

# A LAW TO PROVIDE FOR THE REGISTRATION OF BUSINESS PREMISES AND FOR MATTERS CONNECTED THEREWITH

I ASSENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017

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**SEN. ABUBAKAR ATIKU BAGUDU**  
**EXECUTIVE GOVERNOR OF KEBBI STATE**

ENACTED by the House of Assembly of Kebbi State as follows:

**Citation :** 1. This law may be cited as the Registration of Business Premises Law 2017.

**Commencement:** 2. The Law shall come into force on the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

**Interpretation:** 3. In this Law unless the context requires:-  
**“Business”** means any trade industry or profession and any occupation carried on for profit but does not include farming except such type of classes of farming as the registrar may specify as being registrable as a business.

**“Business Name”** means the name of style under which any business is carried on whether in partnership or otherwise.

**“Premises”** means the premises on which any business is carried on whether situated within or without a building or other structure and whether fenced or unfenced;

**“Existing Business”** means any business existing in the State prior to date of commencement of this Law;

**“Company”** means Limited Liability Company registered under the Companies and Allied Matters Act, 1990, and does not include a statutory corporation or a Company wholly owned by the government of the State or by any other Government in Nigeria.

**“Ministry”** means Commerce, Industry, cooperatives and Tourism.

**“Anthony General”** means Anthony General of Kebbi State.

**“Firm”** means Partnership which is an unincorporated body of:-

‘a’ Two or more individuals.

‘b’ One or more individuals and one more corporate bodies

or;  
‘c’

Two or more corporate bodies who have agreed with one another to carry on a lawful business.

**“Governor”** means the Governor of Kebbi State.

**“House”** means Kebbi State House of Assembly.

**“Owner or Occupier”** means a person authorized under section 7 of this law to sign and give statement on behalf of the business.

**“Permanent Secretary”** means Permanent Secretary in the Ministry of Commerce, Industry, Cooperatives and Tourism of the State.

**“Personal Representative”** includes an executor and administrator of deceased individuals.

**“Prescribed”** means prescribed by this law or regulations made there under.

**“Principal Representative”** means a person in the state who ultimately responsible in the state for the affairs of the Company of which he is such representative and whose head officers outside the state.

**“Registrar”** means the registrar of business premises

appointed in accordance with Section 3 of this Law.

**“State”** means the Kebbi State of Nigeria.

***Of Business  
Premises  
Registry***

4.
  - a) There shall be established in the state a Business Premises Registry in the Ministry of Commerce, Industry, Cooperative and Tourism, Birnin Kebbi with an office at such place or places as the Permanent Secretary from time to time may direct.
  - b) The Director of Commerce in the Ministry of Commerce, Industry, cooperative and tourism shall be the Registrar of Premises.
  - c) The Permanent Secretary shall cause to be provided for the Registrar such staff and equipment as may be required for the efficient performance by the Registrar of his duties under this Law.

***Registration of  
Business  
Premises***

5.
  - 1) There shall be registered in the manner prescribed by this Law the premises on which every owner or occupier is carrying on any business in the state.
  - 2) Where an owner or occupier whose business premises are required to be registered under this Law:-
    - a. Changes his business name after the date or commencement of this law but before the business have been registered, such owner or occupier shall:-
      - i) In case of (a) above notify the Registrar of the change of name for alteration in the register; and
      - ii) In case of (b) above Register his business premises under the new business name.
  - 3) Where an owner or occupier changes his business premises after they have been registered under this Law, the owner or occupier shall notify the Registrar in writing of the changes and the Registrar shall alter the register accordingly.

**Exemption:**

5. The following shall be exempted from the provision:
  - 1) Where the business is carried on by trustee in bankruptcy or by a receiver or manager appointed or by the public trustee, or by any person acting under or appointed by the Administrator General or public trustee by virtue of any powers conferred on him by any law.
  - a. Where the business is carried on directly by any Government in Nigeria or by any Government Agency.
  - b. Where the business is carried on directly by any Government in Nigeria or by any Government Agency.
- 2) The Governor may by notice signed by him and published in the state Gazette exempt from registration under this law business premise of any owner or occupier carrying on business in the State.

