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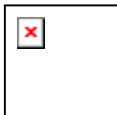
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Nasarawa State of Nigeria Gazette **No. 16 Vol. 7, 16th February, 2005 Supplement Part A**
N.S.L. No. 1 of 2005.

**THE EKYE DEVELOPMENT AREA (MODIFICATION OF NATIVE LAW AND
CUSTOM RELATING TO THE SELECTION OF THE UTOSHOHO OF
AGBASHI) ORDER, 2004**



LAW NO. 1 OF 2005

1st January, 2004

Date of
Commencement

WHEREAS the Ekye Development Area considers it expedient for the good government and welfare of the area of its authority that a recommendation for the modification of the Native Law and Custom relating to the selection of a person to be the Utoshoho of Agbashi should be submitted for the consideration of the Governor of Nasarawa State;

AND WHEREAS the Ekye Development Area has submitted for the consideration of the Governor for the modification of Ekye Native Law and Custom;

AND WHEREAS, the State Governor is that such modification is expedient and is not repugnant to natural justice, equity or good conscience and is not incompatible either in it's terms or by necessary implication with any Act or Law;

NOW THEREFORE, in exercise of the powers conferred upon me by sub-section (3) of section 5 of the Local Government Council Law 2000, section 4 of the Chiefs (Appointment and Deposition) Law and all other powers enabling me in that behalf, I hereby make the following order:-

1. This order may be cited as the Ejye Traditional Council (Modification of Native Law and Custom Relating to the Selection of the Utoshoho of Agbashi Chiefdom) Order 2004, and shall be deemed to have come into operation on the 16th day of November, 2004. Title and Commencement.
2. The Agbashi Native Law and Custom set out in the schedule to this Order shall be the Native Law and Custom relating to the selection of the Utoshoho of Agbashi and shall be in force in the area of authority of the Ekye Traditional Council. Application of the Native Law and Custom.

SCHEDULE

**MODIFICATION OF AGBASHI NATIVE LAW AND CUSTOM RELATING TO THE
SELECTION OF UTOSHOHO OF AGBASHI**

1. The Utoshoho of Agbashi shall continue to be chosen from the following two (2) ruling houses; Candidate
 - (i) Enah (Ekye)
 - (ii) Ashikeni (Iso)

2. The Traditional Selectors shall be the persons holding the following posts, namely:
 - (i) Owuse of Agbashi
 - (ii) Oshatta of Agbashi
 - (iii) Okuba of Agbashi
 - (iv) Ogbole G'Ose of Agbashi
 - (v) Osize of Agbashi
3. The Traditional Selectors mentioned in paragraph 2 of this Schedule shall constitute an electoral College for the purpose of selecting the Utoshoho of Agbashi. Electoral College.
4. The quorum at the meeting of the traditional Selectors to select the Utoshoho of Agbashi shall be two (2) Quorum
5. Whenever the Office of the Utoshoho of Agbashi becomes vacant, the Chairman of Ekye Development Area shall notify the Governor in writing of such vacancy. Vacancy of Office.
6. (i) The Governor shall on receipt of the information of the Office of Utoshoho of Agbashi being vacant appoint a Presiding Officer and a Secretary for the purpose of the selection of Utoshoho of Agbashi. Appointment of Presiding Officer.
 - (ii) The Secretary to Ekye Development Area shall be in attendance as an observer. Observer.
7. (i) The Presiding Officer shall issue nomination papers to each Traditional Selector and shall call for nomination of candidates from amongst the adult male descendants of the two (2) ruling houses specified in section 1. Nomination.
 - (ii) Nomination of candidates shall be to the Presiding Officer in writing and with some assistance in the case illiterate Traditional Selectors by any person chosen by such Traditional Selectors.
 - (iii) Where only one person is nominated, such a person shall be deemed to have selected as the Utoshoho of Agbashi subject to the approval of the Governor after consultation with the State Council of Chiefs.
8. (i) Where more than one candidates are nominated, the Presiding Officer shall conduct an election by secret ballot in which all Traditional Selectors qualified to vote shall be entitled to vote and the candidate who receives the highest number of votes shall be deemed to have selected as the Utoshoho of Agbashi subject to the approval of the governor after due consultation with the State Council of Chiefs. Selection by Secret ballot.

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(ii) In the event of first and second ties, there shall be a fresh ballot held on the same day in accordance with paragraph 8 and the candidate who receives the highest number of votes shall be deemed to have been selected as the Utoshoho of Agbashi subject to the approval of the Governor after due consultation with the State Council of Chiefs.

(iii) In the event of a third tie, the Presiding officer shall forthwith decide between the candidates with the highest and equal number of votes by lot. The candidate on whom the lot falls shall be deemed to have been selected as the Utoshoho of Agbashi subject to the approval of the Governor after consultation with the State Council of Chiefs.

9. The Presiding Officer shall communicate the result of the selection in writing to the Governor for his approval after due consultation with the State Council of Chiefs. Result of Election.

The common seal of Ekye Development Area is hereto affixed in the presence of:-

His Royal Highness,
MALLAM MUSA ABARI AGYE
(*Osakpa of Akpanaja*),
Ag. Chairman, Ekye Development Area Traditional Council.

ALHAJI JIBRIN M. OLOSHU
Secretary,
Ekye Development Area Management Council.



ALHAJI AHMED SARDAUNA EYIBO
Chairman,
Ekye Development Area Management Council.

APPROVED at Lafia this 2nd day of February, 2005.

ALHAJI ABDULLAHI ADAMU
Executive Governor,
Nasarawa State of Nigeria.