to determine term of imprisonment.</b> (j) An appeal court may not increase the sentence of a lower court beyond the <b>maximum number of years</b> the lower court has power to impose; and
<b>S.404</b>	<b>Consecutive sentence of imprisonment.</b> (2) Where two or more sentences passed by a magistrate court are ordered to run consecutively, the aggregate term of imprisonment shall <b>not exceed four years</b> of the limit of jurisdiction of the adjudicating Magistrate
<b>S.405</b>	<b>Date from which sentence commences.</b> A sentence of imprisonment takes effect <b>from and includes the whole of the day</b> of the date on which it was pronounced
<b>S.406</b>	<b>Default in payment of fine.</b> (1) In the case of a conviction in the High Court, where no amount of fine is stipulated, the amount of the fine shall be at the discretion of the court, and any term of imprisonment imposed in default of payment of the fine <b>shall not exceed two years</b> .
<b>S.412</b>	<b>Limitation of imprisonment in default of payment of fine.</b> A commitment for non-payment of a fine shall not be for a longer period than <b>two years</b> , except where the law under which the conviction has taken place prescribes or allows a longer period.
<b>S.417</b>	<b>Commencement of imprisonment pursuant to a warrant.</b> Where a convict is brought to a prison to be imprisoned by virtue of a warrant of commitment, there shall be endorsed on the warrant the day on which the convict was

	arrested by virtue of it and the imprisonment shall be computed <b>from that day and inclusive.</b>
<b>S.422</b>	<p><b>Procedure on the execution of distress warrant.</b></p> <p>(d) except as provided in paragraph (e) of this subsection and so far as the person on whose movable property the distress is levied consents in writing to an earlier sale, the goods distrained on shall be sold at public auction <b>not less than five days and not more than 14 days</b> after the making of the distress, but where consent in writing is so given, the sale may be in accordance with the consent;</p> <p>(g) a written account of the costs and charges incurred in respect of the execution of a warrant of distress shall, as soon as practicable, be delivered by the person charged with the execution of the warrant to the court, and the convict on whose movable property the distress was levied may, at <b>any time within one month</b> after the making of the distress, inspect the account, without payment of any fee or reward, at any time during office hours, and to take a copy of the account</p>
<b>S.427</b>	<p><b>Conditional release of defendant and payment of compensation for loss or injury and of costs.</b></p> <p>(2) The court may make an order under subsection (1) of this section:</p> <p>(a) dismissing the charge; or</p> <p>(b) discharging the defendant conditionally on his entering into a recognizance, with or without sureties, to be of good behaviour and to appear at any time during such period not exceeding <b>three years</b> as may be specified in the order</p>
<b>S.431</b>	<p><b>Variation of terms and conditions of probation.</b></p> <p>The court before which a defendant is bound by a recognizance under this Part to appear for conviction and sentence or for sentence may:</p> <p>(a) at any time where it appears to it on the application of the probation officer that it is expedient that the terms or conditions of the recognizance should be varied, summon the defendant bound by the recognizance to appear before it and if he fails to show cause why the variation should not be made:</p> <p>(i) vary the terms of the recognizance by extending or reducing the duration, which <b>shall not exceed three years</b> from the date of the original order, or</p> <p>(ii) alter the conditions or insert additional conditions,</p>
<b>S.433</b>	<p><b>Suspended sentence and community service.</b></p> <p>(3) A convict shall not be sentenced to suspended sentence or to community service for an offence involving the use of arms, offensive weapon, sexual offences or for an offence which the punishment exceeds imprisonment for <b>a term of three years.</b></p>
<b>S.435</b>	<p><b>Performance of community service order.</b></p> <p>(1) The community service order shall be performed for a period of <b>not more than six months</b> and the convict shall not work for <b>more than five hours a day.</b></p>
<b>S.439</b>	<p><b>Discharge of Community Service Order.</b></p> <p>(1) Where a convict has been ordered to undergo community service for a period of <b>more than four months</b>, the supervising officer shall, from time to time, give a report to the Registrar on the convict's performance and general conduct.</p>
<b>S.441</b>	<p><b>Court may direct release of prisoner before completion of sentence.</b></p> <p>Where the Controller of Prisons makes a report to the court recommending that a prisoner:</p> <p>(a) sentenced and serving his sentence in prison is of good behaviour, and</p> <p>(b) has served at least one-third of his prison term, where he is sentenced to imprisonment for a term of <b>at least 15 years</b> or where he is sentenced to life imprisonment, the court may, after hearing the prosecution and the prisoner or his legal representative, order that the</p>

	remaining term of his imprisonment be suspended, with or without conditions, as the court considers fit, and the prisoner shall be released from prison on the order.
<b>S.442</b>	<p><b>Establishment of the Administration of Criminal Justice Monitoring Committee.</b></p> <p>2(i) the Chairman of any of the local branch of the Nigeria Bar Association in the State to serve for <b>two years only</b>;</p> <p>(k) a representative of the Civil Society working on human rights and access to justice or women rights to be appointed by the Committee to serve for a period of <b>two years only</b>.</p>
<b>S.443</b>	(f) submit <b>quarterly report</b> to the Governor to keep him abreast of developments towards improved criminal justice delivery and for necessary action; and
<b>S.444</b>	<p><b>Secretariat of the Committee.</b></p> <p>(3) The Secretary shall be a legal practitioner of <b>not less than 10 years</b> post call experience and shall possess sound knowledge of the practical functioning of the criminal justice system and adequate experience in justice system administration.</p> <p>(5) The Secretary shall hold office for <b>a term of four years</b> and may, subject to satisfactory performance of his functions, be re-appointed for another term of <b>four years and no more</b>.</p>
<b>S.446</b>	<p><b>Annual estimates and accounts year</b></p> <p>(1) The Secretary shall submit to the Attorney-General not later than <b>30th September in each financial year</b>, an estimate of its expenditure and income during the next financial year.</p> <p>(2) The Committee shall keep proper accounts and records in respect of each financial year and shall cause its accounts to be audited <b>not later than two months</b> from the end of each financial year.</p>
<b>S.447</b>	<p><b>Annual report.</b></p> <p>The Committee shall prepare and publish an annual report of its activities.</p>
<b>S.454</b>	<p><b>Power of representative.</b></p> <p>A representative may, on behalf of a corporation:</p> <p>(a) state, whether the corporation is ready to be tried on a charge or altered charge, to which the corporation has been called on to plead; (b) consent to the hearing and determination of a complaint before the return date of a summons;</p> <p>(c) express assent to the trial of the corporation on charge, notwithstanding that a copy of the charge and notice of trial has not been served on the corporation <b>three days or more</b> before the date on which the corporation is to be tried</p>
<b>S.458</b>	<p><b>Appeals from Magistrates' courts.</b></p> <p>(4) The notice of appeal shall be given in every case <b>before the expiration of the 30th day</b> after the day on which the court has made the decision appealed against.</p> <p>(5) An appellant shall file many copies of his notice of appeal as there are parties to be served, in addition to the copies for the court.</p> <p>(6) An appellant, in an appeal brought in accordance with the provisions of this Part, shall, <b>within 30 days</b> of the pronouncing of the decision appealed</p>
<b>S.467</b>	<p><b>Interpretation.</b></p> <p>"Felony" means an offence on conviction for which a person can, without proof of his having been previously convicted of an offence, be sentenced to death or to imprisonment for <b>three years or more</b>, or which is declared by law to be a felony;</p>

"Indictable offence" means an offence which on conviction may be punished by: (a) a term of imprisonment **exceeding two years**; or (b) of a fine exceeding N40,000.00 not being an offence declared by the law creating it to be punishable on summary conviction;

"Misdemeanour" means an offence punishable by imprisonment for **not less than six months, but less than three years** or which is declared by law to be a misdemeanour:

#### **NOTICE OF TRIAL**

A B. Take notice that you will be tried on the information of which this is a true copy, at the session to be held at., .....on the.....day of. 20. Also find attached is the Information on Legal Representation" Form which you must complete and return to the Registry of this court **within 14 days** of service on you of this notice of trial.

#### **FOURTH SCHEDULE**

Section 420 (2) (b), 347 (1) (6), 413 (1), 425 and 434 b)

**TABLE OF SCALE OF IMPRISONMENT FOR NON-PAYMENT OF MONEY ORDERED TO BE PAID**

### **THE COMPREHENSIVE LIST OF TIMELINES UNDER THE ACJL KANO STATE.**

**S.12 APPOINTMENT, QUALIFICATION, AND CLASSES OF MAGISTRATES.**  
**(3) FOR THE PURPOSES OF SUBSECTION 2 OF THIS SECTION, A QUALIFIED PERSON SHALL MEAN ANY QUALIFIED LEGAL PRACTITIONER WHO HAS BEEN IN ACTIVE LEGAL PRACTICE FOR AT LEAST 5 YEARS OR WHO HAS SERVED AS REGISTRAR FOR **AT LEAST FIVE YEARS** AFTER HIS CALL TO BAR**

**S.13 Appointment and Qualification of Sharia Court Judges.**  
(d) he is a Legal Practitioner in Nigeria with sound Knowledge of Islamic Law and has been so qualified for a period of **not less than seven years**, in the case of an Upper Sharia Judge **and five years** in the case of a Sharia Court Judge.

**S.17**  
(2) When no court is so mentioned, such offence may be tried by the High Court, or any court constituted under this Law. Provided that in trying any such offence: -  
a) a Chief Magistrate of the first grade shall not try such an offence punishable with imprisonment for a term which may **exceed 14 years** or with a fine exceeding Three Hundred Thousand Naira (N300,000.00);  
b) a Chief Magistrate of the second grade shall not try an offence punishable with an imprisonment for a term which may **exceed 12 years** or with a fine exceeding Two. Hundred Thousand Naira (N200,000.00);  
c) a Senior Magistrate of the first grade shall not try an offence punishable with imprisonment for a term which may **exceed 10 years** or with a fine exceeding One Hundred Thousand Naira (N100,000.00);  
d) a Senior Magistrate of the second grade shall not try an offence punishable with imprisonment for a term which may **exceed eight years** or with a fine exceeding Seventy Thousand Naira (N70,000.00);  
e) a Magistrate of the first grade shall not try an offence punishable with an imprisonment for a term which may **exceed five years** or with fine exceeding Fifty Thousand Naira (N50,000.00);  
f) a Magistrate of the second grade shall not try an offence punishable with imprisonment for a term which may exceed **three years** or with fine exceeding Forty Thousand Naira (N40,000.00).

