

**AN APPRAISAL OF THE ROLE OF TECHNOLOGY IN ENHANCING SECURITY
OF TITLE IN NIGERIA LAND TRANSACTIONS**

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**A PROJECT WORK WRITTEN IN, AND SUBMITTED TO THE FACULTY OF
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REQUIREMENTS FOR THE AWARD OF POSTGRADUATE DIPLOMA (PGD) OF
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FEBRUARY, 2026.

CERTIFICATION

I, **Agatha Oshiomiene ELOGIE**, with Matriculation Number; **PG/LAW9902542** hereby solemnly declare that this dissertation is the result of my original work. All sources of ideas and information drawn from other authors have been duly acknowledged and properly referenced. This dissertation has not been submitted, either in whole or in part, for the award of any degree or diploma at University of Benin, Benin City, Edo State, or at any other institution.

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APPROVAL

This is to certify that the thesis titled “**AN APPRAISAL OF THE ROLE OF TECHNOLOGY IN ENHANCING SECURITY OF TITLE IN NIGERIA LAND TRANSACTIONS**” was written by **Agatha Oshiomiene ELOGIE**, with Matriculation Number; **PG/LAW9902542**.

This thesis was submitted in partial fulfillment of the requirements for the award of the **Postgraduate Diploma in Law (PGD)** Degree of the University of Benin.

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DEDICATION

This work is dedicated to Almighty God who made it possible for me to embark and finish it.

May His name be praised forever, amen.

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Lagos State Lands Registration Law, Cap L41, Laws of Lagos State 2015

Property and Conveyancing Law, Cap P5, Laws of Lagos State 2015

Rivers State Land Instruments (Preparation and Registration) Law, Cap 74, Laws of Rivers State

LIST OF ABBREVIATIONS

AC	Appeal Cases
AG	Attorney General
AGIS	Abuja Geographic Information Systems
BIM	Building Information Modelling
CAC	Corporate Affairs Commission
CA	Court of Appeal
C of O	Certificate of Occupancy
CTC	Certified True Copy
DPR	Department of Petroleum Resources (now NMDPRA)
FCT	Federal Capital Territory
FELIS	Federal Lands Information System
FIRS	Federal Inland Revenue Service
GIS	Geographic Information Systems
FIG	Fédération Internationale des Géomètres (International Federation of Surveyors)
ICT	Information and Communication Technology
IoT	Internet of Things
KADGIS	Kaduna State Geographic Information Service
KEPA	Kaduna Environmental Protection Authority
LADM	Land Administration Domain Model
LFN	Laws of the Federation of Nigeria
LIRS	Lagos State Internal Revenue Service
LIS	Land Information Systems
LRA	Land Registration Act/Land Instrument Registration Act

LSLRL	Lagos State Lands Registration Law
LUA	Land Use Act
MDGs	Millennium Development Goals
NALT	Nigerian Association of Law Teachers
NMDPRA	Nigerian Midstream and Downstream Petroleum Regulatory Authority
NWLR	Nigerian Weekly Law Reports
ROI	Right of Occupancy (Individual)
ROO	Right of Occupancy (Organisation/Company)
SAR	Site Analysis Report
SC	Supreme Court of Nigeria
SCGLR	Supreme Court General Law Reports
SCNJ	Supreme Court of Nigeria Judgments
SDA	Stamp Duties Act
TIN	Tax Identification Number
TAM	Technology Acceptance Model
VAT	Value Added Tax

ABSTRACT

The security of land titles in Nigeria has long been a critical challenge, with issues such as fraudulent transactions, multiple claims to the same land, and inefficiencies in the registration process undermining investor confidence and economic development. Despite the existence of statutory frameworks like the Land Use Act 1978 and various state land laws, these challenges persist, often due to bureaucratic delays, inadequate record-keeping, and limited integration of modern technologies in land administration.

This study aims to appraise the role of technology, particularly digital registration systems and emerging tools like blockchain and Geographic Information Systems (GIS), in enhancing the security of land titles in Nigeria. It seeks to identify how technological interventions can improve transparency, reduce fraud, facilitate efficient land transactions, and strengthen the protection of private and customary land interests. A doctrinal research methodology was employed, involving an extensive review of primary legal sources, including the Constitution, Land Use Act, relevant state land laws, and judicial decisions, complemented by secondary sources such as scholarly articles, policy documents, and case studies. Comparative insights from other jurisdictions, including Ghana and the United Kingdom, were also incorporated to contextualize the Nigerian experience.

The findings reveal that technology-driven initiatives, such as digital land registries and electronic issuance of certificates of occupancy, have significantly improved record accuracy, accessibility, and verification processes. Blockchain and GIS applications offer additional opportunities to secure land records against manipulation, ensure traceability of transactions, and integrate spatial and ownership data for effective land management. However, challenges such as limited technical capacity, infrastructure constraints, and resistance to change remain barriers to full adoption. The study concludes that integrating technology into land administration in Nigeria holds substantial promise for enhancing title security, promoting investor confidence, and supporting sustainable land governance. It recommends that federal and state governments prioritize digital reforms, develop supportive legal frameworks for blockchain adoption, and provide capacity-building programs for land administration officials to fully realize these benefits.

CHAPTER ONE

BACKGROUND OF THE STUDY

1.1 Introduction

Legal certainty and protection of land rights holders are fundamental aspects that significantly affect social and economic stability and the sustainability of development¹. Land ownership and rights must be appropriately regulated so as not to cause disputes and conflicts in the future. To establish legal certainty, one of the measures that a party controlling land can take is registering the land with the Land Registration Office, which the National Land Agency manages². Land registration is an official process that includes recording proprietorship and use freedoms to land in a legitimately perceived enrolment framework. An effective registration system ensures that land rights are legally recognized and protected by law³. Effective land administration practices benefit not only the current generation but also future ones. They serve as a tool to guarantee fair access to land for all stakeholders, aligning with a country's policy framework⁴.

In Nigeria, certain states have introduced land administration reforms focused on land titling and registration systems. These reforms primarily target urban land and largely involve transitioning from manual to digital registration processes, rather than undertaking large-scale registration programmes. States such as Lagos, Anambra, Kano, Enugu, Kaduna, and the Federal Capital Territory Administration are at the forefront of these efforts. Additionally, the Federal Lands Department has developed the Federal Lands Information System (FELIS) to manage the registration of lands under federal control across the country. Typically, land

¹ Guo Y and Liu Y, 'Poverty Alleviation through Land Assetization and Its Implications for Rural Revitalization in China' (2020) *Land Use Policy* <https://doi.org/10.1016/j.landusepol.2021.105418> accessed 10 February 2026.

² Wajdi F and Ramadhani R, 'Legal Problems of Land Services Online' (2022) *International Journal of Regalement & Society* 19–29 <https://doi.org/10.55357/ijrs.v3i1.201> accessed 10 February 2026.

³ Suyanto VS, Liliana T, Yulies TM and Afif N, 'Ensuring Legal Certainty of Land Through Effective Registration Processes' (2024) *International Journal of Religion* 5572–5578.

⁴ Ukaejiofo AN, 'Perspectives in Land Administration Reforms in Nigeria' (2008) *Journal of the Environment* 43.

registration occurs upon request. These reform initiatives, driven by both federal and state governments, highlight the significance placed on land administration in Nigeria. Consequently, exploring the factors that may challenge these programmes, as this study does, is critical to enhancing land administration in the country⁵. Therefore, this research investigates the challenges associated of land registration in Nigeria and evaluates the potential of blockchain technology to transform the country's land registration processes and its associated barriers.

This study aims to appraise the role of such technological innovations in enhancing the security of land titles within the Nigerian context. It will explore how technology can be harnessed to modernize land administration, what benefits it offers to stakeholders involved in land transactions, and what challenges must be overcome for its successful implementation. Ultimately, the study seeks to provide insights that can inform policymakers, land administration authorities, investors, and the broader public on leveraging technology to improve land tenure security and stimulate economic growth in Nigeria.

1.2 Statement of Problem

Land ownership and title security remain persistent challenges in Nigeria, despite the existence of legal frameworks such as the Land Use Act 1978 and various state land laws. Cases of multiple claims, fraudulent transfers, illegal sales, and disputes over ownership are widespread, undermining the confidence of investors and landholders. Traditional methods of land registration, which rely heavily on paper-based records, are prone to errors, loss, and manipulation, making it difficult to verify ownership and resolve disputes efficiently.

Additionally, delays in processing land transactions, inadequate integration of technology, and limited access to accurate land information exacerbate these problems. While other

⁵ Nwuba CC and Nuhu SR, 'Challenges to Land Registration in Kaduna State, Nigeria' (2018) *Journal of African Real Estate Research* 3(1) <https://doi.org/10.15641/jarer.v1i1.566> accessed 26 January 2026.

countries have successfully adopted digital systems, blockchain, and Geographic Information Systems (GIS) to enhance title security and transparency, Nigeria's adoption of such technologies is still in its nascent stages. This gap has contributed to uncertainty in land tenure, increased litigation, and a lack of trust in the land administration system.

Therefore, there is a critical need to examine how technology can be leveraged to improve the security of land titles in Nigeria, reduce fraudulent practices, and promote efficiency in land administration. Addressing this problem is essential not only for protecting landowners' rights but also for fostering economic growth, encouraging investment, and ensuring sustainable land governance.

1.3 Research Methodology

This study adopts a doctrinal research methodology, which is suitable for examining legal frameworks, regulations, case law, and scholarly opinions relating to land title security and the role of technology in Nigeria. Doctrinal research involves the systematic analysis of statutes, regulations, judicial decisions, and other legal instruments to understand how the law operates in practice and how it affects land administration.

Primary sources for this research include the Land Use Act 1978, Evidence Act 2011, Lagos State Lands Registration Law 2015, Land Registration (Electronic Transactions) Regulations 2020, and relevant court decisions concerning land title security. Secondary sources include academic journals, books, theses, and authoritative online publications on land administration, property law, and technological innovations such as blockchain and Geographic Information Systems (GIS) in land registration.

Additionally, the study incorporates comparative analysis, examining how other countries, including Ghana and the United Kingdom, utilize technology to enhance land title security. This comparison provides insights into best practices and lessons that can be adapted to the Nigerian context.

1.4 Aim and Objectives

The aim of this study is to examine the role of technology in enhancing the security of land titles in Nigeria, with a focus on legal frameworks, institutional practices, and technological innovations such as digital land registration and blockchain systems.

The specific objectives of the study are to:

1. Analyse the existing legal and institutional frameworks governing land administration and title security in Nigeria.
2. Examine the processes of land registration, conveyancing, and issuance of certificates of occupancy in the country.
3. Assess the role of technological innovations, including digital land registries, Geographic Information Systems (GIS), and blockchain, in improving the accuracy, efficiency, and security of land transactions.
4. Identify challenges and limitations in the adoption of technology in land administration in Nigeria.
5. Compare Nigeria's land administration and technology adoption practices with other countries, including Ghana and the United Kingdom, to identify best practices.
6. Propose recommendations for improving the security of land titles and promoting effective integration of technology in Nigeria's land administration system.

1.5 Scope of the Study

This study focuses on the role of technology in enhancing the security of land titles in Nigeria, with emphasis on legal, institutional, and technological dimensions of land administration. It examines the processes of land registration, issuance of certificates of occupancy, and the use of digital platforms, Geographic Information Systems (GIS), and blockchain technology in securing land transactions.

The study is geographically limited to selected states in Nigeria, including Lagos, Rivers, Kaduna, and the Federal Capital Territory (Abuja), as these regions provide diverse examples of land administration practices and technological adoption. The research also considers comparative insights from other countries, such as Ghana and the United Kingdom, to identify best practices applicable to Nigeria.

The scope of the study is further limited to the analysis of statutory laws, regulations, and institutional practices relevant to land title security, as well as the technological frameworks currently implemented or proposed in Nigeria. Issues related to informal or undocumented land transactions, private customary arrangements outside statutory recognition, and land disputes not formally recorded in the registry fall outside the primary focus of this research.

1.6 Significance of the Study

This study is significant in several ways. First, it provides a comprehensive understanding of how technology can strengthen the security of land titles in Nigeria, thereby reducing fraudulent transactions, disputes, and legal uncertainties in land ownership. By analyzing both legal frameworks and technological innovations, the study highlights practical solutions to challenges in land administration.

Second, the research benefits policymakers and government agencies by offering insights into the integration of digital tools, such as blockchain and GIS, into land registration systems. This can guide the development of more efficient, transparent, and reliable mechanisms for land allocation, registration, and monitoring.

Third, the study is valuable to investors, financial institutions, and developers by clarifying the legal and technological conditions necessary for secure land transactions. Understanding these processes helps reduce risk in property acquisition, mortgages, and infrastructural projects.

Finally, the study contributes to academic knowledge by bridging the gap between law, technology, and land administration. It offers a framework for future research on digital land management, promoting innovation and reform in Nigeria's property sector.

1.7 Methodology

This study adopts a doctrinal research methodology, which involves an in-depth analysis of existing legal instruments, statutory provisions, judicial decisions, and academic literature on land administration and title security in Nigeria. The doctrinal approach is appropriate because the research focuses on understanding the legal frameworks, regulations, and technological interventions that govern land transactions, rather than generating empirical data through surveys or experiments.

Primary sources reviewed include the Land Use Act 1978, the Constitution of the Federal Republic of Nigeria 1999 (as amended), the Evidence Act 2011, the Lagos State Land Registration Law 2015, the Land Registration (Electronic Transactions) Regulations 2020, and relevant case law on land title disputes and security. These sources provide authoritative guidance on statutory rights, governance, and the interaction between technology and land administration.

Secondary sources include scholarly articles, textbooks, reports, and online publications that discuss the role of digital tools such as blockchain, geographic information systems (GIS), and electronic land registries in enhancing land title security. These sources offer critical insights into best practices, challenges, and comparative experiences in other jurisdictions.

The study also uses a comparative analytical framework to evaluate how Nigeria's legal and technological approaches to land registration compare with practices in Ghana and the United Kingdom. This approach allows for the identification of strengths, weaknesses, and potential reforms.

Finally, the research synthesizes findings from both doctrinal and comparative analyses to draw conclusions and provide recommendations for policy, legislative reform, and the effective implementation of technology in land administration in Nigeria.

CHAPTER TWO

LITERATURE REVIEW

2.1 Conceptual Clarification of Land Administration

This part discusses concepts that run this study. This chapter shall elucidate how those concepts are used, their origin, and its legal implications. These concepts include Land, Land rights, Instruments, Registration, Title,

Land

According to Umezulike, land is conceived as a free gift of the creator to humanity, thus no human being can validly lay claim to the fact that land came into existence because of his or her ingenuity or expense.⁶ Obi is of the view that land belongs to the ancestors and even generation yet unborn and it is therefore to be accorded respect. He went further to reason that human beings only have a right to use and occupy the land.⁷ Wigwe stated that land remains a primary asset for survival and development in Africa as it supports the livelihood of most rural people who derive income from farming, livestock production and agro related activities.⁸ Kironde opined that land remains the most important factor in development in African policy principles.⁹ Kizito articulated that land remains a critical asset for both urban and rural dwellers due to its economic and social benefits.¹⁰ Simpson verified that land is the source of all material wealth, from it we get everything that we use or value, whether it be food, clothing, shelter, metal or precious stones. He further confirmed that we live on land and from the land, and to the land our bodies or our ashes are committed when we die.¹¹

⁶ Umezulike IA, *ABC of Contemporary Land Law in Nigeria* (Rev edn, Enugu: Snaap Press Nigeria Ltd, 2013) 5.

⁷ Obi SNC, *The Ibo Property Law* (Butterworths African Law Series No 5, 1962) 30.

⁸ Wigwe CC, *Land Use and Management Law* (Ghana: Mountcrest University Press, 2016) 4.

⁹ Simpson SR, *Land, Law and Registration* (New York: Cambridge University Press, 1978) 15.

¹⁰ Kironde JML, 'Improving Land Sector Governance in Africa: The Case of Tanzania' Paper Prepared for the Workshop on 'Land Governance in Support of the MDGs: Responding to New Challenges' (Washington DC, 9-10 March 2009).

¹¹ Kizito D and others, 'Legal Establishments and Gender Access to Land in Patriarchal Societies of North-Western Ghana' (2018) 78(2) *Africa Journal of Land Policy and Geospatial Sciences* 2657.

Osamolu and others endorsed that land is generally defined not only the surface of the earth and the sub-soil, but also includes all appurtenances permanently attached to land; this includes buildings, trees, streams and ponds.¹² Section 3 of the interpretation Act defines land as including: land and everything attached to the earth or permanently fastened to anything which is attached to the earth and all chattels real.¹³ It is put forward that the availability of land is the key to human existence, and its distribution and use are of vital importance. It is often the buildings and resources found within and upon the land that bring about wealth creation. In many parts of the world, the land and the buildings or objects upon the land are considered separately, and sometimes registered independently.

The main types of land tenure systems include:

Customary Land Tenure: Under customary tenure, land rights are determined by traditional norms, practices, and community rules rather than formal statutory laws. Ownership and use are often communal, and access to land is governed by family, clan, or community leaders. Customary systems are common in many African countries, including Nigeria, where local customs influence who can use land and how it can be transferred.

Freehold Tenure: Freehold tenure grants the holder permanent and exclusive ownership of the land. The owner has the right to use, sell, lease, or bequeath the land without time restrictions. This system is typical in Western legal systems and is recognized under formal statutory laws.

Leasehold Tenure: In leasehold tenure, the right to use land is granted for a specific period under a lease agreement. The lease may impose conditions on the use of the land, and ownership ultimately remains with the landlord or government. Leasehold systems are common for urban and commercial properties.

¹² Osamolu SA and others, *Real Property: Law and Practice in Nigeria* (2nd edn, Abuja: Panaf Press Nigeria, 2016) 2.

