

Assented to by me this.....day of.....2016

Assent withheld by me this.....day of.....2016

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**SENATOR ABIOLA AJIMOBİ**  
**HIS EXCELLENCY, THE EXECUTIVE GOVERNOR**

Passed again by the Oyo State House of Assembly by two-thirds majority this .....  
Day of.....20.....

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**SPEAKER**

Sponsored by Hon.....

**Chairman**  
**Justice, Judiciary and Petitions Committee**

**Crest**  
**Oyo State of Nigeria**

**No.1**

**A LAW TO PROHIBIT KIDNAPPING AND OTHER MATTERS CONNECTED THERETO**

Date of Commencement ( )

Enactment **ENACTED** by the House of Assembly of Oyo  
State of Nigeria as follows:

Short title	1. This Law is cited as the Kidnapping (Prohibition) Law, 2016
Interpretation	<p>2. In this Law-</p> <p>“Court” means High Court of Oyo State;</p> <p>“Government” means Government of Oyo State;</p> <p>“Kidnapper” means any one who carries out the acts of kidnapping;</p> <p>“Kidnapping” includes the unlawful removal or exportation of any person from where he is, to another place away from the vicinity where he is found, or unlawful confinement of the person in any place without his consent, either by physical force or hypnotizing, with the following intentions, to-</p> <ol style="list-style-type: none"> <li>(1) hold for ransom or reward; or</li> <li>(2) hold as a shield or hostage; or</li> <li>(3) facilitate the commission of a felony; or</li> <li>(4) inflict bodily injury on or terrorize the victim or another; or</li> <li>(5) give ransom or anything of value; or</li> <li>(6) interfere with the performance of any governmental or political function; or</li> <li>(7) interfere with the business of the person or with the business of another; or</li> <li>(8) restrain or keep back; or</li> <li>(9) falsely imprison for payment of ransom or doing of an act by another; or</li> <li>(10) use for ritual purposes</li> </ol>
Offence of kidnapping	3(1) Any person who kidnaps another person by any other means of instilling fear; or tricks, with intent to demand ransom or compel another to do anything against his will commits an offence.

- (2) Any person who kidnaps, keeps, holds back or restrains another person in such a manner as to prevent him from disclosing to any other person the place where he is being restrained or kept in such a manner as to prevent any person entitled to have access to him with or without payment of a ransom for his release commits an offence.
- Penalty for kidnapping 4. Any person who contravenes section 3(1) or (2) of this Law where the life of the person kidnapped, restrained or seized is-
- (1) lost in the process, is liable on conviction to be sentenced to death.
- (2) not lost in the process, but he is released upon payment of a ransom or performance of a ransom act, the kidnapper is liable on conviction to repay the sum he received as ransom and to imprisonment for life and the ransom act shall be reversed.
- Attempt to kidnap 5. Any person who attempts to kidnap commits an offence and is liable on conviction to imprisonment for 20 years.
- Aiding and abetting Kidnapping 6. Any person who aids or abets another to kidnap commits an offence and is liable on conviction to imprisonment for 15 years.
- Arranging for self kidnapping 7. Any person who puts himself forward, whether overtly or covertly to another to be kidnapped or seized for the purpose of extorting money or ransom in any other form from his employer, or any person or body whatsoever commits an offence and is liable on conviction to imprisonment for 15 years or any non-custodian punishment which the court may determine.

- Harboring a kidnapped person 8. Any person, who knowingly or willingly allows his premises, building or place belonging to or occupied by him and which he has control over to be used for purposes of keeping a kidnapped person, commits an offence and is liable on conviction to imprisonment for 15 years and such premises, building or place shall be forfeited to Government for public use.
- Instrument or device for kidnapping 9. Any person who knowingly or willingly allows or permits his electronics, equipment, instrument, mechanical or other movable items which he has control over to be used for the purpose of kidnapping, aiding or abetting kidnapping, commits an offence and is liable on conviction to imprisonment for 10 years and such electronics, instrument, equipment or item shall be forfeited to Government for public use.
- Kidnapping for ransom act. 10. Any person who kidnaps or threatens to kill, maim or cause bodily harm in order to compel another person or corporate body or organization to do or abstain from doing any act as a condition for the release of the person kidnapped, commits an offence and is liable on conviction to imprisonment for life.
- False representation and pretence to be a kidnapped person. 11(1). Any person who under false pretence or in any other manner presents or represents himself to be the person kidnaped or who has influence, power or ability to obtain the release of a person kidnapped for purposes of obtaining anything of value, commits an offence and is liable on conviction to Imprisonment for 7 years.
- (2) Nothing in this section shall prohibit any person who, in good faith believes that he can , facilitate or obtain the release of a person who has been kidnapped, provided he has no part in, or connection with the commission of the offence.

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| Procuring another to kidnap | 12. | Any person who procures, engages, or gives information for the purpose of kidnapping commits an offence, and is liable on conviction to the same punishment as if he himself committed the offence of kidnapping.      |
| Forfeiture of property      | 13. | Any property real or personal, monies and other valuables owned or realized by a person convicted of the offence of kidnapping in the process of his unlawful act shall be forfeited to the Government for public use. |
| Trial of offence            | 14. | Offences under this Law shall be tried by the High Court.  |
| Repeal                      | 15. | Section 364 of the Criminal Code, Cap 38, Laws Oyo State, 2000 is repealed.  |

The printed impression has been carefully compared with the Bill which was passed by the Oyo State House of Assembly and it is hereby certified to be a true and correct printed copy of the Bill.

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**BARRISTER PAUL ISHOLA BANKOLE mni**  
**Permanent Secretary/Clerk**

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**RT. HON. ADESINA M. ADEYEMO**  
**Speaker**

