



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

**CONSTITUTION OF THE FEDERAL REPUBLIC OF
NIGERIA, 1999
(FIFTH ALTERATION) BILL, NO. 38, 2022**

A BILL
FOR
AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC
OF NIGERIA, 1999 TO PROVIDE CRITERIA FOR QUALIFICATION TO
BECOME AN INDIGENE OF A STATE IN NIGERIA; AND FOR RELATED
MATTERS.

FIRST READING

TUESDAY, 15TH OCTOBER, 2019

SECOND READING

TUESDAY, 15TH OCTOBER, 2019

THIRD READING AND PASSAGE

TUESDAY, 1ST MARCH, 2022

CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999
(FIFTH ALTERATION) BILL, NO. 38, 2022



Arrangement of Clauses

Clause

1. Alteration of Constitution.
2. Alteration of Section 31.
3. Alteration of Section 318.
4. Citation.

A BILL
FOR

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{ } Commencement.

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

1. 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. Alteration of
Constitution.
2. Section 31 of the Principal Act is altered by inserting new subsections "(2) – (5)" – Alteration of
Section 31.
 - "(2) A citizen of Nigeria is an indigene of a State if he –
 - (a) was born in that State;
 - (b) has lived in that State for a continuous period for at least ten years;
 - (c) can show evidence of residency in a Local Government Area of that State for a continuous period for at least ten years; or
 - (d) has evidence of tax payment returns issued in that State for at least ten years.
 - (3) A person under subsection (2) of this section is entitled to apply to the Local Government Chairman for a certificate of indigeneship of a State.
 - (4) A woman who is married to an indigene of a State different from her State of origin for at least five years becomes an indigene of that State and is entitled to all rights and privileges of an indigene of that State in cases of employment, appointment or election into any political or public office.
 - (5) In the case of divorce or death of a spouse, a woman remains an indigene if –
 - (a) there were children born of the marriage or not; or
 - (b) she elects to remain an indigene of that State".
3. Section 318 (1) is altered by substituting the interpretation of "belong to" with - Alteration of
Section 318

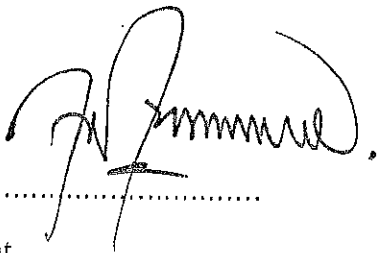
"belong to" or its grammatical expression when used with reference to a person in a State refers to a person either of whose parents or any one of whose grandparents was a member of a community indigenous to that State or the wife or husband of such a person and such husband or wife shall continue to belong to that State upon dissolution of marriage or death of spouse;

4. This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Fifth Alteration) Citation. Bill, No. 38, 2022.

EXPLANATORY MEMORANDUM

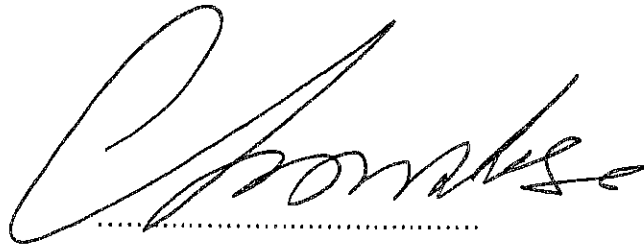
This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to provide criteria for qualification to become an indigene of a state in Nigeria.

THIS BILL WAS ALTERED BY THE SENATE ON TUESDAY, 1ST MARCH, 2022



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President,

Senate of the Federal Republic of Nigeria



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Clerk,

Senate of the Federal Republic of Nigeria