¹³ Cap 123, *Laws of the Federation of Nigeria* 2004.

State or Government Land Tenure: Under this system, the state owns all land and grants rights of occupancy or use to individuals or organizations. Nigeria's Land Use Act of 1978 is an example, where all land in each state is vested in the governor for allocation, usually through statutory rights of occupancy.

Cooperative or Communal Land Tenure: Land is collectively owned and managed by a cooperative, community, or association. Decisions about land use, allocation, and management are made collectively, emphasizing group benefit over individual ownership.

Land Rights

Rights simply put are legal, social or ethical principles of freedom for entitlement. It is what is being owed humans by virtue of their existence as humanity. Akinola reasoned that Land rights go beyond the right to use and control the land as vital economic asset, but it involves the right to lay claim to it, obtain information about it, make decision and ultimately enjoy the benefits of the land thereof.¹⁴

According to Frank-Igwe, the very existence of human society is heavily dependent on land and its resources as it provides a veritable source of wealth for individual, family and community.¹⁵ Commenting on land rights to humanity, Gray laid down this proposition: The great lawyers of a previous age were supremely conscious of the significance of land in human affairs. They were aware of the paradox of the integrity of man and his utter dependence upon his physical environment, of land as dignified by the habitation of man yet alone providing the means for his survival, for land as a base for human striving and as an inspiration towards fleeting comprehension of something more. Land rights in the words of Gibert broadly refer to right to use, control and transfer a parcel of land. Expatiating on same, he further stated that land rights include rights to occupy, enjoy and use land and resources;

¹⁴ Akinola AO, 'Women, Culture and African's Land Reform Agenda' *Frontiers in Psychology* (2018) 5.

¹⁵ Frank-Igwe U, 'Land Rights under Customary Law' in LO Nwauzi and GO Akolokwu (eds), *General Principles of Nigerian Customary Law* (Port Harcourt: Faculty of Law, Rivers State University, 2019) 71.

restrict or exclude others from the land; transfer, sell, purchase, grant or loan; inherit and bequeath; develop or improve; rent or sublet; and benefit from improved land values or rental income. Land rights are not typically perceived to be human right issue as land rights usually fall within the categories of land laws, land tenure agreements or planning regulations but are rarely associated with human right to land. It is contended that land rights are a key human rights issue as it constitutes the basis for access of food, housing and development and without access to land; many people will find themselves in a situation of great economic insecurity. On a much stronger reason, without security of title to land offered through real property registration, purchasers will be dispossessed of ownership of land.

Instrument

The word Instrument comes from an old French word: *instrumentum* meaning an implement or tool especially one for precision work.¹⁶ As it applies to law, instrument is a written legal document that defines rights, duties, entitlements or liabilities.¹⁷ Put simply land instrument comprises any form of document (apart from a will) which affects land and by which an interest in land is transferred from one person to another. Instrument include deed, mortgage, deed of trust, easement, lease, franchise, license, right of way, covenant or other document or agreement affecting or relating to disposition of interest in real property In *Oredola Okeya Trading Co. (Nig) Ltd v AG Kwara State*,¹⁸ the Supreme Court identified the elements which qualifies a document to be an instrument to include the following: The import of the document rather than label, document must be instrument of grant, document must convey to grantee the grantor's entire interest in the land or residue or part thereof and document must purport to confer or pass on a person an interest or right in or over the land. The combined effect of statute and judicial meaning shows an instrument is a registrable document which

¹⁶ Editor, *Etymology of Instrument* <www.wordsense.eu> accessed 20 December 2025.

¹⁷ Garner BR, *Black Law Dictionary* (9th edn, Thomson Reuters 2014).

¹⁸ Editor, *Etymology of Instrument* <www.wordsense.eu> accessed 24 December 2025.

confers a right or title to interest in land. It remains to add that where an instrument is not registered, it cannot be tendered or accepted as passing legal title to land but will be treated as evidence of payment of purchase price. The Land Instrument Registration Act required all documents by which an interest in land is transferred or charged to be registered.¹⁹

There are different types of land instruments. Abdullahi views the deed of conveyance as a document that transfer title of the land or property from the owner called (vendor) to the buyer called (purchaser). It is a formal document showing change of ownership of lands, buildings or real estates.²⁰ Another land instrument is the Deed of Gift. The latter is a signed legal document that voluntarily vest property by one party called the (donor) to another party called (donee) without consideration. By using this document, the donor transfers legal ownership of real property to the donee by way of Gift. Once Deed of Gift is created, it is irreversible and irrevocable; however, can be set aside on grounds of fraud or tax evasion. The deed of Gift can be used in lieu of a Will to give real property during lifetime. Deed of Gift is not charged ad valorem, as same is given without monetary consideration.²¹

Registration

Registration is the formal process of recording land rights and interests in official government records, typically maintained by a land registry. Registration serves several purposes: it publicly recognizes ownership, provides security against unlawful claims, and facilitates transparency in transactions. By creating an official record, registration strengthens trust in the land system and reduces disputes over ownership.

Title

A good title must sufficiently describe the property, disclose all interests; legal and equitable in respect of the property, it must not be subject to a greater interest and all doubts as regards

¹⁹ Garner BR, *Black Law Dictionary* (9th edn, Thomson Reuters 2014).

²⁰ 7 NWLR (Pt. 254) 412 (SC), 1992.

²¹ The Land Instrument Registration Act 1924, 25 (LRA).

the property must be cleared.²² It requires time, effort and resources to verify a good title one that will not adversely affects the use of the land or drag the purchaser into litigation. A defective title may be illegal, fraudulent, contain administrative errors in the recording of the deed or is in dispute. It is therefore a wise course, for the intending land purchaser to conduct due diligence by tracing previous changes of ownership on the land, consultation of public records, obtaining past transfers instruments to verify capacity of vendor and confirming whether consents were obtained for past transfers.

In *Idundun v Okumagba*,²³ the different ways of proving title to land was established to include traditional evidence, production of documents of title which must be fully authenticated by long possession, by transfer of interest in land, by first settlement or conquest. A new way to prove customary title to land via swearing of juju on disputed land was added by the Supreme Court in *Umeadi v Chibunze*.²⁴ The Court held that a family member who defends family land by oath taking automatically becomes exclusive owner of such family land.

2.2 Historical Development of Land Tenure in Nigeria

Land Tenure may be defined loosely as the body of rules which governs access to land and the relationship between the holder of land and the community on the one land and or that between the holder and another party having superior title. The interests that may be had in land is therefore defined, delaminated and explained within the framework of the Land Tenure System. Because it is framed within the community concerned, the land tenure is quite community specific, and is normally dictated by the socio-economic lives of the individual community which in turn is shaped by the customs, economic, political and social realities of the community.

²² 6 SCNJ 1 (SC) 1997.

²³ 9-10 SC 227 1976.

²⁴ 10 NWLR (Pt. 1733) 405 (SC) 2020.

Therefore, generally, Land Tenure is always community specific, and the Land Tenure System of one community may not be easily imported or adapted by another unless they have similar customs and socio-economic beliefs:

Before the advent of the British Government in 1861, the only recognizable system of Land Tenure in the geographical area now known as Nigeria was the Customary Land Tenure System. This was the only known indigenous system of land tenure. It is a system of accepted practice amongst the people, well recognized and enforced and regarded as “a mirror of accepted usage”

See *Owonyun v Omotosho*,²⁵ *Kindey and ors v Military Gov’ of Gongola State & Others*²⁶.

This customary system of land tenure is all embracing and it defines, the rights, privileges, interests and title that may be enjoyed on land under customary law.

The system though had to make way for modern influence especially the introduction of British system of land tenure and legislative amendments principally due to the failure of the customary land tenure to accommodate the growing economic and political developments in the country; it is still largely recognized as the law governing land holdings amongst the people who hold their land subject to the customary land tenure. In effect in spite of the two main great influences on the customary land tenure i.e. Received English laws and local legislation, the customary land tenure still governs the interests on land held by the people who agree or hold land subject to Native Law and Custom.

2.2.1 Pre-Colonial Era

Land administration and management at the pre-colonial era indigenous people entirely owned land. It was marked through adjudication and appropriation by the might of warfare,

²⁵ (1961) 1 All NLR 304

²⁶ (1988) 2 NWLR (pt 77) 445

rulership in which warlords, Kings carved out dominions for their followers²⁷. For that time, lands reserved for a family and their followers are occupied only by them. In addition, the area was used for farming and grazing. As a result, only families, villages, and communities are holding the lands. Because they are a Party Member, the individual who has usufructuary rights has extended it to their lineage. Each family or community's boundaries are delineated by natural structures such as trees. The situation in the north of Nigeria differs from that in the south. The nomadic Fulani are cattle breeders who spread their herds across vast swaths of territory and establish settlements without designating any boundaries. The Emirs hold the final rights to territory after the Fulani Jihad war²⁸.

2.2.2 Colonial Era

Since Nigeria was divided into colonies and protectorates by the colonial master, there were different land tenure systems during the colonial era. The landholding system was freehold, which resulted in numerous clashes between the traditional land tenure system and the colonial freehold system, which allowed European traders towards acquiring land. The Emirs were selected and wielded possessive rights in a north, giving them the capacity to keep land in 1910. Yet, for the indigenous peoples benefit, the land administration power was given to governors. After the margin of the northern and southern protectorates, entire country was divided into states, which brought about changes. The land tenure system of each state was inherited from the Region in which it was founded²⁹.

2.2.3 Post-Colonial Era

²⁷ Hosaena G and Austen O, *Land Administration Service Delivery and Its Challenges in Nigeria: A Case Study of Eight States* (International Food Policy Research Institute 2016).

²⁸ Ibid.

²⁹ Henssen J and Williamson I, 'Land Registration, Cadastre and Its Interaction: A World Perspective' in *Proceedings of the XIX FIG Congress, Helsinki* (1990).

Post-Colonial: Nigerians took over management and control of the country's territories and resources after the country gained independence in 1960.³⁰ In the early years of Nigeria's independence, land management systems remained largely unchanged from those in existence during the colonial era. In the south, land was still traditionally controlled by indigenous peoples or natives, with chiefs serving as the primary managers³¹.

The northern regional government enacted legislation that placed all land in the region for the use and benefit all northern people under the control of the governors. To combat the land tenure systems discrepancies and the resulting litigation, duplicitous and deceptive tactics, and the difficulty governments face in obtaining land for public use.³² The Land Use Decree (now Act) of 1978 was promulgated by the Federal Military Government. The Land Use Act of 1978,³³ is the most important legislative framework governing land administration processes and procedures in Nigeria. The Act, for all intents and purposes, governs land ownership, alienation, acquisition, administration, and management in the Federal Republic of Nigeria.³⁴ While the first section of the Law vests in the Governor of each state of the Federation of Nigeria all land within its territory, with such land held in trust and administered for the use and benefit of all Nigerians, in Act, sec. 5 (1) empowers the Governor of a state to grant statutory right of occupancy to any person for any purpose, whether or not in an urban area, and, in line with Section 9(1) of the Act, provide a certificate

³⁰ Abolade AO, Dugeri T and Adamu JU, 'Challenges of Digitalization of the Land Administration System in Nigeria: The Kaduna State Experience' in Awolaja K (ed), *Proceedings of the 18th African Real Estate Society (AFRES) Annual Conference* (AFRES Abeokuta 2018) 67–82.

³¹ Jacques V, *Blockchain-Based Land Registry: Panacea, Illusion or Something in Between? Legal Interference of Registrars in the E-Conveyancing Process* (European Land Registry Association 2016).

³² Benjamin LO, *Beyond the Hype: Exploring Blockchain Technology in Land Administration: A Case Study of Ghana and Property Rights* (Master's thesis, Copenhagen Business School 2018).

³³ Cap 202, *Laws of the Federation of Nigeria* (LFN 2004).

³⁴ Ghebru H, Edeh H, Ali D, Deininger K, Okumo A and Woldeyohannes S, *Tenure Security and Demand for Land Tenure Regulation in Nigeria*, Nigeria Strategy Support Program (NSSP) Working Paper No. 25 (International Food Policy Research Institute Abuja 2014).

of occupancy as evidence of such right of occupancy. The LUA also allows LGAs to issue traditional right of occupancy certificates³⁵.

2.3 Land Ownership and Title Documentation in Nigeria

Land ownership and the transfer of interests in land constitute the foundation of the real estate sector in Nigeria. The sector continues to rank among the most active and economically significant industries in the country, largely because land remains a finite and appreciating asset. Despite the varying circumstances that may surround land and property transactions, a common feature is that individuals, corporate bodies, and institutional investors acquire land with the expectation that it will provide long-term value, economic security, and social status. In both urban and rural settings, ownership of landed property is widely regarded as a reliable store of wealth and a key driver of economic stability.³⁶

Historically, land ownership in Nigeria was largely governed by customary law, which emphasised communal control and family ownership of land. However, the legal regime governing landholding underwent a fundamental transformation with the enactment of the Land Use Act 1978. Under this Act, all land within the territorial boundaries of each state is vested in the Governor of that state, who holds the land in trust for the use and benefit of the people.³⁷ This statutory framework was introduced to promote equitable access to land, curb land speculation, and ensure orderly land administration across the federation. The effect of this vesting is that individuals no longer hold absolute ownership of land but rather acquire recognised rights of occupancy granted by the state.

Flowing from this arrangement, ownership of land in Nigeria is evidenced not by absolute title but by legally recognised title documents. These documents serve as proof of an

³⁵ Babalola SO, Abdulrahman A, Choona LT and Van Oosterom PJM, 'Possibilities of Land Administration Domain Model (LADM) Implementation in Nigeria' (2015) *ISPRS Annals of the Photogrammetry, Remote Sensing and Spatial Information Sciences* Vol II-2/W2 155–163.

³⁶ Oni A, *Nigerian Land Law* (2nd edn, Spectrum Books Ltd 2018) 1–6.

³⁷ Land Use Act, Cap L5, *Laws of the Federation of Nigeria* 2004, s 1.

individual's interest in land and define the nature, scope, and duration of such interest. Common examples include the Statutory Right of Occupancy, normally granted by the Governor in respect of urban land, and the Customary Right of Occupancy, usually issued by local governments in respect of non-urban land. Other recognised documents of title include Deeds of Assignment, Deeds of Lease, Deeds of Mortgage, and Deeds of Assent, the latter being used where land devolves upon beneficiaries of a deceased person's estate under probate or letters of administration.³⁸

Title documentation plays a critical role in land transactions, as it provides legal certainty and protection to landholders. Proper documentation enables landowners to assert their rights against third parties, reduces the incidence of land disputes, and facilitates the use of land as collateral for loans and other financial transactions. In the absence of valid title documents, land rights remain vulnerable to challenge, often resulting in prolonged litigation and social conflict, particularly in rapidly urbanising areas.

Beyond possession of title documents, Nigerian law places significant emphasis on the registration and perfection of interests in land. Registration is carried out at the State Lands Registry or Land Bureau and involves the formal recording of land transactions in official records. This requirement is statutory in nature and is intended to ensure transparency, traceability, and public notice of land interests.³⁹ A failure to register land instruments in accordance with the law does not necessarily invalidate the transaction between the parties, but it renders the interest incomplete or inchoate, meaning it may not be enforceable against third parties or recognised as a full legal title.

The perfection of title in Nigeria often involves multiple stages, including obtaining the necessary statutory consent where applicable, stamping of instruments, and eventual

³⁸ Nwabueze BO, *Nigerian Land Law* (1972) 156–160.

³⁹ Omotola Y, 'Land Registration and Property Rights Protection in Nigeria' (2012) 6 *Journal of Sustainable Development Law and Policy* 45–47.

registration. These processes, while sometimes criticised for being bureaucratic and time-consuming, are essential for securing legal recognition of land rights. Compliance with these requirements protects landowners from adverse claims and strengthens the overall land administration system.⁴⁰

In essence, land ownership and title documentation in Nigeria operate within a regulated legal framework aimed at balancing private interests with public control. While the Land Use Act centralises land administration under state authority, title documentation and registration remain indispensable tools for establishing ownership, protecting proprietary rights, and promoting confidence in land transactions. Effective land documentation therefore remains central to sustainable real estate development and economic growth in Nigeria.

2.4 Conveyance and Transfer of Land Rights

The transfer of legal ownership of land from one person to another is known as conveyancing or transfer of land. This process involves the lawful transmission of interests in land and forms a central aspect of land law and administration. Conveyance may take place through formal agreements such as sale, purchase, lease, or mortgage, or through communal and personal events such as death, birth, or divorce, which give rise to inheritance or redistribution of land rights. Depending on the nature of the interest being transferred, land may be conveyed either as freehold or leasehold property.⁴¹

A typical land transfer process begins when the transferor (seller) and transferee (buyer) enter into a legally binding agreement. This agreement is executed in the presence of witnesses and usually sets out the essential terms of the transaction. These terms include the purchase price, method of payment, full names and addresses of both parties, and a clear description of the

⁴⁰ IO Smith, *Practical Approach to Law of Real Property in Nigeria*, 2nd edn, Lagos, Ecowatch Publications Ltd, 2007, p 245.