**S.19****Jurisdiction of the Magistrate to Pass Sentences.**

(1) A Chief Magistrate of the first grade may pass the following sentences:

- a) imprisonment for a term **not exceeding 14 years**.
- b) fine not exceeding Three Hundred Thousand Naira (N300,000.00);
- c) caning; and

(2) A Chief Magistrate of the second grade may pass the following sentences: -

- a) imprisonment for a term **not exceeding 12 years**.
- b) fine not exceeding Two Hundred Thousand Naira (N200,000.00);
- c) caning; and

(3) A Senior Magistrate of the first grade may pass the following sentences: -

- a) imprisonment for a term **not exceeding 10 years**.
- b) fine not exceeding One Hundred Thousand Naira (N100,000.00);
- c) caning; and

(4) A Senior Magistrate of the second grade may pass the following sentences: -

- a) imprisonment for a **term not exceeding eight years**.
- b) fine not exceeding Seventy Thousand Naira (N70,000.00); c) caning; and

(5) A Magistrate of the first grade may pass the following sentences: -

- a) imprisonment for a term **not exceeding five years**.
- b) fine not exceeding Fifty Thousand Naira (N50,000.00);
- c) caning; and

(6) A Magistrate of the second grade may pass the following sentences: -

- a) imprisonment for a term **not exceeding three years**.
- b) fine not exceeding Forty Thousand Naira (N40,000.00); and
- c) caning.

**S.24****Power to Bind Parties to Be of Good behaviour.**

Court may, whether the Defendant is discharged or not, bind over the complainant or Defendant, or both, with or without sureties, to be of good behaviour and may order any person so bound, in default of compliance with the order, to be imprisoned for a term **not exceeding three months** in addition to any other punishment to which that person is liable.

**S.25****Police may arrest:**

4) The Attorney-General shall, **not later than three days** of receiving such request assign a Law officer to work with the police in the investigation of indictable offence provided that this provision shall not derogate from the powers of the police to conduct investigation with speed.

**S.38****Recording of Arrest.**

(2) The process of recording in subsection (1) of this section, shall be concluded within a reasonable time of the arrest of the suspect, but **not exceeding 48 hours**.

**S.39****Central Criminal Records Registry.**

(4) The State Police Command shall ensure that the decisions or judgments of the courts in all criminal trials prosecuted by the police are transmitted to the Central Criminal Records Registry **within 30 days** of the decision or Judgment

**S.42****Refusal to Give Name and Residence**

(3) Where the true name and address of the suspect cannot be ascertained **within 24 hours** from the time of arrest, or if he fails to execute recognizance, or, where so required, to



	furnish sufficient sureties, he shall forthwith be brought before the nearest Magistrate having jurisdiction.
<b>S.48</b>	<b>Report of Arrests to the Attorney-General.</b> (1) The Commissioner of Police and the head of every agency authorized by Law to make arrest within the state shall remit <b>quarterly</b> to the Attorney-General a record of all arrests made with or without warrant in relation to offence or arrests within the State.
<b>S.49</b>	<b>Release on bail of a suspect arrested without warrant.</b> (1) Where a suspect has been taken into police custody without a warrant for an offence other than an offence punishable with death, an officer in charge of the warrant police station shall inquire into the case and release the suspect on bail subject to subsection (2) of this section where it is not practicable to bring the suspect before a court having jurisdiction with respect to the offence alleged <b>within 24 hours</b> after the arrest.
<b>S.51</b>	<b>Remedy of Suspect detained in custody.</b> (1) Where a suspect taken into custody in respect of a non-capital offence is not released on bail <b>after 24 hours</b> , a court having jurisdiction with respect to the offence may be notified by application on behalf of the suspect.
<b>S.52</b>	<b>Police to Report Monthly to Supervising Magistrate.</b> 52. (1) An officer in charge of a police station or an official in charge of an agency authorized to make arrest shall, on the <b>last working day of every month</b> , report to the nearest Magistrate or any available Court the cases of all suspects arrested without warrant within the limits of their respective stations or agency whether the suspects have been admitted to bail or not.
<b>S.53</b>	<b>Chief Magistrate to Visit Police Stations Every Month.</b> (1) The Chief Magistrate, or where there is no Chief Magistrate within the police division, any Magistrate designated by the Chief Judge shall, <b>at least every month</b> , conduct an inspection of police stations or other places of detention within his territorial jurisdiction other than the prison.
<b>S.57</b>	<b>Warrant May be issued on any day.</b> A warrant of arrest may be issued on <b>any day including a Sunday or public holiday.</b>
<b>S.59</b>	<b>Warrant of Arrest may in exceptional cases be directed to other persons.</b> (3) Where a Court has reason to believe, whether after evidence or not, that a suspect, against whom a warrant of arrest has been issued by itself or by any Court has absconded or is concealing himself so that the warrant cannot be executed, the court may publish public summons in writing requiring that person to appear at a specific place and a specific time <b>not less than 30 days</b> from the date of publishing the public summons.
<b>S.61</b>	<b>Execution of Warrant and Procedure</b> A warrant of arrest may be executed on <b>any day including a Sunday or public holiday.</b>
<b>S.72</b>	<b>Power of Magistrate to Require Execution of Recognizance.</b> (1) Where a Magistrate is informed on oath that a suspect is likely to:- (a) commit a breach of the peace or disturb the public tranquillity, or (b) do any wrongful act that may probably for Keeping occasion a breach of the peace or disturb Peace. the public tranquillity, the Magistrate may, in the manner provided in this Part, require the suspect to show cause why he should not be ordered to enter into a recognizance, with or without sureties, for keeping the peace for such period, <b>not exceeding one year</b> , as the Magistrate deems fit.

<b>S.73</b>	<p><b>Security for Good Behaviour for Suspect.</b></p> <p>(b) there is reason to believe that the suspect is taking steps with a view to committing an offence, the Magistrate may, in the manner provided in this Part, require the suspect to show cause why he should not be ordered to enter into a recognizance, with sureties, for his good behaviour for such period <b>not exceeding one year</b>, as the Magistrate deems fit.</p>
<b>S.74</b>	<p><b>Security for Good Behaviour for Habitual Offenders.</b></p> <p>(f) is so desperate or dangerous as to render his being at large without security hazardous to the community, such Magistrate may, in the manner provided in this Law, require such suspect to show cause why he should not be ordered to enter into a recognizance with sureties for his good behaviour for such period, <b>not exceeding three years</b>, as the Magistrate deems fit.</p>
<b>S.80</b>	<p><b>Inquiry as to truth of Information.</b></p> <p>(4) For the purpose of subsection (3) of this section</p> <p>(a) suspect against whom proceedings are not being taken under section 7i of this Law shall not be directed to enter into a recognizance for maintaining good behaviour;</p> <p>(b) the conditions of the recognizance, whether as to the amount or as to the provisions of sureties or the number of sureties or the pecuniary extent of their liability shall not be more onerous than those specified in the order under section 73 of this Law: and a suspect shall not be remanded in custody under the powers conferred by this section for a period <b>exceeding 15 days at a time</b>.</p>
<b>S.93</b>	<p><b>Consequences of failure to obey order or to appear.</b></p> <p>Where a suspect against whom an order under section 86 of this Law is made does not perform the act specified in the order or appear and apply to have the order set aside or modified, he is liable, where the act:-</p> <p>(a) offends public safety, to a fine of not less than One Hundred Thousand Naira (N 100,000.00) for an individual or imprisonment for a term of <b>six months</b> and not less than One Million Naira (N1,000,000.00) or imprisonment for a term of <b>six months</b> in case of a corporate body.</p> <p>(b) threatens human life, to a fine of not less than Two Hundred Thousand Naira (N 200,000.00) or term of <b>12 months'</b> imprisonment for an individual and not less than Two Milion Naira (N2,000,000.00) or imprisonment for a term of <b>12 months</b> in case of corporate body.</p>
<b>S.99</b>	<p><b>Order to attach property.</b></p> <p>(3) Any property under attachment shall not be sold until the expiration of <b>three months</b> from the date of the attachment unless it is subject to speedy decay or the Judge or Magistrate considers that the sale would be for the benefit of the owner, in either of which cases the Judge or Magistrate may think fit.</p>
<b>S.100</b>	<p><b>Restoration of Attached Property.</b></p> <p>(1) Where <b>within one year</b> from the date of the attachment, a suspect, whose property is or has been at the disposal of the Court under section 99 of this Law, appears voluntarily or on being arrested is brought to the Court and proves to its satisfaction that he.-</p> <p>(2) Where, <b>after one year</b> from the date of attachment, the suspect whose property is attached or has been at the disposal of the court does not appear voluntarily, the property or the net proceed of its sale shall be forfeited to the State Government as the case may be.</p>
<b>S.107</b>	<p><b>Forms of Complaint.</b></p> <p>(7) In cases involving financial crimes, the investigation authority may apply to a Court having jurisdiction for Order Ex-parte seeking to freeze an account under investigation. Provided that:-</p> <p>(a) the Ex-parte Order shall abate <b>after 14 days</b> and shall only be renewed for a period <b>not</b></p>

exceeding 14 days.

**S.115 Chief Judge/Grand Kadi May Transfer a Case.**

(3) Where the Chief Judge or Grand Kadi is to exercise this power subsequent to a petition, the Chief Judge or Grand Kadi shall cause the petition to be investigated by an independent body **within one week** of receipt of such petition.

(4) The investigating body shall submit its report **within two weeks** of appointment except otherwise specified

**S.116 When cases may be remitted to another court.**

A Court before which a person charged with having committed an offence is brought shall, where:-

(a) the offence ought to be properly inquired into or tried by another court; or (b) in the opinion of the Court, the offence ought to be conveniently inquired into or tried by another Court, within a reasonable period **not exceeding five days**, send the case and all processes relating to the case to the head of court for re-assignment to that other court, and where appropriate, remand the defendant charged in custody or require him to give security for his attendance before that other court to answer the charges and to be dealt with accordingly

**S.118 Transfer of Case Where Cause of Complaint Has Arisen Out of Jurisdiction of Court.**

Where a suspect is:-

a) in custody and the court directing a transfer thinks it expedient that the custody should be continued; or

b) not in custody, that he should be placed in custody; the Court shall, by its warrant, commit the suspect to prison for a period **not exceeding 14 days**, subject to such security as it may deem appropriate in the circumstances, until he can be taken before a court wherein the cause of complaint arose, or is to be dealt with.

**S.127 Mode of Instituting Criminal Proceedings in a Magistrates' Court.**

(2) The charge sheet filed by the prosecution shall be served on the defendant **within seven days** of its being filed or such time as the court may allow.

