

1. Introduction

My place of residence is FCT, Abuja. By default, all the land in the Federal Capital Territory (FCT), including Abuja, belongs to the Federal Government of Nigeria. Authority over the land in Abuja is given to the FCT Minister, who acts on behalf of the president of Nigeria. The FCT Minister heads two important agencies that directly oversee land management in Abuja, namely The Federal Capital Development Agency (FCDA) and Abuja Geographic Information System (AGIS). The FCDA is in charge of the overall development of Abuja. The FCDA manages things like designing, planning and construction as the city continues to expand. Their main goal is to ensure that Abuja becomes “a first-class Capital City and Territory comparable to the best Capital Cities and Territories in the world”. On the other hand, AGIS directly manages land administration in Abuja. FCDA land is allocated directly by the FCT Minister with AGIS acting as the administrators of the process.

There are 6 area councils in the FCT, specifically Abaji, Abuja Municipal Area Council, Bwari, Gwagwalada, Kuje and Kwali. Previously, land under the control of these area councils were allocated by their respective chairmen. However, as of recent, this responsibility has also shifted to the Minister.

2. Definitions of some concepts

Before going further I'd like to define some important terms:

Land tenure

It is the system of landholding in a given society. Land tenure is a system according to which land is held by an individual. It determines the owners' rights and responsibilities in connection with their holding. It determines who can use land, for how long and under what conditions.

Customary law

It entails the customs and usages traditionally handed down from time immemorial from ancestors and are observed amongst the indigenous people that formed part of their culture and religions.

Customary law tenure system

Refers to the system of land holding governed by the customary law embracing native law and the shariah law. Since 1978, the Nigerian customary land tenure has been modified by the provisions of the Land Use Act 1978. the Act provides for a uniform land tenure system in Nigeria.

Some customary law concepts

Customary law although diverse in nature all have similar features. For example, the system of land ownership is featured in all customary law in Nigeria, which includes:

- I. The community: refers to land acquisition through the communal heads
- II. Family: refers to land acquisition through family heads with the consent of all family members
- III. The individuals: refers to land acquisition through personal or private persons.

3. The system of landholding in my locality

My place of locality is Jikwoyi, FCT, Abuja; as preferably called AMAC. I don't reside in the urban area or rather developed area. My place of residence is the undeveloped area in Abuja which is why we practice the communal landholding system mainly, family and the individual landholding system.

In my area, we have a chief, Chief Esu Jetta. He holds land and sublets to individuals who are interested to purchase. The government gave the chief an area of land, a quite massive area of land to settle and from there the Chief sublets to individuals. The streets are named after him, for example, the name of my streets is ; No 32 Esu Jetta street, Jikwoyi, Phase. In an event of dispute amongst land holder, the matter is taken to the Chief for resolution. Also, government gives out land in my area to individuals. This individual has to get their papers accredited from AGIS (Abuja Geographical Information System). Once accredited, valid transfer and absolute ownership is confirmed.

How to acquire family land.

First of all, make inquiries about the potential land to purchase. Later the interested purchaser can go to Abuja Municipal Area Council or employ an agent to know whether the land is a family land or communal land or government land. When its confirmed that it's a family land; meet the family and get all their consent including the family head. Upon agreement to sale, both parties will commence to the Chiefs palace. The Chief will appropriate the land to the buyer and an agreement will be drafted which will carry a beacon, the amount agreed for payment, the name of the witnesses from both parties, the Chiefs seal and signature of the family head. Thereafter a receipt will be given upon confirmation of payment.

How to acquire land individually from the Chief or Government

Any interested person can meet the chief and state his request for a land. The chief will grant a land to the individual via an agreement which will carry the Chiefs seal. Thereafter an allocation letter will be given to the individual with the chief's letter heading upon confirmation of payment.

To buy land directly from the government you have to make an application through AGIS. The steps to be taken are as follows:

- 1) Download a fresh land application form from the AGIS website. Alternatively, you may visit the AGIS office to obtain a new application form.

- 2) Complete the application form. The form contains basic personal detail fields such as your name, age, address and contact details. The form also has space for specifying the general use (residential, commercial, mixed use etc.) and the specific purpose of the land sought e.g. hotel, private housing estate, school, church, mosque etc. The location preferred and the size of the plot sought can also be stated on the form.
- 3) Make an application payment of 100,000 Naira to AGIS through one of the following banks: Zenith Bank, Fidelity Bank, First Bank, Eco Bank, Heritage Bank or SunTrust Savings & Loans Ltd.
- 4) Obtain a receipt from the AGIS Finance department by presenting evidence of making the appropriate application payment.
- 5) Formally make an application at AGIS accompanied with the following documents: completed application form, Tax Clearance Certificate, two passport sized photographs, photocopy of payment receipt, appropriate means of identification (driver's license, national ID card or international passport).
- 6) Collect an acknowledgment slip in order to claim any land that may eventually be allocated to you.

A successful application results in you being granted a statutory Right of Occupancy. It is important to note that a Right of Occupancy is in essence an offer in respect to the land allocated. This should be perfected to a Certificate of Occupancy as soon as possible. Doing so gives you full ownership and rights to the land. The process for obtaining a Certificate of Occupancy can be started at the same AGIS.

Conclusion

From 2003 when the Federal Government decided to organize landholding system in Abuja, this has been the way land has been held in my locality. Most lands are to be acquired from the chief while the government still own some selected areas in Abuja and some already belong to family; in my own locality land is held by the Chief, Chief Esu Jetta who manages the distribution of land. Therefore, individuals can hold interest in land by purchasing from families, the Chief or the Government. Anyways once transfer is validated the individual holds the land absolutely.