⁴¹ Ibid.

land involved. The agreement serves as evidence of the intention of the parties and provides the legal foundation for the transfer of interest.⁴²

Once the agreement has been concluded, the parties formally sign the sale or transfer documents, often in the presence of a legal practitioner or an accredited court advocate, especially where registration and perfection of title is required. This stage is critical, as it ensures that the transaction complies with legal formalities and reduces the risk of fraud or future disputes.⁴³

Following execution of the documents, the relevant land registry or land officer examines the instruments to confirm that they are properly executed and supported by the required consents or approvals. In Nigeria, this may include obtaining statutory consent where necessary. After due verification, the land officer records the transaction in the appropriate land register. Upon registration, the process for issuing a new title deed to the buyer begins, signifying official recognition of the transfer and conferring legal protection on the transferee's interest in the land.⁴⁴

2.5 Registration of Land Titles: Methods and Procedures

Babalola *et al.* (2015) explained that a title refers to the legal description used to identify a particular parcel of land and the interest attached to it.⁴⁵ It shows the physical features of the land as well as the nature of the rights held in it. A land title usually contains detailed information that makes it possible to clearly identify the land and distinguish it from others. This includes a description of the land's boundaries and location, measurements such as lengths and bearings, survey details, coordinates expressed in metres, plot numbers in a

⁴² Olanrewaju A, 'Principles and Practice of Conveyancing in Nigeria' (2016) 4 *Nigerian Journal of Property Law* 33.

⁴³ Nwabueze BO, *Nigerian Land Law* (1972) 189–191.

⁴⁴ Omotola Y, 'Land Registration and Property Rights Protection in Nigeria' (2012) 6 *Journal of Sustainable Development Law and Policy* 45.

⁴⁵ Babalola AO, Adewoye JO and Oyeniya BA, *Land Administration and Management in Nigeria* (2015)..

subdivided area, and other relevant identifying information. These details are important because they help prevent disputes, overlapping claims, and uncertainty over land ownership. A land title also indicates the method through which interests in land are transferred from one party to another. This is done using recognised conveyancing instruments such as warranty deeds, which assure the buyer that the title is valid and protected, and quitclaim deeds, which transfer whatever interest the grantor has without guaranteeing freedom from defects.⁴⁶ These conveyance methods provide the legal basis upon which land transactions are carried out and enforced.

Land registration, on the other hand, is of great importance to any nation, especially where the registration system operates effectively. A properly functioning land registration system improves security of tenure, reduces land-related disputes, encourages investment, and supports orderly development.⁴⁷ While land registration systems differ across countries based on their legal and historical backgrounds, the core objective remains the formal recording and protection of land rights.

In Nigeria, land registration is carried out through three main methods. The first is private conveyancing, which involves the transfer of land interests through privately executed agreements and documents, usually with minimal state involvement. Although widely practised, this method often makes it difficult to trace ownership history and verify title authenticity. The second method is title registration, where the ownership of land is formally registered by the state, giving the registered holder stronger and more secure legal rights.

2.6 Challenges in Land Administration and Title Security

Land registration types with their different uniqueness, yet is not without challenges and/or limitations. Several authors have documented the limitations of the various types of land

⁴⁶ Ibid n 18.

⁴⁷ De Soto H, *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else* (Basic Books 2000).

registration, the predominant land registration system in Nigeria today is based on the land instruments registration Laws, which are enacted individually by each state of the federation⁴⁸. These laws provide a framework for registering title documents but do not facilitate the registration of actual property titles. Registration is typically optional, and many rights remain unregistered. Verifying and evaluating the documents needed to validate ownership claims can be a complex, costly and time consuming process, which on several occasion lead to disputes. a not register title to a property. Registration is often not compulsory and, as a general rule, many rights are not registered.⁴⁹ Nigeria faces significant challenges in land administration due to issues within its institutional, legal, and spatial frameworks, leading to a large number of unregistered land rights. Additionally, bureaucratic inefficiencies in accessing land administration services hinder effective governance.⁵⁰ There is a lengthy procedure of land registration system in Nigeria the World Bank (2017) ranked Nigeria's economy as 169 among 190 countries based on the ease of registering land. It takes an average of 12 steps and 70 days to complete registration, costing 10.5% of the property value. Perhaps unsurprisingly, less than 3% of Nigerian land is registered in a formal land register.⁵¹ In Nigeria, urban land access is a highly sensitive issue, with land rights often lacking security. This is evident in the challenges associated with obtaining information for land transactions and the government's inefficiency in issuing formal land title documents.⁵² Nwuba & Nuhu, highlights that urban land buyers often struggle to verify the authenticity of land titles before acquisition. Access to secure urban land tenure, particularly for low- and

⁴⁸ Imhanobe SO, *Legal Drafting and Conveyancing* (1999 edn, Abuja Legal Research 2007).

⁴⁹ Dale PF and McLaughlin JD, *Land Administration* (Oxford Clarendon Press 1999).

⁵⁰ Birner R and Austen O, *Challenges of Land Governance in Nigeria: Insights from a Case Study in Ondo State* (Nigeria Strategy Support Program (NSSP) 2011) 22.

⁵¹ Adeniyi PO, Oniemola AE and Badru G, 'Assessment of Land Administration Service Delivery in Three Selected States in Nigeria: Experiences from Ekiti, Kebbi and Niger States' (World Bank Conference on Land and Poverty, Washington DC 2018) 1–37.

⁵² Federal Ministry of Housing and Urban Development (2006).

middle-income households, has become a critical aspect of governance. Land registration is identified as a key approach to ensuring the security of land rights.⁵³

Thontteh & Omirin, research on land registration reforms in Lagos State assessed the effectiveness of the Electronic Document Management System (EDMS) in land registration.⁵⁴ The findings revealed that the EDMS enhanced land registration by improving tenure security, boosting public confidence in transactions, centralizing file storage, and reducing the waiting time for land information. However, it failed to address land disputes, increase application processing rates, or boost government revenue. Additionally, title registration still takes over 120 days to complete. Challenges affecting land registration in the state include high registration costs, insufficient technical skills, unqualified staff, excessive land charges, an unclear legal framework, and institutional inefficiencies.

(Nwuba & Nuhu, identified in their study, that ignorance among landowners about the need for registration, making many unaware of its importance.⁵⁵ Affordability is another significant issue, with the costs of obtaining registration being too high for many, particularly low-income individuals. The process itself is lengthy and cumbersome, often involving delays and inefficiencies that discourage participation. Corruption within the system also presents a barrier, as unofficial payments are commonly required to expedite processes. Inadequate human capital further complicates matters, with a shortage of skilled personnel leading to inefficiencies in handling registrations. Incomplete documentation submitted by applicants causes further delays, and resistance to change from both land registration staff and the public hinders the implementation of reforms. Many applicants lack the legal

⁵³ Nwuba CC and Nuhu SR, 'Challenges to Land Registration in Kaduna State, Nigeria' (2018) 3(1) *Journal of African Real Estate Research* 141–172 <https://doi.org/10.15641/jarer.v1i1.566> accessed 30 November 2025.

⁵⁴ Thontteh E and Omirin MM, 'Land Registration within the Framework of Land Administration Reform in Lagos State' (2015) 21(2) *Pacific Rim Property Research* 161–177 <https://doi.org/10.1080/14445921.2015.1058033> accessed 30 November 2025.

⁵⁵ Ibid.

knowledge or understanding needed to accurately complete land documentation forms. When such improperly completed documents are publicly recorded and stored, they can mislead others. Innocent buyers may unknowingly purchase land based on inaccurate records or search results, leading to financial losses. Therefore, it is essential to provide assistance to applicants with limited legal expertise to ensure the correct completion of land registration forms especially in some states that employ Geographical Information System in Land registration.⁵⁶ The digitization of records addresses some challenges of paper-based systems but still carries the risk of a single point of failure due to centralized record storage,⁵⁷ even a digital record holds no advantage over a paper-based one in the absence of a reliable custodian.⁵⁸ Additionally, the reliance on customary land tenure systems, where landowners believe their rights are secure without formal registration, prevents many from engaging with the formal process. Challenges such as multiple sales, unofficial charges, lack of transparency, and bureaucratic hurdles are prevalent in Systems of land management in developing nations.⁵⁹

2.7 The Role of Technology in Land Administration

The potential application of blockchain technology in Nigeria's land registration system is particularly promising, as it offers significant improvements in transparency, security, and efficiency. Land administration in Nigeria has long been plagued by challenges such as disputes over ownership, fragmented and inefficient record keeping systems, and widespread

⁵⁶ Abraham AG and Amadi J, 'Legal Issues and Challenges Militating Against Seamless Land Registration in Nigeria' (2024) 10(3) *International Journal of Law* 70–74 <www.lawjournals.org> accessed 30 November 2025.

⁵⁷ Ibid.

⁵⁸ Mansoor MA, Ali M, Mateen A, Kaleem M and Nazir S, 'Blockchain Technology for Land Registry Management in Developing Countries' (2nd International Conference on Emerging Trends in Electrical, Control, and Telecommunication Engineering (ELECTE), Lahore, Pakistan 2024) <https://doi.org/10.1109/ELECTE59617.2023.10396736> accessed 30 November 2025.

⁵⁹ Ameyaw PD and de Vries WT, 'Toward Smart Land Management: Land Acquisition and the Associated Challenges in Ghana. A Look into a Blockchain Digital Land Registry for Prospects' (2021) 10(3) *MDPI Journals* 239 <https://doi.org/10.3390/land10030239> accessed 30 November 2025.

instances of fraud and double allocation of land.⁶⁰ These problems often arise from reliance on paper based records, manual verification processes, and delays in the registration and approval of land transactions.

Blockchain, a form of decentralized ledger technology, provides a novel solution to these challenges. By creating a secure, distributed, and tamper proof record of land ownership and related transactions, blockchain allows all stakeholders including government authorities, landowners, and potential investors to access accurate, real time information. This can reduce the incidence of fraudulent land dealings, eliminate duplications, and enhance confidence in property rights. Furthermore, the technology can streamline bureaucratic procedures by automating verification and approval processes, potentially reducing the time and cost associated with land registration. Its ability to provide an immutable and transparent record positions blockchain as a transformative tool capable of strengthening Nigeria's land administration framework and fostering greater trust in the property market.

2.7.1 Possible challenges to Blockchain Adoption in Nigeria

While blockchain technology holds significant promise for enhancing security and transparency in land registries, its successful implementation involves navigating a complex array of challenges and considerations. The technical complexity of blockchain technology is substantial; it requires not only a deep understanding of its principles by those implementing it but also a readiness among end-users to adopt this new system. This complexity necessitates extensive training and education campaigns to ensure all participants can effectively engage with the new system.⁶¹

⁶⁰ Mansoor MA, Ali M, Mateen A, Kaleem M and Nazir S, 'Blockchain Technology for Land Registry Management in Developing Countries' (2nd International Conference on Emerging Trends in Electrical, Control, and Telecommunication Engineering (EECTE), Lahore, Pakistan 2024) <https://doi.org/10.1109/EECTE59617.2023.10396736> accessed 30 November 2025.

⁶¹ Ahmed Alketbi, Qassim Nasir and Manar Abu Talib, 'Novel Blockchain Reference Model for Government Services: Dubai Government Case Study' (2020) 11(6) *International Journal of System Assurance Engineering and Management* 1170.

Furthermore, integrating blockchain into existing land registration systems often demands significant infrastructural changes. This encompasses both hardware, such as servers and secure storage solutions, and software, including customized blockchain solutions that can handle large volumes of transactions while ensuring data integrity and security. The infrastructure must also be robust enough to handle potential scalability needs as blockchain usage grows.⁶²

Legal and regulatory frameworks also need comprehensive revision to accommodate blockchain in land registration. Current laws may not adequately address the nuances of blockchain, such as data ownership, cross-border data management, and the legal validity of blockchain transactions. New regulations must be crafted thoughtfully to support the adoption of blockchain while protecting stakeholder interests and maintaining compliance with international standards.⁶³

Interoperability with existing systems presents another critical challenge. Blockchain solutions must be designed to interact seamlessly with current land registry databases and other governmental information systems. This requires standardized protocols and interfaces that allow for smooth data exchange and integration without compromising security or performance.⁶⁴ Ensuring equitable access to technology is equally important. Blockchain implementations in land registries should not exacerbate existing digital divides but rather should aim to increase inclusivity. This involves ensuring that the technology is accessible not only in urban centers but also in remote and underserved areas. Strategies might include

⁶² Barikisa Owusu Ansah and others, 'A Systematic Review of the Institutional Success Factors for Blockchain-Based Land Administration' (2023) 125 *Land Use Policy* 106473.

⁶³ Ibid.

⁶⁴ Shadab Alam and others, 'Blockchain-Based Initiatives: Current State and Challenges' (2021) 198 *Computer Networks* 108395.

mobile solutions, localized training programs, and support services to help all users adapt to the new system.⁶⁵

Moreover, the ethical considerations of implementing blockchain in land registries should not be overlooked.⁶⁶ Questions regarding data privacy, the right to amend or delete personal information under certain conditions (in line with GDPR and other privacy regulations), and the potential for misuse of immutable data records need careful examination.⁶⁷ These ethical challenges require ongoing dialogue among technologists, legal experts, policymakers, and the community at large to ensure that blockchain technology serves the public good without infringing on individual rights or societal norms.⁶⁸

2.8 Theoretical Framework

For this research, two key theories are particularly relevant: the Technology Acceptance Model (TAM) and the Diffusion of Innovations (DOI) theory.

2.8.1 The Technology Acceptance Model (TAM)

The Technology Acceptance Model (TAM), introduced by Fred Davis in 1989, provides a robust framework for understanding user acceptance of new technologies.⁶⁹ This model was specifically developed to address the challenges organizations face when implementing technological systems, especially in environments where user resistance hinders adoption. TAM is rooted in social psychology and draws upon the Theory of Reasoned Action, which

⁶⁵ Ibid.

⁶⁶ Gianluca Miscione, Christine Richter and Rafael Ziolkowski, 'Authenticating Deeds/Organizing Society: Considerations for Blockchain-Based Land Registries' in *Responsible and Smart Land Management Interventions* (CRC Press, 2020) 133.

⁶⁷ Eugenia Politou and others, *Privacy and Data Protection Challenges in the Distributed Era* (Heidelberg, Germany: Springer, 2022) vol 26, 1.

⁶⁸ Ibid.

⁶⁹ F. D. Davis, *Perceived Usefulness, Perceived Ease of Use, and User Acceptance of Information Technology* (1989) 13 *MIS Quarterly* 319. M. Turner, B. Kitchenham, P. Brereton, S. Charters and D. Budgen, *Does the Technology Acceptance Model Predict Actual Use? A Systematic Literature Review* (2010) 52 *Information and Software Technology* 463.

emphasizes that a person's attitudes and intentions significantly influence their behavior. By focusing on specific factors that determine whether individuals perceive a technology as useful and easy to use, TAM simplifies complex behavioral processes into measurable variables.⁷⁰

TAM operates on the premise that technology adoption and usage can be explained by an individual's beliefs, attitudes, and intentions. At its core, the model identifies perceived usefulness and perceived ease of use as the two primary factors that drive user acceptance. Perceived usefulness refers to the extent to which a user believes that using a particular technology will enhance their job performance or productivity. Conversely, perceived ease of use is defined as the degree to which a person believes that using a particular system would be free of physical or mental effort. According to the model, these two perceptions determine an individual's attitude toward the technology, which in turn influences their behavioral intention and eventual actual usage of the system.

The model further suggests that external variables—such as system design characteristics, training, and user support influence these primary beliefs. Perceived ease of use also has a direct effect on perceived usefulness; if a system is easier to use, it is often perceived as more useful for achieving one's goals. Over the decades, TAM has been validated across various technological domains, from office software to mobile health applications, consistently proving that if users do not find a tool helpful or intuitive, the likelihood of successful organizational integration remains low.

2.8.2 Diffusion of Innovation Theory

The Diffusion of Innovation (DOI) theory, developed by Everett Rogers in 1962, explains how new ideas, practices, or technologies spread through a population over time.⁷¹ Rogers

⁷⁰ M. Turner, B. Kitchenham, P. Brereton, S. Charters and D. Budgen, *Does the Technology Acceptance Model Predict Actual Use? A Systematic Literature Review* (2010) 52 *Information and Software Technology* 463.

⁷¹ E. M. Rogers, *Diffusion of Innovations* (5th edn, Free Press 2003).

introduced this theory to explore the social processes that facilitate the acceptance of innovations and emphasized the interaction between innovation characteristics, social systems, and communication channels. This theory serves as a guide to understanding the factors influencing the adoption and implementation of new ideas, practices, or technologies. According to Rogers, an innovation is defined as any idea, product, or practice that is perceived as new by an individual or social system.⁷²

The diffusion process is inherently social, relying on communication channels and the characteristics of the innovation itself to determine its acceptance. The theory is built on several core principles that explain the adoption and dissemination of innovations, primarily through five major attributes. These include relative advantage, the degree to which an innovation is seen as better than what it replaces; compatibility, how consistent it is with existing values and needs; complexity, the difficulty in understanding or using it; trialability, the ability to experiment with it on a limited basis; and observability, the degree to which results are visible to others.

Beyond these attributes, Rogers classified adopters into five categories based on their willingness to embrace change: Innovators, Early Adopters, Early Majority, Late Majority, and Laggards. The theory posits that the spread of an innovation follows an S-shaped curve, where adoption starts slowly with innovators, reaches a "critical mass" through early adopters, and eventually saturates the market. By addressing the five attributes of innovation and understanding the social system's structure, change agents can tailor their communication strategies to accelerate the rate of adoption within a target population.

⁷² Ibid, n 71.

CHAPTER THREE

LEGAL AND INSTITUTIONAL FRAMEWORK

3.1 Introduction

This chapter explores the legal and institutional structures that govern land administration in Nigeria, with the aim of explaining how land rights are created, documented, transferred, and protected. Land is one of the most valuable resources in Nigeria, serving as the foundation for housing, agriculture, commerce, and infrastructure. As a result, the rules and institutions that regulate land ownership and use play a crucial role in economic growth, social stability, and individual security. Nigeria's land administration system operates within a complex framework that blends statutory laws, customary practices, judicial decisions, and administrative institutions at different levels of government.