**Manner and Particulars of Registration:**

6.
  - 1) Every owner or occupier whose business premises are required to be registered under this law shall furnish by sending by registered post or by delivering to the registrar at his office in Birnin Kebbi, a statement in writing containing particulars stated in form 1,2,and 3 in the first schedule to this Law.
  - 2) Where a business is carried on at two or more different premises, each premise on which the business is carried on shall be registered in accordance with this law.

**Settlement Required:**

7. The statement required under section 6 of this law shall be signed:-
  - i) In the case of a company by a Director or the Secretary.
  - ii) In the case of a Firm by at least two principal partners.
  - iii) In the case of an Individual by himself ; and
  - iv) In any case under paragraph (i) or (ii) above the signature shall be verified by the signatory upon declaration made by him in accordance with the law.

**Time for Registration:**

8. An application under this law shall be made:-  
In the case of an existing business, within 28 days from the

date of commencement of this law, and  
In any other case, within 21 days of the commencement of  
the business

**Extension of  
Time of  
Registration:**

9. The Registrar may on application made to him in that behalf extend the time for registration if he is satisfied that there are grounds in the application to justify such extension.

**Changes in  
Registered  
Particulars:**

10. Whenever a change is made or occurs in any of the particulars registered in respect of any owner or occupier, the person or persons authorized by section 7 of this Law to be registered, shall within fourteen days after the occurrence of such change, furnish by sending by post or delivering to the Registrar a statement; in writing as in form 4 of the First Schedule specifying the nature and the date of the change, the statement shall be signed by him or them and, where necessary, verified in like manner as in section 7.

**Correction of  
Errors:**

11.
  - 1) The Registrar may on application made in form 5 of the first schedule and upon the payment of the prescribed fees by an owner or occupier correct any error in any particulars registered by him under this law, such application shall be signed, and where necessary, verified in like manner as the statement required on registration.
  - 2) If the Registrar refuses an application made under subsection (1) he shall within fourteen days of the receipt of such application by writing notify the owner or occupier of such refusal.
  - 3) Any person aggrieved by the refusal of the Registrar to correct any error may within fourteen days from the receipt of the notification of such refusal, appeal to the Permanent Secretary against the refusal.

**Issuance of Certificate for Filing of Statement and Certificate of Registration:**

12. On receiving a statement made in pursuance of section 6 in relation to any business premises and or payment by the applicant of the fees prescribed in the fourth schedule, the Registrar shall file the said statement and shall send by post or deliver to the owner or occupier furnishing such statement, a certificate in respect of those premises duly signed by him.

1) The certificate shall be in the form prescribed in the second schedule.

2) A duplicate or counterfeit of the certificate issued under sub-section (1) shall be prescribed in the office of the Registrar.

3) The registrar may upon the request in writing by any person and upon the payment of the prescribed fees, issue to such a person:-

- a. A certificate copy of any application for registration the original of which had been issued to such a person; or
- b. The certificate copy of any application for registration of business premises made by such person.

4) The certificate referred to in sub-section (1) or a certified copy thereof shall be kept exhibited in a conspicuous position at the business premises of the owner or occupier.

**Evidence of Registration:**

13. A certificate issued in accordance with section 12 of this Law, shall be prima-facie evidence that the business premises to which it relates are duly registered under this law.

**Register of all Business Premises:**

14. 1) The Registrar shall keep a register of all business premises registered under this law.

2) The Registrar shall contain the date of registration, the description and address of the business premises the

name of the owner or occupier whose business premises is carried on those premises and the nature of business carried on by the owner or occupier of those premises.

**Notice of  
Cessation of  
Business:**

15.

1) Cease to carry on business on the registered premises; it shall be the duty of the person who may sign a statement under Section 7 or, if he is dead, of his personal representative within 60 days after the business ceased to be carried on or the registered premises as the case may be, to send by post or deliver to the Registrar notice, as in form 6 of the First Schedule, of the cessation of Business, or as the case may be of the cessation of business on the registered premises and the address of the new business premises.

2) Where the Registrar is satisfied that an owner or occupier:-  
a. Has ceased to carry on business; or  
b. Has ceased to carry on business on the registered premises;

He shall in the case of paragraph (a) remove the name of the owner or occupier from the register and, in the case of (b) substitute the new business for the registered business premises.

**Inspection of  
Register and  
Codes of Entries  
in Register:**

16.

