

## DIGITISATION OF LAND TITLE REGISTRATION IN NIGERIA VIS A VIS ADMISSIBILITY OF ELECTRONIC EVIDENCE: LAGOS STATE CASE STUDY

A. Ganiyu Adebajo<sup>1</sup>

### ABSTRACT

The digitisation of land title registration in Lagos State represents a significant step towards modernising property administration in Nigeria. Through the deployment of electronic land registries, digital document management systems, and computer-generated certificates of title, Lagos has become a national leader in integrating information and communication technology (ICT) into land governance. This transformation, however, raises complex evidentiary questions, particularly concerning the admissibility, authenticity, and probative value of digital land records in judicial proceedings. This paper analyses how the Evidence Act 2011 (as amended 2023) and the Land Registration Law of Lagos State 2015 jointly regulate electronic documents as instruments of title. It evaluates the legal standards for admitting electronically generated Certificates of Occupancy, Governor's Consent, and Land Information Certificates, and assesses institutional and judicial responses to the emerging digital infrastructure. Drawing from comparative jurisdictions and Nigerian case law, the study identifies evidentiary challenges such as integrity risks, authentication gaps, and uneven judicial acceptance, proposing reforms aimed at strengthening digital land governance. It concludes that while Lagos provides a promising model for digital land registration, the reliability and admissibility of electronic evidence remain contingent upon robust legal, institutional, and technological safeguards.

**Keywords:** Electronic evidence; electronic governance, digital title; land registration.

### 1. Introduction

The transformation of land governance in Lagos State reflects a broader global trend toward digitisation of public registries and e-government processes.<sup>2</sup> In Nigeria, Lagos has been at the forefront of adopting digital technologies to improve transparency, reduce fraud, and enhance administrative efficiency in land transactions.<sup>3</sup> The deployment of Land Information Management System (LIMS), Electronic Document Management System (EDMS), and other

---

<sup>1</sup> Lecturer, Department of Public and Private Law, Lagos State University, Ojo, Nigeria, 08023997311, [adeola.adebanjo@lasu.edu.ng](mailto:adeola.adebanjo@lasu.edu.ng); [ganiadebanjo@yahoo.com](mailto:ganiadebanjo@yahoo.com)

<sup>2</sup> United Nations Department of Economic and Social Affairs, *UN E-Government Survey 2022: The Future of Digital Government* (UN 2022).

<sup>3</sup> Lagos State Lands Bureau, *Annual Report* (Lagos Ministry of Physical Planning 2020).

digital workflow systems marks a decisive shift from analogue methods of documentation to secure electronic storage, retrieval, and certification of land instruments.<sup>4</sup> This shift, however, raises intricate evidentiary questions under Nigerian law, particularly regarding the admissibility, probative value, and legal status of electronic land records in judicial proceedings. The evidential status of such records further implicates doctrinal issues concerning certification, computer-generated evidence, presumptions of regularity, and the reconciliation of federal evidentiary standards with state-level land registration reforms. Consequently, while digitisation strengthens administrative control and record security, it simultaneously reconfigures the jurisprudential landscape governing proof of title and documentary evidence in land litigation. The Nigerian Evidence Act 2011 (as amended 2023) regulates the admissibility of “computer-generated documents,”<sup>5</sup> requiring proof of authenticity and reliability before such documents may be tendered in court. Similarly, the Land Registration Law of Lagos State 2015 provides statutory recognition for electronic registers and certified digital copies of registered instruments.<sup>6</sup> The interaction between these federal and state legal frameworks remains under-examined in academic literature, despite its practical significance in property litigation. The gap is not merely descriptive but doctrinal. It consists of a series of unresolved interpretive and constitutional puzzles arising from the coexistence of the federal Evidence Act 2011 (as amended 2023) and state land registration laws such as the Land Registration Law of Lagos State 2015, particularly in the context of electronically generated land records. First, there is a hierarchical doctrinal puzzle: whether electronic land records statutorily recognised by Lagos law as constituting the official register automatically satisfy the admissibility conditions imposed by section 84 of the Evidence Act. In other words, does statutory recognition of an electronic register as “official” displace, modify, or operate cumulatively with federal evidentiary certification requirements? Secondly, a conceptual puzzle of originality and primary evidence arises. Where a land register exists in digitally native form, is the database entry itself the “original document” for purposes of sections 85–90 of the Evidence Act? If so, does a printout extracted from that system constitute primary evidence or secondary evidence requiring certification? Thirdly, a presumption-of-regularity puzzle persists. Public documents ordinarily enjoy a presumption of regularity under evidentiary principles. Yet electronic records are simultaneously treated with technical suspicion

---

<sup>4</sup> O Akinola, ‘Challenges in Lagos Land Administration’ (2018) 6 Nigerian Property Law Review 41.

<sup>5</sup> Evidence Act 2011 (as amended 2023), s 84.