3.2 The Land Use Act, 1978

The Land Use Act 1978 is the principal legal framework governing land administration and ownership in Nigeria. It was enacted to unify the diverse land tenure systems that existed in the country, particularly the customary and statutory landholding practices, and to provide a centralised, uniform system for land management across the federation. The Act aims to promote equitable access to land, reduce land disputes, facilitate orderly urban and rural development, and ensure that land resources are used in the public interest.⁷³

A key provision of the Act is the vesting of land in the Governor of each state. Section 1 vests all land in the state in the Governor, who holds it in trust for the people of the state.⁷⁴ This centralisation of ownership means that individuals and corporate bodies do not have absolute ownership of land but acquire recognised rights of occupancy from the state. The Governor,

⁷³ Land Use Act 1978 (Cap L5, *Laws of the Federation of Nigeria* 2004) s 1; Adeyemo SA, *Land Law in Nigeria* (2nd edn, Lagos University Press 2015) 45.

⁷⁴ Land Use Act 1978 (Cap L5, *Laws of the Federation of Nigeria* 2004) s 1.

acting as trustee, has the power to grant statutory rights of occupancy for urban and non-urban land, regulate land use, and ensure compliance with planning and development policies.⁷⁵

The Act distinguishes between statutory and customary rights of occupancy. Statutory rights are typically granted for urban land and are evidenced by certificates of occupancy, which serve as legal proof of an individual's interest in the land.⁷⁶ Customary rights of occupancy, on the other hand, are recognised over non-urban land and may be issued by local governments or traditional authorities in accordance with local customs.⁷⁷ Both rights confer security of tenure, allow for lawful transfer or mortgage, and provide protection against unlawful encroachment.

The Land Use Act also addresses land alienation, acquisition, and compulsory acquisition for public purposes. Under Sections 28 to 34, the Governor may acquire land for public interest projects, but the Act ensures that owners are compensated fairly.⁷⁸ In addition, the Act provides that all land dealings, including sale, lease, and mortgage, must comply with the statutory provisions and, where required, receive consent from the Governor to be valid.⁷⁹

Despite its centralising intentions, the Land Use Act has faced criticisms. Some scholars argue that vesting all land in the Governor has created bureaucratic bottlenecks, limited private ownership rights, and, in some cases, increased corruption in land allocation.⁸⁰ Nevertheless, the Act remains the cornerstone of land governance in Nigeria, providing the legal foundation for title documentation, registration, and land administration.

⁷⁵ Ojo OF, 'Land Administration and Policy in Nigeria' (2018) 3 *Journal of Nigerian Law and Policy* 22.

⁷⁶ Land Use Act 1978 (Cap L5, *Laws of the Federation of Nigeria* 2004) s 5(1).

⁷⁷ Ibid s 6(1); Adeniyi PO, *Customary Land Tenure in Nigeria* (Ibadan University Press 2010) 58.

⁷⁸ Land Use Act 1978 (Cap L5, *Laws of the Federation of Nigeria* 2004) ss 28–34.

⁷⁹ Ibid ss 22–24; Nwuba CC and Nuhu SR, 'Challenges to Land Registration in Kaduna State, Nigeria' (2018) 3(1) *Journal of African Real Estate Research* 141 <https://doi.org/10.15641/jarer.v1i1.566> accessed 30 November 2025.

⁸⁰ Birner R and Austen O, *Challenges of Land Governance in Nigeria: Insights from a Case Study in Ondo State* (Nigeria Strategy Support Program 2011) 22.

3.3 Vesting of Land in the Governor

Under the Land Use Act, 1978⁸¹, all land within the territory of a state is vested in the Governor, who holds it in trust for the people.⁸² This legal arrangement centralizes land ownership and administration, granting the Governor the authority to allocate land through the granting of statutory rights of occupancy, regulate land use, and reclaim land when necessary for public purposes, while ensuring fair and equitable access.⁸³ The Act covers all types of land, including privately held land, land under customary ownership, and land traditionally controlled by communities, meaning that individuals or groups cannot claim absolute ownership free from government oversight. Traditional landowners and communities retain certain usage or occupancy rights, but the ultimate legal title and control rest with the Governor.⁸⁴ This vesting of land is intended to reduce disputes over land ownership, promote orderly and planned development, and enable the state to implement land policies that serve the wider public interest. In practice, this arrangement allows the government to plan urban and rural development, provide land for residential, commercial, and infrastructural projects, and regulate land transactions to prevent conflicts, thereby ensuring that land resources contribute effectively to economic growth and social welfare.

3.3.1 How the Land Use Act gives Ownership of Land to the Governor

The Land Use Act which was enacted in 1978 is one of the most far reaching and controversial legislations in Nigeria.⁸⁵ The Act vests in the Governor of a state, the ownership of the land in the state. It was enacted primarily to contribute to the stabilization of

⁸¹ Cap L5, *Laws of the Federation of Nigeria* 2004.

⁸² Land Use Act, Cap L5, *Laws of the Federation of Nigeria* 2004, s 1.

⁸³ Olawale T, *Land Law in Nigeria* (2nd edn, Lagos University Press 2010) 45–48.

⁸⁴ Oni A, 'Vesting of Land in the Governor: Implications for Land Rights in Nigeria' (2015) 10 *Journal of Nigerian Law* 23.

⁸⁵ Land Use Act, Cap L5, *Laws of the Federation of Nigeria* 2004 (enacted 1978).

government projects mostly in urban areas and control the difficulties confronted by government when acquiring land for development purposes. The Land Use Act 1978 was also meant to address the uncoordinated and informal tenurial arrangement in the Southern States which was prone to litigation. Such tenurial arrangements also imposed impediments on modernization of the agricultural sector and was anachronistic.

3.3.2 State Control of Land

The Land Use Act conferred Government with mandatory powers over land acquisition in Nigeria. Section 1 provides that from the commencement of the Land Use Act, all land comprised in the territory of each state in the Federation are vested in the Governor of the State and such Governor of that State and such land should be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provisions of the Act.⁸⁶ The previous owners, communities, families, or individuals by virtue of section 1 of the Land Use Act are divested of the ownership of their land whether occupied or unoccupied. Section 49 however expressly provides that such ownership does not affect any title to land whether developed or undeveloped held by the Federal Government or any agency of the Federal Government at the commencement of the Land Use Act and such land shall continue to be so vested in them.⁸⁷ Section 50(2) also vests the power to manage and control such land in the President or Minister designated by him to exercise such powers.⁸⁸

All land in urban areas were designated to be under the control and management of the Governor of each state, all other land were delegated to the management of the Local Government within the area of designation of which the land is located. Each state was however mandated to establish the Land Use Allocation Committee which was foisted with the responsibility of advising the Governor on any matter connected with the resettlement of

⁸⁶ Ibid, s 1.

⁸⁷ Ibid, s 49.

⁸⁸ Ibid, s 50(2).

persons affected by the revocation of rights of occupancy on the ground of overriding public interest under the Act. It was also to determine disputes as to the amount of compensation payable under the Act for improvements on land.⁵ See section 2 of the Land Use Act.

Each Local Government was also mandated to establish a body to be known as the Land Allocation Advising Committee to be vested with the responsibility of advising the Local Government on any matter connected with the management of land in the territory.

It was expected that by systematizing land allocation through the Land Use Allocation Committee, the Act would enhance the possibility of Nigerians with the requisite capital and entrepreneurial skill having access to agricultural land in spite of their ethnic or geographical origin. It would remove the pre-existing obstacle to land use premised on the notion of inalienability of land.

3.3.3 Private Interests in Land

The Land Use Act did not abrogate private interest in land by vesting all lands in the state in the Governor; rather, citizens are allowed to hold an interest called a right of occupancy.

In *Adole v Gwar*,⁸⁹ the Supreme Court, while explaining the aim and purport of the Land Use Act 1978, held that it was not the intention of the lawmaker that the Land Use Act be used to divest citizens of their traditional titles to land.⁹⁰ Rather, the Act is meant to strengthen ownership that derives existence through traditional history. It is for that reason that the Act recognizes the existence of the title of a customary landowner over his parcel of land as a deemed holder where such land existed before the commencement of the Land Use Act. This is, however, subject to the Government's right of revocation of the holder's right for public interest as specified under the Act.

Section 34 provides that where the land in an urban area was vested in a person before the commencement of the Act, the land should continue to be held by him as if he was a holder

⁸⁹ (2008) 11 NWLR (Pt 1099) 562

⁹⁰ *Ibid*, s 2.

of a statutory right of occupancy issued by the Governor under the Act. In the case of land that is undeveloped, where a person in whom it was vested before the Act held more than half hectare, the holder is only entitled to the grant of a statutory right of occupancy over one plot or portion of the land not exceeding half hectare in area. His rights over the excess land were extinguished and vested in the Governor to be administered in accordance with the provisions of the Act.⁹¹

Where the land is located in a non-urban area, only existing rights over land which was at the commencement of the Act developed or which was being used for agricultural purposes were recognized. Such land should continue to be held as if the holder was the grantee of a customary right of occupancy issued by the Local Government.

Section 3 of the Land Use Act empowers the Governor to designate, subject to general conditions specified by the National Council of States, parts of the area of the state constituting land in urban areas.⁹²

The power of the Governor of a state to grant statutory right of occupancy or customary right of occupancy by the appropriate body must not be exercised whimsically, such as to deprive someone who had lawful right or title to a parcel of land prior to the enactment of the Land Use Act. Sections 34(1), (5), and (6) are transitional provisions made for the preservation of interests in land held by persons prior to the commencement of the Land Use Act. The provisions are generally protective of the interest of persons in the land held prior to the commencement of the Land Use Act.⁹³

3.3.4 Categorisation of Rights of Occupancy

Rights of occupancy under the Land Use Act are categorized as follows:

1. Statutory right of occupancy expressly granted by the Governor

⁹¹ Land Use Act, s 34.

⁹² Land Use Act, s 3.

⁹³ Supra

2. Statutory right of occupancy deemed to be granted by the Governor
3. Customary right of occupancy expressly granted by the Local Government
4. Customary right of occupancy deemed to be granted by the Local Government

A deemed grant comes into existence automatically by the operation of law and the grantee acquires a vested right just as an actual grantee of a right of occupancy.

3.3.5 Distinction Between Grant of Statutory and Customary Rights of Occupancy Under the Land Use Act

The principal distinguishing factor is whether the deemed right of occupancy was granted by the Governor or the Local Government. The location of the land in an urban or non-urban area is also a factor for consideration in the grant of a right of occupancy.

3.3.6 Rights Conferred by Rights of Occupancy

The Land Use Act has not destroyed but redefined the concept of land ownership. Section 5(1)(a) of the Land Use Act empowers the Governor of a state, in respect of land whether or not in an urban area, to grant occupancy to any person for all purposes.⁹⁴ A statutory right of occupancy automatically extinguishes all existing rights in respect of the parcel of land over which it is granted.⁹⁵ The holder of a statutory right of occupancy is in all respects the proprietor of the land during the subsistence of the right. Section 14 of the Land Use Act confers on the holder of a statutory right of occupancy exclusive possession of the land against all persons other than the Governor. Such rights are transferable to his heirs. Similarly, section 24 of the Land Use Act, subject to the consent of the Governor first being obtained, confirms that the holder of a statutory right of occupancy has an alienable proprietary right.

⁹⁴ Land Use Act, s 5(1)(a).

⁹⁵ (2009) 9 NWLR (Pt 1146) 225

The tenor of the Land Use Act was to “nationalize” all lands in Nigeria by vesting its ownership in the state. The maximum interest preserved in the hands of individuals is a right of occupancy.

Where there is a subsisting grant of right of occupancy of land, any other deemed grant in respect of the land would be invalid.⁹⁶

The holding of a certificate of occupancy is evidence that a right of occupancy has been conferred on the holder. It is prima facie evidence of title of the land covered by it. Its exclusive possession is, however, rebuttable.

3.3.7 Conditions for Valid Grant of Certificate of Occupancy

The prerequisite for a valid grant of a certificate of occupancy is that there must not be in existence the valid title of another person with legal interest in the same land at the time the certificate was issued. In other words, there must not be in existence at the time the certificate was issued a statutory or customary owner of the land in issue or dispute who was not divested of his legal interest in the land prior to the grant. Where a certificate of occupancy is granted to a person with a defective title, the certificate of occupancy is invalid and the holder has no valid claim legally cognizable.

Section 34 of the Land Use Act relates to titles of persons with title to land before the coming into force of the Land Use Act. Vested rights cannot be defeated by the application of sections 1 and 5 of the Act.

In *Oniyale v Macaulay*, the Supreme Court held that where it is shown by evidence that another person other than the grantee of a certificate of occupancy had a better right to the land upon which the grant relates, a court would have no option but to set aside the said grant or otherwise discountenance it as invalid, defective, and/or spurious.⁹⁷

⁹⁶ (2008) 11 NWLR (Pt 1097) 50

⁹⁷ (2009) 7 NWLR (Pt 1141) 597

Once a statutory right of occupancy is issued when a deemed right exists and has been revoked, the statutory right of occupancy becomes a worthless document because there cannot exist concurrently two title holders over one and the same piece of land. Where there exists at the same time two rights of occupancy to different persons in respect of the same land, one must of necessity be valid. The invalid one must be the latter right granted without first revoking the former pursuant to section 28. In *Nigerian Engineering Work Ltd v Denap Ltd* the court held that, a person does not acquire a title by mere possession of a certificate of occupancy.⁹⁸

3.3.8 Conditions Imposed on Grantees of Certificate of Occupancy

Statutory right of occupancy granted pursuant to section 5(1) should be for a definite term and might be granted subject to the terms of any contract which may be made by the Governor and the holder not being inconsistent with the provision of the Land Use Act.⁹⁹ Section 9(2) provides that such certificate shall be termed a certificate of occupancy and there shall be paid such fee as may be prescribed.

It is provided further by section 10 that every certificate of occupancy shall be deemed to contain provisions to the effect that the holder of a right of occupancy shall bind himself to pay to the Governor the amount found to be payable in respect of any unexhausted improvements existing on the land at the date of his entering into occupation. The holder binds himself to pay to the Governor the rent fixed by the Governor and any rent which may be agreed or fixed on revision in accordance with the Governor's powers of rent revision pursuant to section 16 of the Land Use Act.

Non-compliance with the requirement of rent payment renders the certificate of occupancy issued by the Governor susceptible to cancellation and the recovery from such person of any

⁹⁸ (2001) 18 NWLR (Pt 746) 726

⁹⁹ Land Use Act, ss 8, 9.

expenses incidental to such cancellation and revocation of the statutory right of occupancy granted.

The holder of a statutory right of occupancy also has a duty to allow the Governor or any public officer duly authorized by the Governor to enter upon and inspect the land comprised in any statutory right of occupancy or any improvements effected on it at any reasonable time during the day.¹⁰⁰

The occupier of a statutory right of occupancy is also mandated at all times to maintain in good and substantial repair, to the satisfaction of the Governor or his appointee, beacons or other landmarks by which the boundaries of the land are defined. Failure to comply with notices of compliance served on him would render such occupier liable to pay the expenses incurred by the Governor in defining the boundaries which the occupier neglected to define.¹⁰¹

3.3.9 Statutory Right of Occupancy

Statutory right of occupancy is also defined as “a right of occupancy granted by the Military Governor under this Decree.”¹⁰²

The rights conferred on a holder of a Statutory right of occupancy include:

1. Exclusive rights to the land, which is enforceable against all persons except the governor of the state where the land is situated. (s. 14)¹⁰³
2. Sole right to absolute possession of all improvements on the land. (s. 15a).¹⁰⁴
3. Right to transfer, assign and mortgage any improvement on the land subject to the provisions of the Act. (s. 15b).¹⁰⁵

¹⁰⁰ Land Use Act, s 11.

¹⁰¹ Land Use Act, s 13.

¹⁰² Land Use Act, Cap L5, *Laws of the Federation of Nigeria* 2004, s 50.

¹⁰³ Ibid, s. 14.

¹⁰⁴ Ibid, s. 15(a).

¹⁰⁵ Ibid, s. 15(b).

4. Right to be compensated in the event the land is acquired by the governor for public purposes. (s. 29(1)).¹⁰⁶

Section 9 of the Land Use Act, 1978 provides that a certificate which shall be termed “certificate of occupancy” can be issued upon payment to any person under the hand of the governor as evidence of a right of occupancy over the said land.¹⁰⁷ The issuance of this certificate confers on the holder a statutory right of occupancy. This right could either be express or deemed grant. It is express where the certificate is issued under the hand of the governor to a named person. However, to cater for lands owned by people before the commencement of the Act, section 34 states that such persons upon the commencement of the Act are deemed to have been granted a right of occupancy over said land.¹⁰⁸

With regards to the status of a certificate of occupancy, it has been held by the Supreme Court in a number of cases that it only serves as prima facie evidence of title or possession to land but not conclusive proof of same.¹⁰⁹ Therefore, a holder of a certificate of occupancy is presumed to have the exclusive right of occupancy over the land to which it relates until proven otherwise.¹¹⁰

3.3.10 Certificate of Occupancy

A Certificate of Occupancy, commonly known as a C of O, is a government-issued document that provides a person, a group of individuals, or a corporation the right to possess and occupy a specific parcel of land for all purposes for a period of 99 years.¹¹¹ Section 9 of the Land Use Act 1978 empowers the State Governor of Nigeria, where the land is located, to

¹⁰⁶ Ibid, s. 29(1).

¹⁰⁷ Ibid, s. 9.

¹⁰⁸ Ibid, s. 34.

