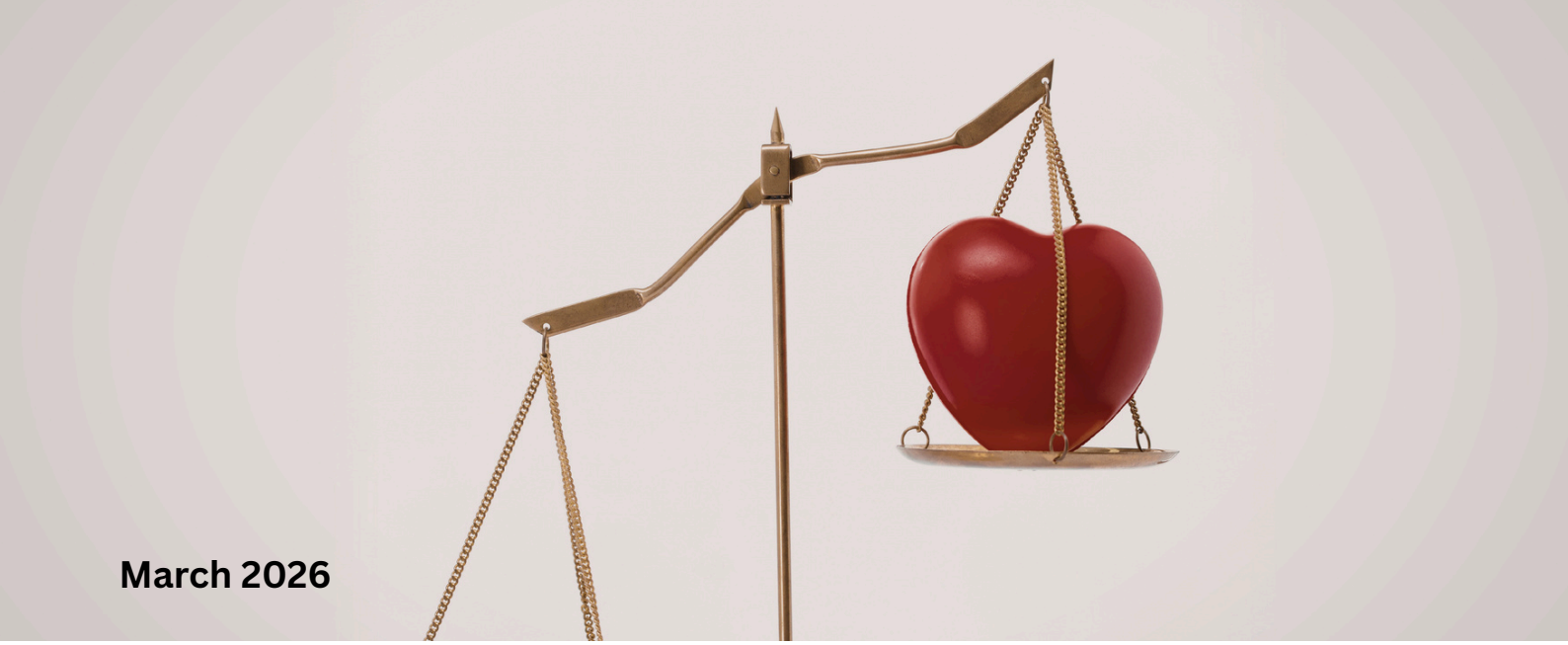


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LOVE, LIABILITY AND THE LAW: LEGAL RISKS IN CONTEMPORARY MATCHMAKING SERVICES

Authors



Oladiran Falore
Senior Partner, SyntegralLP



Promise Udochukwu
Associate Counsel

Contact:
info@syntegrallp.com

INTRODUCTION

Digital platforms have become a central feature in the pursuit of love and companionship, bringing with them a range of legal and ethical challenges characteristic of the data-driven age. Love has always been personal; liability, however, is institutional.

In contemporary Nigeria, as in many parts of the world, the search for companionship increasingly unfolds not in family living rooms or faith-based gatherings, but through digital platforms and online matchmaking services. What was once mediated by kinship networks, religious institutions, and trusted community elders has gradually evolved into a system that is algorithm-driven, subscription-based, and frequently cross-jurisdictional. This transformation is not merely sociological; it carries significant legal implications.