<sup>6</sup> Land Registration Law of Lagos State 2015, s 5.

under section 84's strict compliance regime. The doctrinal relationship between these two principles remains unsettled: does the public character of a digital land register mitigate the strictness of section 84, or must courts maintain heightened scrutiny despite institutional authorship? Fourthly, a federalism tension arises from constitutional allocation of legislative competence. Evidence is a matter within the Exclusive Legislative List, whereas land registration is a state matter. Where a state statute grants evidential status to electronic extracts from its registry, and federal law imposes additional conditions for admissibility, the precise boundary between procedural evidence law and substantive land administration becomes blurred. The doctrinal question is whether state innovation in digital certification can indirectly modify evidentiary standards in litigation. Fifthly, there exists an authentication and certification dilemma. Section 84(4) requires a certificate identifying the device and signed by a person occupying a responsible position in relation to the operation of the computer. In institutional registry systems such as LIMS and EDMS, responsibility is distributed across IT administrators, registry officers, and system architects. The statute does not clarify who precisely qualifies as the certifying authority in complex public digital infrastructures. The absence of doctrinal clarity produces inconsistent judicial approaches. Sixthly, there is a probative-weight ambiguity distinct from admissibility. Even where electronic land records are admitted, the law does not clearly articulate the criteria by which courts should assess their probative superiority or inferiority relative to archival paper documents, especially where discrepancies arise between analogue and digital entries. Lastly, a remedial and liability puzzle emerges. If an electronic land registry error results in wrongful registration or competing titles, the doctrinal basis for liability, whether framed in negligence, misfeasance in public office, breach of statutory duty, or constitutional property protection remains insufficiently theorised in relation to digital infrastructures.

Taken together, these puzzles constitute a coherent doctrinal gap. Although, Nigerian law has modernised land administration technologically, but yet to systematically reconcile the epistemology of digital records with the federal architecture of evidence law and constitutional federalism. The interaction between these regimes is therefore not merely under-examined; it is structurally indeterminate, requiring sustained doctrinal clarification.

Moreover, Lagos courts increasingly encounter electronically generated Certificates of Occupancy, scanned deeds of assignment, and system-printed Land Information Certificates

(LICs).<sup>7</sup> Disputes often arise over the authenticity of such documents, the validity of digital certifications, and the applicability of Section 84 where a document is generated from a state-controlled digital registry.<sup>8</sup> Lagos-specific land disputes, such as *Adeniji v Lagos State Land Bureau*,<sup>9</sup> involving contradictory digital entries. Section 84 objections were reportedly raised concerning contradictory digital land registry entries generated through the Lagos Land Bureau system. The court required compliance with section 84 certification where printouts of registry records were tendered, despite their public-document character; and *Osho v Foreign Finance Corporation*,<sup>10</sup> involving registry errors, underscore the need for doctrinal clarity in this emerging field.<sup>8</sup>

This article fills that gap by analysing the interrelationship between digital land governance and evidentiary law in Nigeria. It does so through a doctrinal analysis enriched by Lagos-specific case studies and comparative insights.

### 1.1 Methodology, Scope and Contribution

This article adopts a doctrinal legal research methodology, relying on statutory interpretation, case law analysis, regulatory instruments, and official policy documents. The doctrinal approach to adopt is black letter which focuses strictly on the law *as it is written and authoritatively stated*. It examines statutes, case law, regulations, and constitutional provisions. It aims at identifying the current legal rule, its scope, its internal consistency and how courts interpret and apply it

The article uses Lagos as a case study because it is the only Nigerian state with a substantially digitised land registry infrastructure.<sup>11</sup> The scope covers:

- i. The legal framework governing electronic land registration in Lagos;
- ii. The evidentiary requirements applicable to digital land documents;
- iii. Lagos-specific judicial and administrative disputes involving electronic land records (*Adamakin Investment & Works Ltd v Lagos State Government Suit No. ID/1234/2019 and*

---

<sup>7</sup> Lagos State Ministry of Physical Planning and Urban Development, *Land Information Management System (LIMS) Technical Overview* (2019).

<sup>8</sup> 'Certificate of Occupancy Forgery Surge in Lagos' *The Guardian* (Lagos, 13 June 2017).

<sup>9</sup> (Unreported) High Court of Lagos State, Suit No LD/8799LM/2019, 12 July 2019.

<sup>10</sup> [1991] 4 NWLR (pt184) 157 SC

<sup>11</sup> N Afolabi, 'Land Governance and Urbanisation in Lagos' (2017) 3 *Journal of African Urban Studies* 55.

*dispute involving the Efunroye Tinubu Estate, revealing how legacy paper errors persist into the digital system; and*

iv. Comparative perspectives from the United Kingdom, Kenya, Singapore, and South Africa.

The article contributes to scholarship by:

- i. demonstrating how Section 84 of the Evidence Act applies specifically to computer-generated land instruments;
- ii. examining actual Lagos judicial disputes involving digital land data;
- iii. analysing institutional vulnerabilities in the EDMS/LIMS systems; and
- iv. proposing reforms for harmonisation of federal evidence law with state-level digital registry law.

## **2. Historical Evolution of Land Registration in Lagos**

Land registration in Lagos dates back to colonial enactments, most notably the Registration of Titles Ordinance 1935 and the Land Instruments Registration Law (LIRL). These statutes established manual registries where land instruments were physically lodged, vetted, and archived. The analogue system, however, proved vulnerable to: i. loss or destruction of files, ii. duplication and forgery of Certificates of Occupancy, iii. human error in indexing and record-keeping, and iv. corruption facilitated by opaque manual processes.

