



THE SENATE

FEDERAL REPUBLIC OF NIGERIA

**SAME SEX MARRIAGE (PROHIBITION) BILL, 2011.**

(SB.05)

A BILL  
FOR

AN ACT TO PROHIBIT MARRIAGE OR CIVIL UNION ENTERED INTO BETWEEN  
PERSONS OF SAME SEX, SOLEMNIZATION OF SAME AND FOR OTHER  
MATTERS RELATED THEREWITH

FIRST READING

WEDNESDAY, 13<sup>TH</sup> JULY, 2011

SECOND READING

TUESDAY, 27<sup>TH</sup> SEPTEMBER, 2011

THIRD READING AND PASSAGE

TUESDAY, 29<sup>TH</sup> NOVEMBER, 2011

# **SAME SEX MARRIAGE (PROHIBITION) BILL, 2011.**



## *ARRANGEMENT OF CLAUSES*

### Clause

1. Prohibition of Marriage or Civil Union by Persons of Same Sex.
2. Solemnization of Same Sex Marriage in Places of Worship.
3. Recognized Marriage in Nigeria.
4. Registration of Homosexual Clubs and Societies.
5. Offences and Penalties.
6. Jurisdiction.
7. Interpretation.
8. Citation

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

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|    |   | Commencement.  |
| 1. | <p>(1) Marriage Contract or civil union entered into between persons of same sex is hereby prohibited in Nigeria.</p> <p>(2) A marriage Contract or civil union entered into between persons of same sex is invalid and illegal and shall not be recognised as entitled to the benefits of a valid marriage.</p> <p>(3) A Marriage Contract or civil union entered into between persons of same sex by virtue a certificate issued by a foreign country shall be void in Nigeria, and any benefits accruing there from by virtue of the certificate shall not be enforced by any court of law in Nigeria.</p>   | Prohibition of Marriage or Civil Union by Persons of Same Sex. |
| 2. | <p>(1) Marriage or civil union entered into between persons of same sex shall not be solemnized in any place of worship either Church or Mosque or any other place or whatsoever called in Nigeria.</p> <p>(2) No certificate issued to persons of same sex in a marriage or civil union shall be valid in Nigeria.</p>   | Solemnization of Same Sex Marriage in Places of Worship.       |
| 3. | <p>Only marriages contracted between a man and a woman shall be recognized as valid in Nigeria.</p>   | Recognized Marriage in Nigeria.                                |
| 4. | <p>(1) The Registration of gay clubs, societies and organisations, their sustenance, processions and meetings are hereby prohibited.</p> <p>(2) The public show of same sex amorous relationship directly or indirectly is hereby prohibited.</p>   | Registration of Homosexual Clubs and Societies.                |
| 5. | <p>(1) Persons who entered into a same sex marriage contract or civil union commit an offence and are each liable on conviction to a term of 14 years imprisonment.</p> <p>(2) Any person who registers, operates or participates in gay clubs, societies and organisation, or directly or indirectly make public show of same sex amorous relationship in Nigeria commit an offence and shall each be liable on conviction to a term of 10 years imprisonment.</p> <p>(3) Any person or group of persons that witness, abet and aids the solemnization of a same sex marriage or civil union, or supports the registration, operation and sustenance of gay clubs, societies, organisations, processions or meetings in Nigeria commits an offence and shall be liable on conviction to a term of 10 years imprisonment.</p> | Offences and Penalties.  |
| 6. | <p>The High Court of a State or of the Federal Capital Territory shall have jurisdiction to entertain matters arising from the breach of the provisions of this Bill.</p>   | Jurisdiction.  |

7. In the Bill –

Interpretation.

“Court” means High Court of a State or of the Federal Capital Territory.

“Civil Union” means any arrangement between persons of the same sex to live together as sex partners, and shall include such descriptions as adult independent relationships, caring partnerships, civil partnerships, civil solidarity pacts, domestic partnerships, reciprocal beneficiary relationships, registered partnerships, significant relationships, stable unions, etc.

“Marriage” means a legal union entered into between persons of opposite sex in accordance with the Marriage Act, Islamic Law or Customary Law.

“Same Sex Marriage” means the coming together of persons of the same sex with the purpose of living together as husband and wife or for other purposes of same sexual relationship.

“Witness” means those who sign as witnesses to the solemnisation of the marriage.

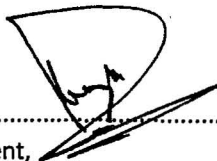
8. This Bill may be cited as Same Sex Marriage (Prohibition) Bill, 2011.

Citation.

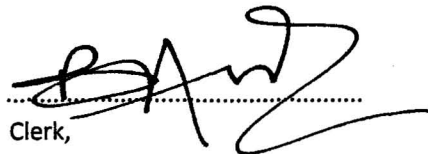
#### Explanatory Memorandum

This Bill seeks to prohibit marriage or civil union entered into between persons of same sex, and to provide penalties for the solemnisation and witnessing of same thereof.

THIS BILL WAS PASSED BY THE SENATE ON TUESDAY, 29<sup>TH</sup> NOVEMBER, 2011



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President,  
Senate of the Federal Republic of Nigeria



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Clerk,  
Senate of the Federal Republic of Nigeria