

[SB. 05]

A BILL

FOR

AN ACT TO PROHIBIT MARRIAGE BETWEEN PERSONS OF SAME GENDER,
SOLEMNIZATION OF SAME AND FOR OTHER MATTERS RELATED THEREWITH

Sponsors:

SENATOR DOMINGO OBENDE	SENATOR OLUREMI TINUBU
SENATOR EHIGIE EDOBOR UZAMERE	SENATOR OLUGBENGA ASHAFI
SENATOR ADEGBENGA SEFIU KAKA	SENATOR OBADARA OLUGBENGA
SENATOR BORROFICE ROBERT A.	SENATOR JOSHUA DARIYE
SENATOR PIUS EWHERIDO	SENATOR SALEH MOHAMMED SANI
SENATOR YUSUF MUSA NAGOGO	SENATOR HOPE UZODINMA
SENATOR MOHAMMED MAGORO	SENATOR AYOGU EZE
SENATOR EMMANUEL PAULKER	SENATOR SMART ADEYEMI
SENATOR GEORGE SEKIBO	SENATOR AHMAD LAWAN
SENATOR EYINNAYA ABARIBE	SENATOR IGWE PAULINUS NWAGU
SENATOR NENADI E. USMAN	SENATOR MOHAMMED D. GOJE
SENATOR HELEN ESUENE	SENATOR BARNABAS GEMADE
SENATOR BABAFEMI OJUDU	SENATOR BOLUWAJI KUNLERE

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Commence-
ment.

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

- 1 1.—(1) Marriage Contract entered between persons of same Gender is
2 hereby prohibited in Nigeria.
- 3 (2) Marriages Contract entered between persons of same gender are invalid
4 and shall not be recognized as entitled to the benefits of a valid marriage.
- 5 (3) Marriage Contract entered between persons of same gender by virtue
6 a certificate issued by a foreign country shall be void in Nigeria, and any
7 benefits accruing there from by virtue of the certificate shall not be enforced by
8 any court of law in Nigeria.
- 9 2.—(1) Marriage entered between persons of same Gender shall not be
10 solemnized in any place of worship either Church or Mosque in Nigeria.
- 11 (2) No marriage certificate issued to parties of same sex marriage in
12 Nigeria.
- 13 3. Only marriage contracted between a man and a woman either under
14 Islamic Law, Customary Law and Marriage Act is recognized as valid in Nigeria.

Prohibition of
marriage by
persons of
same gender.Solemnization
of same sex
marriage in
places of
worship.Recognized
Marriage in
Nigeria.

Offences and penalties.	1	4.—(1) Persons that entered into a same gender marriage contract commit
	2	an offence and are jointly liable on conviction to a term of 3 years imprisonment
	3	each.
	4	(2) Any persons or group of persons that witnesses, abet and aids the
	5	solemnization of a same gender marriage contract commits an offence and
	6	liable on conviction to—
	7	(a) if an individual to a term of 5 years imprisonment or a group of
	8	persons to a fine of ₦2,000 or both,
	9	(b) if a group of persons to a fine of ₦50,000 only.
Jurisdiction.	10	5. The High Court of a State shall have jurisdiction to entertain matter
	11	arising from the breach of the provisions of this Bill.
Interpretation.	12	6. In this Bill, unless the context otherwise requires—
	13	“Marriage” here relates to a legal union entered between persons of opposite
	14	sex in accordance with the Marriage Act, Islamic and Customary Laws.
	15	“High Court” to include High Court of the Federal Capital Territory,
	16	Abuja.
	17	“Same Gender Marriage” means the coming together of persons of the
	18	same sex with the purpose of leaving together as husband and wife or for
	19	other purposes of same sexual relationship.
Citation.	20	7. This Bill may be cited as Same Gender Marriage (Prohibition) Bill,
	21	2011.

EXPLANATORY NOTE

This Bill seeks to prohibit marriage between persons of same gender, and witnessing same, and provided appropriate solemnization of the marriage penalties thereof.