By the early 2000s, Lagos grappled with systemic land fraud, duplicated land allocations, and administrative delays, prompting a shift toward digital solutions.<sup>12</sup>

### **2.1 Establishment of LIMS and EDMS**

The Lagos State Government introduced the Land Information Management System (LIMS) in 2005 and expanded its capabilities through subsequent reforms.<sup>13</sup> LIMS provides digital storage and retrieval of land records, geospatial mapping, and automated charting. In 2017, the State

---

<sup>12</sup> Lagos State Government, *LIMS Pilot Deployment Report* (2005).

<sup>13</sup> *Ibid*

deployed the Electronic Document Management System (EDMS) to digitise and archive millions of paper-based land records.<sup>14</sup>

The EDMS includes: i. high-resolution scanning of historical records; ii. metadata tagging; iii. role-based access controls; iv. automated workflow for processing land applications; and v. system-generated title documents with embedded digital signatures.<sup>15</sup>

Together, these systems create a hybrid digital registry in which both legacy scanned documents and newly generated electronic instruments coexist.

## 2.2 Legal Basis for Electronic Land Records in Lagos

The Land Registration Law of Lagos State 2015 provides the statutory foundation for digital registries. Section 5 authorises the maintenance of “electronic registers” for recording instruments.<sup>16</sup> Section 29 provides those electronic copies of registered instruments, duly certified by the Registrar, are admissible in legal proceedings.<sup>17</sup>

Therefore, digital land documents in Lagos have dual statutory legitimacy, hence the following propositions:

Proposition 1: Section 29 the Land Registration Law of Lagos State 2015 which is on certification establishes public – document status but does not automatically satisfy Section 84 (4) of the Evidence Act, 2011 (as amended 2023);

Proposition 2: where the proponent lacks device control, a limited relaxation may apply;

Proposition 3: hybrid registry migration errors undermine reliability presumptions

Proposition 4: the challenge lies in reconciling these frameworks, especially where electronic records are generated by a state registry but tendered in proceedings governed by federal evidence law.

---

<sup>14</sup> Land Registration Law 2015, s 29.

<sup>15</sup> Lagos State Ministry of Lands, *EDMS Architecture Document* (2019).

<sup>16</sup> Land Registration Law 2015, s 5.

<sup>17</sup> Land Registration Law 2015, s 29.

### 3. Legal and Institutional Framework Governing Electronic Land Records in Nigeria and Lagos State

The legal and institutional architecture governing electronic land records in Nigeria and Lagos State reflects a complex interplay between federal evidence law, state land-registration statutes, and emerging administrative technologies. Although Lagos has pioneered the digitisation of its land registry through platforms such as the Land Information Management System (LIMS), the Electronic Document Management System (EDMS), and the e-GIS (Electronic Geographic Information System)<sup>18</sup> portal, the evidential status of the electronic documents produced by these systems remains anchored in the federal Evidence Act 2011 (as amended 2023).

#### 3.1 The Evidence Act 2011 (as amended 2023) — Admissibility of Computer-Generated Documents

At the centre of the admissibility of electronic land title documents in Nigeria is the Evidence Act 2011 (as amended 2023). Section 84 of this Act expressly regulates “computer-generated documents.” Under subsection (1), such a document is admissible as evidence if it is produced “by a computer” and meets reliability criteria. Subsection (2) further requires that foundational facts be shown: the computer must have been properly maintained; the record made during ordinary course of business; and details about the device, origin, and method of creation must be supplied.<sup>19</sup>

Crucially, subsection (4) mandates a certificate of authenticity, bearing identification of the computer, the person operating it, and a statement that the computer was operating properly, signed by a responsible person.<sup>20</sup> This certificate functions as a guarantee that the electronic document is genuine, and without it, the document may be rejected.<sup>21</sup>

---

<sup>18</sup> The Lagos State e-GIS (Electronic Geographic Information System) is a digital, one-stop portal designed to automate land administration, allowing users to search, verify, and apply for land titles like [Governor's Consent](#) online. It modernizes land records, reducing human interaction and processing times for transactions.

<sup>19</sup> Evidence Act 2011 (as amended 2023), s 84(2).

<sup>20</sup> Evidence Act 2011 (as amended 2023), s 84(4).

<sup>21</sup> *Dickson v Sylva* [2016] LPELR-41257(SC).

The 2023 amendment did not remove these requirements but reaffirmed and codified them, thereby underscoring the importance of authentication. The legislative design reflects a balance: to admit the benefits of digital evidence while guarding against manipulation or forgery.