¹⁰⁹ (1990) 2 NWLR (Pt 135) 745 (SC)

¹¹⁰ (1985) 1 NWLR (Pt 3) 545 (SC)

¹¹¹ Land Use Act, Cap L5, *Laws of the Federation of Nigeria* 2004, s 8.

grant a certificate of occupancy.¹¹² The section stipulates, “it shall be lawful for the Governor if a person is entitled to a statutory right of occupancy; the issue of a Certificate shall be accompanied by proof of that right of occupancy.”¹¹³ A distinctive characteristic of the Certificate of Occupancy is that it is the primary document issued for land, whether undeveloped or developed, that has not been previously recorded in the Land Registry.¹¹⁴ No Nigerian land can carry two Certificates of Occupancy simultaneously.¹¹⁵

3.4 The Legal Regime of Digital Land Registration in Nigeria

The issue of real property registration constitutes a pivotal point of legal discussion both at the national, foreign and international levels. To this end, this heading will examine and analyse the national, foreign and international legal framework relating to digital capturing and registration of real property.

3.5 National Legal Framework

National legal framework refers to those laws, regulations and Acts that have been established by the Federal, State and Local government legislature which are in favor of the real property ownership and registration. The Constitution, Evidence Act, Land Use Act and many other laws will be considered.

3.5.1 Constitution of the Federal Republic of Nigeria 1999 (as amended)

The Constitution refers to the rules which stipulate the manner in which the State and the various arms of government are constituted, and which streamline the execution of governmental powers. It is the bedrock of the legal prestige of a country and it controls the relationships between the individual and the State¹¹⁶. The constitution is the main law of the

¹¹² Ibid, s. 9.

¹¹³ Ibid.

¹¹⁴ Smith S, *Practical Guide to Land Documentation in Nigeria* (Lagos: Law Lords Publications 2014) 62.

¹¹⁵ (1990) 2 NWLR (Pt 135) 745 (SC).

¹¹⁶ All FWLR (Pt 345) 211 at 253 (CA), 2007, 211–253.

country which has the highest legal power and the purpose of the constitution is to structure and organize the political, legal, and economic spheres and create support for the country's government¹¹⁷. The government of Nigeria is designed to operate within the ambit of the constitution. The said constitution has prescribed tiers of government and makes clear their responsibilities, their structure, composition, power, operation and limitations¹¹⁸. The Constitution curtails individual and state excesses which leads to maintenance of law and order.

The present constitution was adopted in 1999. The constitution has a preamble and is divided into eight chapters and 320 sections. The second preamble contains this thought:

The people of Nigeria wholeheartedly accept to bring into existence a constitution which will promote better governance and rulership and will also cater for the good of the all persons. The tenet of the grundnorm shall be established upon liberty, equity and fairness and shall be a uniting touchstone for all the indigenous elements.

The preamble assures citizens that the government will provide for and ensure the welfare of all persons. It further stipulates that its regulations shall be founded and based on the rules of democracy and justice.

Section 43 of the Constitution provides for the right to own immovable properties anywhere in Nigeria. It is put forward that the right to own property extends to and cover the right to protect such property and the right to safeguard such property falls under right to register same digitally.

3.5.2 Evidence Act, 2011

The Evidence Act 2011 was enacted on the 3rd day of June 2011. It is an act of the Federal Republic of Nigeria that regulates admissibility, relevance and other processes relating to the

¹¹⁷ Faraji A, 'Basic Ideas of 1999 Constitution' <https://www.legit.ng/1146> accessed 30 November 2025.

¹¹⁸ Ogwezzy MC, 'Decentralization of Government Through Restructuring and Devolution of Powers Entrenched under the Constitution of Nigeria' (2019) 189 *Telos Journal* 183.

use of evidences in a legal proceeding. Section 1 of the Act provides that evidence may be given in any suit or proceedings of the existence or non-existence of every fact in issue declared to be relevant. It is the National Assembly that is vested with the power to make laws on rules of admissibility in Court and not the State House of Assembly.

It is also important to note that any piece of evidence relevant cannot be excluded. In the case of *Benjamin v Kalio*,¹¹⁹ the appellant insisted that a wrongly admitted evidence (an unregistered titled document) should be expunged from the evidence together with all the findings of the lower court based on it. Appellant contended that the exhibit on its face, was not registered as required by the Law, Cap 74 of Rivers State 1974,¹²⁰ the Supreme Court held that the undoubted intent of the current Constitution as amended from sections 4 (3) and (5) is that State Houses of Assembly are precluded and prohibited from enacting any laws on evidence in the proceedings before the law courts in the Federal Republic. The Evidence Act is an Act deemed to have been enacted by the National Assembly pursuant to its legislative powers. The Court further held that a piece of evidence pleadable and admissible in evidence by dint of Evidence Act cannot be rendered unpleadable and inadmissible in evidence by a law enacted by a State House of Assembly under the prevailing constitutional dispensation, that Evidence has been brought into exclusive legislative list as item 23.¹²¹ In another case, *Abdullahi v Adetutu*,¹²² the appellant and the respondents contested title to the land in dispute. Dismissing his appeal, the Supreme Court held that admissibility of an unregistered registrable instrument depends on the purpose for which it is being sought to be admitted. It affirmed that an unregistered registrable instrument sought to be tendered for the purpose of proving or establishing title to land or interest in land would be inadmissible under section 15

¹¹⁹ EJCSC also reported in (2018) 15 *NWLR* (Pt 1641) 38 (SC), 2018:101:155.

¹²⁰ Rivers State Land Instruments (Preparation and Registration) Law Cap 74, ss 20 and 37.

¹²¹ Constitution of the Federal Republic of Nigeria (as amended) item 23 of the Exclusive Legislative List, Part 1, 2nd Schedule, 1999.

¹²² LPELR-47384 (SC), 2019.

of the Land instrument Registration Law. This case did not follow the earlier case of *Kalio* as the facts were different. This case proves the land owner will not be legal owner until the title is registered.

3.5.3 Stamp Duty Act

A Stamp Duty Act is a legislation that requires a tax to be paid on the transfer of certain documents. Those who pay the tax receive an official stamp on their documents, making them legal documents.

The Federal Inland Revenue Service is the competent authority to collect duties upon instruments relating to transactions or matters executed between corporate body and an individual, group or body of individuals.¹²³ The relevant state tax authorities are responsible for the collection. The time for stamping *ad valorem* documents is within 30 days from first execution while document with fixed rate are to be stamped within 40 days from first execution. The Act does not expressly state the party that is obliged to ensure that a dutiable instrument is stamped in all cases but expressly mentions the party that is liable to penalty for not stamping.¹²⁴ It can therefore be deduced that these parties would be responsible for stamping the instruments.

There are financial penalties on conviction under SDA. The FIRS may choose to apply penalty as high as 10%. Also, in civil proceedings unstamped documents are not admissible as evidence.

Government charge stamp duty on instruments to raise revenue to fund its activities and projects.¹²⁵ The payment of stamp duty helps to reduce the cost of governance and make

¹²³ SDA, 2004, 4.

¹²⁴ Oyedele T and others, *A Guide to Stamp Duties in Nigeria* <www.pwc.com/ng> accessed 30 November 2025.

¹²⁵ Ellawule A, 'The Conundrum and Legality of Stamp Duties Collection in Nigeria' (2021) 4(2) *African Journal of Accounting and Financial Research* 11.

public service efficient. The Government Agencies which has the legal backing for stamp duty collection is the Federal Inland Revenue and no longer the Nigerian Postal Services¹²⁶. Federal Inland Revenue is an agency of Federal Ministry of finance and Nigerian Postal Services is agency of Federal Ministry of Communication and Digital Economy.

3.4.4 Lagos State Lands Registration Law, 2015

The enactment of the Land Registration Law by the Lagos State Government¹²⁷ is an attempt to provide a uniform platform for land registration in the state. It is a law to make provision for registration of title to land in Lagos State and for connected purposes. The Law merges and harmonize earlier laws relating to land registration in Lagos State.

It is posited that section 3 (4) (a) lends credence to electronic registration of real property. The registry is to maintain register of transfer of interest in electronic form. Globally, there is a move towards electronic conveyancing, many jurisdictions are transforming from traditional paper system to conveyancing and registration. The real estate conveyancing world has experienced more changes during the past 15 years than in the prior 300 years. The real estate conveyancing world is going through a major change brought on by a new electronic world; a world that could not be imagined by the creators of the parchment paper world.¹²⁸

In consonance with section 18 of the Law, every land documents shall be registered using the Land Information Management System (LIMS) including those documents registered at the land registry before the commencement of this law. For the purposes of registration of documents by the LIMS, the following types of registers relating to information on Land shall be kept in the Land Registry; day list; mortgages; caution and any other register

¹²⁶ Bielu KL, 'The Legality or Otherwise of Collection of Stamp Duties by Nigerian Postal Service' (2019) 3 *AJCAL* 71.

¹²⁷ Lagos State Lands Registration Law Cap L41, *Laws of Lagos (LSLRL)* 2015.

¹²⁸ Gose JA, 'Real Estate Conveyance from Livery of Seisin to Electronic Transfer: Real Estate Transaction Enters the Digital Electronic World' (2008) 33(2) *Real Estate* 64.

prescribed for use by the Registrar. It is worthy to note that all registers kept in the offices of the land registry before the commencement of this law shall form part of the register to be included in the LIMS under this law according to section 19 of the Law. It submitted that past records of land titles are to be uploaded and stored in the database for easy retrieval and search. This provision is commendable.

The registrar may allow searches to be conducted at all reasonable times in any book, register or file of registration or filed documents in his custody. Such search is made upon application in Form 3 in Schedule 1 and payment of necessary fees.¹²⁹

Section 22 (3) declares thus: “To conduct a search on-line, the applicant shall pay the necessary fees before accessing the LIMS by credit card, or any form of electronic payment or such other means as may be prescribed by the Registrar.” When a search is concluded, the applicant shall obtain an official report of the search, as is contained in form 4 in schedule 1 to this law. With online search, costs of physical transportation is saved, the crowd in the registry offices is reduced and the many users can interface the website at the same time. Searches for valid titles saves innocent purchasers from buying from wrong hands.

Where a holder intends to obtain a certified true copy of any document in the LIMS, such holder shall apply to the Registrar and shall be given such document in electronic form or paper form as applicable. Section 24 of the Law verifies the admissibility of such document. It further provides to the effect that such document shall be admissible in a Court proceeding if it is relevant under evidence Law. The Lagos Law represent a modern law in real property registration and it would be apt if other States should update their laws.

3.5.5 The Land Registration (Electronic Transactions) Regulations, 2020

¹²⁹ LSLRL 2015, s 22(1) & (2).

The regulation was made pursuant to section 110 of the land registration Act 2012¹³⁰. the regulation became operative in July 2020. It seeks to revolutionize the current land registration process in the country by introducing the electronic land registry which provide accurate information of the property, the proprietorship or ownership of the property, the user of the land, any other feature required under the law or deemed necessary by the cabinet secretary in consonance to sections 4 to 6 of the regulation.

Section 9 of the regulation stipulates that any person or community who wishes to carry out transaction on the system should sign up an account and provide his or her name, national identification number, contact details, phone number and any other necessary information. According to section 10 of the regulation, a user may wish to appoint advocates who will follow up the electronic land registration process and a user can terminate such appointment as and when due.

To prepare an instrument for electronic filing, an authorised user should enter all the necessary information in the application form, electronically sign and upload all supporting land titled documents. Thereafter assessment will be made for online payment of stamp duties and is followed with payment for registration. Upon registration there shall be an electronically generated notice providing that the instrument has been registered. Regulation 23 further empowers the Registrar to issue an electronic certificate of title or lease which will contain unique serial numbers and security features to be used for verification of authenticity. The registered documents would thereafter be made available for download for the records of the users. The regulation provides for search of land information.

The system sought to ensure that land transactions are genuine; to make available updated verified database of land records; to eliminate fraud, corruption and manipulation of critical land records by ensuring an authorised user is notified by SMS should an unauthorised person

¹³⁰ The Land Registration (Electronic Transactions) Regulations 2020, Legal Notice No 130, *Kenya Gazette Supplement* No 128.

try to gain access to the account. It is submitted that such system can serve as a model in reforming Nigeria real property registration.

3.6 Conveyancing and Property Laws

Conveyancing and property laws regulate the creation, transfer, assignment, lease, mortgage, and extinction of proprietary interests in land and immovable property. Conveyancing refers to the legal process by which title to land is investigated, transferred, and perfected, ensuring that interests acquired are valid, enforceable, and free from undisclosed encumbrances. These laws prescribe the formal requirements for valid land transactions, including the execution of deeds, payment of consideration, registration of instruments, and, in the Nigerian context, the obtaining of gubernatorial consent where applicable.¹³¹ Property laws further define the nature of interests capable of existing in land, such as freehold, leasehold, easements, mortgages, and equitable interests, while setting out the rights and obligations attached to each.¹³²

In Nigeria, conveyancing and property transactions are governed by a combination of received English law and local legislation. Key statutes include the Conveyancing Act 1881, the Property and Conveyancing Law applicable in some southern states, the Land Use Act, 1978, the Registration of Titles Act, and various state land laws.¹³³ These statutes operate alongside principles of equity and judicial precedents to regulate property ownership and transfer. A central objective of these laws is to ensure certainty of title by requiring land

¹³¹ Property and Conveyancing Law, Cap P5, *Laws of Lagos State* 2015, ss 67–69; Land Use Act, Cap L5, *Laws of the Federation of Nigeria* 2004, s 22.

¹³² Smith IO, *Practical Approach to Law of Real Property in Nigeria* (3rd edn, Ecowatch Publications 2013) 1–10.

¹³³ Conveyancing Act 1881; Land Use Act, Cap L5, *Laws of the Federation of Nigeria* 2004; Registration of Titles Act, Cap R4, LFN 2004.

instruments to be registered in the appropriate land registry, as unregistered instruments generally cannot confer legal title nor be admissible to prove title to land.¹³⁴

Furthermore, conveyancing and property laws incorporate safeguards against fraud and improper dealings by imposing duties on parties and their legal representatives, including the duty to disclose defects in title and to conduct due diligence through searches and investigations.¹³⁵ The requirement of consent under the Land Use Act also introduces state oversight into land transactions, with failure to obtain consent rendering such transactions null and void.¹³⁶ Collectively, these laws promote security of tenure, facilitate land-based financial transactions such as mortgages, support orderly land development, and contribute to effective land administration and economic growth.

3.7 Case Law on Land Title Security

Land title security is a fundamental concept in property law, encompassing the assurance that an individual's interest in land is legally recognized, protected against competing claims, and enforceable by the courts. In Nigeria, land ownership and security of title are governed primarily by the Land Use Act 1978, common law principles, and judicial precedent. Case law has consistently played a pivotal role in clarifying the conditions under which land titles are deemed secure, particularly in circumstances involving conflicting claims, defective transfers, and government intervention. This discussion examines key Nigerian cases that have shaped the understanding of land title security, highlighting both the strengths and limitations of the current legal framework.¹³⁷

3.7.1 Proof of Ownership and Root of Title

¹³⁴ Land Instruments Registration Law, Cap L58, *Laws of Lagos State* 2015; *Akintola v Solano* (1986) 2 NWLR (Pt 24) 598 (SC).

¹³⁵ Adeniyi O, 'Conveyancing Practice and Property Transactions in Nigeria' (2017) 9 *Nigerian Bar Journal* 112.

¹³⁶ (1989) 1 NWLR (Pt 97) 305 (SC).

¹³⁷ Land Use Act 1978 (Cap L5, LFN 2004); see also Nwabueze NO, *The Nigerian Legal System* (3rd edn, Macmillan 2015).

One of the central concerns in determining land title security is the proof of ownership. In the landmark case *Idundun v. Okumagba*¹³⁸, the Supreme Court established that ownership of land can be demonstrated through various recognized methods, including traditional evidence, production of title documents, long possession, and enjoyment of connected or adjacent land. The Court emphasized that a claimant must provide sufficient evidence to trace the root of title, which is the original source of the interest claimed in the land. This case underscored that ownership cannot rest solely on possession; it must be substantiated by lawful derivation of title. The principle set out in *Idundun* remains critical for land title security because it ensures that claimants cannot assert ownership arbitrarily and that legal recognition of land rights is grounded in verifiable evidence.

3.7.2 Documentary Titles and Priority of Competing Claims

When two parties assert ownership based on documentation, the courts have consistently stressed the need to examine the root of title rather than merely relying on the possession of documents. In *Ogunleye v. Oni*,¹³⁹ the Supreme Court held that the validity of competing titles must be evaluated by tracing the documents to their original grantor or source. The ruling reinforced the principle that title security is not simply a matter of having a written instrument but depends on the legitimacy of the transfer and the continuity of ownership. This case highlights the importance of thorough verification in land transactions to avoid disputes and protect bona fide interests.

3.7.3 Registration and its Impact on Title Security

The role of registration in providing title security has also been a key focus of Nigerian courts. In *Savannah Bank Ltd v. Ajilo*,¹⁴⁰ the Court held that registration of an instrument does not automatically cure defects in the underlying title. Similarly, under the Land Use Act, a

¹³⁸ (1976) 9–10 SC 227.

¹³⁹ (1990) 2 NWLR (Pt. 135) 745.

¹⁴⁰ (1989) 1 NWLR (Pt. 97) 305.

certificate of occupancy constitutes only *prima facie* evidence of ownership rather than an absolute guarantee of title, as emphasized in *Ogunola v. Eiyekole*.¹⁴¹ These cases collectively indicate that while registration and certificates provide some level of security and facilitate transactions, they are not substitutes for lawful derivation of title. Legal defects, fraud, or governmental actions can still compromise ownership, showing that registration enhances but does not ensure absolute title security.

3.7.4 Government Control and Revocation of Titles

The Land Use Act vests substantial powers in the Governor to manage land within each state, including the ability to revoke statutory rights of occupancy. The Supreme Court case *Nkwocha v. Governor of Anambra State*¹⁴² upheld these powers, emphasizing that private land interests are subordinate to statutory authority. While this framework allows for organized land administration and public interest considerations, it introduces a degree of vulnerability in land title security. Even legally recognized titles can be revoked under specific statutory conditions, meaning that private land ownership is not entirely immune from state intervention. Consequently, Nigerian landowners must recognize the conditional nature of security under the Land Use Act.

