

A BILL

FOR

AN ACT TO AMEND THE IMMIGRATION ACT 2015 TO MAKE FURTHER PROVISIONS TO RESTRICT AND REGULATE THE ISSUANCE OF WORK PERMIT TO FOREIGN NATIONALS AND FOR RELATED MATTER

Sponsored By Hon. Femi Gbajabamila

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 1. The Immigration Act (herein referred to as 'the Principal Act' is
2 amended as set out hereunder.

3 2. Sub-section 2 of Section 36 of the Principal Act is amended in
4 line 3 by inserting immediately after the word "Officer" the phrase "and
5 must undertake in a manner prescribed by the Comptroller-General of
6 Immigration to comply with the provisions of section 38 of this Act".

7 3. Section 38 of the Principal Act is amended by deleting the
8 existing sub-sections (4) (5) and (6) and creating new sub-sections (4), (5),
9 (6) and (7) to read respectively as follows:

10 4. Section 38 (4). Notwithstanding any other provision in this
11 section, this Act or in any other enactment, no foreign national shall be
12 granted a work permit in Nigeria unless the employer(s) has shown to the
13 Comptroller-General of Immigration that he has sought applications from
14 qualified Nigerians in that same position for which the foreign national/
15 expatriate is being employed and no Nigerian possesses the requisite
16 knowledge or is willing to work in that area of specialization or interest.

17 5. Section 38 (5) Any person of foreign national, who immediately
18 before the coming into force of this Act is working in Nigeria may have his
19 work permit revoked by the Comptroller-General of Immigration and
20 deportation order issued against such person; and any person to whom this

1 section applies, who is employed in Nigeria shall on ceasing for any reason to
2 be so employed be deemed to be a prohibited Immigrant as from the date of the
3 expiration of his permit and the person who employed him shall be liable to pay
4 all costs and incidental expenses for the repatriation of the prohibited
5 Immigrant and of his dependents:

6 PROVIDED that any person named as a Director of a company is exempted
7 from the provisions of this section.

8 6. Section 38 (6). Any person or officer who either by himself or in
9 collusion with any other person does any act or engage in any activity to breach
10 the provisions this section shall on conviction be liable to a fine not exceeding
11 N2,000,000 or 5 (Five) years imprisonment or both such fine and
12 imprisonment as the Court may deem fit.

13 7. Sections 38 (7). For the purpose of this section, any person being a
14 company or association shall be deemed to be in Nigeria if carrying out work
15 therein.

Citation

16 8. This Bill may be cited as the Immigration Act (Amendment) Bill.
17 2016.

EXPLANATORY NOTES

This Bill seeks to amend the Immigration Act to make further provisions restrict and regulate the issuance of work permit foreign nationals and expatriates thereby creating employment for Nigerian youths.