(3) The trial of a charge preferred under subsection (1) (a) and (b) of this section shall commence **not later than 30 days** from the date of filing the charge, and the trial of the person brought under the charge shall be completed within a reasonable time.

(4) Where a charge is preferred under subsection (1) (a) and (b) of this section and the trial does not commence **within 30 days** of bringing the charge, or trial has commenced but has not been completed **after 90 days** of remand on that charge, the Court shall forward to the Chief Judge or Grand Kadi, as the case may be, the particulars of the charge and reasons for failure to commence the trial or to complete the trial.

(5) A Court seized of criminal proceedings shall make **quarterly returns** of the particulars of all cases, including charges, remand and other proceedings commenced and dealt with in his Court within the quarter, to the Chief Judge.

**S.128 Returns by Comptroller of Prisons.**

(1) The Comptroller of Prisons shall make returns **every 90 days** to the Chief Judge and to the Attorney-General of all persons awaiting trial held in custody in the prisons in the State for a period **beyond 90 days** from the date of remand.

**S.132 Issue of Summons and Service.**

A summons may be issued or served on **any day, including a Sunday or public holiday.**

**S.133 Issue of Summons and its Contents.**

Where a complaint is made before a Magistrate as provided in section 129 of this Law and the Magistrate decides to issue a summons, the summons shall be directed to the suspect, stating concisely the substance of the complaint and requiring him to appear at a certain time

	and place <b>not later than 48 hours</b> after the service of the summons before the Court to answer to the complaint and to be further dealt with according to Law.
<b>S.135</b>	<b>Summons to be in duplicate.</b> A summons issued by a Court under this Law shall in Duplicate. be in writing, made in duplicate, signed by the presiding officer of the Court or by such other judicial officer as the Chief Judge may specify, <b>from time to time.</b>
<b>S.143</b>	<b>Person Refusing to Sign Receipt May be Arrested.</b> A person who is required to sign a receipt on the back of a duplicate summons to the effect that he has received the summons and fails to sign the receipt may be:- (a) arrested by the person with powers of arrest under this Law and taken before the Court which issued the summons; or (b) detained in custody or committed to prison for such time <b>not exceeding 14 days</b> as the Court may deem fit
<b>S.158</b>	<b>Search Warrant May be issued and executed.</b> A search warrant may be issued and executed at any time When time, <b>on any day, including a Sunday or public holiday.</b>
<b>S.170</b>	<b>Recognizance by Parent or Guardian of a Child.</b> (1) Where a child is arrested with or without warrant and cannot be brought forthwith before a Court, the police officer in charge for the time being of the police station to which the child is brought, shall inquire into the case and shall except:- (b) the offence charged is punishable with imprisonment for a term <b>exceeding three years;</b>
<b>S.171</b>	<b>Bail where a suspect is charged with capital offence.</b> (3) For the purpose of exercise of discretion in subsection (1) of this section, "exceptional circumstances" includes:- (a) ill-health of the applicant which shall be confirmed and certified by a qualified medical practitioner employed in a Government hospital, provided that the suspect is able to prove that there are no medical facilities to take care of his illness by the authority detaining him; (b) extraordinary delay in the investigation, arraignment and prosecution for a period <b>exceeding two years;</b> or (c) any other circumstances that the Judge may, in the particular facts of the case, consider exceptional.
<b>S.172</b>	<b>Bail Where a Defendant is Charged With Offence Exceeding Three Years Imprisonment.</b> A defendant charged with an offence punishable with imprisonment for a term <b>exceeding three years</b> may, on application to the Court, be released on bail except in any of the following circumstances: -
<b>S.189</b>	<b>Forfeiture of recognizance.</b> (4) When the penalty is not paid and cannot be recovered in the manner provided in this Law, the person bound shall be liable to imprisonment for a term <b>not exceeding six months.</b>
<b>S.216</b>	<b>Separate charges for distinct offences.</b> For every distinct offence with which a person is accused, there shall be a separate charge and every charge shall be tried separately except in the following circumstances:- a) any three offences committed by a defendant <b>within 12 months</b> whether or not they are of the same or similar character or whether or not they are in respect of the same person or persons;

S.239	<p><b>Procedure for Trial on Charge for Certain Offences.</b></p> <p>(5) Any contravention of the provisions of subsection (2) of this section shall be an offence and liable on conviction to a minimum term of <b>one-year imprisonment.</b></p>
S.251	<p><b>Mode of Dealing with Witness Arrested Under Warrant.</b></p> <p>(1) A witness arrested under a warrant shall, if practicable and where the hearing of the case for which his evidence is required is fixed for a time which is <b>more than 24 hours</b> after the arrest, be taken before a Magistrate and the Magistrate:-</p> <p>(a) may, on the witness furnishing security by recognizance to the satisfaction of the Magistrate for his appearance at the hearing, order him to be released from custody: or</p> <p>(b) shall, on the witness failing to furnish the security, order him to be detained for production at the hearing.</p>
S.252	<p><b>Penalty on witness refusing to attend.</b></p> <p>(1) A witness who:-</p> <p>a) refuses or neglects, without reasonable cause, to attend court in compliance with the requirements of a summons duly served in the manner prescribed by Law: or</p> <p>b) departs from the premises of the Court without the leave of the Judge or Magistrate hearing the case; is liable on summary conviction, to a fine not exceeding Ten Thousand Naira N10,000.00 or to imprisonment for a term <b>not exceeding two months.</b></p>
S.256	<p><b>Witness Refusing to be Sworn, or Produce Documents.</b></p> <p>(1) Where a person attending court and who is required to give evidence, without any sufficient excuse or reason: -</p> <p>a) refuses to be sworn or to affirm as a witness.</p> <p>b) having been sworn or having taken affirmation refuses to answer any question put to him; or</p> <p>c) refuses or neglects to produce any document or anything which he is required by the court to produce, the court may adjourn the hearing of the case and may in the meantime, by warrant, commit the person to prison or other place of safe custody for a period <b>not exceeding seven days.</b></p>
S.272	<p><b>Plea bargain guidelines.</b></p> <p>(12) Any person who, will fully and without just cause, obstructs or impedes the vesting or transfer of any money, asset or property under this Law, commits an offence and is liable on conviction to imprisonment for <b>five years</b> without an option of fine</p>
S.280	<p><b>Procedure when Defendant is Suspected to be of Unsound Mind.</b></p> <p>(3) Where the court is not satisfied that the defendant is capable of making his defense, the court shall adjourn the trial or proceedings and shall remand the person for a period <b>not exceeding one month</b> to be detained for observation in some suitable place.</p> <p>(4) A defendant detained in accordance with subsection (3) of this section shall be kept under observation by a medical officer during the period of his remand and before the expiration of that period, the medical officer shall:</p> <p>a) give to the Court his opinion in writing as to the state of mind of that person; and</p> <p>b) where he is unable within the period to form any definite opinion, he shall so certify to the court and ask for a further remand and such further remand may extend to a period of <b>three months.</b></p> <p>(7) The medical officer in charge of the asylum or such other suitable facility shall, within a period <b>not exceeding one month</b> in the first instance or on application to the court for a further period of <b>three months,</b> submit to the court a report in writing containing his opinion on the soundness of mind of the defendant.</p>

S.283	<p><b>Release of Defendant of Unsound Mind Pending Investigation or Trial.</b></p> <p>(4) Where the order is not given <b>within two months</b>, the court may discharge the defendant or release him on bail on satisfaction that doing so will not endanger the life of the defendant or the life of anyone else.</p>
S.287	<p><b>Safe custody of Defendant Discharged.</b></p> <p>Where the finding states that the defendant committed the act alleged, the court before which the trial has been held shall, where the act would have but for the finding of incapacity constituted an offence, order the person to be kept in safe custody in such place and manner as the court thinks fit and shall, <b>within 31 days</b> of the order, report the case for an order of the Attorney-General</p>
S.298	<p><b>Time and Protocol for Remand Orders.</b></p> <p>(1) Where an Order of remand of the suspect is made pursuant to section 295 of this Law, the order shall be for a for period <b>not exceeding 21 days</b> in the first instance, and the case shall be returnable within the same period.</p> <p>(2) Where, on application in writing, good cause is shown why there should be an extension of the remand period, the court may make an order for further remand of the suspect for a period <b>not exceeding 14 days</b> and make the proceedings returnable within the same period.</p> <p>(4) At the expiration of the remand order made pursuant to subsection (1) or (2) of this section, and where the suspect is still remanded with his trial having not commenced, or charge having not been filed at the relevant Court having jurisdiction, the Court shall issue a hearing notice on:</p> <p>a) the Commissioner of Police and the AttorneyGeneral; any relevant authority in whose custody the suspect is or at whose instance the suspect is remanded, and adjourn the matter within a period <b>not exceeding 14 days</b> of the expiration of the period of remand order made under subsection (1) or (2) of this section, to inquire as to the position of the case and for the Commissioner of Police or the Attorney-General of the State to show cause why the suspect remanded should not be unconditionally released.</p> <p>(5) Where the Commissioner of police and the Attorney-General show good cause pursuant to subsection (4) of this section and make a request to that effect, the Court:</p> <p>a) may extend the remand of the suspect for a final period <b>not exceeding 14 days</b> for the suspect to be arraigned for trial before an appropriate court; and</p> <p>b) shall make the case returnable within the said period of <b>14 days</b> from the date the hearing notice was issued pursuant to subsection (4) of this section.</p>
S.332	<p><b>Custody or sale of property.</b></p> <p>(2) Where no person establishes a right <b>within six months</b> from the date of forfeiture or confiscation of the property, the proceeds of the sale shall be paid into the Consolidated Revenue Fund of the State, or any other appropriate account, as may be authorized.</p>
S.337	<p><b>Procedure on seizure of property taken during arrest or investigation or stolen.</b></p> <p>(1) The seizure by the police of property taken during Procedure on arrest or investigation under this Law, or alleged or suspected to have been stolen or found in circumstances which create a suspicion of the commission of an offence, shall, within a period <b>not exceeding 48 hours</b> of the taking of the property or thing, be reported to a court, and the court shall make an order in respect of the disposal of the property or its delivery to the person entitled to its possession or such other orders as it may deem fit in the circumstances.</p> <p>(2) Where the person entitled to the possession of property referred to in subsection (1) of this section, is unknown, the court may detain it and shall issue a public notice specifying the articles of which the property consists and requiring any person who may have a claim to it, to appear before the court and establish his claim <b>within six months</b> from the date of the notice.</p>