3.7.5 Equitable Interests and Protection of Bona Fide Purchasers

Equity also plays an important role in enhancing land title security. In *Omosanya v. Anifowose*,¹⁴³ the Court protected a purchaser who had paid valuable consideration and was in possession, even though legal title had not yet been transferred. This case demonstrates that the courts will enforce equitable interests to protect parties from unconscionable acts, thereby supplementing statutory and common law mechanisms. Equity thus ensures that land

¹⁴¹ (1990) 4 NWLR (Pt. 146) 632.

¹⁴² (1984) 6 SC 362.

¹⁴³ (1959) 4 FSC 94.

title security is not purely a technical matter but also incorporates fairness and protection for those acting in good faith.

3.7.6 Competing Interests and Priority Rules

In cases where multiple interests arise, the courts have relied on the principle of priority by creation. The Supreme Court in *Okoya v. Santilli*,¹⁴⁴ held that validly created interests take precedence based on the chronological order of their creation. This approach enhances predictability in land transactions and provides a clear framework for resolving disputes, reinforcing the overall security of titles in commercial and private dealings.

3.8 Judicial Role in Land Title Security

The judiciary occupies a central position in the protection and security of land titles in Nigeria. Through constitutional adjudication, statutory interpretation, and the development of case law principles, courts provide certainty, stability and enforceability to land rights. Given the complexities created by the coexistence of customary law, statutory land regimes and administrative discretion under the Land Use Act 1978, judicial intervention has become indispensable in clarifying rights, resolving disputes and checking abuses of power in land administration.

3.8.1 Interpretation and Enforcement of Land Laws

One of the foremost judicial functions in land title security is the interpretation and enforcement of land-related statutes, particularly the Land Use Act. Nigerian courts have consistently interpreted the Act to balance state control of land with the protection of individual proprietary interests. While the vesting of all land in the Governor has been upheld, courts have emphasized that such powers must be exercised in accordance with the law and for the benefit of the public, not arbitrarily or capriciously.¹⁴⁵ Judicial interpretation has

¹⁴⁴ (1990) 2 NWLR (Pt. 131) 172.

¹⁴⁵ (1990) 2 NWLR (Pt. 135) 745

therefore mitigated the potentially adverse impact of excessive executive discretion on landholders.

3.8.2 Determination of Valid Title and Ownership

Courts play a decisive role in determining the validity of land titles and resolving competing claims to ownership. Where disputes arise over customary ownership, statutory rights of occupancy or documentary title, the judiciary evaluates evidence of title using established legal principles. These include proof of traditional history, acts of long possession and ownership, documentary evidence, and acts of ownership extending over time.¹⁴⁶ By applying these criteria consistently, courts provide predictability and security for landowners and investors.

3.8.3 Protection Against Arbitrary Revocation

Judicial oversight is especially significant in cases involving revocation of rights of occupancy. Although the Land Use Act empowers Governors to revoke land rights for overriding public interest, courts have clarified that such revocations must strictly comply with statutory requirements. Failure to demonstrate public purpose, to serve proper notice, or to pay adequate compensation renders a revocation invalid.¹⁴⁷ This judicial stance reinforces tenure security and reassures landholders that their interests are not subject to unrestrained executive power.

3.7.4 Development of Compensation Jurisprudence

Another key contribution of the judiciary to land title security lies in the development of principles governing compensation for compulsory acquisition. Nigerian courts have interpreted compensation provisions to ensure fairness, emphasizing that landholders are entitled to compensation not merely for bare land but also for unexhausted improvements.¹⁴⁸

¹⁴⁶ (1976) 9–10 SC 227.

¹⁴⁷ (1991) 4 NWLR (Pt. 184) 157.

¹⁴⁸ (2004) 6 NWLR (Pt. 870) 476.

Through judicial decisions, the compensation regime has gradually evolved to reflect equitable considerations, thereby enhancing confidence in the land tenure system.

3.8.5 Recognition and Regulation of Customary Land Rights

The judiciary has also strengthened land title security by recognizing and regulating customary land rights. Courts have affirmed that customary ownership, when properly proved, confers valid and enforceable proprietary interests. At the same time, judicial decisions have harmonized customary tenure with statutory requirements, ensuring that customary transactions do not undermine certainty or public policy.¹⁴⁹ This harmonization has helped integrate indigenous landholding systems into the modern legal framework.

3.8.6 Resolution of Land Disputes and Conflict Management

Land disputes are among the most contentious and frequent forms of litigation in Nigeria. By providing an institutional mechanism for impartial dispute resolution, courts reduce conflicts that could otherwise degenerate into social unrest. Judicial pronouncements establish authoritative resolutions, deter self-help and violence, and promote orderly land markets.¹⁵⁰ In this way, the judiciary contributes not only to title security but also to social stability and economic development.

3.8.7 Promotion of Certainty and Investor Confidence

Through consistent case law and adherence to precedent, the judiciary fosters certainty in land transactions. Buyers, lenders and investors rely heavily on judicial interpretations of land laws to assess risks associated with land acquisition. This judicially driven predictability enhances the attractiveness of land as an economic asset and supports the broader goal of sustainable development.¹⁵¹

¹⁴⁹ [1921] 2 AC 399.

¹⁵⁰ (1986) 3 NWLR (Pt. 26) 63.

¹⁵¹ (1989) 1 NWLR (Pt. 97) 305.

CHAPTER FOUR

COMPARATIVE ANALYSIS

4.1 An Overview of the Procedure for Perfection of Title in FCT, Lagos, Rivers, and Kaduna States

The procedure for registration of title to property are similar across the various states; albeit, with slight differences in administrative procedures. For the purpose of this discourse, the procedure for perfection of title in the Federal Capital Territory (FCT), Lagos, Rivers, and Kaduna States will be considered.

4.1.1 FCT, Abuja

The Abuja Geographic Information Systems (AGIS) is responsible for processing perfection of title to real estate in the FCT. The body was set up in the year 2003 with the mandate to provide an all-inclusive and high-tech, Geospatial Data Infrastructure for the FCT. One of the services provided by AGIS is registration of titles. Below are the procedures for perfection of title in FCT:¹⁵²

- i) To commence the process of perfection of title, An Application for consent is prepared and forwarded to the Director of Land at AGIS. The Application is to be accompanied by a certificate of occupancy relating to the Property. Where the Applicant is a company, the following documents are also required for the processing of the consent: Form CAC 7 (Particulars of directors), certificates of incorporation, and photocopies of the directors' means of identification. Thereafter, payment of 8% of the value of the property (in the case of a deed of Assignment) will be required to be made to AGIS. If the document to be perfected is a deed of sublease, 2% of the consideration is required to be paid. It is also to be noted that before submission of the consent letter for the

¹⁵² Abuja Geographic Information Systems (AGIS), *Deed of Assignment/Gift*, <https://agis.fcta.gov.ng/deed-of-assignment-gift/> accessed 28 December 2025.

approval of the Honourable Minister of FCT, the property must be developed, and all outstanding charges on the property must have been settled.¹⁵³

- ii) Subsequently, a valuation of the property is carried out. Upon approval of the valuation report by the Minister of FCT, an assessment letter is forwarded to the applicant indicating the fees payable as follows: Consent fee N 10,000.00, Processing fee N 10,000.00, Counterpart copy N 2,000.00 each. Upon payment of the assessed fees and approval by the Minister, the approvals are conveyed to the applicant. AGIS notes on its website that the consideration must be reasonable for it to be forwarded for Minister's approval. Thereafter, the deeds of assignment will be forwarded for stamping and registration. It is equally worth noting that the perfection process typically takes about 6-9 months in Abuja.

4.1.2 Lagos State

The department of the Lagos State Government responsible for processing perfection of title to real estate in Lagos State is the Lands Bureau. The Bureau comprises Directorates of Land Use and Allocation Committee, Land Services, Land Registry among others, which are specifically involved in the perfection process. The procedure for perfection of title in Lagos State include:

- i) The application for Governor's Consent is submitted at the Lands Bureau, typically accompanied by the following documents: 3 Copies of the Deed of Sub-lease, 1 Land Form 1c, Evidence of record copy of the Survey Plan, A clear picture of the Land, passport photographs of the Sublessee, and receipts of payment of sundry fees. Where a company is the Sublessee, copies of the certificate of incorporation, Form CAC 7 are also required.

¹⁵³ Deed of Assignment/Gift, Abuja Geographic Information Systems (AGIS) <https://agis.fcta.gov.ng/deed-of-assignment-gift/> accessed 28 December 2025.

- ii) Thereafter, the application will be transferred to the Surveyor General's office for charting and verification of the size of the property; as well as, ascertaining that the property is free from encumbrance. Upon conclusion of the verification process, an assessment letter will be issued by the Lands Bureau requirement the payment of (i) Consent Fee at 3% of the consideration; (ii) Stamp Duty; (iii) Capital Gains Tax; (iv) Registration Fee; (v) Business Premises Charge (applicable where one of the parties to the transaction is a company); (vi) personal income tax of parties; and (vii) Neighbourhood Improvement Charge, (where applicable). When the assessed fees are settled, the transfer deeds are subsequently forwarded to a designated commissioner for endorsement of Governor's consent.
- iii) Subsequently, where the parties to the deed are both individuals, the applicant is required to Stamp the deeds at the Lagos State Internal Revenue Service; however, where one of the parties is a company, the deeds are to be stamped at the Federal Inland Revenue Service. After the deeds are stamped, they are forwarded to the Lagos Land Registration for final registration. Thereafter, the duly perfected deed is returned to the applicant. It is worth noting that perfection of title in Lagos State takes about 3 to 9 months.

4.1.3 Rivers State

The Ministry of Lands and Survey, Rivers State is the body charged with processing the perfection of titles in Rivers State. However, before the perfection process is commenced at the Ministry of Lands and Survey, the relevant transfer documents are required to be stamped at the Stamp duty office.¹⁵⁴ Essentially, the procedure is as follows:

- i) The transfer documents are required to be stamped within thirty days of execution otherwise, the applicant will be liable to pay penalty. Two (2) copies of the title

¹⁵⁴ IO Smith, *Practical Approach to Law of Real Property in Nigeria*, 2nd edn, Lagos, Ecovatch Publications Ltd, 2007, p 268.

document are to be delivered for stamping. The Commissioner will assess the title document ad valorem (based on value). Upon payment of the stamp duty, the commissioner of stamp duties will endorse the deed “stamp duty paid”.

- ii) Upon stamping, an application for consent is forwarded to the Permanent Secretary, Ministry of Lands and Survey together with photocopies of the deeds, photocopies of the receipt of search, stamp duty receipt, and 3 years tax clearance certificate. Where the applicant is a company, the certificate of incorporation, and memorandum and articles of association are required.
- iii) The Permanent Secretary will subsequently minute the application to the head of department of the relevant schedule. Upon receipt, the head of the schedule will minute the application to the appropriate land officers within the schedule. The land officers will proceed to arrange for the inspection of the property with the applicant. Inspection typically costs N 20,000.00. After the inspection or verification exercise, three (3) copies of the original transfer deeds are required to be submitted.

4.1.4 Kaduna State

The Kaduna State Geographic Information Service is charged with the responsibility of processing perfection of Title in Kaduna State. The Service is established pursuant to the Kaduna Geographic Information Service (KADGIS) Law, 2015.¹⁵⁵ Section 15 of the Law specifically empowers the Service to manage land matters in the State including all issues relating to title, registration, searches and such other similar responsibilities. As such, perfection of title involves the following processes in Kaduna State:¹⁵⁶

¹⁵⁵ Kaduna Geographic Information Service, *KADGIS Regular Property Registration Guidelines*, <http://kadunagis.org/Applications-and-Guidelines/16-kadgis-regular-property-registration-guidelines> accessed 28 December 2025.

¹⁵⁶ KADGIS Regular Property Registration Guidelines, Kaduna Geographic Information Service <http://kadunagis.org/Applications-and-Guidelines/16-kadgis-regular-property-registration-guidelines> accessed 28 December 2025.

- i) Where the Applicant has never held a Right of Occupancy for any property, the Applicant is required to use the regular application process to obtain a new grant of Right of Occupancy. The application form is to be completed and submitted to KADGIS. An individual is required to use Form ROI while a company uses Form ROO. The forms can be obtained from the KADGIS Customer Service Centre or downloaded from the official website of KADGIS.¹⁵⁷
- ii) Subsequently, the application form is submitted to KADGIS with the following documents:
 - a) Evidence of payment of N 20,000 application processing fee; payment can be made at any commercial bank using the KADGIS PAYDIRECT account, or at KADGIS Customer Service by POS using debit or credit card.
 - b) Proof of ownership documentation e.g. deed of assignment. Where the original owner is deceased, then letters of Administration are to be equally submitted.
 - c) Site analysis report, sketch plan and satellite imagery.
 - d) District head confirmation letter. Where the transaction document has been stamped by a district head, there is no need for a confirmation letter.
 - e) For properties sought to be used as a petrol station, police, fire service, Department of Petroleum Resources, Kaduna Environmental Protection Authority reports are required.
 - f) Most recent passport size photographs for individual application (ROI); and company seal or stamp on application form for companies (ROO).
 - g) Recent Utility bill or bank statement (same address with contact address specified on form).

¹⁵⁷ Ibid, n 162.

h) For individuals: photo identification document e.g. International Passport; National ID Card; Drivers Licence etc. If a representative is appointed, they shall also be required to provide a means of identification. For companies: a certified true copy of the Certificate of Incorporation, Form C02, Form C07, Memorandum and Articles of Association, Tax Identification Number, VAT Number, and a valid Tax Clearance Certificate. Companies are also required to forward passport photographs of directors, directors IDs and the means of identification of the representative (if a representative is appointed to conclude the perfection of title process).

4.2 Assessing the Effectiveness of the Practice and Procedure on Perfection of Title to Real Estate in Nigeria

Generally, the perfection of the title process ensures that transfer documents are properly verified by relevant departments of Government thereby curbing instances of fraudulent practices by unscrupulous individuals. Perfection of title also serves as a means of generating revenue for the Government, which the Government could utilize for the purpose of infrastructural development and other people oriented projects. In spite of these, the perfection of title process in Nigeria has been criticised for the following:

a) The perfection process is cumbersome. The administrative bureaucracies in place at the land bureaus slow the perfection process and contribute to making the process cumbersome. What usually obtains in practice is that the application has to go from one office to another for requisite verification of documents before the documents are eventually registered. Sometimes, documents could be held for days in one stage of the perfection process before the documents move to the next stage. As a result the perfection process usually extends to about 6 months to several years (depending on administrative bureaucracies).¹⁵⁸

¹⁵⁸ Awolaja AG, *Land Registration in Nigeria: Issues and Challenges* <http://m.covenantuniversity.edu.ng/content/download/33937/233886/file/LAND+REGISTRATION+IN+NIGERIA.pdf> accessed 28 December 2025.

- b) The costs of perfecting titles has also been criticized for being too exorbitant and capable of discouraging investors. The cost of perfecting title to a property could cost up to 15% of the value of the property.¹⁵⁹ In Lagos State however, the cost stands at about 4.5%.
- c) Most properties across Nigeria are not properly captured through an efficient cadastral information system. This makes the verification process and perfection of the title process rather cumbersome.
- d) The nature of technology utilized by the Lands Registry, which is the Electronic Document Management System, in storing land registry information is unreliable and remains susceptible to tampering by fraudulent stakeholders and hackers. Lack of adequate funding for the Lands Bureau/Registry is also a major challenge.¹⁶⁰

4.3 Potential of Geographic Information Systems (GIS) in Land Demarcation and Management

GIS technology has arguably had the most profound impact on land administration. It offers an effective instrument enabling investigation, interpretation, and visualisation of geographic and geographical data. The precision of land delineation may be greatly enhanced by using GIS to map individual parcels of land accurately. It also enables the overlaying of various types of data, such as topographical, environmental, and infrastructural data, which is essential for effective land management and planning.¹⁶¹

In urban planning, GIS is invaluable in managing urban sprawl and planning for infrastructure development. It aids in identifying suitable locations for different types of development, assessing potential environmental impacts, and planning for public utilities and

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ Das SN and others, 'Geospatial Technologies for Development of Cadastral Information System and Its Applications for Developmental Planning and e-Governance' in *Geospatial Technologies for Resources Planning and Management* (Cham: Springer International Publishing 2022) 485.

services. GIS data can also be used to analyze population density and growth patterns, assisting in making informed decisions about urban development and housing needs.¹⁶²

In agricultural land management, GIS helps in identifying suitable land for different types of agricultural activities, optimizing irrigation systems, and managing natural resources more efficiently. By analyzing soil types, topography, and climatic data, GIS can aid in maximizing agricultural outputs while ensuring sustainable land use practices.¹⁶³

GIS is also pivotal in environmental conservation efforts. It helps in monitoring land use changes, assessing the effects of human activity on ecosystems in nature, and planning conservation initiatives. For instance, GIS data can be used to track deforestation, manage protected areas, and plan reforestation projects.¹⁶⁴

4.4 The Role of GIS in Land Administration

Land administration essentially entails a number of processes meant at ensuring that land rights are properly delineated and recorded. It involves all those processes whereby information relating to land ownership, land use and land value are properly documented. Generally, these processes often result in large volumes of information. This information covers issues relating to master plan, land use plans, detailed site development plans, engineering infrastructure as well as other survey information, records of allocation (name of allottees, plot numbers, plot sizes, use and locations), records of all transaction such as power of attorney, deed of assignment, mortgages, subleases, releases, devolution and so on. All these information are practically difficult to manage using the traditional/manual approach.