Judicial interpretations have reinforced this strict regime. In one analysis of appellate decisions,<sup>22</sup> commentators<sup>23</sup> note that the Court of Appeal (Lagos Division) in *Stanbic IBTC Bank PLC v. Longterm Capital Ltd. & 2 Ors*<sup>24</sup> has recognised exceptions under Section 84(4) where a proponent does not control the device that produced the document. For example, when the party tendering the document is not the owner or controller of the computer, the court may relax the certification requirement in the interest of justice.<sup>25</sup> Yet, such exceptions are carefully circumscribed, and litigants must present cogent evidence to invoke them. The Court of Appeal in *Stanbic IBTC Bank PLC v. Longterm Capital Ltd. & 2 Ors*<sup>26</sup> held that section 84 of the Evidence Act admits of an exception where the proponent of an electronically-generated document is not in control of the computer that produced the document and it becomes impossible for him to produce a certificate of authentication

Following the principles laid down by Supreme Court in the above cases, the Court of Appeal and other courts have routinely emphasised that mere production of a computer-generated record is insufficient. In *Omokie Emmanuel v FRN*,<sup>27</sup> for example, the court struck out a series of electronic exhibits (e-documents) because the proponent failed to lay the necessary foundations under Section 84(2) and (4). Similarly, in *Collins Commemex Nigeria Ltd v Skye Bank Plc*,<sup>28</sup> the Court of Appeal held that without certification and proof of the computer's operation, electronic proof could not stand. These precedents illustrate that compliance with Section 84 is non-negotiable when tendering electronic evidence, even more so when such evidence is used to prove title to land.

---

<sup>22</sup> *Sylva v Dickson & Ors* (2013) All FWLR (pt. 675) 392; *Dickson v Sylva* (2017) 8 NWLR (pt. 1567) 167 S. C.

<sup>23</sup> A Adebayo, 'Judicial Approaches to Section 84 of the Evidence Act' (2021) 9 Journal of Evidence Law 33;

<sup>24</sup> (2018) 11 NWLR (Pt.1630) 374

<sup>25</sup> Ibid; see Alaba Omolaye-Ajileye, <https://thenationonline.ng/stanbic-ibtc-bank-vs-longterm-capital-2-ors-exceptions-to-section-844-of-evidence-act-2011/> accessed 22/11/2025.

<sup>26</sup> Ibid n 23

<sup>27</sup> [2017] LPELR-42749(CA)

<sup>28</sup> [2019] LPELR-48022(CA).

### 3.2 Other Relevant Provisions in the Evidence Act

Beyond Section 84, other provisions of the Evidence Act support the admissibility of public electronic documents. For instance:

- i. **Section 90(1)(c)** provides that certified copies of public documents are admissible as secondary evidence, even where the original is not produced.<sup>29</sup>
- ii. **Section 91** recognises electronic signatures: where a rule of evidence requires a signature, an electronic signature may satisfy that rule, provided it can be proved by showing a “procedure ... existed ... to verify that an electronic record is that of the person.”<sup>30</sup>
- iii. **Section 151** allows for electronic reproduction of maps and charts, which is particularly relevant for spatial data in land registries, including cadastral maps maintained in LIMS.<sup>31</sup>

These provisions collectively create a legal architecture in which electronic documents—properly authenticated—can function as both primary and secondary evidence in Nigeria. Flowing from the above provisions, the public-document character of registry outputs should be accorded a presumption of regularity/authenticity thereby reducing, or in some cases displaces, the Section 84 certificate requirement—especially where the registry is the ‘authoritative source’ akin to the HMLR model

### 3.3 Lagos State’s Land Registration Law 2015

At the state level, Lagos has enacted a specialised legal regime to govern its land registry, recognising and accommodating the digital transformation of land administration.

The Land Registration Law (LRL) of Lagos State 2015 provides the statutory basis for electronic land records. Under Section 5 of the Law, the Lagos Lands Bureau is mandated to maintain electronic registers, using a system such as the Land Information Management System (“LIMS”).<sup>32</sup> Section 12(1) requires registers to include, inter alia, a “parcel file,” “day list,” nominal index, and other registers, all of which may be maintained electronically.<sup>33</sup>

<sup>29</sup> Evidence Act 2011 (as amended 2023), s 90(1)(c).

<sup>30</sup> Evidence Act 2011 (as amended 2023), s 91.

<sup>31</sup> Evidence Act 2011 (as amended 2023), s 151.

<sup>32</sup> Land Registration Law of Lagos State 2015, s 5.

<sup>33</sup> Land Registration Law 2015, s 12(1)(a)–(e).

Moreover, the statute explicitly recognizes the co-existence of hard copy and electronic records. The Land Registration Law requires that historical registers (from analogue systems) be migrated into LIMS, so that all prior instruments are accessible in the electronic regime.<sup>34</sup> The Law also contemplates metadata, survey plans, and names and addresses of parties as integral parts of the electronic parcel file.<sup>35</sup>

Under Section 29, the Law makes certified electronic copies of registered instruments admissible in evidence.<sup>36</sup> This is a key statutory validation: once the Registrar certifies a digital copy, that instrument should be acceptable for legal purposes, including in court.

Through this architecture, Lagos has provided a clear state-level legal recognition of digital land instruments, which aligns with—but does not supplant—the federal evidentiary requirements under the Evidence Act.

### 3.4 Institutional and Policy Infrastructure: e-GIS, EDMS, and LIMS

While the statutory framework is foundational, the practical architecture supporting digitisation is equally critical. Lagos has developed a robust institutional infrastructure for digital land registration.

In January 2024, the Lagos State government launched an e-GIS portal, a one-stop digital platform that integrates land data, cadastral mapping, and registry services. Through this portal, users can apply for land titles (e.g., Governor's Consent), request certified true copies (CTCs), and perform land searches.<sup>37</sup> The portal consolidates historical land records dating back to the 19th century, combining them with contemporary digital title data.<sup>38</sup>

The Electronic Document Management System (EDMS), which predates the e-GIS launch, provides the backbone for document digitisation. Under EDMS, all scanned titles, deeds, and application files are stored with metadata, controlled access, and audit trails.<sup>39</sup> The system

---

<sup>34</sup> Land Registration Law 2015, s 5 (electronic registers).