Modern matchmaking now operates at the intersection of intimacy, commerce, technology, and regulation. Contemporary platforms do far more than introduce individuals. With the use of Artificial Intelligence and other forms of technology, they collect identity data, process sensitive personal information and function within a complex regulatory environment. The online dating industry is also increasingly associated with cybercrime risks, including romance scams, identity theft, and financial fraud. These incidents frequently result in significant financial losses and widespread consumer complaints. The commodification of relationships through digital platforms and commercial matchmaking services introduces additional legal complexities concerning accountability, regulatory oversight, and institutional responsibility.

This article examines the legal framework governing contemporary matchmaking services in Nigeria, identifies key areas of liability, and proposes structured compliance mechanisms aimed at mitigating institutional risk.

THE LEGAL ARCHITECTURE OF MATCHMAKING IN NIGERIA

Matchmaking services in Nigeria are not governed by a single comprehensive statute. Instead, their legal obligations arise from the interaction of multiple legislative and regulatory frameworks addressing issues such as legal capacity, public morality, privacy protection, cybercrime prevention, and consumer protection. Consequently, contemporary matchmaking platforms and intermediaries operate within a layered compliance environment shaped by both technological realities and Nigeria's plural legal system.

At the most fundamental level, matchmaking activities intersect with the legal framework governing marriage and personal relationships. The Marriage Act establishes the statutory conditions for valid marriages in Nigeria. Under Section 18 of the Marriage Act, a person under the age of twenty-one cannot marry without the consent of a parent or guardian. Although matchmaking services do not officiate marriages, platforms facilitating romantic introductions must prevent minors from accessing adult matchmaking services. Failing to implement effective age-verification measures can expose operators to regulatory scrutiny and potential liability

Public morality considerations also shape the legal environment within which matchmaking services operate. The Same-Sex Marriage (Prohibition) Act 2013 criminalises the registration, operation, and promotion of same-sex unions in Nigeria. In particular, Section 4(1) prohibits the registration of organisations that support same-sex marriage, while Section 4(2) imposes penalties on individuals who operate or participate in such organisations. Matchmaking platforms operating within Nigeria must therefore ensure that their platform architecture, filters, promotional materials, and facilitation practices do not contravene these statutory prohibitions. Liability may extend beyond the corporate entity to directors and managerial officers where facilitation amounts to promotion.

Nigeria's plural legal system further introduces additional considerations in jurisdictions where Shariah law applies, particularly in several Northern states. In these jurisdictions, matters relating to marriage, family relations, and personal conduct may be governed by Sharia principles. It emphasises transparency in marital status, the consent of parties, and the involvement of a guardian (wali) in the marriage process. Matchmaking services operating in or accessible from these jurisdictions must therefore remain attentive to the legal and cultural expectations surrounding marital eligibility and disclosure.

Facilitating introductions involving individuals who are already married, or failing to ensure transparency regarding marital status, may raise concerns within these legal frameworks. In some cases, such conduct could give rise to allegations of deception, marital interference, or facilitation of relationships inconsistent with established moral norms. Although liability under Sharia-based penal provisions typically attaches to individuals rather than intermediaries, platforms that design systems enabling undisclosed or inappropriate relationships may encounter regulatory or reputational scrutiny within those jurisdictions.

Data governance represents another critical dimension of the legal architecture. The Nigeria Data Protection Act (NDPA)2023 regulates the collection, processing, storage, and transfer of personal data. Under Section 24 of the NDPA 2023, personal data must be processed lawfully, fairly, and transparently for a specific and legitimate purpose. Matchmaking platforms routinely process highly sensitive personal information including photographs, religious affiliation, geolocation data, relationship preferences, and behavioural interactions. As a result, they qualify as data controllers or data processors within the meaning of the NDPA 2023.

The legislation also establishes important rights for individuals whose data is processed by digital platforms. Under Section 34, data subjects have the right to request access to their personal data, while Section 35 provides the right to rectification of inaccurate information. Section 36 further establishes the right to erasure of personal data in certain circumstances, and Section 37 recognises the right of individuals to object to the processing of their personal data. These rights assume particular significance in the context of matchmaking platforms where algorithmic profiling may influence how users are matched or presented to potential partners.

Many services rely on algorithmic systems that analyse user profiles, behavioural interactions, location data, and communication patterns to generate compatibility recommendations. These systems typically involve automated profiling, a process through which personal data is evaluated in order to predict relational compatibility or behavioural tendencies. While such technologies enhance efficiency and personalisation, they also introduce important legal considerations under modern data protection frameworks.

Data subjects also possess the right to object to certain forms of processing, particularly where profiling influences decisions that significantly affect them. Although matchmaking recommendations may appear informal, algorithmic filtering can shape which individuals users encounter, how profiles are prioritised, and the opportunities available for social interaction.

