

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO DEFINE WHO IS AN INDIGENE OF THE STATE AND FOR RELATED MATTERS

Sponsored by Senator Ovie Omo - Agege

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

- 1 **1.** The Constitution of the Federal Republic of Nigeria, 1999 (in
- 2 this Act referred to as "the Principal Act") is altered as set out under this Act.
- 3 **2.** Section 31 of the Principal Act is altered by-
- 4 (a) Inserting new subsections "(2)" "(3)" and "(4)"-
- 5 "(2) For the purposes of this Chapter and giving effect to sections
- 6 65, 106, 147, 171 and 192, a citizen of Nigeria is an indigene of a State if-
- 7 (a) he was born in that State; or
- 8 (b) he has lived in the State for a continuous period of not less than
- 9 ten years; or
- 10 (c) can show evidence of residency in a given Local Government
- 11 Area for a continuous period of not less than ten years; or
- 12 (d) has evidence of tax returns issued in the State for a period of not
- 13 less than ten years; and
- 14 (e) has not been convicted for a criminal offence.
- 15 (3) A person mentioned in subsection (2) of this section shall be
- 16 entitled to apply to the Local Government Chairman for a certificate of
- 17 indigeneship of the State.
- 18 (4) A woman who is married to an indigene of a State for a period of
- 19 not less than five years shall automatically be an indigene of that State.

Alteration of the Constitution of the Federal Republic of Nigeria, 1999

Alteration of section 31

1 (a) In the case of divorce or the death of her spouse, she remains an
2 indigene if-

3 (i) The marriage was for a period of not less than five years, and

4 (ii) There are children born in the marriage.

5 (b) re-numbering the existing section 3] appropriately

Alteration of
section 318

6 **3.** Section 318 of the Principal Act is altered by inserting after the
7 interpretation for House of Assembly, the interpretation of 'Indigene'-

8 "Indigene" means a citizen of Nigeria who is indigenously born to a State, who
9 has been granted indigeneship of the State after an application to the Local
10 Government Chairman, or a woman who is for a period of not less than five
11 years; married, divorced or widowed with children to an indigene of the State"

Citation

12 **4.** This Bill may be cited as the Constitution of the Federal Republic of
13 Nigeria, 1999 (Alteration) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to provides for indigeneship by application and the interpretation of the word "indigene."