

## Chapter 4 Part V

### Katsina State Islamic Penal System (Adoption) Law 2000<sup>724</sup>

A LAW TO PROVIDE FOR THE ADOPTION OF ISLAMIC PENAL SYSTEM FOR THE STATE

BE IT ENACTED by the House of Assembly of Katsina State of Nigeria as follows: Enactment

1. This Law may be cited as the Islamic Penal System (Adoption) Law, 2000 and shall come into operation on the 1<sup>st</sup> day of August 2000. Short title and commencement

2. In this Law:

“Criminal Procedure Code” means the Criminal Procedure Code Law, Cap. 37 Laws of Katsina State of Nigeria;

“Islamic Law” means the law governing the religion of Islam;

“Penal Code” means the Penal Code Law Cap. 96 Laws of Katsina State of Nigeria;

“Sharia Court” means court established under the Shari’a Court Law;

“State” means the Katsina State of Nigeria.

3. (1) Notwithstanding any provision contained in the Penal Code and the Criminal Procedure Code, proceedings for the determination of any civil or criminal matter before any Sharia Court shall be governed in accordance with the primary sources of Islamic Law, that is to say: - Proceedings according to Islamic law

(a) Qur’an and

(b) Hadith

(2) Subject to the provisions contained in the texts mentioned in subsection (1) of this section, a Shari’a Court is empowered, in any proceedings before it to refer to and utilize the texts in the Maliki School of Law; *provided that* they are in consonance with the Qur’an and Hadith.

4. Offences committed on or after the date of commencement of this Law shall be tried in accordance with the provisions of this Law. Offences triable under this Law

MADE AT Katsina this 31<sup>st</sup> day of July 2000

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ALHAJI UMARU MUSA YAR’ADUA

*Governor*

Katsina State of Nigeria

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<sup>724</sup> Katsina State of Nigeria Gazette No. 5 Vol. 11, 10<sup>th</sup> August, 2000, Supplement Part A pp. A97-98.