1) Any person may, at all reasonable time inspect the register or documents filed by the registrar on payment to the Registrar of the prescribed fee.

a) The Registrar shall upon the request of, and upon the payment of the prescribed fee by a person to whom a certificate has been issued under section 12 issues to such person a copy of that certificate, or an extract thereof, certified under the hand of the Registrar.

b) The Registrar shall give a certified copy of any entry in the Register or of any filed document, other than a certificate, to any person applying thereof or and paying the

prescribed fee.

- c) A certified copy of the certificate or any entry in the Register or of any filed document, shall in all legal proceedings whether Civil or Criminal, be received in evidence without further or other proof.

**Duty to Furnish Particulars:**

- 17. The Registrar may require any person to furnish him with such particulars as appear to him necessary for the purpose of this law or for the purpose of ascertaining whether any business premises registable under this law are registered, and if h is satisfied from any enquiries that any registable premises have not been registered, he shall proceed to register those premises in the manner provided by this Law.

**Inspection:**

- 18.
  - 1) The Permanent Secretary may by notice in the Gazette designate any person to be Inspector for the purposes of this Law
  - 2) It shall be the duty of an Inspector, within his area of operation:
    - a. To visit every registered business premises to ensure that the provision of this law are being complied with and to report to the Registrar any contravention or disregard thereof;
    - b. To ascertain whether any business premises registable under this law are not registered and report to the Registrar the existence of such premises and the fact that they have not been registered;
    - c. To carry out such other duties as the Registrar or the Permanent Secretary may assign to him.
- 19. An Inspector may at all reasonable time during the hours of Seven o'clock in the morning and Six o'clock in the evening enter upon any business in the course of the performance of his duties under this Law.

**Identity of Inspector:**

20. Any Inspector shall at all times in the course of his lawful duties carry a certificate of identity which shall be in the form prescribed in the Third Schedule signed by the Permanent Secretary.
  - 1) The production by the Inspector of this certificate of identity shall for all purposes be sufficient evidence of the authority of the Inspector.
  - 2) The duty of the Permanent Secretary under sub-section 1 shall not be delegated.

**Legal Adviser:**

21.
  - a. There shall be a Legal Adviser in that business registry to be appointed by the Attorney-General.
  - b. It shall be the duty of the Legal Adviser to advise the Registrar on all legal issues and to ensure that registration is done in accordance with the provision of this Law.

**Offenses:**

22.
  - 1) If any owner or occupier whose business premises are required to be registered under this Law fails or neglects to Register such premises in the manner and within the time specified, he shall be guilty of an offence and liable on conviction to a fine of **Twenty Thousand Naira (N20,000) or Three (3) months imprisonment or both** and, thereafter shall in addition be liable to a fine of **One thousand Naira (N1,000)** for every day that the default continues until the premises are registered.
    - a) If any person required by the Registrar to furnish any particulars under section 17 refuses or fails to furnish those particulars or to furnish them within the time or in the manner specified by the Registrar, he shall be guilty of an offence and may be liable on conviction to a fine of **Twenty Thousand Naira (N20,000)**.
    - b) If any owner or occupier fails or neglects to notify the

Registrar of:-

- i. A cessation to carry on business; or
  - ii. A cessation to carry on business on any premises; every person liable under section 15 to notify the Registrar of such cessation shall be guilty on conviction to a fine of **Twenty Thousand Naira (N20,000)**.
- c) If any statement required to be furnish under this law contains any matter which is false to the knowledge of the person signing it, that person shall be guilty of an offence and liable on conviction to a fine of **Twenty Thousand Naira (N20,000)** or **Imprisonment for six months**.
- 2) Any person who with intent to defraud, alters or mutilate a Certificate issued under the law shall be guilty of an offence and liable on conviction to a fine of **Twenty Thousand Naira (N20,000)** or **Imprisonment for six months**.
- 3) Any person who impersonate the holder of a Certificate issued under this Law shall be guilty of an offence and liable on conviction to a fine of **Twenty Thousand Naira (N20,000)** or **Imprisonment for six months**.
- 4) The Court convicting any owner or occupier under this section, may in addition to any penalty, which it is empowered to impose, order the owner or occupier to do, or neglected from doing, anything under this Law which he has failed or refused or neglected to do or has persisted in doing, in contravention of any provision of this Law.
- 5) Any person who obstruct or assaults an Inspector acting in the lawful execution of his duties under provision of this Law shall be guilty of an offence and shall be liable to summary conviction to a fine of **Twenty Thousand Naira (N20,000)** or **Imprisonment for six months**.