Responsible platforms should also provide meaningful explanations regarding how compatibility systems operate. While disclosure of proprietary algorithms may not be required, transparency sufficient to enable informed participation by users is increasingly regarded as a core principle of responsible data governance.

The Cybercrimes (Prohibition, Prevention, etc.) Act 2015 further shapes the regulatory landscape for digital matchmaking platforms. Under Section 22, identity theft and impersonation conducted through electronic systems constitute criminal offences, while Section 32 criminalises computer-related fraud and related financial deception. Romance scams frequently exploit dating and matchmaking platforms as entry points for fraudulent schemes. Although criminal liability primarily attaches to perpetrators, platforms may face scrutiny where systemic vulnerabilities or negligent oversight enable repeated fraudulent activity.

Consumer protection law also plays a significant role in regulating the conduct of matchmaking services. The Federal Competition and Consumer Protection Act 2018 (FCCPA) prohibits misleading representations and unfair commercial practices. Under Section 124, businesses are prohibited from engaging in false, misleading, or deceptive representations in connection with the marketing of goods or services. Representations that a matchmaking platform provides verified profiles, background-checked users, or guaranteed compatibility may therefore create enforceable consumer expectations. Where such claims are not supported by meaningful safeguards, operators may face regulatory enforcement actions or civil claims.

Taken together, these overlapping legal regimes illustrate that matchmaking services operate within a complex regulatory environment shaped by technology, morality, consumer protection, and data governance concerns. While the law does not yet provide a unified regulatory framework specifically tailored to matchmaking platforms, existing legal instruments collectively impose significant obligations on service providers. Compliance therefore requires careful institutional design, transparent data practices, and proactive risk-management strategies.

THE NEED FOR GOVERNANCE?

While existing legal instruments impose obligations on service providers, none were specifically drafted to address the unique challenges of matchmaking services. Whether operating as algorithm-driven digital platforms or boutique firms, matchmaking intermediaries manage highly sensitive personal information, influence intimate relationships, and assume responsibilities that extend beyond simple introductions. This raises a critical question: should matchmaking services be governed by a dedicated regulatory framework, or can their operations be adequately supervised under the existing legal architecture?

Advocates for a dedicated governance regime argue that matchmaking services occupy a uniquely sensitive space where personal, social, and commercial interests converge. Platforms process intimate personal data, verify marital status, and facilitate interactions that may have profound emotional and social consequences. Inadequate safeguards can cause harm that is difficult to remediate. From this perspective, a tailored governance framework could set clear standards for operational accountability, transparency, and user protection across the industry.

Conversely, it can be argued that matchmaking services can be effectively regulated within the existing legal framework. Laws governing marriage, child protection, data privacy, cybercrime, and consumer protection already impose obligations directly relevant to matchmaking activities. Compliance with these statutes may be sufficient to mitigate risks without creating an entirely new regulatory regime. The challenge lies less in the absence of law and more in the integration and consistent application of these overlapping requirements across different types of matchmaking services.

Regardless of the approach, certain safeguards are essential for all matchmaking services. Platforms should implement robust identity verification, conduct appropriate background checks, and ensure transparency in the collection and use of personal information. Algorithmic matchmaking tools, where employed, should be subject to internal accountability measures, including audits, documentation of decision-making criteria, and user disclosures. Operationally, structured reporting mechanisms, fraud detection systems, and user education programs further reduce the risk of harm.

Ultimately, whether through a dedicated regulatory framework or careful application of existing laws, matchmaking services must embed legal compliance and risk management into their operational design. Such measures ensure that operators can responsibly facilitate personal relationships while protecting user rights, mitigating liability, and maintaining public trust, even in a regulatory landscape that is fragmented and evolving.

CONCLUSION

The movement of matchmaking from community spaces to commercial and digital platforms has outpaced the emergence of a unified regulatory framework. Operators in Nigeria must therefore navigate a complex legal environment shaped by statutory mandates, religious norms, data protection standards, and the emerging challenges posed by algorithmic systems.

The central legal question is not whether emotional disappointment will occur, but whether service providers can demonstrate due diligence, regulatory awareness, and institutional responsibility when legal harm arises, whether through misrepresentation, fraud, data breaches, or algorithmic profiling.

In contemporary matchmaking, a broken heart remains a private matter of personal consequence, whereas a facilitated fraud, statutory violation, or compromised database becomes a matter of law. Platforms and services must therefore preserve their role as facilitators rather than participants in unlawful conduct. Embedding transparency, accountability, and structured governance ultimately determines whether digital intimacy remains a social service or evolves into a legal contest.

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