

CHAPTER 1
ABOLITION OF OSU SYSTEM LAW

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CHAPTER 1
ABOLITION OF THE OSU SYSTEM LAW

A Law to make provisions for the abolition of *Osu* System, to prescribe punishment both for the practice thereof and the enforcement of any disability arising therefrom and for related purposes.

[27th August, 1991]

1. This Law may be cited as the Abolition of *Osu* System Law.

Short title

2. In this Law—

“*Osu*” includes an *Oru / Ohu Ume* and *Omoni*, and also includes the descendant of an *Osu*, *Oru. OhU Ume* and *Omoni*, and any person subject to a legal or social disability or social stigma which is similar to or nearly similar to, that borne by an *Ohu. Ume*, or *Omoni*.

“*Osu*” System” means any system, status, institution, or practice which implies that any person is subject to a legal or social disability or social stigma which is similar to or nearly similar to, that borne by an *Osu*.

3. Notwithstanding any custom or usage, each and every person who on the date of the commencement of this Law is *Osu* shall from and after that date cease to be *Osu* and shall be free and discharged from any consequences thereof, and the children thereafter to be born to such person and the offspring of such person shall not be *Osu*, and the *Osu* System is hereby utterly and forever abolished and declared unlawful.

*Osu system
abolished*

the

4. (1) Whoever—

- (a) prevents any person from exercising any right accruing to him by reason of the abolition of the *Osu* System, or
- (b) molests, injures, annoys, obstructs, or causes or attempts to cause obstruction to any person in the exercise of such right, or molests, injures, annoys or boycotts any person by reason of his having exercised such right; or
- (c) by words, either spoken or written, or by visible representations or otherwise, incites or encourages any person or class of persons or the public generally to practice the *Osu* System in any form whatsoever is guilty of an offence and upon conviction shall be liable to a fine not exceeding one hundred naira or to imprisonment for a term not exceeding six months,

Offences arising
out of *osu*
system

(2) For the purpose of this section a person shall be deemed to boycott another person if that person—

- (a) refuses to lease to such other person, or refuses to permit such other person to use or occupy any house or land, or refuses to deal with, work for, hire from, or do business with, such other person or to render to him or receive

from him any customary services or refuses to do any of the said things on the terms on which such things would be commonly done in the ordinary course of business.

- (b) abstains from such social professional or business relations as that person would ordinarily maintain with such other person.

5. Whoever on the ground that a person —

- (a) if this Law had not been made, would have become *Osu*; or
(b) has refused to practice the *OsU* System, or
(c) has done any act in furtherance of the objects of this Law; denies to any person belonging to his community or section thereof, any right or privilege, to which such person as a member of such community would be entitled,
is guilty of an offence and shall upon conviction be liable to a fine not exceeding one hundred naira or to imprisonment for a term not exceeding six months.

6. Whoever on the ground of the *Osu* System enforces against any person any disability whatsoever and in particular, but without prejudice to the generality of this section, with regard to —

- (a) marriage, or
(b) acquisition or inheritance of any property; or
(c) joining of title societies; or

Other offences
arising out of
Osu System.

- (d) observance of any social custom, usage or ceremony
is guilty of an offence and shall upon conviction be liable to a fine not exceeding one hundred naira or to imprisonment for a term not exceeding six months.

7. (1) No court shall —

- (a) entertain or continue any suit or proceeding; or
(b) make any decree or order, or
(c) execute wholly or partially any decree or order;

if the claim involved in such suit or proceeding or if the passing of such decree or order or if such execution, would in any way be contrary to the provisions of this

Enforcement of
disabilities

Limitation of
jurisdiction of
courts.

Law,

(2) No court shall, in adjudicating any matter or executing any decree or order, recognize any custom or usage imposing any disability on any person on the ground of the Osu System.

8. Words spoken and published which impute that a person is who shall not require special damage to render them actionable.

Wards imputing
that person Osu

Offences by
companies

9. (i) If the person committing an offence against this Law is a company, every person who, at the time the offence was committed, was in charge of and was responsible to , the company for the conduct of the business of the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this subsection shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained to subsection (1), where an offence against this Law has been committed with the consent of any director or manager, secretary or other officer of the company, such director or manager or secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly,

(3) For the purpose of this section —

(a) “company” includes anybody corporate, firm and other association of individuals and

(b) “director” in relation to a firm includes a partner in the firm.

10. Whoever abets the commission of an offence under this Law, whether the offence is actually committed or not shall be deemed guilty of an offence against this Law and shall be liable upon conviction to a fine not exceeding one hundred naira or to imprisonment for a term not exceeding six months.

Abetment of
offence.

11. Any person who, having already been convicted of an offence against this Law, or of an abetment of an offence, is again convicted of any such subsequent offence or abetment, shall, on every such subsequent conviction, be liable to a fine not exceeding two hundred naira or to imprisonment for a term not exceeding six months.

Enhanced
punishment on
subsection
conviction

SUBSIDIARY LEGISLATION

(No subsidiary legislation)