**Regulations:**

23. The Executive Governor may make regulations prescribing all matter which by this Law are required or authorized to

be prescribe including fees or registration under this Law or which are necessary or convenient for giving effect to the provision of this Law.

**Fees:**

24. Until any regulations are made under section 22 prescribing otherwise, there shall be paid annually for the registration, or renewal of business registration premises registrable under this law and classified in the fees set out in the fourth schedule.

**FIRST SCHEDULE**

**'FORM 1'**

**REGISTRATION OF BUSINESS PREMISES LAW 2017**  
**(Particulars a Company is required to furnish to the Registrar)**

- 1) The Registered Name of the Company\_\_\_\_\_
- \_\_\_\_\_
- 2) The General Nature of Business\_\_\_\_\_
- \_\_\_\_\_
- 3) The Principal Place of the Business\_\_\_\_\_
- 4) Other Places (if any) at which the business is carried on in the State \_\_\_\_\_
- \_\_\_\_\_
- 5) Date of Commencement of Business\_\_\_\_\_
- 6) Name and Address of Secretary\_\_\_\_\_
- \_\_\_\_\_
- 7) Name and address of Every Director:-
  - i. \_\_\_\_\_
  - ii. \_\_\_\_\_
  - iii. \_\_\_\_\_
- 8) Tax Identification Number (TIN)\_\_\_\_\_

**DECLARATION**

I/We hereby certify that the foregoing particulars are to the best of My/Our knowledge, information and belief correct, and I/We undertake to notify the Registrar of Business Premises whenever any changes is made or occurs in any of them.

Dated \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Signature or Signatures of person (s) required to sign under Section 7.

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

***\* If prior to the commencement of this Law it is sufficient so to state.***

**FIRST SCHEDULE**

**'FORM 2'**

**REGISTRATION OF BUSINESS PREMISES LAW 2017**  
**(Particulars of Firm required to furnish to the Registrar)**

- 1) Business Name of the Firm \_\_\_\_\_  
\_\_\_\_\_
  - 2) The General Nature of Business \_\_\_\_\_  
\_\_\_\_\_
  - 3) The Principal Place of the Business \_\_\_\_\_
  - 4) Other Places of business at which the business is carried on \_\_\_\_\_  
\_\_\_\_\_
- \*(giving addresses not P.O Box of the Premises)
- 5) Full Name of each individual who is partner (in case of Companies in partnership; give the Registered Name of each Company:-
    - i) \_\_\_\_\_
    - ii) \_\_\_\_\_
    - iii) \_\_\_\_\_
  - 6) Date of commencement of business \_\_\_\_\_
  - 7) Tax identification Number (TIN) \_\_\_\_\_

**DECLARATION**

I/We hereby certify that the foregoing particulars are to the best of My/Our knowledge, information and belief correct, and I/We undertake to notify the Registrar of Business Premises whenever any changes is made or occurs in any of them.

Dated \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Signature or Signatures of person (s) required to sign under Section 7.

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

**\* If prior to the commencement of this Law it is sufficient so to state.**

**FIRST SCHEDULE**

**'FORM 3'**

**REGISTRATION OF BUSINESS PREMISES LAW 2017**  
**(Particulars an Individual is required to furnish to the Registrar)**

- 1) Business Name of Individual \_\_\_\_\_  
\_\_\_\_\_
- 2) The General Nature of Business \_\_\_\_\_  
\_\_\_\_\_
- 3) The Principal Place of the Business \_\_\_\_\_
- 4) Other Places (if any) in the State at which the business is carried on \_\_\_\_\_  
\_\_\_\_\_  
\*(giving addresses not P.O Box of the Premises)
- 5) Full Name and Address of the Individual Owning the Business \_\_\_\_\_  
\_\_\_\_\_
- 6) Date of Commencement of the Business \_\_\_\_\_
- 7) Tax Identification Number (TIN) \_\_\_\_\_

**DECLARATION**

I hereby certify that the foregoing particulars are to the best of my knowledge, information and belief correct, and I undertake to notify the Registrar of Business Premises whenever any changes is made or occurs in any of them.