<b>S.338</b>	<p><b>Where Owner of Property Seized is unknown.</b></p> <p>(2) At any time <b>within six years</b> from the date of the property coming into the possession of the police, the court may direct the property or the proceeds of the sale of the property to be delivered to any person proving his title to it, on payment by him, of any expenses incurred by the court in the matte</p>
<b>S.347</b>	<p><b>Procedure in perjury.</b></p> <p>b) Try him summarily for contempt of court and where he is found guilty, commit him to prison for a period <b>not exceeding six months</b> or fine him in such sum in accordance with the scale of fine in the Appendix D to this Law</p>
<b>S.349</b>	<p><b>Duty of Court, Non-Appearance and Non-Representation by Legal Practitioner.</b></p> <p>(3) Where the defendant wishes to engage a legal practitioner of his choice, the court shall allow him reasonable time but <b>not exceeding 30 days</b> to do so.</p> <p>(9) Where a legal practitioner intends to disengage from a matter, he shall notify the court, <b>not less than three days</b> before the date fixed for hearing and such notice shall be served on the court and all parties.</p>
<b>S.350</b>	<p><b>When Summary Trials shall be Held.</b></p> <p>(1) Trials shall be held summarily in:- a) the High Court in respect of perjury: b) respect of an offence which by a law of the state triable summarily; and c) respect of a trial for an offence punishable with imprisonment for less than three years in the Magistrate Court</p>
<b>S.369</b>	<p><b>Power to Bind Parties to be of Good Behaviour.</b></p> <p>(1) In a summary trial, the court may, whether the complaint is dismissed or not, by order bind over either the complainant or defendant, or both, with or without a surety or sureties, to be of good behaviour.</p> <p>(2) A person who breaches an order made, pursuant to subsection (1) of this section, may be imprisoned of a term <b>not exceeding three months</b> in addition to any other punishment to which the person is liable.</p>
<b>S.372</b>	<p><b>Power to Remand.</b></p> <p>Without prejudice to any other power which a Magistrate may possess, he may, for the purposes of ascertaining whether it is expedient to deal with a case summarily, either before or during the hearing of the case, adjourn the case and remand the person charged for a period <b>not exceeding 48 hours</b> or release him on bail.</p>
<b>S.373</b>	<p><b>Law Officer May Request Case to be Adjourned or Specially.</b></p> <p>(2) On receipt of the request, the Magistrate shall adjourn the proceeding until such a time as a charge is filed in the High Court, provided that the charge shall be filed within a period of <b>30 days</b> of the date of the order granting the request.</p> <p>(3). The Magistrate shall make the case returnable for a period <b>not exceeding 32 days</b> from the date of the grant of the request.</p> <p>(4) Where at the end of the period of <b>30 days</b> provided in subsection (2) of this section, the charge against the defendant has not been filed at the High Court, the Magistrate shall proceed on the return date to try the charge summarily where he has jurisdiction, or may make an order releasing the defendant on bail pending his arraignment on the charge as requested by the law officer.</p>
<b>S.374</b>	<p><b>Adjourned for Law Officer's Decision.</b></p> <p>(2) The request of the Law officer so consulted shall be filed <b>within 14 days</b> of the date the Magistrate grants the request of the person prosecuting, failing which the Magistrate shall proceed to try and conclude the case summarily.</p> <p>(3) Where the Magistrate grants an adjournment at request under subsection (1) of this section, the adjournment shall not be for a period <b>exceeding 15 days</b>, and the Magistrate</p>

may grant the defendant bail.

**S.375 Security for Peace in Cases Tried Summarily.**

(2) The convict may be ordered to be imprisoned until the recognizance is entered into, but the imprisonment shall not:-

- a) extend for a term longer than **one year**; and
- b) together with the fixed term of imprisonment, if any, extend for a term longer than the longest term for which he might be sentenced to be imprisoned without fine for the offence which he was convicted.

**S.376 Case files, Legal Advice, and Related Proceedings.**

(2) The Attorney-General shall, **within 14 days** of receipt of the police case file, issue and serve his legal advice indicating whether or not there is a prima facie case against the defendant for which he can be prosecuted.

10) Where the defendant indicates in the form referred to in subsection (8) of this section that, he wishes to be represented by a legal practitioner of the Legal Aid Council or any other organization providing free legal representation, he shall forward the Form to the Chief Registrar of the court before whom the Charge for his trial has been filed and the Chief Registrar shall, **within 14 days** of receipt of the form, ensure that a legal practitioner of the Legal Aid Council as stipulated under this sub-section or any other organization providing free legal representation for the defendant, and by notice in writing inform the defendant of the particulars of the legal representation arranged for him.

**S.378 Assignment of Charge and Notice of Trial.**

(1) Where a charge has been filed in the court, the Chief Judge shall take appropriate steps to ensure that the charge filed is assigned to a court for trial **within seven days** of its filing.

(2) On assigning the charge, the court to which the charge is assigned shall **within five days** of the assignment issue notice of trial to the witnesses and defendants and a production warrant properly endorsed by the Judge in respect of the defendant charged, where he is in custody, for the purpose of ensuring his appearance on the date of arraignment, and the Registrar of the Court shall ensure the prompt service of the notice and charge **not more than three days** from the date they are issued.

(6) Nothing in this section shall prevent the defendant from being tried by reason only that the notice of trial and the charge were served on him **less than three days** before the date of trial, where he consents to being So tried

**S.384 Time and Mode of Summoning Parties on a Charge.**

The Sheriff or other proper officer shall on receipt of the charge and notice of trial, serve the person named in the notice **at least seven days** before the date specified on the notice

**S.390 Time for raising certain objections, day to day trial and adjournments.**

(1) The defendant to be tried on a charge shall be arraigned in accordance with the provisions of this Law relating to the taking of pleas and the procedure.

(2) After the plea has been taken, the defendant Adjournment. may raise any objection to the validity of the charge at any time before judgment provided that such objection shall only be considered along with the substantive issues and a ruling thereon made at the time of delivery of judgment.

(3) Upon arraignment, the trial of the defendant shall proceed from **day-to-day** until the conclusion of the trial.

(4) Where **day-to-day** trial is impracticable after arraignment, no party shall be entitled to more than five adjournments from arraignment to final judgment provided that the interval between each adjournment shall **not exceed 14 days**.

(5) Where it is impracticable to conclude a criminal proceeding after the parties have exhausted their five adjournments each, the interval between one adjournment to another shall not exceed **seven days** inclusive of **weekends**.

S.394	<p><b>Fine for non-attendance of Witness</b></p> <p>A person who fails to attend as witness in either of the cases mentioned in sections 408 and 409 of this Law is liable, on the summary order of the court, to a fine in a reasonable sum to be fixed by the court, but not less than N5,000.00 and, in default of payment, to imprisonment for a term corresponding to the fixed sum, but the period of imprisonment shall <b>not exceed a period of one month.</b></p>
S.408	<p><b>Provision where woman convicted of capital offence alleged to be pregnant.</b></p> <p>(4) Where in the proceedings under this section the court finds that the woman in question to be pregnant, the court shall sentence her to death subject to her delivery and observing weaning period of <b>two years.</b></p>
S.409	<p>(2) In exercising its discretion of sentencing or review of sentence, the court shall take into consideration the following factors; in addition to the provisions of section 395 of this Law j) an appellate court may. not increase the sentence of a lower court beyond the maximum number of <b>years</b> the lower court has power to impose;</p>
S.410	<p><b>Power to Order detention for one day in precincts of the court.</b></p> <p>(1) Where the court has power to pass a sentence of imprisonment, it may, in lieu of such sentence, order the convict to be detained within the precincts of the court or at a police station till <b>such hour not later than eight in the evening on the day</b> on which he is convicted, as the court may direct.</p>
S.411	<p><b>Date From Which sentence commences.</b></p> <p>Sentence of imprisonment takes effect from and includes the <b>whole of the day</b> of the date on which it was pronounced.</p>
S.412	<p><b>Default in payment of fine.</b></p> <p>(1) In the case of conviction in the High Court, where no amount of fine is stipulated, the amount of the fine shall be at the discretion of the court, and any term of imprisonment imposed in default of payment of the fine shall <b>not exceed two years</b></p>
S.418	<p><b>Limitation of Imprisonment in Default of Payment of Fine.</b></p> <p>A committal for non-payment of a fine shall <b>not exceed two years</b>, except where the Law under which the conviction is made, allows a longer period.</p>
S.421	<p><b>Allowance for time and payment by instalment.</b></p> <p>(4) A warrant of committal issued under the provisions of this section may be executed on <b>any day, including a Sunday or a public holiday.</b></p>
S.428	<p><b>Procedure on Execution of Distress Warrant.</b></p> <p>(d) except as provided in paragraph (e) of this subsection and so far as the person on whose movable property the distress is levied consents in writing to an earlier sale, the goods distrained on, shall be sold at a public auction <b>not later than five days and not more than 14 days</b> after the making of the distress, but where consent in writing is so given, the sale may be in accordance with the consent.</p> <p>(e) Where a person charged with the execution of a warrant of distress:</p> <ul style="list-style-type: none"> <li>i) wilfully retains from the proceeds any property sold to satisfy the distress; or</li> <li>ii) otherwise exacts any greater costs or charges than those to which he is, for the time being, entitled by Law or makes any improper charge, he is liable, on conviction, to a penalty not exceeding Twenty Thousand Naira (M20,000.00) or imprisonment for a term <b>not exceeding six months.</b></li> </ul>

