

# A BILL

## FOR

AN ACT TO AMEND THE MATRIMONIAL CAUSES ACT, CAP. M7, LAWS OF THE FEDERATION OF NIGERIA 2004, TO INCREASE THE AMOUNT TO BE PAID AS PENALTY; AND FOR RELATED MATTERS, 2020

*Sponsored by Hon. Obinna Chidoka*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria:

1           1. The Matrimonial Causes Act, CAP. M7, LFN 2004 (in this Bill  
2 referred to as "the Principal Act" is amended as set out below:

Amendment of  
Cap. M7, LFN,  
2004

3           2. Section 31, of the Third Schedule of the Principal Act is  
4 amended in line 3 and 4 by deleting the words "five kobo" and inserting the  
5 words "one thousand five hundred naira" to read as follows:

Amendment of  
Section 31 of the  
Third Schedule  
of the Principal  
Act

6           "On any occasion on which an employer makes a payment under  
7 this schedule in respect of a defendant, the employer may retain for his own  
8 use out of any balance of the defendant earning remaining after the making  
9 of that payment the sum of One Thousand Five hundred Naira or if on that  
10 occasion the employer makes payment in pursuance of two or more  
11 attachment of earning order relating to the defendant the sum of one  
12 thousand five hundred naira in respect of each such payment."

13           3. Section 32 (1) C, of the Third Schedule of the Principal Act is  
14 amended in line 3 by deleting the words "two hundred naira" and inserting  
15 the words "five thousand naira" to read as follows:

Amendment of  
Section 32(1) of the  
Third Schedule  
of the Principal  
Act

16           "recklessly furnishes such a statement or notice that is false or  
17 misleading in a material particular shall be guilty of an offence punishable  
18 on conviction by a fine not exceeding five thousand naira".

19           4. Section 33, of the Third Schedule of the Principal Act is  
20 amended by deleting the words, "Two hundred naira" and inserting the

Amendment of  
Section 33 of the  
Third Schedule  
of the Principal  
Act

1 words "five thousand naira" to read as follows:

2 "Any person who dismisses an employee or injures him in his  
3 employment or alters his position to his prejudice by reason of the  
4 circumstance that an attachment of earning order has been made in relation to  
5 the employer or that the person is required to make payment under such an  
6 order in relation to the employer commits an offence punishable on conviction  
7 by a fine not exceeding five thousand naira".

Short title

8 5. This Bill shall be cited as the Matrimonial Causes Act  
9 (Amendment) Bill, 2020.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the provisions of Sections 31, 32{1}c and 33 of the Third Schedule of the Act by increasing the amount to be paid as penalty for the commission of an offence under the Act.