<sup>35</sup> Lagos State Government, 'Lagos Unveils e-GIS Platform' *Vanguard* (10 January 2024).

<sup>36</sup> Land Registration Law 2015, s 29.

<sup>37</sup> Lagos State Government, 'Lagos Unveils e-GIS Platform' *Vanguard* (10 January 2024).

<sup>38</sup> Lagos State Ministry of Lands, *EDMS Architecture Document* (2019).

<sup>39</sup> *Ibid.*

supports role-based permissions and version control, allowing the Lands Bureau to track document creation, modification, and retrieval events.<sup>40</sup>

These systems together, LIMS, EDMS, and e-GIS, form a digital ecosystem for land administration in Lagos, enabling secure, verifiable, and searchable land records.<sup>41</sup>

### **3.5. Evidentiary Categories of Digital Land Records and Applicable Statutory Routes under the Evidence Act 2011**

Doctrinal incoherence in the treatment of electronic land records often arises from the failure to distinguish clearly between different evidentiary categories. Greater analytical clarity requires classification of digital land-related materials into discrete evidentiary types and mapping each to their proper statutory routes under the Evidence Act 2011 and related land legislation.

i. Digitally Native Registry Entries: These are database records created directly within a statutory electronic land registry (e.g., LIMS or EDMS), including electronic Certificates of Occupancy, parcel records, and title entries. Such records are not mere computer reproductions of pre-existing documents; they are the primary repository of title information. They properly fall within the category of public documents under sections 102–104 of the Evidence Act 2011.<sup>42</sup> Certified digital extracts are admissible under section 104.<sup>43</sup> Where generated electronically, section 84 may apply to establish system integrity,<sup>44</sup> but it does not displace their public-document character. Conceptually, they constitute primary evidence where the registry itself is the authoritative source.

ii. Digitised Copies of Analogue Instruments: These include scanned deeds, assignments, mortgages, or survey plans originally executed in paper form and later uploaded to a digital registry. Such materials are better treated as secondary evidence under sections 85–90 of the Evidence Act 2011,<sup>45</sup> because the digital file represents a reproduction of an original paper

---

<sup>40</sup> Lagos State Lands Registry, Parcel File for Vol 2212 Page 45 (Administrative Record, 2019).

<sup>41</sup> Lagos State Ministry of Justice, 'Land Title Disputes and Digitisation Policy Brief' (2020).

<sup>42</sup> Evidence Act 2011, s 102

<sup>43</sup> *ibid* s 104.

<sup>44</sup> *ibid* s 84.

<sup>45</sup> *ibid* ss 85–90.

instrument. Section 84 governs the admissibility of the computer-generated copy,<sup>46</sup> while sections 89–90 regulate proof of the underlying original document.<sup>47</sup>

iii. System-Generated Extracts and Reports: These are printouts or digital certificates generated automatically from registry databases, including certified true copies, status reports, and transaction histories. They fall within section 84 as computer outputs,<sup>48</sup> but where issued by a statutory public registry, they also engage sections 102 and 104 (public documents and certified copies).<sup>49</sup> A coherent approach treats section 84 as addressing technical authenticity, while sections 102–104 confer evidentiary authority based on public character.

iv. Metadata and Audit Logs: These include timestamps, user access logs, modification histories, and backend system records showing when and by whom entries were altered. Metadata constitutes primary digital evidence and is admissible under section 84 as computer-generated information.<sup>50</sup> Where maintained by a public registry, it may additionally qualify as a public document within section 102.<sup>51</sup> Courts should treat such records not as ancillary material but as substantive evidence of authenticity and integrity.

v. Blockchain or Cryptographically Secured Instruments: Where land instruments are validated through distributed ledger systems or digital signature frameworks, the evidentiary question concerns algorithmic authenticity rather than human certification. These records fall within section 84 of the Evidence Act 2011<sup>52</sup> and may also engage statutory provisions on electronic signatures under section 93 of the Evidence Act 2011.<sup>53</sup> The certification requirement should be interpreted in light of technological validation mechanisms rather than confined to human attestation.

### 3.6. Doctrinal Significance of the Lagos Illustrations

The Lagos illustrations demonstrate three recurring judicial patterns:

---

<sup>46</sup> *ibid* s 84.

<sup>47</sup> *ibid* ss 85–90.

<sup>48</sup> *ibid* s 84(1).

<sup>49</sup> *ibid* ss 102, 104.

<sup>50</sup> *ibid* s 84.

<sup>51</sup> *ibid* s 102.

<sup>52</sup> *ibid* s 84.

<sup>53</sup> *ibid* s 93.

1. Cumulative Operation of Sections 84 and 102–104

Courts do not treat section 84 as displacing the public-document regime. Instead, they apply both cumulatively where registry-generated documents are tendered.

2. Dual-Layer Admissibility for Digitised Instruments

Lagos courts maintain a conceptual distinction between (i) admissibility of the digital copy under section 84 and (ii) documentary proof of the underlying original under sections 89–90.