<b>S.433</b>	<p><b>Stay of execution of sentence of canning to allow time for appeal.</b></p> <p>(1) Where the offender is sentenced to caning, the of sentence of Court shall forthwith ask him whether he intends to appeal and if he expresses such an intention the caning shall not be inflicted until <b>15 days after</b> the date of the sentence or, where an appeal is made within that time, unless and until the appellate Court confirms the sentence.</p> <p>(2) Where the offender is sentenced to caning only and states to the Court his intention to appeal in accordance with the provision of subsection (1), the Court shall release him pending the expiration of <b>15 days</b> or, where an appeal is made within that time, disposal of the appeal by the appellate Court on his furnishing bail to the satisfaction of the Court for his appearance at such time or place as the Court may direct for the execution of the sentence, the Court shall release him pending such appearance.</p>
<b>S.440</b>	<p><b>Variation of terms and conditions of probation.</b></p> <p>The Court before which a defendant is bound by a recognizance under this Part to appear for conviction and sentence or for sentence may:-</p> <p>(a) at any time where it appears to it on the application of the probation officer that it is expedient that the terms or condition of the recognizance should be varied, summon the defendant bound by the recognizance to appear before it and if he fails to show cause why the variation should not be made:</p> <p>(i) vary the terms of the recognizance by extending or reducing the duration, which <b>shall not exceed three years</b> from the date of the original order; or</p> <p>(ii) alter the conditions or insert additional conditions;</p>
<b>S.442</b>	<p><b>Suspended Sentence and Community Service.</b></p> <p>(3) A convict shall not be sentenced to suspended sentence or to community service for an offence involving the use of arms, offensive weapon, sexual offences or for an offence which the punishment exceeds imprisonment for term of <b>three years</b>.</p>
<b>S.444</b>	<p><b>Performance of Community Service Order.</b></p> <p>(1) The Community Service Order shall be performed for a period of <b>not more than six months</b> and the convict shall not work for <b>more than five hours a day</b>.</p>
<b>S.448</b>	<p><b>Discharge of Community Service Order.</b></p> <p>(1) Where the convict has been ordered to undergo community service for a period of <b>more than four months</b>, the supervising officer shall, from time to time, give a report to the Registrar on the convict's performance and general conduct</p>
<b>S.455</b>	<p><b>Power of Representative.</b></p> <p>A representative may, on behalf of a corporation:</p> <p>(a) state, whether the corporation is ready to be tried on a charge or altered charge to which the corporation has been called on to plead;</p> <p>(b) consent to the hearing and determination of a complaint before the return date of a summons; and</p> <p>(c) express assent to the trial of the corporation on a charge, notwithstanding that a copy of the charge and notice of trial has not been served on the corporation <b>three days or more</b> before the date on which the corporation is to be tried.</p>
<b>S.461</b>	<p><b>Appeals from Magistrate's Courts.</b></p> <p>(3) The notice of appeal shall be given in every case before the expiration of the <b>30 day</b> after the day on which the court has made the decision appealed against.</p> <p>(4) An appellant shall file many copies of his notice of appeal as there are parties to be served, in addition to the copies for the Court.</p> <p>(5) An appellant, in an appeal brought in accordance with the provisions of this Part, shall, <b>within 30 days</b> of the pronouncing of the decision appealed against, file with the registrar of the court from which the appeal is brought a brief setting forth the grounds of his appeal</p>

which shall be signed by the appellant or the legal practitioner representing him

**THE COMPREHENSIVE LIST OF TIMELINES UNDER THE ACJL AKWA IBOM STATE.**

<b>S.15</b>	<b>Recording of arrest.</b> (2) The process of recording in subsection (1) of this section shall be concluded within a reasonable time of the arrest of the suspect, <b>but not exceeding 48 hours.</b>
<b>S.16</b>	<b>Establishment of Police Criminal Records Registry.</b> (2) It shall be the duty of the State Police Command to ensure that decisions of courts in all criminal trials are transmitted to the Central Criminal Records Registry <b>within 30 days</b> of the judgment
<b>S.19</b>	<b>Refusal to give name and residence.</b> (3) Where the true name and address of the suspect cannot be ascertained <b>within 24 hours</b> from the time of arrest or if he fails to execute recognizance or, where so required, to furnish sufficient sureties, he shall forthwith be brought before the nearest Magistrate having jurisdiction
<b>S.29</b>	<b>Quarterly report of arrest to Attorney-General.</b> (1) The Commissioner of Police in the State and head of every agency authorized by law to make arrest within the State shall remit <b>quarterly</b> to the Attorney-General of the State records of all arrests made with or without warrant in relation to offences or arrests within the State.
<b>S.30</b>	<b>Release on bail of a suspect arrested without warrant.</b> (1) Where a suspect has been taken into police custody without a warrant for an offence other than an offence punishable with death, an officer in charge of a police station shall inquire into the case and release the suspect arrested on bail subject to subsection (2) of this section, and where it will not be practicable to bring the suspect before a court having jurisdiction with respect to the offence alleged, <b>within 24 hours</b> after the arrest.
<b>S.32</b>	<b>Remedy of suspect detained in custody.</b> (1) Where a suspect taken into custody in respect of a non-capital offence is not released on bail after <b>24 hours</b> , a court having jurisdiction with respect to the offence may be notified by application on behalf of the suspect.
<b>S.33</b>	<b>Police to report to supervising Magistrate.</b> (1) An officer in charge of a police station or an official in charge of an agency authorized to make arrest shall on the <b>last working day of every month</b> report to the nearest Magistrate the cases of all suspects arrested without warrant within the limits of their respective stations or agency whether the suspects have been admitted to bail or not
<b>S.34</b>	<b>Chief Magistrate to visit police station monthly.</b> (1) The Chief Magistrate or, where there is no Chief Magistrate within the police division, any Magistrate designated by the Chief Judge for that purpose, shall, at <b>least every month</b> , conduct an inspection of police stations or other places of detention within his territorial jurisdiction other than the prison
<b>S.38</b>	<b>Warrant may issue on any day.</b> Warrant of arrest may be issued on <b>any day, including a Sunday or public holiday</b>

S.41	<p><b>Public summons for persons absconding.</b></p> <p>Where a court has reason to believe, whether after evidence or not, that a suspect, against whom a warrant of arrest has been issued by itself or by any court or Justice of the Peace, has absconded or is concealing himself so that the warrant cannot be executed, the court may publish a public summons in writing requiring that person to appear at a specific place and a specific time <b>not less than 30 days</b> from the date of publishing the public summons.</p>
S.43	<p><b>Execution of warrant and procedure.</b></p> <p>(1) A warrant of arrest may be executed on <b>any day, including a Sunday or public holiday.</b></p>
S.54	<p><b>Power of Magistrate to require execution of recognizance for keeping peace.</b></p> <p>(1) Where a Magistrate is informed on oath that a suspect is likely to –</p> <ul style="list-style-type: none"> <li>(a) commit a breach of the peace or disturb the public tranquility, or</li> <li>(b) do any wrongful act that may probably occasion a breach of the peace or disturb the public tranquility, the Magistrate may, in the manner provided in this Part, require the suspect to show cause why he should not be ordered to enter into a recognizance, with or without sureties, for keeping the peace for such period, <b>not exceeding one year</b>, as the Magistrate deems fit.</li> </ul>
S.55	<p><b>Security for good behaviour for suspected persons.</b></p> <p>Where a Magistrate is informed on oath that –</p> <ul style="list-style-type: none"> <li>(a) a suspect is taking precautions to conceal his presence within the local limits of the Magistrate’s jurisdiction; and</li> <li>(b) there is reason to believe that the suspect is taking the precautions with a view to committing an offence, the Magistrate may, in the manner provided in this Part, require the suspect to show cause why he should not be ordered to enter into a recognizance, with sureties, for his good behavior for such period <b>not exceeding one year</b>, as the Magistrate deems fit.</li> </ul>
S.56	<p><b>Security for good behaviour for habitual offender.</b></p> <p>Where a Magistrate is informed on oath that a suspect within the local limits of his jurisdiction –</p> <ul style="list-style-type: none"> <li>(a) is by habit an armed robber, a housebreaker, or a thief;</li> <li>(b) is by habit a receiver of stolen property, knowing the same to have been stolen;</li> <li>(c) habitually protects or harbors thieves, or aids in the concealment or disposal of stolen property;</li> <li>(d) habitually commits or attempts to commit, or aids or abets the commission of any offence relating to property;</li> <li>(e) habitually commits or attempts to commit, or aids or abets in the commission of, offence involving a breach of the peace, or</li> <li>(f) is so desperate or dangerous as to render his being at large without security hazardous to the community,</li> </ul> <p>such Magistrate may, in the manner provided in this Law, require such suspect to show cause why he should not be ordered to enter into a recognizance, with sureties, for his good behavior for such period, <b>not exceeding three years</b>, as the Magistrate deems fit.</p>
S.62	<p><b>Inquiry as to truth of information.</b></p> <p>(4) For the purposes of subsection (3) of this section –</p> <ul style="list-style-type: none"> <li>(a) a suspect against whom proceedings are not being taken under section 54 of this Law shall not be directed to enter into a recognizance for maintaining good behavior,</li> </ul>



	<p>(b) the conditions of the recognizance, whether as to the amount or as to the provisions of sureties or the number of sureties or the pecuniary extent of their liability shall not be more onerous than those specified in the order under section 57 of this Law, and</p> <p>(c) a suspect shall not be remanded in custody under the powers conferred by this section for a period <b>exceeding 15 days</b> at a time.</p>
<b>S.68</b>	<p><b>Procedure on failure of suspect to give security.</b></p> <p>(2) When such person has been ordered by a Magistrate to give security for a period <b>exceeding one year</b>, such Magistrate shall, if such person does not give such security as aforesaid, issue a warrant directing him to be detained in prison pending the orders of the High Court, and the proceedings shall be laid as soon as conveniently may be before such court.</p>
<b>S.75</b>	<p><b>Consequences of failure to obey order or to appear.</b></p> <p>Where a suspect against whom an order under section 72 of this Law is made does not perform the act specified in the order or appear and apply to have the order set aside or modified, he is liable, where the act –</p> <p>(a) offends public safety, to a fine of not less than one hundred thousand Naira or imprisonment for a term of <b>six months</b> for individual and not less than one million Naira in case of a corporate body; or</p> <p>(b) threatens human life, to a fine of not less than two hundred thousand Naira or imprisonment for a term of <b>12 months</b> for individual and not less than two million Naira in case of a corporate body</p>
<b>S.81</b>	<p><b>Order to attach property.</b></p> <p>(3) Any property under attachment shall not be sold until the <b>expiration of three months</b> from the date of the attachment unless it is subject to speedy decay or the Judge or Magistrate considers that the sale would be for the benefit of the owner, in either of which cases the Judge or Magistrate may cause it to be sold whenever he thinks.</p>
<b>S.82</b>	<p><b>Restoration of attached property.</b></p> <p>(1) Where <b>within one year</b> from the date of the attachment, a suspect, whose property is or has been at the disposal of the court under section 80 of this Law, appears voluntarily or being arrested is brought before the court and proves to its satisfaction that he –</p> <p>(a) did not abscond or conceal himself for the purpose of avoiding execution of the warrant, and</p> <p>(b) had no notice of the public summons or warrant as to enable him to attend within the time specified therein,</p> <p>that property, so far as it has not been sold, and the net proceeds of any part of it which has been sold shall, after satisfying from the proceeds all costs incurred in consequence of the attachment, be delivered to him.</p> <p>(2) Where, <b>after one year</b> from the date of attachment, the suspect whose property is attached or has been at the disposal of the court does not appear voluntarily, the property or the net proceed of its sale shall be forfeited to the State Government.</p>
<b>S.92</b>	<p><b>Limitation of period for making a private complaint.</b></p> <p>In every case where no time is specially limited for making a complaint for a summary conviction of an offence in the law relating to such offence, such complaint, if made other than by a person in his official capacity, shall be made <b>within six years</b> from the time when the matter of such complaint arose, and not after.</p>