¹⁶² Greer F, Rakas J and Horvath A, 'Airports and Environmental Sustainability: A Comprehensive Review' (2020) 15(10) *Environmental Research Letters* 103007.

¹⁶³ AbdelRahman MAE, Hegab RH and Yossif TMH, 'Soil Fertility Assessment for Optimal Agricultural Use Using Remote Sensing and GIS Technologies' (2021) 13(4) *Applied Geomatics* 605.

¹⁶⁴ Rahman MDF and Islam K, 'Effectiveness of Protected Areas in Reducing Deforestation and Forest Fragmentation in Bangladesh' (2021) 280 *Journal of Environmental Management* 111711.

GIS, being a computerized system, has capabilities in handling such huge amount of data in a manner that is not only effective, but efficient, secured, faster and transparent. Data handled by a GIS can be spatial or attribute data. Spatial data relates to data that has locational or positional identity with respect to the surface of the earth while attribute data describes the characteristics or qualities of spatial features. This implies that a GIS may have a property parcel described in its spatial database and qualities such as its land use, ownership, property valuation and so on in its attribute database.

Some of the advantages of computerization of land administration systems as outlined by Adamu¹⁶⁵ include the followings:

- i. Increasing the speed of processing title and reducing time and cost in the process of obtaining title to land.
- ii. Providing public access to information relating to land.
- iii. Entrenching transparency in land administration practices.
- iv. Integrating land record information with other services.
- v. Improving collection of property taxes.
- vi. Controlling of double allocation and un-authorized use of land.
- vii. Simplifying application forms and processes.
- viii. Reducing the influx of illegal intermediaries.¹⁶⁶

The adoption of GIS technology can potentially lead to the development of efficient and organized land markets, guarantee tenure security among land owners, increase revenue

¹⁶⁵ Adamu GS, *Bauchi State Land Transformation: A Situation Report in Computerization and Reform on Land Sector in Bauchi*, Professional Lecture Notes on Estate Surveying and Valuation (NIESV Bauchi/Gombe Branch 2012) 1–23.

¹⁶⁶ Gilo G, *Partnership in Land Information Systems in Nigeria* (National ESVARBON 2003).

generation by government, reduce disputes among land owners as well fostering prudent land management by establishing efficient system of land administration.¹⁶⁷

Computerized land information system through GIS is therefore seen as the most appropriate technology in the reformation of cadastral systems and land administration all over the world.¹⁶⁸ According to Nuhu,¹⁶⁹ GIS is one of the modern methods that could be used in the computerization of land records as well as enhancing the process of land registration in Nigeria. This underscores the reason why many states governments in Nigeria are beginning to adopt GIS in their land administration processes. With the success story of the Abuja Geographic Information System (AGIS), other states such as Lagos, Niger, Bauchi, Benue, Cross River, Nasarawa have also established their respective GISs. The adoption of GIS technology in land administration and management is intended to provide accurate and reliable information on all land and buildings that are captured into the system.

4.4.1 Integrating GIS with Other Technologies

There are now additional options for even more transparent and effective land management thanks to the combination of GIS with additional innovations like blockchain and artificial intelligence. For example, combining Blockchain technology used with GIS might improve the dependability and security of geographical data in land registries. AI algorithms can process GIS-generated data to provide predictive insights for managing the usage of land and risk assessment.¹⁷⁰

¹⁶⁷ Egbenta IR, Ndukwu RI and Adisa KR, 'Application of Geographical Information System (GIS) to Land Management: A Case Study of Railway Management Company Limited Kaduna' (2012) 37(1) *The Estate Surveyor and Valuer* 7–15.

¹⁶⁸ Siriba DN and Farah HO, *Mainstreaming Spatial Data Infrastructures in Land Management and Administration* (Kenya 2014).

¹⁶⁹ Nuhu MB, 'Enhancing Land Titling and Registration in Nigeria', *FIG Working Week*, Eilat, Israel: Surveyors Key Role in Accelerated Development (2009) 1–12.

¹⁷⁰ Cao Y and others, 'BIM–GIS Integrated Utilization in Urban Disaster Management: The Contributions, Challenges, and Future Directions' (2023) 15(5) *Remote Sensing* 1331.

Nevertheless, there are difficulties in implementing GIS and other cutting-edge technology in the management of land. Among these are the requirements for significant investment in technology and infrastructure, the training of personnel, and the evolution of appropriate legal and institutional frameworks to support the use of these technologies. Additionally, there is the matter of confidentiality and security of data, which needs to be handled with caution.¹⁷¹

4.5 Practical Benefits of Using GIS in Land Administration

The adoption of GIS for land administration purposes will undoubtedly bring a lot of benefits and promote sustainable national development in the country. Some of the notable benefits have been outlined below:

- i. A GIS based land administration system will facilitate data processing, storage and retrieval of land records and provide secured geospatial data infrastructure for all land matters.
- ii. It will facilitate easy completion of land registration processes which at the moment takes longer time to complete in most states of the federation;¹⁷²
- iii. Guarantee secured land rights to land owners since details of all land parcels will be captured in the GIS spatial database. According to UNECE,¹⁷³ there can be no sustainable development without secured land rights.
- iv. GIS land-based titles are considered secured hence provide security for credits for land owners by banks. This has a value added chain particularly in the housing, construction and financial sector;¹⁷⁴

¹⁷¹ Kayode-Ajala O, 'Establishing Cyber Resilience in Developing Countries: An Exploratory Investigation into Institutional, Legal, Financial and Social Challenges' (2023) 8(9) *International Journal of Sustainable Infrastructure for Cities and Societies* 1.

¹⁷² Maguire DJ, 'An Overview and Definition of GIS' in Maguire DJ, Goodchild M and others (eds), *Geographical Information Systems: Principles and Applications* (London 1991).

¹⁷³ United Nations Economic Commission for Europe, *Land Administration Guidelines with Special Reference to Countries in Transition* (Geneva, USA: UNECE 1996).

¹⁷⁴ Burrough PA, 'Principles of Geographical Information Systems for Land Resources Assessment' (1986) 3(1) *Journal of Quaternary Science* 108.

- v. It will decrease the cost and space required for storing land records. Depending on the hardware and storage capability of the computer, a whole lot of data can be stored in them with backups made in case of system breakdown. The wear and tear of graphical information such as maps and layouts can be eliminated completely.¹⁷⁵
- vi. Since each land parcel is unique in its location having distinctive geographic coordinates, the issue of double allocation of plots as is common with the current practice will become a thing of the past. Hence the system will engender transparency in land administration system;¹⁷⁶
- vii. Increase revenue to government through the re-validation of titles by land owners, consent fees, deed of assignment, deed of mortgage, deed of lease, power of attorney, sales of hardcopy maps etc.
- viii. GIS allows for spatial and attribute query as well as spatial searches through a very effective and efficient Database Management System (DBMS) embedded in the GIS infrastructure.¹⁷⁷ It will ease property searches and facilitate land transactions. The long period of time it takes to verify title to land will be drastically reduced. Search fees paid in the process will also yield revenue to government.¹⁷⁸
- ix. It will encourage land transactions in the formal markets since every potential buyer will want to verify from the GIS whether the title to the land is genuine and free from

¹⁷⁵ Fabiyi S, *Application of Geographic Information Systems (GIS) and Land Information Systems (LIS) in Urban and Regional Planning* (MCPD 2004).

¹⁷⁶ Environmental Systems Research Institute, *Definition of Geographical Information System* (ESRI 1990).

¹⁷⁷ Aronoff S, 'Geographic Information Systems: A Management Perspective' (1995) *Journal Geocarto International* 58.

¹⁷⁸ Ali Z and Shakir M, 'Implementing GIS-Based Cadastral and Land Information System in Pakistan' (2012) *Journal of Settlements and Spatial Planning*.

any encumbrances. Without reliable registers, transaction in land is often costly, time consuming and uncertain.¹⁷⁹

- x. The system will reduce to the barest minimum cases of land disputes. The GIS records all the particulars of the owner of a given parcel of land as well as the geometric dimension of the land parcel.¹⁸⁰ By so doing, it is difficult for two people to lay claim to the same piece of land. Integrity checks built in the DBMS ensures that database is not unduly tampered with.¹⁸¹
- xi. Being a land repository, the data held in the GIS database will be of immense benefit to government for planning and developmental purposes. E.g. taxation, housing, transportation etc.¹⁸²
- xii. The GIS allows the concurrent use of data by different users at a time. Hence, allows for information sharing among different users.¹⁸³fchapt

4.6 Integration of Technologies in the Land Administration System

Numerous studies have explored various aspects and implications of integrating technology into land administration practices. These studies have shed light on the potential benefits, challenges, and opportunities of integrating technology into land administration. For instance, Adeoye and Mensah assessed the computerisation of land administration systems as a tool for good governance.¹⁸⁴ The authors emphasised the necessity of digitalising the land

¹⁷⁹ Dueker KJ and Kjerne D, 'Application of the Object-Oriented Paradigm to Problems in Geographic Information Systems' in Robert TA and others (eds), *Proceedings of International Geographic Information Systems (IGIS) Symposium* (Arlington, USA 1989) 79–87.

¹⁸⁰ Star J and Estes J, *Geographic Information Systems: An Introduction* (New Jersey, USA: Wiley 1990).

¹⁸¹ Akeh GI, Butu HM and Modu MA, 'Challenges in Implementing Geographic Information System for Land Administration Purposes in Borno State', paper presented at the 11th International Conference on Sustainable Development, University of Lome, Togo (IEEE 2014).

¹⁸² Tomlin CD, *Geographic Information Systems and Cartographic Modelling* (New Jersey, USA: Wiley 1990).

¹⁸³ Dale P, 'The Importance of Land Administration in the Development of Land Markets – A Global Perspective' (UDMS 2000) 31–42.

¹⁸⁴ Adeoye AA and Mensah A, 'Computerised Land Management Systems as a Tool for Good Governance', *FIG Working Week – Integrating Generation*, Stockholm, Sweden (2008).

administration system due to the shifting priorities of contemporary societies, the pervasive influence of globalisation, and the ongoing revolution in information technology. Nevertheless, the study highlighted that digitising the land administration system will lead to enhanced land title security, reduced alteration of land documents, and the re-verification of property records. Acharya's study addresses the associated challenges and potential remedies of implementing geospatial information and communication technology for land administration systems.¹⁸⁵ The author claimed that the implementation of a digital land administration system may be a vital tool for achieving the overall goals of a nation's land administration system. The study conducted by McLaren and Stanley focused on ICT for land administration and management.¹⁸⁶ The authors highlight the crucial role of Information and Communication Technology (ICT) in promoting good governance in land administration. They emphasised that ICT plays a significant role in enabling open and transparent access to land records, ensuring accessibility for all individuals.

In their comprehensive study, Luyombya and Obbo conducted an in-depth analysis of the digitisation status within the land register of Uganda.¹⁸⁷ Their main goal was to evaluate the extent to which technological innovation was integrated into land registration procedures. According to this study, Uganda's land registration system continues to rely on manual processes that primarily involve paperwork. However, notable endeavours are currently underway to transition from the traditional manual approach to a more advanced digitisation system. Jacobs conducted a similar study to critically assess the use of technology in land

¹⁸⁵ Acharya BR, 'Adopting Geo-ICT for Land Administration: Problems and Solutions', 7th FIG Regional Conference, Spatial Data Serving People, Land Governance and the Environment – Building the Capacity, Hanoi, Vietnam (2009).

¹⁸⁶ McLaren R and Stanley V, 'ICT for Land Administration and Management' in *ICT in Agriculture: Connecting Smallholders to Knowledge, Networks, and Institutions* (2017) 343–372.

¹⁸⁷ Luyombya D and Obbo DF, 'The State of Digitisation of the Land Registry Operations in Uganda' (2013) 46 *Journal of the South African Society of Archivists* 25–36.

administration systems for sustainable development in Uganda and Ghana.¹⁸⁸ The study confirms that the integration of technology in land administration in both nations, resulted in an improvement in the systems of ownership, institutionalised land policies, and productive communication between the stakeholders. Obayomi (n.d.) conducted an analysis to determine the necessity of computerising land information systems in Nigeria and agreed that computerised LIS has the potential to bring about adequate land administration.¹⁸⁹ Augustus and Olakanmi examined the significance of cadastral survey information on Nigeria's land administration.¹⁹⁰ The primary objective was to establish a contemporary digital database to enhance the efficiency and efficacy of land administration and management practices within the country. According to the findings of this study, digitisation is an essential component for the management of spatial data and administration of land, as well as for the resolution of environmental and human issues. Akeh and Mshelia examined the significance of Geographic Information System (GIS) in the context of urban land administration in Nigeria.¹⁹¹ The authors posit that the integration of GIS technology into land administration practices has the potential to expedite the registration of titles, enhance tenure security, streamline land application procedures, and disseminate information. Finally, the study conducted by Fateye et al. examined the extent of knowledge among land specialists regarding emerging technologies that could enhance the land administration system in Nigeria.¹⁹² The present study revealed a significant lack of awareness. As a result, increasing efforts are recommended to educate and raise awareness of technological innovation. It also suggests

¹⁸⁸ Jacobs G, *The Use of Technology in Land Administration: Is It Scalable, Secure and Sustainable? A Critical Review of the Uganda and Ghana Case Studies* (2015).

¹⁸⁹ Obayomi AB, *The Need for Computerization of Land Information Systems in Nigeria* (n.d.).

¹⁹⁰ Augustus D and Olakanmi OM, 'The Importance of Cadastral Survey Information for Effective Land Administration in Nigeria' (2016) 4(1) *International Journal of Environment and Pollution Research* 26–32.

¹⁹¹ Akeh GI and Mshelia AD, 'The Role of Geographic Information System in Urban Land Administration in Nigeria' (2016) 1(1) *MOJ Eco Environmental Sci* 00004.

¹⁹² Fateye TB, Ibuoye AA, Wahab BM and Odunfa VO, 'Technological Innovations in Land Administration System (LAS): Concern on Level of Awareness in Nigeria' (2020) 14(2) *International Journal of Real Estate Studies* 139–154.

improving collaboration between experts in the field and academia, providing training and retraining for personnel, and implementing a strong institutional framework to enhance the LAS in the country.

4.7 Strategic Framework for Implementation

A potential solution of a blockchain-based land registry comprises of the following components, the functions of which are described in the blockchain-based land register:¹⁹³

Private and Permissioned Blockchain: Only participating actors verify transactions, transactions including hashes are recorded and stored.¹⁹⁴

dApp: dApp is one of the most important components, which does not run directly on the blockchain and includes user interfaces for buyers, sellers, notaries and land registries. Smart

Contract Engine: Smart Contract defines order of transactions, Smart Contracts are only confirmed in the blockchain

External storage: External storage for smart contracts and documents (so that data volume in the blockchain does not get too big).¹⁹⁵

Electronic land register: Access to metadata in the electronic land registry via API, automated retrieval process remains for the time being.

Registration: Actors register

eSignature API: Actors identify themselves.

Payment API: Automated payment of the purchase price via trust service

4.8 Benefits of Effective Land Registration in Nigeria

¹⁹³ Khalid MI, Iqbal J, Hussain AA and Ullah SS, 'Blockchain-Based Land Registration System: A Conceptual Framework' (2022) *Applied Bionics and Biomechanics* <https://doi.org/10.1155/2022/3859629> accessed 28 December 2025.

¹⁹⁴ Krishnapriya S and Sarath G, 'Securing Land Registration Using Blockchain' (2020) *Procedia Computer Science* 1708–1715 <https://doi.org/10.1016/j.procs.2020.04.183> accessed 28 December 2025.

¹⁹⁵ Majigi MUM, Idris I, Abdulhamid SM and Uduimoh AA, 'Blockchain-Based Zero Knowledge Proof Model for Secure Data Sharing Scheme in a Distributed Vehicular Networks' (2023) 7(3) *FUDMA Journal of Sciences* 45–54 <https://doi.org/10.33003/fjs-2023-0703-1786> accessed 28 December 2025.

According to review done by Markus Seifert and Hartmut Mueller suggested the following benefits over the process according to today's version of the land register, which of course not different from the Nigerian setting.¹⁹⁶

- i. It is feasible and realistic to cut the overall process's time drastically. Blockchain has slashed the process from months to days in test operations in nations like India. For simple cases, Sweden's blockchain-based land registry system reports processing times of a few hours. To ascertain the precise time in your situation, look at: the particular blockchain system being utilized. The type of procedure (e.g., transfer of ownership vs. first-time registration), local laws and rules.
- ii. Much of the data for carrying out the process is already included in the blockchain-based land registry.
- iii. Digital signatures provide a higher level of security than manual document filling (risk of errors and fraud decreases).
- iv. All actors can digitally store their documents, data and documents cannot be lost due to decentralized data management.
- v. Increased transparency, no "black box feeling". A transparent land registration process eliminates the perception of hidden operations ("black box feeling") where stakeholders are unsure how decisions are made or records are handled. By offering clear visibility into the process and making data accessible to all authorized parties, such systems foster trust among property owners, buyers, and regulatory bodies.