3. Emerging Integrity-Based Litigation

Increasingly, disputes turn not merely on admissibility but on database integrity—prompting evidentiary reliance on metadata, system logs, and registry officials’ testimony.

### 3.6.1 Adamakin Investment v Lagos State Government (High Court, Ikeja)

One of the most prominent land disputes involving the Lagos Lands Bureau in recent years is *Adamakin Investment & Works Ltd v Lagos State Government*.<sup>54</sup> In this case, the claimant (Adamakin) challenged state government agencies, including the Bureau of Lands, over restricted transactions on a property registered in the Lagos land registry (Vol. 2212, Page 45). Specifically, the state had issued a “No Transaction, No Certified True Copy” directive on that title, preventing the claimant from obtaining a certified true copy (CTC) of the registry entry.<sup>55</sup>

The dispute raises important digital-registry implications: given Lagos’s move toward an integrated electronic land administration system, access to certified digital copies is essential. Without a CTC, parties may be unable to verify title, mortgage the land, or sell it. While the case is primarily framed in administrative and constitutional terms (restriction of access to title), the underlying registry function is now digital, and litigants’ ability to retrieve electronic copies via e-GIS is central to their claim.

The *Adamakin*’s case is for now an administrative – access example because litigation is ongoing and no final published judgment has yet established precedent on electronic evidentiary issues, the case underscores a fundamental tension: state-imposed registry restrictions in a digital context can thwart the very transparency digital systems were designed to promote.

<sup>54</sup> (Unreported) High Court of Lagos, Ikeja, Suit No. ID/1234/2019.

<sup>55</sup> Lagos State Ministry of Justice, ‘Land Title Disputes and Digitisation Policy Brief’ (2020).

### 3.6.2 *Adeniji v Lagos State Land Bureau*<sup>56</sup>

This case involves contradictory digital entries. Section 84 objections were reportedly raised concerning contradictory digital land registry entries generated through the Lagos Land Bureau system. The court required compliance with section 84 certification where printouts of registry records were tendered, despite their public-document character.

### 3.6.3 Historical Registry Errors: The Legacy of Paper-Based Records

While not strictly a “digital evidence case,” certain Lagos land disputes reflect the lasting problems of paper-based registries that digitisation now seeks to remedy. For instance, long-standing titling controversies on estates such as Efunroye Tinubu Estate involve inconsistent title documentation, multiple registered pages for the same parcel, and contradictory entries, some of which were only resolved after registry index reviews.<sup>57</sup>

These disputes illustrate why digitisation is essential: migrating legacy paper records into LIMS makes it possible to detect duplicate or contradictory entries, cross-check historical registers, and reconcile anomalies. In this way, the e-GIS and EDMS systems serve not only as archival tools but also as corrective mechanisms for registry error.

### 3.6.4 Prospects and Regulatory Challenges

Despite the clear institutional architecture, Lagos faces significant obstacles:

- i. **Certification bottlenecks:** As electronic records proliferate; the Lands Bureau must scale its capacity to issue the required certificates of authenticity for each digital instrument in compliance with Section 84 of the Evidence Act. If certification lags, litigants may struggle to tender digital documents in court.
- ii. **Public trust and fraud prevention:** Though electronic Certificates of Occupancy (C of O) in Lagos now incorporate security features like barcodes and other anti-forgery measures,<sup>58</sup> fraudulent actors may still attempt to forge or clone digital documents. Maintaining integrity requires constant vigilance, cybersecurity protocols, and internal audit.

<sup>56</sup> (Unreported) High Court of Lagos State, Suit No LD/8799LM/2019, 12 July 2019.

<sup>57</sup> A Adewunmi, ‘Historical Title Conflicts in Lagos’ (2020) 8 Lagos Property Law Journal 112.

<sup>58</sup> Lagos State Ministry of Lands, ‘Anti-Forgery Measures on Electronic Certificates of Occupancy’ (Policy Circular No 4, 2021).

- iii. **Jurisdictional and data-governance ambiguities:** With records stored electronically, potentially on cloud infrastructure, questions arise regarding data ownership, location, and legal jurisdiction. Who controls the server? Which laws govern access to electronic titles stored in Lagos's digital systems?

These issues are not purely hypothetical. They speak directly to the admissibility and reliability of electronic land title documents when litigated in court.

#### **4 Comparative Perspectives on Electronic Land Title Evidence**

The comparative analysis adopted herein proceeds primarily on a functional equivalence basis, while remaining attentive to transplantation limits imposed by Nigeria's federal evidentiary structure, and ultimately deploying comparative insights as institutional design heuristics for reform of digital land governance.

Comparing Lagos's framework with more mature digital land-administration systems provides a useful doctrinal lens for evaluating admissibility, reliability, and governance of electronic land records. Three jurisdictions—England & Wales, Singapore, and Kenya—offer helpful contrasts.

##### **4.1 England & Wales: The HM Land Registry “Digital Street” Model**

The HM Land Registry (HMLR) is one of the world's most advanced digital land registration infrastructures. Since the launch of the “Digital Street” programme in 2017, HMLR has undertaken a transformation from paper to fully digital, verifiable registers.<sup>59</sup> The Land Registration Act 2002 already provides that the register itself—not the physical title document—is the definitive record of ownership.<sup>60</sup>

Digitisation was therefore a natural progression: electronic title files, metadata, and digital conveyancing protocols are all admissible without stringent certification requirements. Courts simply accept land-registry extracts as official public records.<sup>61</sup> Admissibility seldom turns on technical computer-source evidence, because the *register itself* is the authoritative source, not a “computer-generated document” tendered by a party.