Dated \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Individual**

***\* If prior to the commencement of this Law it is sufficient so to state.***

**FIRST SCHEDULE**

**'FORM 4'**

**REGISTRATION OF BUSINESS PREMISES LAW 2017**

**Notification of change in Registration Particulars to the Registration of Business Premises**

Pursuant to Section 11 Registered Particulars to the Registration of Business Premises Law, 2017, I/We hereby notify you of the following changes in the Registration Particulars of \_\_\_\_\_

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\*(give the Business Name of the Company/Firm or Individual)

Particulars of Changes and Date thereof:-

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Signature or Signatures of Person or Persons authorized to sign under Section 7 of the Law.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

***\* If prior to the commencement of this Law it is sufficient so to state.***

FIRST SCHEDULE

'FORM 5'

REGISTRATION OF BUSINESS PREMISES LAW 2017

APPLICATION FOR CORRECTION OF ERRORS IN THE REGISTER  
To Registrar of Business Premises

I/We hereby state that the following error(s) in the Register of Business Premises relating to the business particulars of:-

\_\_\_\_\_  
\_\_\_\_\_

Situated at NAME OF COMPANY'FIRM/INDIVIDUAL:-

\_\_\_\_\_  
\_\_\_\_\_

Errors Identified:-

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

To the correct particulars:-

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

Dated \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Signature or Signatures of Person or Persons authorized to sign under Section 7 of the Law.

- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

**\* If prior to the commencement of this Law it is sufficient so to state.**

**FIRST SCHEDULE**

**'FORM 6'**

**REGISTRATION OF BUSINESS PREMISES LAW 2017**

**NOTICE OF CESSATION OF BUSINESS ON REGISTERED BUSINESS PREMISES  
TO REGISTRER OF BUSINESS PREMISES**

Pursuant to Section 16 of the Registration of Business Premises Law, 2017, I/We hereby notify you that the under mentioned Company/Firm/Individuals has ceased to carry on Business at \_\_\_\_\_  
with effect from \_\_\_\_\_ 20 \_\_\_\_\_

The Business Name of the Company/Firm/Individual is \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Signature or Signatures of Person or Persons authorized to sign under Section 7 of the Law.

- i. \_\_\_\_\_
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

**\* Delete which ever is not applicable.**

**SECOND SCHEDULE**

**'SECTION 12 (1)'**

**REGISTRATION OF BUSINESS PREMISES LAW 2017**

**CERTIFICATE OF REGISTRATION**

1. State Business Name of Company/Firm/Individual \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certification**

I hereby certify that, the Business Premises situated at \_\_\_\_\_  
\_\_\_\_\_ in \_\_\_\_\_ Local Government Area  
on which \_\_\_\_\_

\_\_\_\_\_ (state the Business Name of the Company/Firm/Individual) is carrying on  
business have this day been registered in accordance with the Registration of  
Business Premises Law, 2017.

The nature of Business carried on the Premises is \_\_\_\_\_

This License shall expire on \_\_\_\_\_

Registered at Birnin Kebbi, dated this \_\_\_\_\_ day  
of \_\_\_\_\_ 20 \_\_\_\_\_

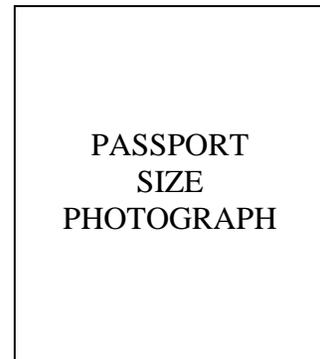
\_\_\_\_\_  
**REGISTRER OF BUSINESS PREMISES**

**THIRD SCHEDULE**

**‘SECTION 20’**

**REGISTRATION OF BUSINESS PREMISES LAW 2017**

**CERTIFICATE OF IDENTITY**



I hereby certify that, the PERSON whose photograph is shown above is \_\_\_\_\_

\_\_\_\_\_

who has been appointed Inspector of Business Premises in accordance with the Registration of Business Premises Law, 2017.

\_\_\_\_\_

**PERMANENT SECRETARY**

Ministry of Commerce, Industries, Cooperative and Tourism

Birnin Kebbi