

CITIZENSHIP

1. Birth-Right Citizenship for Certain Persons of African Descent Born in Nigeria

Bill No: SB 351

A BILL FOR AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO PROVIDE FOR BIRTHRIGHT CITIZENSHIP FOR PERSONS OF AFRICAN DESCENT BORN IN NIGERIA AND EITHER OF WHOSE PARENTS OR GRANDPARENTS WERE BORN IN NIGERIA, TO PROVIDE FOR CITIZENSHIP BY REGISTRATION FOR FOREIGN SPOUSES OF NIGERIAN WOMEN; AND FOR RELATED MATTERS.

Sections	Provision of the Constitution	Provision of the Bill (Senate)	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		Clause 1 Alteration of the Constitution The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.	
25	CHAPTER III Citizenship Citizenship by birth (1) The following persons are citizens of Nigeria by birth, namely (a) every person born in Nigeria before the date of independence, either of whose parents or any of whose grandparents belongs or belonged to a community indigenous to Nigeria: Provided that a person shall not become a citizen of Nigeria by virtue of this section if neither of his parents nor any of his grandparents was born in Nigeria.	Clause 2 Alteration of Section 25 Section 25 is altered by substituting the existing Section 25, for a new Section “25” – “25 – Citizenship by Birth (1) The following persons are citizens of Nigeria by birth namely – (a) every person born in Nigeria either of whose parents or any of whose grandparents is a citizen of Nigeria; (b) every person born in Nigeria either of whose parents or any of whose grandparents is Nigerian:	

	<p>(b) every person born in Nigeria after the date of independence either of whose parents or any of whose grandparents is a citizen of Nigeria; and</p> <p>(c) every person born outside Nigeria either of whose parents is a citizen of Nigeria.</p> <p>(2) In this section, “the date of independence” means the 1st day of October 1960.</p>	<p>Provided that a person shall not become a citizen of Nigeria by virtue of this paragraph if neither of his parents nor any of his grandparents was born in Nigeria; and</p>	
26	<p>Citizenship by registration</p> <p>(1).....</p> <p>(2) The provisions of this section shall apply to- (a) any woman who is or has been married to a citizen of Nigeria; or</p>	<p>Clause 3 Alteration of Section 26</p> <p>Section 26 (2) of the Principal Act is altered by substituting for the existing “(a)”, a new subparagraph “(a)” -</p> <p>“(a) any non-Nigerian woman who is married to a Nigerian man or any non-Nigerian man who is married to a Nigerian woman provided such foreign spouse have continuously live in Nigeria for five years.”</p>	
		<p>Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria 1999, (Sixth Alteration), Bill 2025.</p>	
		<p>Explanatory Memorandum</p> <p>This Bill seeks to alter Section 25 of the Constitution of the Federal Republic of Nigeria, 1999 to provide for birth-right citizenship of African descent born in Nigeria either of whose parents or grandparents were born in Nigeria and to provide for citizenship by registration for foreign spouses of Nigerian women.</p>	