This is a major distinction from Nigeria, where Section 84's technical authentication rules continue to apply even to government-issued electronic records. Lagos, by contrast, maintains a

---

<sup>59</sup> HM Land Registry, *Digital Street Programme Report* (2020).

<sup>60</sup> Land Registration Act 2002 (UK), ss 58–60.

<sup>61</sup> HM Land Registry, ‘Practice Guide 80: Electronic Signatures’ (2021).

hybrid system in which electronic documents are treated as potentially unreliable unless duly certified. The English model suggests that Nigeria could reduce litigation complexity by distinguishing public electronic land records from ordinary computer-generated evidence.

#### 4.2 Singapore: Statutory Validation of Electronic Records

Singapore's Land Titles Act and Electronic Transactions Act create a seamless evidentiary regime for electronic instruments. Section 11 of the Electronic Transactions Act provides that electronic records are not to be denied admissibility solely because they are electronic.<sup>62</sup> Furthermore, the Singapore Land Authority maintains a fully digital cadastral and title register, and certified electronic extracts are presumptively admissible without the equivalent of Nigeria's Section 84(4) certificate.

Singapore also introduces a technological safeguard: a National Public Key Infrastructure (NPKI) system.<sup>63</sup> Every official digital land document is encrypted, version-controlled, and digitally signed. This makes forgery or alteration detectable, ensuring high evidentiary integrity without imposing burdensome procedural requirements on litigants.

#### 4.3 Kenya: The Ardhisasa Digital Land Platform

Kenya's recent transition to "Ardhisasa," a nationwide digital cadastre, offers a more comparable Global South example. The Kenyan Courts have treated digital Cadastral Verification Certificates and digitally signed title searches as valid evidence, provided they emanate from the official registry.<sup>64</sup> Unlike Nigeria's Section 84 requirements, courts in Kenya rely heavily on presumptions of regularity and the official nature of the registry, reducing procedural barriers.

The Ardhisasa platform incorporates audit logs, user activity trails, and algorithmically assigned parcel identifiers—features Lagos has begun adopting with e-GIS and EDMS. The Kenyan approach shows how digital registry systems can transform evidentiary practice, making it easier to tender reliable electronic land records in court without strict technical certification regimes.<sup>65</sup>

---

<sup>62</sup> Singapore Land Titles Act (Cap 157).

<sup>63</sup> Singapore Electronic Transactions Act 2010 (as amended), ss 11–15.

<sup>64</sup> Kenya Ministry of Lands, *Ardhisasa Technical Manual* (2021).

<sup>65</sup> Kenya, Land Registration (Electronic Transactions) Regulations 2020, regs 9–13.

The analysis is not premised on the uncritical assumption that foreign models are readily transplantable. Instead, it incorporates a secondary inquiry into transplantation limits. Nigeria operates within a federal constitutional structure in which evidence law falls within federal legislative competence, while land registration remains primarily a state matter. This duality creates structural constraints absent in more centralised jurisdictions.

Accordingly, the comparative discussion evaluates the compatibility of foreign solutions with Nigeria's constitutional allocation of powers, judicial capacity, technological infrastructure, and administrative culture. For instance, while the UK model integrates digital registration with a strong statutory presumption of conclusiveness, Nigeria's framework subjects electronically generated documents to the certification requirements of section 84, potentially complicating direct transplantation. Similarly, Singapore's technologically centralised public key infrastructure may not be replicable without significant institutional investment.

The transplantation inquiry therefore functions as a structural filter. It distinguishes between reforms that are normatively desirable and those that are institutionally feasible within Nigeria's federal and administrative architecture.

## **5 Key Doctrinal and Practical Challenges in Lagos**

While Lagos has taken substantial steps toward digitising its land registry, several doctrinal and operational challenges remain.

### **5.1 Continued Rigidity of Section 84 Evidence Requirements**

Nigeria's Section 84 is technologically outdated. It was drafted for a world of personal computers and static digital files, not cloud-based registries, enterprise-level EDMS, or blockchain-secured instruments. In Lagos's context, where the registry itself maintains digital originals, the insistence on third-party certification is conceptually misplaced. The claim that section 84 of the Evidence Act 2011 is technologically outdated is not merely that technology has evolved; it is that the statutory structure of section 84 reflects assumptions about computing environments that are increasingly misaligned with contemporary institutional architectures such as cloud-hosted registries, enterprise-level document management systems, distributed databases, and blockchain-secured instruments. The claim that section 84 is technologically outdated can be demonstrated on four doctrinal grounds:

1. It adopts a device-centric model inconsistent with distributed digital systems.
2. It presupposes human-controlled, static computing environments rather than cloud-based infrastructure.
3. It relies on individual certification despite institutional diffusion of technical responsibility.
4. It lacks conceptual accommodation for dynamic databases and cryptographic verification mechanisms.

The obsolescence is not merely technological but epistemological: the statute embodies an early digital-era understanding of computing that no longer corresponds to contemporary institutional realities.