<b>S.98</b>	<p><b>Chief Judge may transfer a case.</b></p> <p>(3) Where the Chief Judge is to exercise this power subsequent to a petition, the Chief Judge shall cause the petition to be investigated by an independent body of not more than three reputable legal practitioners <b>within one week</b> of receipt of such petition.</p> <p>(4) The investigating body shall submit its report <b>within two weeks</b> of appointment except otherwise specified.</p>
<b>S.99</b>	<p><b>When cases may be remitted to another court.</b></p> <p>A court before which a person charged with having committed an offence is brought shall, where –</p> <p>(a) the offence ought to be properly inquired into or tried by another court, or</p> <p>(b) in the opinion of the court, the offence ought to be conveniently inquired into or tried by another court,</p> <p>within a reasonable period <b>not exceeding seven days</b>, send the case and all processes relating to the case to the head of court for reassignment to that other court and, where appropriate, remand the suspect charged in custody or require him to give security for his attendance before that other court to answer the charges and to be dealt with accordingly.</p>
<b>S.110</b>	<p><b>Mode of instituting criminal proceedings in a Magistrate court.</b></p> <p>(2) The charge sheet filed by the prosecution shall be served on the <b>defendant within seven days</b> of its being filed or such time as the court may allow.</p> <p>(3) The trial of a charge preferred under paragraphs (a) and (b) of subsection (1) of this section shall commence <b>not later than 30 days</b> from the date of filing the charge, and the trial of the person brought under the charge shall be completed within a reasonable.</p> <p>(4) Where a charge is preferred under paragraphs (a) and (b) of subsection (1) of this section and the trial does not commence <b>within 30 days</b> of bringing the charge, or trial has commence but has not been completed <b>after 180 days</b> of arraignment on that charge, the court shall forward to the Chief Judge the particulars of the charge and reasons for failure to commence the trial or to complete the trial.</p> <p>(5) A court seized of criminal proceedings shall make <b>quarterly returns</b> of the particulars of all cases, including charges, remand and other proceedings commenced and dealt with in the court within the quarter, to the Chief Judge.</p>
<b>S.111</b>	<p><b>Returns by State Comptroller of Prisons.</b></p> <p>(1) The State Comptroller of Prisons shall make returns <b>every 90 days</b> to the Chief Judge and the Attorney General of all persons awaiting trial held in custody in the prisons situated in the State for a period <b>beyond 180 days</b> from the date of arraignment.</p>
<b>S.116</b>	<p><b>Issue and service of summons.</b></p> <p>A summons may be issued or served on <b>any day, including a Sunday or public holiday.</b></p>
<b>S.117</b>	<p><b>Issue of summons and its contents.</b></p> <p>Where a complaint is made before a Magistrate as provided in section 115 of this Law and the Magistrate decides to issue a summons, the summons shall be directed to the suspect, stating concisely the substance of the complaint and requiring him to appear at a certain time and place <b>not less than 48 hours</b> after the service of the summons before the court to answer to the complaint and to be further dealt with according to law.</p>
<b>S.119</b>	<p><b>Summons with immediate return date in special circumstances.</b></p> <p>Where, on a complaint being made before a Magistrate as provided in section 115 of this Law, the Magistrate decides to issue a summons, the defendant may be directed to appear</p>

	immediately in cases where an affidavit is made by the complainant either at the time of making the complaint or subsequently that the defendant is likely to leave the district <b>within 48 hours</b> .
<b>S.129</b>	<b>Person refusing to sign receipt may be arrested.</b> A person who is required to sign a receipt on the back of a duplicate summons to the effect that he has received the summons and fails to sign the receipt may be – (a) arrested by the person serving the summons or any other person with powers of arrest under this Law and taken before the court which issued the summons; and (b) detained in custody or committed to prison for such time <b>not exceeding 14 days</b> as the court may deem fit.
<b>S.135</b>	<b>Power to dispense with personal attendance of defendant in certain cases.</b> (1) Where a Magistrate issues a summons in respect of any offence for which the penalty is a fine not exceeding ten thousand naira or imprisonment for a term <b>not exceeding six months</b> or both, the Magistrate on application of the defendant
<b>S.160</b>	<b>Recognizance by parent or guardian of child.</b> (1) Where a child is arrested with or without warrant and cannot be brought forthwith before a court, the police officer in immediate charge for the time being of the police station to which the child is brought, shall inquire into the case and shall, except (a) the charge is one of homicide; (b) the offence charged is punishable with imprisonment for a term <b>exceeding three years</b> ; (c) it is necessary in the interest of the child to remove him from association with any reputed criminal or prostitute, release the child on a recognizance entered into by his parent or guardian, with or without sureties.
<b>S.162</b>	<b>Bail where defendant is charged with offence exceeding three years imprisonment.</b> A defendant charged with an offence punishable with imprisonment for a term <b>exceeding three years</b> shall, on application to the court, be released on bail except where there is reasonable ground to believe that the defendant will, where released on bail.
<b>S.179</b>	<b>Forfeiture of recognizance.</b> (4) When the penalty is not paid and cannot be recovered in the manner provided in this Law, the person bound shall be liable to imprisonment for a term <b>not exceeding six months</b> .
<b>S.187</b>	<b>Registration of bonds persons</b> (3) A person who engages in bail bond services without registration and license or in contravention of the regulation or terms of his license is liable to a fine of five hundred thousand Naira or imprisonment for a term <b>not exceeding 12 months</b> or to both fine and imprisonment.
<b>S.188</b>	<b>Bondsperson may arrest absconding defendant or suspect.</b> Where a bondsperson arrests a defendant or suspect who is absconding or who he believes is trying to evade or avoid appearance in court, he shall immediately hand him over to the nearest police station and the defendant arrested shall be taken to the appropriate court <b>within 12 hours</b> .

<b>S.209</b>	<p><b>Separate charges for distinct offences.</b>  For every distinct offence with which a defendant is accused, there shall be a separate charge and every charge shall be tried separately except the charges are for -  (a) any three offences committed by a defendant <b>within 12 months</b> whether or not they are of the same or similar character or whether or not they are in respect of the same person or persons;</p>
<b>S.232</b>	<p><b>Procedure for trial on charge for certain offences.</b>  (5) Any contravention of the provisions of subsection (2) of this section shall be an offence and liable on conviction to a minimum term of <b>one year imprisonment</b>.</p>
<b>S.245</b>	<p><b>Mode of dealing with witness arrested under warrant.</b>  A witness arrested under a warrant shall, if practicable and where the hearing of the case for which his evidence is required is fixed for a time which is <b>more than 24 hours</b> after the arrest, be taken before a Magistrate and the Magistrate,  a) may, on the witness furnishing security by recognizance to the satisfaction of the Magistrate for his appearance at the hearing, order him to be released from custody; or  b) shall, on the witness failing to furnish the security, order him to be detained for production at the hearing.</p>
<b>S.246</b>	<p><b>Penalty on witnesses refusing to attend.</b>  (1) A witness who –  (a) refuses or neglects, without reasonable cause, to attend court in compliance with the requirements of a summons duly served in the manner prescribed by law, or  (b) departs from the premises of the court without the leave of the Judge or Magistrate hearing the case, is liable on summary conviction, to a fine not exceeding ten thousand Naira or to imprisonment for a term <b>not exceeding two months</b></p>
<b>S.250</b>	<p><b>Witness refusing to be sworn, or produce documents.</b>  (1) When a person attending court and who is required to give evidence, without any sufficient excuse or reason –  (a) refuses to be sworn or to affirm as a witness;  (b) having been sworn or having taken affirmation refuses to answer any question put to him; or  (c) refuses or neglects to produce any document or anything which he is required by the court to produce, the court may adjourn the hearing of the case and may, in the meantime, by warrant, commit the person to prison or other place of safe custody for a period <b>not exceeding 30 days</b>.</p>
<b>S.270</b>	<p><b>Plea bargain guidelines.</b>  (14) Any person who, willfully and without just cause, obstructs or impedes the vesting or transfer of any money, asset or property under this Law, commits an offence and is liable on conviction to imprisonment <b>for seven years without an option</b> of fine.</p>
<b>S.278</b>	<p><b>Procedure when defendant is suspected to be of unsound mind.</b>  (3) Where the court is not satisfied that the defendant is capable of making his defence, the court shall adjourn the trial or proceedings and shall remand the person for a period <b>not exceeding one month</b> to be detained for observation in some suitable place.  (4) A defendant detained in accordance with subsection (3) of this section shall be kept under observation by a medical officer during the period of his remand and before the</p>

	<p>expiration of that period, the medical officer shall –</p> <p>(a) give to the court his opinion in writing as to the state of mind of that person; and</p> <p>(b) where he is unable within the period to form any definite opinion, he shall so certify to the court and ask for a further remand and such further remand may extend to a period of <b>three months</b>.</p> <p>(7) The medical officer in charge of the asylum or such other suitable place shall, within a period <b>not exceeding one month</b> in the first instance or on application to the court for a further period of <b>three months</b>, submit to the court a report in writing containing his opinion on the soundness of mind of the defendant.</p>
<p><b>S.281</b></p>	<p><b>Release of defendant of unsound mind pending investigation or trial.</b></p> <p>(4) Where the order is not given <b>within two months</b>, the court may discharge the defendant or release him on bail on satisfaction that doing so will not endanger the life of the defendant or the life of anyone else.</p>
<p><b>S.285</b></p>	<p><b>Safe custody of defendant discharged.</b></p> <p>Where the finding states that the defendant committed the act alleged, the court before which the trial has been held shall, where the act would have but for the finding of incapacity constituted an offence, order the person to be kept in safe custody in such place and manner as the court thinks fit and shall, <b>within 30 one days</b> of the order, report the case for an order of the Attorney General.</p>
<p><b>S.296</b></p>	<p><b>Time and protocol for remand orders.</b></p> <p>(1) Where an order of remand of the suspect is made pursuant to section 293 of this Law, the order shall be for a period <b>not exceeding 14 days</b> in the first instance, and the case shall be returnable within the same period.</p> <p>(2) Where, on application in writing, good cause is shown why there should be an extension of the remand period, the court may make an order for further remand of the suspect for a period <b>not exceeding 14 days</b> and make the proceedings returnable within the same period.</p> <p>(4) At the expiration of the remand order made pursuant to subsection (1) or (2) of this section, and where the suspect is still remanded with his trial having not commenced, or charge having not been filed at the relevant court having jurisdiction, the court shall issue a hearing notice on –</p> <p>(a) the State Commissioner of Police and the Attorney General; or</p> <p>(b) any relevant authority in whose custody the suspect is or at whose instance the suspect is remanded, and adjourn the matter within a period <b>not exceeding 14 days</b> of the expiration of the period of the remand order made under subsection (1) or (2) of this section, to inquire as to the position of the case and for the Commissioner of Police and the Attorney General to show cause why the suspect remanded should not be unconditionally released.</p> <p>(5) Where the Commissioner of Police and the Attorney General show good cause pursuant to subsection (4) of this section and make a request to that effect, the court –</p> <p>(a) may extend the remand of the suspect for a final period <b>not exceeding 14 days</b> for the suspect to be arraigned for trial before an appropriate court; and</p> <p>(b) shall make the case returnable within the said period of <b>14 days</b> from the date the hearing notice was issued pursuant to subsection (4) of this section.</p>
<p><b>S.332</b></p>	<p><b>Custody or sale of property.</b></p> <p>(2) Where no person establishes a right <b>within six months</b> from the date of forfeiture or confiscation of the property, the proceeds of the sale shall be paid into the Consolidated Revenue Fund of the State or any other appropriate State account.</p>

