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COURSE TITLE: LAND LAW

ASSIGNMENT

The customary land tenure system as practiced in your locality (state the locality, state, local government or community you are writing about)

What is land tenure system?

In common law systems, land tenure is the legal regime in which land is owned by an individual, who is said to hold the land, for how long and under what conditions.

Land tenure system in Nigeria is a manner or way in which a party occupies or holds some area of land. Societies form the rules that regulate the land tenure in order to control land ownership in the country.

Creation of the land tenure system in FCT

The creation of the capital Abuja was expected to give all Nigerians equal access to land and other related benefits. This was the land policy that framed the master plan for Abuja.

Since the creation of Abuja, the city has expanded rapidly with limitations on land and the way it is managed. With rapid growth in the 1990s and the associated demand for land, the manual record keeping of land became inefficient, time consuming and prone to abuses. Therefore, the ministry of the federal capital territory initiated a land administration reform program.

As pressure on land increases due to expanding urban areas, the lives of citizens cannot be successfully improved without sound land policy.

The federal capital territory (FCT) land use and allocation committee was statutorily created by the land use act of 1978 to advise the FCT Minister on any matter connected with management of land, with particular reference to land allocations and other related matters.

OWNERSHIP

On 29th March 1978, the Federal Military Government of Nigeria promulgated the land use decree which, with immediate effect, vested all land in the territory of each state of the federation on the Governor of that state. The land was to be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provisions of the decree.

The land act of the Federal Capital Territory (FCT) vests all the 8000 square kilometers of land in the FCT to the federal government, what this means is that the power to administer land in the FCT is held by the president and delegated to the minister of the FCT. He is the only person with the authority to administer and allocate lands in the FCT.

MANAGEMENT AND DETERMINATION OF FAMILY OR COMMUNAL LAND IN THE FCT

The Land Use Act (LUA) states that the responsibility for land management lies with state and local government. In the FCT, an ad hoc body, known as the land use and allocation committee is to be established to advise the minister of the FCT on the management of urban land. Local government councils are authorized to allocate land and issue customary right of occupancy for lands located within rural areas, and to this end, are expected to establish land allocation advisory committees.

Though the Nigerian customary law differs from one locality to another and from one tribal group to the other, nevertheless, customary law shared common broad principles or features. In the FCT, no individual member can claim exclusive ownership to any portion of land for as provided by the land use act, all land within the FCT belongs to the president.

REFERENCE

Customary Land Tenure System by Prof. E A Taiwo

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