Courts continue to require technical certificates even for instruments generated from official government platforms. This can create bottlenecks, unnecessary litigation, and opportunities for administrative delay. Judicial decisions interpreting section 84 have often required strict compliance with certification requirements, even where authenticity is not genuinely disputed. This strictness reflects the rigidity of the statutory structure. Courts are constrained by language that does not provide flexibility for modern institutional systems. The doctrinal difficulty is therefore structural rather than interpretive.

## **5.2 Hybrid Registry Architecture**

Lagos still operates a dual system: legacy paper registers (dating back to the colonial period), and digital records in LIMS, EDMS, and e-GIS.

Migrating legacy records introduces risks of scanning errors, incorrect metadata, misclassification, and incomplete linkage of historical registry pages. When inconsistencies arise, parties often challenge the validity of electronic extracts, requiring expert testimony or technical reports to reconcile the digital and analogue files.

## **5.3 Cybersecurity and Data Integrity Concerns**

Electronic records require protection against hacking, ransomware, unauthorised alteration, and internal misuse. Without statutory digital-signature protocols or cryptographic verifiability, Lagos exposes itself to the evidentiary challenge that an electronic land file might be altered

between the time it is created and the time it is certified for litigation. In analogue systems, physical custody functioned as a proxy for authenticity. In digital systems, however, authenticity depends upon cybersecurity architecture. Where statutory digital-signature protocols or cryptographic verification mechanisms are absent, the legal system confronts a serious evidentiary question: how can a court be assured that an electronic land record tendered in litigation is identical to the record as originally created?

This cybersecurity risk connects directly to four foundational evidentiary doctrines of authenticity, best evidence and integrity of the record, presumptions relating to public documents, and burden and standard of proof. This risks procedural over-formalisation and evidentiary fragmentation. Instead of relying on institutional presumptions, courts may devolve into forensic inquiries about server configuration, administrative privileges, and database access protocols. Thus, cybersecurity gaps increase litigation complexity and destabilise evidentiary certainty.

#### **5.4 Administrative Capacity and Transparency**

Digitisation expands access but also introduces new responsibilities: timely certification of CTCs; maintenance of audit logs; training registry staff; safeguarding internal access rights; ensuring consistency between scanned and physical files.

The Adamakin dispute illustrates how administrative restrictions, access blockages, or bureaucratic opacity can disrupt property transactions and complicate litigation.

#### **6.1 Recommendations for Reforms**

A modern evidentiary and land-administration framework in Lagos requires integrated statutory, institutional, and technological reforms.

##### **Amendment of Section 84 to Distinguish Public Electronic Records**

Nigeria should amend the Evidence Act to insert a new provision exempting public digital land records from Section 84(4) certification. An equivalent to England's "register as the definitive source" doctrine would significantly simplify litigation.

**Statutory Recognition of Digital Signatures for Land Instruments**

Lagos should implement a mandatory digital-signature infrastructure, following the Singaporean NPKI model. Every C of O, consent letter, charting record, or CTC generated electronically should carry a cryptographically verifiable signature and tamper-proof metadata.

**Blockchain-Anchored Registry Backups**

Blockchain anchoring—already piloted in other jurisdictions—can provide immutable timestamps and version histories for registered land instruments. Even if the primary registry is compromised, blockchain-anchored hashes would allow courts to verify the authenticity and chronology of digital documents.

**Independent Digital Land Registry Oversight Board**

Establishing a technocratic oversight institution would help monitor: compliance with cybersecurity standards; internal audit logs; data-integrity measures; public-facing transparency protocols. Such an institution could issue annual reports and be empowered to conduct forensic verification of contested digital land records in litigation.

**Full Digitisation and Harmonisation of Legacy Records**

Lagos must adopt a structured, accelerated plan to fully digitise legacy title documents, survey plans, and registry volumes. Each migrated record should include: high-resolution scans; text-searchable OCR layers; metadata integrity reports; cross-links to historical indices; and audit-trail documentation.

Courts would then have confidence that digital records accurately reflect their physical counterparts.

**6.2 Conclusion**

The admissibility of electronic land title documents in Nigeria—particularly in Lagos—stands at the intersection of technology, law, and administration. Section 84 of the Evidence Act, though central, was designed for an earlier technological era and sits uneasily alongside Lagos's modernising e-GIS and EDMS infrastructures. While courts have attempted to adapt, the

doctrinal tension between formal evidentiary requirements and the realities of a digital land registry persists.

Lagos's significant reforms—its Land Registration Law 2015, e-GIS platform, and EDMS architecture—demonstrate a serious commitment to digital governance. However, real-world disputes, notably *Adamakin Investment v Lagos State Government*, reveal gaps in administrative capacity, access, and evidentiary clarity. To realise the full promise of digital land administration, Lagos and Nigeria must modernise their evidentiary and technological frameworks, drawing on comparative insights from England, Singapore, and Kenya.

A reformed system—one grounded in authentication automation, digital signatures, statutory presumptions of authenticity, and transparent registry governance—would enhance the evidentiary reliability of electronic land documents, reduce litigation complexity, and promote public trust. Such a transformation is not simply a technical upgrade but a legal necessity for a 21st-century land-administration regime.