<p><b>S.337</b></p>	<p><b>Procedure on seizure of property taken during arrest or investigation or stolen.</b>  (1) The seizure by the police of property taken during arrest or investigation under this Law, or alleged or suspected to have been stolen or found in circumstances which create a suspicion of the commission of an offence, shall, within a period <b>not exceeding 48 hours</b> of the taking of the property or thing, be reported to a court, and the court shall make an order in respect of the disposal of the property or its delivery to the person entitled to its possession or such other orders as it may deem fit in the circumstances.</p> <p>(2) Where the person entitled to the possession of property referred to in subsection (1) of this section is unknown, the court may detain it and shall issue a public notice specifying the articles of which the property consists and requiring any person who may have a claim to it, to appear before the court and establish his claim <b>within six months</b> from the date of the notice.</p>
<p><b>S.338</b></p>	<p><b>Procedure where owner of property seized is unknown.</b>  (2) At any time <b>within six years</b> from the date of the property coming into the possession of the police, the court may direct the property or the proceeds of the sale of the property to be delivered to any person proving his title to it, on payment by him, of any expenses incurred by the court in the matter.</p>
<p><b>S.344</b></p>	<p><b>Destruction of articles relating to counterfeiting where no charge is laid.</b>  (2) Notice of an action to be taken under paragraph (a) of subsection (1) of this section shall have been given to the person who appears to be the owner of a currency, matter or thing, where the person is known and can easily be found, that the coin or thing will be destroyed <b>at the end of a specified number of days</b> unless the owner shows that the currency is not counterfeit or that the thing is not intended to be used for the purpose of making counterfeit currency.</p>
<p><b>S.347</b></p>	<p><b>Summary procedure in perjury.</b>  (1) Where it appears to a court that a person has committed perjury in any proceeding before it, the court, subject to the provisions of subsection (2) of this section and in addition, in the case of a Magistrate, to subsection (3) of this section, may –  (b) try him summarily for contempt of court and where he is found guilty, commit him to prison for a period <b>not exceeding six months</b> or fine him in such sum in accordance with the scale of fine in the Fourth Schedule to this Law</p>
<p><b>S.349</b></p>	<p><b>Non-appearance and non-representation of legal practitioner.</b>  (3) Where the defendant wishes to engage another legal practitioner of his choice, the court shall allow him reasonable time but <b>not exceeding 30 days</b> to do so.  (8) Where a legal practitioner intends to disengage from a matter, he shall notify the court, <b>not less than three days</b> before the date fixed for hearing and such notice shall be served on the court and all parties</p>
<p><b>S.350</b></p>	<p>(1) Trial shall be held summarily –  (a) in the High Court in respect of perjury;  (b) in respect of an offence which by a law of the State is triable summarily; and</p>



	(c) in respect of a trial for an offence punishable with <b>less than three years imprisonment</b> in the Magistrate's Court or tribunal.
<b>S.351</b>	<b>Non-appearance of complainant.</b> (2) Where the court receives a reasonable excuse for the non-appearance of the complainant or his representative or for other sufficient reason, it shall adjourn the hearing of the complaint to some <b>future day</b> on such terms as the court may deem just.
<b>S.352</b>	<b>Non-appearance of defendant.</b> (b) not satisfied that the summons has been duly served or where a warrant had been issued, in the first instance, for the arrest of the defendant, shall adjourn the hearing of the case to some <b>future day</b> , in order that proper service may be effected or, until the defendant is arrested, as the case may be.
<b>S.364</b>	<b>Notes of evidence to be recorded electronically or in writing.</b> (1) Without prejudice to subsection (2) of section 348 of this Law, court proceedings may be recorded electronically and verbatim such that <b>at the end of each day's proceeding</b> a transcript of such recording shall be printed to enable certification or authentication by the Judge or Magistrate who conducted the proceedings. (2) Where court proceedings are not recorded as stated in sub-section (1), the court shall in every case take notes in writing of the oral evidence it considers material, in a book to be kept for that purpose and the book shall be signed by the court <b>at the conclusion of each day's proceedings</b> .
<b>S.369</b>	<b>Power to bind parties to be of good behaviour.</b> (2) A person who breaches an order made, pursuant to subsection (1) of this section, may be imprisoned for a term <b>not exceeding three months</b> in addition to any other punishment to which the person is liable.
<b>S.372</b>	<b>Power to remand.</b> Without prejudice to any other power which a Magistrate may possess, he may, for the purposes of ascertaining whether it is expedient to deal with a case summarily, either before or during the hearing of the case, adjourn the case and remand the person charged for a period <b>not exceeding 48 hours</b> or release him on bail
<b>S.373</b>	<b>Law officer may require case to be adjourned or dealt with specially.</b> (2) On receipt of the request, the Magistrate shall adjourn the proceeding until such a time as information or charge is filed in the High court, provided that the information shall be filed within a period of <b>30 days</b> of the date of the order granting the request. (3) The Magistrate shall make the case returnable for a period <b>not exceeding 30-two days</b> from the date of the grant of the request. (4) Where at the end of the period of <b>30 days</b> provided in subsection (2) of this section, the information or charge against the defendant has not been filed at the High Court, the Magistrate shall proceed on the return date to try the charge summarily where he has jurisdiction, or may make an order releasing the defendant on bail pending his arraignment on the information or charge as requested by the law officer.
<b>S.374</b>	<b>Adjournment for law officer's decision.</b>

	<p>(2) The request of the law officer so consulted shall be filed <b>within 14 days</b> of the date the Magistrate grants the request of the person prosecuting, failing which the Magistrate shall proceed to try and conclude the case summarily.</p> <p>(3) Where the Magistrate grants an adjournment at a request under subsection (1) of this section, the adjournment shall not be for a period <b>exceeding 15 days</b>, and the Magistrate may grant the defendant bail.</p>
<b>S.375</b>	<p><b>Security for peace in cases tried summarily.</b></p> <p>2) The convict may be ordered to be imprisoned until the recognizance is entered into, but the imprisonment shall not –</p> <p>(a) extend for a term longer than <b>one year</b>; and</p> <p>(b) together with the fixed term of imprisonment, if any, extend for a term longer than the longest term for which he might be sentenced to be imprisoned without fine for the offence which he was convicted.</p>
<b>S.376</b>	<p><b>Case files, legal advice, and related proceedings.</b></p> <p>(2) The Attorney General shall, <b>within forty-five days</b> of receipt of the police case file, issue and serve his legal adviser indicating whether or not there is a prima facie case against the defendant for which he can be prosecuted.</p> <p>(10) Where the defendant indicates in the form referred to in subsection (9) of this section that, he wishes to be represented by a legal practitioner of the Legal Aid Council or any other organization providing free legal representation, he shall forward the form to the Chief Registrar of the court before whom the charge or information for his trial has been filed and the Chief Registrar shall, <b>within 14 days</b> of receipt of the form, ensure that a legal practitioner of the Legal Aid Council as stipulated under this subsection or any other organization providing free legal representation for the defendant, and by notice in writing inform the defendant of the particulars of the legal representation arranged for him.</p>
<b>S.382</b>	<p><b>Assignment of information and issuance of notice of trial.</b></p> <p>(1) Where an information has been filed in the court, the Chief Judge shall take appropriate steps to ensure that the information filed is assigned to a court for trial <b>within 15 working days</b> of its filing.</p> <p>(2) On assigning the information, the court to which the information is assigned shall <b>within ten working days</b> of the assignment issue notice of trial to the witnesses and defendants and a production warrant properly endorsed by the Judge in respect of the defendant charged, where he is in custody, for the purpose of ensuring his appearance on the date of arraignment, and the Chief Registrar shall ensure the prompt service of the notice and information <b>not more than three days</b> from the date they are issued.</p> <p>(6) Nothing in this section shall prevent the defendant from being tried by reason only that the notice of trial and the information were served on him <b>less than three days</b> before the date of trial, where he consents to being so tried.</p>
<b>S.383</b>	<p><b>Information by private person.</b></p> <p>(2) Where an application for consent to prosecute is made to the Attorney General by a private legal practitioner and the Attorney General declines to grant such consent, he shall give his reasons for doing so in writing <b>within 15 working days</b> from the date of the receipt of the application.</p>
<b>S.390</b>	<p><b>Time and mode of summoning parties on information.</b></p>