4.9 Comparative Analysis of Land Tenure: Nigeria, Ghana, and the United Kingdom

Land tenure systems in Nigeria, Ghana, and the United Kingdom reflect different historical, legal, and customary traditions, and each system has its unique approach to ownership,

¹⁹⁶ Seifert M and Müller H, *Blockchain, a Feasible Technology for Land Administration?*, FIG Working Week 2019, *Geospatial Information for a Smarter Life and Environmental Resilience*, Hanoi, Vietnam, 22–26.

control, and private rights. Understanding these differences is essential to appreciating how land is used, managed, and transferred in these countries, and how public interest is balanced with individual rights.¹⁹⁷

4.9.1 Nigeria

In Nigeria, the Land Use Act 1978 centralized land ownership by vesting all land in the Governor of each state and in the President for federal lands.¹⁹⁸ The Act “nationalized” land, effectively making the government the primary owner, while allowing individuals to hold rights of occupancy.¹⁹⁹ These rights may be statutory for urban land or customary for non-urban land. The Act was designed to simplify land administration, reduce disputes, and enable equitable access to land for development and agriculture.²⁰⁰

The Nigerian system places significant control in the hands of the Governor and local governments, who act as trustees of all land. Citizens’ rights are evidenced by certificates of occupancy, granting exclusive possession and the ability to transfer or lease land, subject to the consent of the Governor.²⁰¹ These rights are limited in scope because the government may revoke them for overriding public interest, although compensation for improvements is mandated.²⁰² Security of tenure depends heavily on these certificates, and the absence of a uniform nationwide land registry contributes to disputes and legal uncertainty.²⁰³

4.9.2 Ghana

Ghana’s land tenure system is founded on the 1992 Constitution and further strengthened by the Land Act, 2020, both of which establish a harmonised framework that formally

¹⁹⁷ A. O. Akhere, *Comparative Land Tenure in Nigeria, Ghana and the United Kingdom*, Unpublished Research Paper, 2026, p. 2.

¹⁹⁸ Land Use Act, Cap L5, Laws of the Federation of Nigeria 2004, s 1.

¹⁹⁹ *Ibid*, s 5(1).

²⁰⁰ *Supra*.

²⁰¹ Land Use Act, s 14.

²⁰² (2009) 9 NWLR (Pt 1146) 225.

²⁰³ (2009) 7 NWLR (Pt 1141) 597.

recognises customary land rights while integrating them into the formal land administration system. The Constitution affirms the validity of customary land ownership, including allodial title held by stools, skins, families, and communities, while the Land Act, 2020 provides clearer statutory mechanisms for registration, management, and administration of such lands. Judicial support for this balanced framework is evident in the decision of the Supreme Court in *Oblee v Armah*,²⁰⁴ which upheld customary allodial title while affirming the necessity of compliance with statutory land registration requirements. In addition, the Stool Lands Act, 1962 establishes administrative structures that enable traditional authorities to manage stool lands, subject to oversight and accountability through the Office of the Administrator of Stool Lands. This framework reflects Ghana's pluralistic approach to land governance, which combines respect for customary tenure with formal legal regulation.

Ghana's compensation regime for compulsory acquisition of land is anchored on the State Lands Act, 1962 and the Administration of Lands Act, 1962, which provide clearer statutory guidelines on valuation, compensation procedures, and dispute resolution than many comparable jurisdictions. These laws establish structured mechanisms for assessing compensation and resolving conflicts arising from state acquisition of land. Judicial affirmation of this framework is evident in *Republic v High Court, Ex parte Aryeetey*,²⁰⁵ where the Supreme Court laid down important principles on fair and adequate compensation for compulsorily acquired land. In the area of urban land management, Ghana has further strengthened its land governance system through the Land Use and Spatial Planning Act, 2016, which created integrated planning authorities responsible for coordinating the roles of traditional leaders, state agencies, and private developers. This collaborative and decentralised approach has contributed to more coherent spatial planning, reduced land use conflicts, and improved urban development outcomes across the country.

²⁰⁴ (2003–2004) SCGLR 454

²⁰⁵ (2003–2004) SCGLR 398

4.9.3 United Kingdom

The Land Registration Act was adopted on 26 February 2002 and took effect on 13 October 2003.²⁰⁶ The Act has 12 parts, 136 sections and 13 Schedules. The Land Registration was introduced in response to the Law Commission and HM Land Registry reports. The Act simplify and modernizes the law of land registration by making the register to reflect a more accurate picture of a title to land and showing more fully the rights and subsidiary interests that affect it. The Act also facilitates the introduction of e-conveyancing, encourages voluntary land registration; change the system of protection of third-party rights; and reforms the law of adverse possession.

The Act outlines necessary procedures for property to be registered to the legal owner and indicates who has legal rights to the property and what title the property has whether freehold or lease. Property must be registered to be transferred or sold as any registrable interest will not become legal interest until the title holder registers in the system²⁰⁷. The properties to be registered include according to section 3 include: Any transfer of interest on the land or legal estate in fee simple absolute; a lease on the land for more than seven years; a legal charge by way of legal mortgage; a profit in gross with a term of more that seven years; a franchise or a manor; a rent charge and a legal easement. The Act asserts that registration of title guarantees the title derived under the law and validates it since same is protected by the state²⁰⁸.

In summary, Nigeria emphasizes state trusteeship and centralized control over land, with private rights limited to occupancy certificates. Ghana preserves customary ownership while providing statutory mechanisms for registration and protection of private rights, creating a dual system that balances tradition and law. The United Kingdom prioritizes absolute private ownership under freehold and leasehold tenure, with a strong registration system ensuring

²⁰⁶ UK Public General Acts, *Land Registration Act 2002* (LRA).

²⁰⁷ LRA UK 2002, 4.

²⁰⁸ Land Registration Act UK 2002, s 58.

legal certainty. All three systems allow government intervention for public purposes, but the extent of protection, consent requirements, and procedural safeguards differ, reflecting the distinct historical, social, and legal contexts of each country.²⁰⁹

²⁰⁹ Ibid.

CHAPTER FIVE

SUMMARY OF FINDINGS, RECOMMENDATIONS AND CONCLUSION

5.1 Introduction

This chapter brings together the results of the study and presents the main findings, recommendations, and conclusions. It focuses on the role of technology in making land transactions in Nigeria more secure. The chapter starts by summarizing the key findings from the research, looking at how tools like Geographic Information Systems (GIS) and blockchain can improve land administration and title security.

After the summary of findings, the chapter provides recommendations for government agencies, policymakers, land professionals, and other stakeholders on how to use technology effectively to improve land registration and management. The chapter ends with the conclusion, highlighting the overall impact of technology on reducing disputes, improving transparency, and promoting better land governance in Nigeria.

5.2 Summary of Findings

The study finds that technology has the potential to significantly enhance the security of land titles in Nigeria by addressing longstanding challenges in the land administration system. A major finding is that the current land registration and title management system in Nigeria is largely manual, resulting in inefficiencies, duplication of records, disputes over ownership, and vulnerability to forgery and corruption. These issues have contributed to uncertainty in land transactions, reduced investor confidence, and impeded the growth of formal land markets. Digital interventions such as Geographic Information Systems (GIS) and blockchain technology were identified as viable tools to mitigate these challenges by providing accurate, tamper-proof, and easily accessible records.

Geographic Information Systems were found to be highly effective in capturing, storing, and analyzing spatial and attribute data related to land parcels. GIS enables the visualization of

land boundaries, verification of ownership, and integration of land information with other governmental services. It also facilitates faster processing of land transactions, enhances transparency, and reduces the risk of double allocation of plots. The study highlighted that states that have begun implementing GIS-based systems have experienced improved efficiency in land management, increased revenue generation, and higher levels of trust among landowners and buyers.

Blockchain technology emerged as another critical innovation capable of transforming land administration in Nigeria. The findings indicate that blockchain provides a decentralized, immutable ledger that ensures the security, authenticity, and traceability of land transactions. Test cases in countries like Sweden, India, and Australia demonstrate that blockchain can drastically reduce the time required for land registration from months to days or even hours while minimizing the risk of fraud. The study noted that blockchain also enables transparency by allowing all stakeholders to access verified land information, thereby reducing disputes and fostering trust among property owners, regulatory authorities, and financial institutions.

The research further revealed that while technology adoption offers numerous benefits, challenges exist in Nigeria, including limited awareness among land professionals, insufficient technical capacity, inadequate infrastructure, and the absence of clear regulatory frameworks for digital and blockchain-based systems. Many land registry officers and practitioners still rely on manual processes, highlighting the need for training programs, public awareness campaigns, and investment in modern technological infrastructure.

Legal and policy analysis indicated that Nigeria's existing laws, such as the Land Use Act and Land Registration Acts, provide a framework for land administration but have not fully accommodated technological interventions. There is a gap between statutory provisions and practical implementation, which limits the effective use of technology in securing land titles.

Comparative analysis with international best practices underscores the importance of

updating legal frameworks, incorporating electronic signatures, and establishing guidelines for blockchain integration to ensure robust title security.

Finally, the study found that stakeholders including government agencies, surveyors, legal practitioners, and landowners recognize the value of technology in improving land administration but require a coordinated approach to adoption. Recommendations emerging from these findings include full digitization of land records, integration of GIS and blockchain technologies, capacity building, legal and policy reforms, public education, and alignment with global best practices. Implementing these measures is expected to reduce disputes, enhance transparency, increase revenue generation, and foster a more secure and efficient land transaction system in Nigeria.

In conclusion, the study confirms that technology, when effectively integrated into Nigeria's land administration system, has the potential to transform land transactions, improve title security, and promote sustainable land governance. While challenges remain, strategic adoption of digital systems, supported by legal and institutional reforms, can position Nigeria as a country with secure, efficient, and transparent land registration processes.

5.3 Recommendations

1. Leveraging Blockchain Technology for Perfection of Title in Nigeria: The effective management of land in any country requires the utilization of an enormous amount of documents and related records.²¹⁰ These documents are typically integrated into a database (paper-based or electronic) which serves as a system of records for all land transactions within a country or state. The database could contain records ranging from registered titles, acquisitions, revocations etc. A digitized land registry has more advantages than a paper-based land registry. Among other things, a digitized repository is easily accessible, saves

²¹⁰ Benbunan-Fich R and Castellanos A, *Digitalization of Land Records: From Paper to Blockchain*, Thirty-Ninth International Conference on Information Systems, San Francisco, California (2018) 3.

space, environmentally friendly, cost effective, and ensures greater information preservation.²¹¹ With the increasing need for digitization in all sectors including government administration; it is worth noting that these systems are not entirely safe from tamper and fraud by untrusted entities in the network. For instance, in 2005, the Lagos State Government introduced the Electronic Document Management System (EDMS) with view to storing all available land data electronically; ensuring proper indexing of documents, consolidating file storage, making information available in an on-line real time manner and setting up an on-line document search and retrieval system at the registry.²¹² Whilst it has been found that EDMS has improved public confidence in land transactions, consolidated file storage, and facilitated availability of on-line document search and retrieval system in Lagos State, it is noted that the that EDMS has not reduced land dispute neither has it increased the number of applications processed nor increased revenue generated.²¹³ In addition, there are concerns about personnel integrity and time management in utilizing the EDMS.²¹⁴

According to Raquel Benbunan-Fich and Arturo Castellanos,²¹⁵ “Blockchain technology is a decentralized peer-to-peer (P2P) network in which each participant (node) maintains a copy of a shared append-only ledger of digitally signed transactions via a consensus protocol”. Simply put, blockchain technology facilitates the secure and permanent storage of information with respect to a particular transaction in blocks and chains so as to decrease incidents of fraud and make the information easily ascertainable by users.²¹⁶

²¹¹ Ibid, 3.

²¹² Thontteh EO and Omirin MM, *Land Registration within the Framework of Land Administration Reform in Lagos State*, 21st Pacific-Rim Real Estate Society Conference (PREES), Kuala Lumpur, Malaysia, 18–21 January 2015, 1.

²¹³ Thontteh EO and Omirin MM (ibid), 1.

²¹⁴ Oluwakemi Adekile, *The Lagos State Land Registration Law, 2015: Needs, Principles, Provisions and Potentials*, Workshop on the Land Registration Law 2015 of Lagos State, Faculty of Law, University of Lagos, Sheraton Hotel, Lagos, 16 December 2015, 20.

²¹⁵ Benbunan-Fich R and Castellanos A (ibid).

²¹⁶ Petsinis EM, ‘A Land Transfer Registration Revolution? Exploring the Opportunities and Limitations for Implementing the Blockchain in Electronic Land Transfer Transactions in Australia’ (2018) 27 *Australian*

The use of Blockchain technology for the digitization of land records will simplify the perfection of title process and minimize the inadequacies of the typical centralized land database found in most land registries across the country. Essentially, blockchain technology can play a significant role in the digitization of land records. First, Blockchain technology can facilitate the digital storage of the cadastral information²¹⁷ of properties located within the territory of a state thereby providing an irrefutable proof of the exact location of a specified property. This will reduce if not totally eliminate survey costs and ensure the seamless perfection of the title to a property.

Further, smart contract -a type of blockchain can be utilized to facilitate and enforce the terms of a transfer deed such as exchange of consideration, property etc. in a transparent and conflict-free manner.²¹⁸ In addition, smart contracts could be used to notify land administrators of change in title.²¹⁹ For instance, upon registration, the smart contract protocol could be used to inform other agencies of government such as tax authorities, utility companies etc. of the change in the title of a property so as to know the current owner of the property for future taxation and other connected purposes.

Similarly, owing to the decentralized nature of the blockchains, important records in the registration of title process can be lodged onto the blockchain so as to make the records immutable and widely accessible. This then removes the need for back up of the land registry database, and ultimately provides a history of all transactions regarding a property thereby making the history of the ownership of a property easily verifiable.

Property Law Journal https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3324953 accessed 28 April 2020.

²¹⁷ Stefanović M et al., 'Blockchain and Land Administration: Possible Applications and Limitations', Proceedings of the 5th International Scientific Conference on Contemporary Issues in Economics, Business and Management (EBM 2018), Faculty of Economics, Kragujevac, Serbia, 09–10 November 2018.

²¹⁸ See also Okeke F, 'Digitisation Imperatives for Nigerian Real Estate Registries', Lexology Getting the Deal Through, 5 April 2020.

²¹⁹ Rosic A, *Smart Contracts: The Blockchain Technology That Will Replace Lawyers* <https://blockgeeks.com/guides/smart-contracts/> accessed 28 April 2020.

Also, blockchain ensures transparency as records put on the blockchain technology are permanent and immutable. Thus, instances of missing files or documents during the perfection process will be minimized, if not totally eliminated. Additionally, land records published on the Blockchain cannot be easily hacked or tampered with by an unscrupulous individual in the network.

2. Improvement on administrative processes: Besides digitizing the perfection of title process across the country, there is also a need for administrative processes at the Land Registries to be improved if any technology will work seamlessly. The blockchain technology for example will only thrive if consequential redesign and remodeling of administrative processes are done.²²⁰

3. The Nigerian government should prioritize the full implementation of digital land registration systems, incorporating technologies such as Geographic Information Systems (GIS) and blockchain. Digitizing land records will enhance the security, accuracy, and traceability of land titles, significantly reducing the risk of forgery, double allocation, and disputes over ownership. A modernized system will also facilitate faster verification of land records and improve efficiency in land transactions.

4. It is important for land administration agencies to integrate GIS, blockchain, and cloud-based systems into existing processes. Such integration will allow secure storage of land information, real-time access to records for property owners and regulatory agencies, and streamlined procedures for financial institutions involved in land-based lending.

5. Capacity building and training should be provided for government agencies, surveyors, legal practitioners, and other stakeholders involved in land administration. Regular training programs will ensure that relevant personnel are equipped with the necessary skills to

²²⁰ Ibid.

effectively utilize technology for enhancing title security and promoting transparency in land transactions.

6. The legal and policy framework governing land registration should be reviewed and updated to accommodate technological interventions. This includes establishing clear regulations on the use of digital platforms, electronic signatures, and blockchain technology in land administration, which will strengthen the legal protection of land titles and formalize technological practices within the system.

7. Public awareness and education campaigns are also critical. Property owners, potential buyers, and other stakeholders should be informed about the benefits of digital land registration and the security it provides for land titles. Promoting understanding and trust in the system will encourage formalized land transactions and reduce dependence on informal or fraudulent practices.

Finally, Nigeria should learn from the experiences of countries that have successfully implemented technology-driven land administration systems, such as Sweden, India, and Estonia. Adopting international best practices will help create a secure, transparent, and efficient land registry, contributing to sustainable land governance, enhanced investor confidence, and the overall improvement of land management in the country.

5.3 Conclusion

The study has demonstrated that technology plays a critical role in enhancing the security, efficiency, and transparency of land transactions in Nigeria. The current manual land administration system is characterized by inefficiencies, duplication of records, disputes over ownership, and vulnerability to fraud, all of which undermine investor confidence and the development of formal land markets. The adoption of technologies such as Geographic Information Systems (GIS) and blockchain presents a transformative opportunity to address these challenges by providing secure, accurate, and easily accessible land records.

GIS has been shown to be effective in capturing, storing, and managing both spatial and attribute data of land parcels. It enables precise visualization of boundaries, efficient verification of ownership, and integration of land information with other governmental services. These capabilities facilitate faster processing of land transactions, reduce the incidence of double allocation, and enhance transparency, trust, and revenue generation. Blockchain technology complements GIS by providing a decentralized, tamper-proof ledger that ensures the authenticity and traceability of land records. Evidence from international case studies demonstrates that blockchain can significantly reduce registration times and foster confidence among stakeholders in land administration processes.

Despite these benefits, the study highlights several challenges to effective technology adoption in Nigeria, including limited awareness among land professionals, insufficient technical capacity, inadequate infrastructure, and gaps in the legal and policy framework. Existing laws, while providing a foundation for land administration, do not fully accommodate technological innovations, creating barriers to the efficient implementation of digital systems. Addressing these challenges requires targeted capacity building, regulatory reform, public awareness campaigns, and investment in technological infrastructure.

In conclusion, the integration of GIS, blockchain, and other digital technologies into Nigeria's land administration system holds the potential to transform land transactions, enhance title security, reduce disputes, and promote good governance. Strategic adoption of these technologies, coupled with legal and institutional reforms and stakeholder engagement, can create a secure, efficient, and transparent land registration system that supports sustainable development, economic growth, and investor confidence in Nigeria.

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