

CHAPTER III

Citizenship

23.-(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;

(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

(c) every person born outside Nigeria either of whose parents is a citizen of Nigeria.

(2) In this section, "the date of independence" means the 1st day of October 1960.

24.(1) Subject to the provisions of section 26 of this Constitution, a person to whom the provisions of this section apply may be registered as a citizen of Nigeria, if the President is satisfied that -

(a) he is a person of good character;

(b) he has shown a clear intention of his desire to be domiciled in Nigeria; and

(c) he has taken the Oath of Allegiance prescribed in the Sixth Schedule to this Constitution.

(2) The provisions of this section shall apply to-

(a) any woman who is or has been married to a citizen of Nigeria; or

(b) every person of full age and capacity born outside Nigeria any of whose grandparents is a citizen of Nigeria.

25.-(1) Subject to the provisions of section 26 of this Constitution, any person who is qualified in accordance with the provisions of this section may apply to the President for the grant of a certificate of naturalisation.

(2) No person shall be qualified to apply for the grant of a certificate of naturalisation, unless he satisfies the President that -

(a) he is a person of full age and capacity;

(b) he is a person of good character;

(c) he has shown a clear intention of his desire to be domiciled in Nigeria;

(d) he is, in the opinion of the Governor of the State where he is or he proposes to be resident, acceptable to the local community in which he is to live permanently, and has been assimilated into the way of life of Nigerians in that part of the Federation;

(e) he is a person who has made or is capable of making useful contribution to the advancement, progress and well-being of Nigeria;

(f) he has taken the Oath of Allegiance prescribed in the Sixth Schedule to this Constitution; and

(g) he has, immediately preceding the date of his application, either-

(i) resided in Nigeria for a continuous period of 15 years, or

(ii) resided in Nigeria continuously for a period of 12 months, and during the period of 20 years immediately preceding that period of 12 months has resided in Nigeria for periods amounting in the aggregate to not less than 15 years.

26.-(1) Subject to the other provisions of this section, a person shall forfeit forthwith his Nigerian citizenship if he acquires or retains the citizenship or nationality of a country other than Nigeria.

(2) Any registration of a person as a citizen of Nigeria or the grant of a certificate of naturalisation to a person who is a citizen of a country other than Nigeria at the time of such registration or grant shall be conditional upon effective renunciation of the citizenship or nationality of that other country within a period of not more than 12 months from the date of such registration or grant.

(3) A citizen of Nigeria by birth shall not forfeit his Nigerian citizenship if, within 12 months of the coming into force of the provisions of this Chapter or of his attaining the age of 21 years (whichever is the later) he renounces the citizenship or nationality of any other country which he may possess.

27.-(1) The President may deprive a person, other than a person who is a citizen of Nigeria by birth or by registration, of his citizenship, if he is satisfied that such a person has within a period of 7 years after becoming naturalised been sentenced to imprisonment for a term of not less than 3 years.

(2) The President shall deprive a person, other than a person who is a citizen of Nigeria by birth, of his citizenship, if he is satisfied from the records of proceedings of a court of law or other tribunal, or after due inquiry in accordance with regulations made by him, that-

(a) the person has shown himself by act or speech to be disloyal towards the Federal Republic of Nigeria; or

(b) the person has, during any war in which Nigeria was engaged, unlawfully traded with the enemy or been engaged in or associated with any business that was in the opinion of the President carried on in such a manner as to assist the enemy of Nigeria in that war, or unlawfully communicated with such enemy to the detriment of or with intent to cause damage to the interest of Nigeria.

28. For the purposes of this Chapter, a parent or grandparent of a person shall be deemed to be a citizen of Nigeria if at the time of the birth of that person such parent or grandparent would have possessed that status by birth if he had been alive on the date of independence; and in this section, "the date of independence" has the meaning assigned to it in section

23 (2) of this Constitution.

29.-(1) The President may make regulations, not inconsistent with this Chapter, prescribing all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Chapter, and for granting special immigrant status with full residential rights to non-Nigerian spouses of citizens of Nigeria who do not wish to acquire Nigerian citizenship.

(2) Any regulations made by the President pursuant to the provisions of this section shall be laid before the National Assembly.