	The Sheriff or other proper officer shall, on receipt of the information and notice of trial, serve the person named in the notice <b>at least seven working days</b> before the date specified on the notice
<b>S.396</b>	<p><b>Time for raising certain objections, day to day trial and adjournments.</b></p> <p>(3) Upon arraignment, the trial of the defendant shall proceed from <b>day to day</b> until the conclusion of the trial.</p> <p>(4) Where day to day trial is impracticable after arraignment, no party shall be entitled to more than five adjournments from arraignment to final judgment provided that the interval between each adjournment shall <b>not exceed 14 working days</b>.</p> <p>(5) Where it is impracticable to conclude a criminal proceeding after the parties have exhausted their five adjournments each, the interval between one adjournment to another <b>shall not exceed seven days inclusive of weekends</b>.</p>
<b>S.400</b>	<p><b>Fine for nonattendance of witness.</b></p> <p>A person who fails to attend as witness in either of the cases mentioned in sections 397 and 398 of this Law is liable, on the summary order of the court, to a fine in a reasonable sum to be fixed by the court, but not less than five thousand naira and, in default of payment, to imprisonment for a term corresponding to the fixed sum, but the period of imprisonment shall <b>not exceed a period of one month</b>.</p>
<b>S.405</b>	<p><b>Sentencing in the case of a child offender.</b></p> <p>Where a convict who, in the opinion of the court, had not attained the age of <b>18 years</b> at the time the offence was committed is found guilty of a capital offence, sentence of death shall not be pronounced or recorded but in lieu of it, the court shall sentence the child to life imprisonment or to such other term as the court may deem appropriate in consideration of the principles in section 401 of this Law</p>
<b>S.416</b>	<p><b>Court to determine term of imprisonment.</b></p> <p>(2) In exercising its discretion of sentencing or review of sentence, the court shall take into consideration the following factors, in addition to the provisions of section 401 of this Law:</p> <p>(j) An appeal court may not increase the sentence of a lower court <b>beyond the maximum number of years</b> the lower court has power to impose;</p>
<b>S.417</b>	<p><b>Power to order detention for one day in precincts of the court.</b></p> <p>(1) Where the court has power to pass a sentence of imprisonment, it may, in lieu of passing sentence of imprisonment, order the convict to be detained within the precincts of the court or at a police station till <b>such hour not later than eight in the evening</b> on the day on which he is convicted, as the court may direct</p>
<b>418</b>	<p><b>Consecutive sentence of imprisonment.</b></p> <p>(2) Where two or more sentences passed by a Magistrate's Court are ordered to run consecutively, the aggregate term of imprisonment <b>shall not exceed four years</b> of the limit of jurisdiction of the adjudicating Magistrate.</p>
<b>S.419</b>	<p><b>Date from which sentence commences.</b></p> <p>A sentence of imprisonment takes effect <b>from and includes the whole of the day</b> of the date on which it was pronounced.</p>
<b>S.420</b>	<p><b>Default in payment of fine.</b></p> <p>(1) In the case of a conviction in the High Court, where no amount of fine is stipulated, the amount of the fine shall be at the discretion of the court, and any term of</p>

	imprisonment imposed in default of payment of the fine shall <b>not exceed two years</b>
<b>S.426</b>	<b>Limitation of imprisonment in default of payment of fine.</b> A commitment for non-payment of a fine shall not be for a longer period than <b>two years</b> , except where the law under which the conviction has taken place prescribes or allows a longer period.
<b>S.429</b>	<b>Allowance of further time and payment by instalments.</b> (4) A warrant of commitment issued under the provisions of this section may be executed on <b>any day, including a Sunday or a public holiday</b> .
<b>S.431</b>	<b>Commencement of imprisonment pursuant to a warrant.</b> Where a convict is brought to a prison to be imprisoned by virtue of a warrant of commitment, there shall be endorsed on the warrant the day on which the convict was arrested by virtue of it and the imprisonment shall be computed <b>from that day and inclusive</b> .
<b>S.433</b>	<b>Right of person imprisoned in default to be released on paying sum and effect of part payment.</b> (3) Subject to the provisions of subsection (2) of this section, where an amount is paid towards a fine: (a) the imprisonment shall be reduced by <b>a number of days</b> bearing as nearly as possible the same proportion to the total number of days for which the person is committed as the sum so paid towards the fine bears to the amount of the fine for which the person is liable; and (5) In reckoning – (a) the <b>number of days</b> by which a term of imprisonment would be reduced under this section, the first day of imprisonment shall not be taken into account;
<b>S.436</b>	<b>Procedure on the execution of distress warrant.</b> In the execution of a distress warrant the following provisions shall have effect: (d) Except as provided in paragraph (e) of this subsection and so far as the person on whose movable property the distress is levied consents in writing to an earlier sale, the goods distrained on shall be sold at public auction <b>not less than five days and not more than 14 days</b> after the making of the distress, but where consent in writing is so given, the sale may be in accordance with the consent; (g) A written account of the costs and charges incurred in respect of the execution of a warrant of distress shall, as soon as practicable, be delivered by the person charged with the execution of the warrant to the court, and the convict on whose movable property the distress was levied may, at any time <b>within one month</b> after the making of the distress, inspect the account, without payment of any fee or reward, at any time <b>during office hours</b> , and to take a copy of the account;
<b>S.450</b>	<b>Deportation order may be limited.</b> An order of deportation may be expressed to be in force for a limited time or for an unlimited time or may require the defendant to report himself to the nearest immigration office or police station at intervals of <b>not less than 30 days</b> .
<b>S.451</b>	<b>Execution of deportation order.</b> (2) Where a defendant leaves or attempts to leave the district or place to which he has been confined prior to deportation while the order of deportation is still in force, without the written consent of the Minister of Interior which consent shall be given subject to any

	term as to security for good behaviour or otherwise as the Minister of Interior shall deem fit, or willfully neglects or refuses to report himself as ordered, such person is liable to imprisonment for <b>six months</b> and to be again deported on a fresh warrant under the original order or under a new order.
<b>S.454</b>	<p><b>Conditional release of defendant and payment of compensation for loss or injury and of costs.</b></p> <p>(2) The court may make an order under subsection (1) of this section –</p> <p>(a) dismissing the charge; or</p> <p>(b) discharging the defendant conditionally on his entering into a recognizance, with or without sureties, to be of good behaviour and to appear at any time during such period <b>not exceeding three years</b> as may be specified in the order.</p>
<b>S.458</b>	<p><b>Variation of terms and conditions of probation.</b></p> <p>The court before which a defendant is bound by a recognizance under this Part to appear for conviction and sentence or for sentence may –</p> <p>(a) at any time where it appears to it on the application of the probation officer that it is expedient that the terms or conditions of the recognizance should be varied, summon the defendant bound by the recognizance to appear before it and if he fails to show cause why the variation should not be made –</p> <p>(i) vary the terms of the recognizance by extending or reducing the duration, which shall <b>not exceed three years</b> from the date of the original order,</p>
<b>S.460</b>	<p><b>Suspended sentence and community service.</b></p> <p>(3) A convict shall not be sentenced to suspended sentence or to community service for an offence involving the use of arms, offensive weapon, sexual offences or for an offence which the punishment exceeds imprisonment for a term of <b>three years</b>.</p>
<b>S.462</b>	<p><b>Performance of community service order.</b></p> <p>(1) The community service order shall be performed for a period of <b>not more than six months</b> and the convict shall not work for <b>more than five hours a day</b>.</p>
<b>S.466</b>	<p><b>Discharge of community service order.</b></p> <p>(1) Where a convict has been ordered to undergo community service for a period of <b>more than four months</b>, the supervising officer shall, from time to time, give a report to the Registrar on the convict's performance and general conduct.</p>
<b>S.468</b>	<p><b>Court may direct release of prisoner before completion of sentence.</b></p> <p>8. Where the State Comptroller of Prisons makes a report to the court recommending that a prisoner –</p> <p>(a) sentenced and serving his sentence in prison is of good behavior, and</p> <p>(b) has served at least one-third of his prison term, where he is sentenced to imprisonment for a term of at least <b>15 years</b> or where he is sentenced to life imprisonment,</p>
<b>S.469</b>	<p><b>Establishment of the Administration of Criminal Justice Monitoring Committee.</b></p> <p>(g) the Chairman of any of the local branch of the Nigeria Bar Association in the State to serve for <b>two years</b> only;</p> <p>(h) the State Director of the Legal Aid Council of Nigeria or representative not below the rank of an Assistant Director; and</p> <p>(i) a representative of the civil society working on human rights and access to justice or women rights to be appointed by the Governor to serve for a period of <b>two years only</b>.</p>

S.470	<p><b>Functions of the committee.</b></p> <p>(2) Without prejudice to the generality of subsection (1) of this section, the Committee shall ensure that –</p> <p>(g) <b>quarterly report</b> is submitted to the Chief Judge to keep him abreast of developments towards improved criminal justice delivery and for necessary action; and</p>
S.471	<p><b>Secretariat of the Committee.</b></p> <p>(3) The Secretary shall be a legal practitioner of not less than <b>ten years post call</b> experience and shall possess sound knowledge of the practical functioning of the criminal justice system and adequate experience in justice system administration.</p> <p>(4) The Secretary shall be responsible for the execution of the policy of the Committee and the day to day running of the affairs of the Committee.</p> <p>(5) The Secretary shall hold office for a term of <b>four years</b> and may, subject to satisfactory performance of his functions, be reappointed for another term of <b>four years</b> and no more.</p>
S.473	<p><b>Annual estimates and accounts.</b></p> <p>(1) The Secretary shall submit to the Attorney General not later than <b>30th September in each financial year</b>, an estimate of its expenditure and income during the next financial year.</p> <p>(2) The Committee shall keep proper accounts and records in respect of <b>each financial year</b> and shall cause its accounts to be audited <b>not later than two months</b> from the end of each <b>financial year</b>.</p>
S.474	<p><b>Annual report.</b></p> <p>The Committee shall prepare and publish an <b>annual</b> report of its activities</p>
S.481	<p><b>Power of representative.</b></p> <p>(c) express assent to the trial of the corporation on information, notwithstanding that a copy of the information and notice of trial has not been served on the corporation <b>three days or more</b> before the date on which the corporation is to be tried.</p>
S.485	<p><b>Appeals from Magistrate’s Court.</b></p> <p>(4) The notice of appeal shall be given in every case before the <b>expiration of the 30th day</b> after the day on which the court has made the decision appealed against.</p> <p>(5) An appellant shall file many copies of his notice of appeal as there are parties to be served, in addition to the copies for the court.</p> <p>(6) An appellant, in an appeal brought in accordance with the provisions of this Part, shall, <b>within 30 days</b> of the pronouncing of the decision appealed against, file with the registrar of the court from which the appeal is brought a brief setting forth the grounds of his appeal which shall be signed by the appellant or the legal practitioner representing him.</p>



## **Conclusion**

Effective administration of criminal justice is dependent on how stakeholders in the system perform their roles within the timelines stipulated to ensure speedy dispensation of justice and overall fair trials for the victim, defendant, and the society, as opposed to delayed trials, congested courts dockets and correctional/detention facilities, filled with awaiting trial inmates. It is our hope that through the efficient monitoring of the implementation of the laws, stakeholders will be committed to performing their functions within the prescribed timelines for an overall improved criminal justice system.

*Supported by*



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