

# **Immigration (Control of Aliens) Regulations**

Under section 51 of the Immigration Act

L.N. 94 of 1963

*1<sup>st</sup> day of August 1963*

Commencement August 1 1963

1. These Regulations may be cited as the Immigration (Control of Aliens) Regulations.
2. In these regulations all the words used shall have same meaning as is attached to them and be construed in the same manner as in the Act; and in particular-  
  
"the Act" means the Immigration Act;  
  
resident" when used in relation to an alien means a person entering and remaining in Nigeria for fifty-six days or more.
3. The Director of Immigration shall, with the approval of the Minister, appoint an officer, to be the Chief Immigration Officer and the officer so appointed shall have such powers and shall execute such duties as are provided by the Act and by these Regulations for the purposes of the control of aliens resident in Nigeria.
4. (1) For each State of the Federation and for the Federal Capital Territory, Abuja, there shall be a Senior Immigration Officer appointed by the Director of Immigration with the consent of the Minister.  
  
(2) The Senior Immigration Officer responsible for the Control of Aliens shall for the purposes of enforcing these Regulations be subject to the direction and control of the Director of Immigration.  
  
(3) The Director of Immigration shall appoint such additional officers to be Alien Officers as may be necessary to give effect to these Regulations.
5. The Chief Immigration Officer shall maintain a registry in which there shall be registered in respect of every alien resident in Nigeria, particulars set out in the First Schedule to these Regulations and such other particulars as may be required for the purposes of identification and registration.
6. The Senior Immigration Officer or Aliens Officer for a State or the Federal Capital Territory, Abuja, shall-
  - (a) maintain a registry in which there shall be registered in respect of every alien resident in such State or the Federal Capital Territory, Abuja, particulars set out in the First Schedule and such other matters as may be required for the purposes of identification and registration;

- (b) furnish to the Director of Immigration, at such time and in such manner as may be directed, copies of all entries in the State or the Federal Capital Territory, Abuja, Registry of Aliens and such other information as may be required for the identification, registration and control of aliens;
  - (c) furnish to the Director of Immigration in respect of any offence committed by any alien against the Act, or against any other Act or Regulation, particulars of the date and place of offence, the offence charged, the court in which the case was dealt with and the result;
  - (d) furnish to the Director of Immigration the information supplied to him under the provisions of regulation 9(a);
  - (e) issue official receipts for, and pay to the Treasury all moneys received in respect of the registration of aliens.
7. (1) An Immigration Officer permitting an alien to land in, or otherwise to enter, and to remain in Nigeria for any period exceeding twenty-eight days shall-
- (a) invite the attention of such alien to the notice prescribed in the Second Schedule to these Regulations;
  - (b) transmit forthwith to the Director of Immigration particulars of such alien in the form prescribed by the Third Schedule to these Regulations.
- (2) An Immigration Officer to whom an alien reports his departure from Nigeria shall forthwith transmit to the Director of Immigration particulars of such alien in the form prescribed by the Third Schedule to these Regulations.
8. Every alien resident in Nigeria who has attained the age of sixteen years and is not exempt from the provisions of these Regulations shall-
- (a) within twenty-one days of his arrival in Nigeria report to the Senior Immigration Officer or Aliens Officer of the State or the Federal Capital Territory, Abuja in which he resides and submit his passport and residence permit to him for examination;
  - (b) supply to the Senior Immigration Officer or Aliens Officer three passport photographs of recent date and good likeness;
  - (c) enter in his own handwriting on two copies of the form prescribed in the First Schedule to these Regulations his personal particulars and such further information as the Senior Immigration Officer or Aliens Officer may require for the purposes of registration; if he is illiterate, he shall provide such information as is necessary to enable a responsible person to complete the forms;

- (d) pay to the Senior Immigration Officer or Aliens Officer such sum of money as may be prescribed and receive from him a certificate of registration in the form prescribed in the Fourth Schedule to these Regulations, and an official receipt for the money paid.
- 9.** Every alien who has been registered in accordance with the provisions of regulation 8 of these Regulations shall-
- (a) within seven days of any circumstance occurring which affects the accuracy of any information previously notified to a Senior Immigration Officer or the Aliens Officer furnish to the Senior Immigration Officer or the Aliens Officer in the State or the Federal Capital Territory, Abuja, in which he resides the full particulars of such circumstance;
  - (b) if he intends to change his residence to another place within the State or Federal Capital Territory, Abuja in which he resides give at least seven days' notice of his intention to the Aliens Officer of the State or Federal Capital Territory, Abuja, before the change;
  - (c) if he intends to change his place of residence from one state or Federal Capital Territory, Abuja, to another, give at least seven days' notice to the Senior Immigration Officer or the Aliens Officer in the State or Federal Capital Territory, Abuja, in which he resides before such change;
  - (d) within seven days of changing his place of residence, report to the Senior Immigration Officer or the Aliens Officer of the new State or Federal Capital Territory, Abuja in which he resides and submit to him for examination his passport, residence permit and certificate of registration and full particulars of his residential and postal addresses;
  - (e) before leaving his place of residence for any period which exceeds seven days, give notice to the Senior Immigration Officer or the Aliens Officer of the State or Federal Capital Territory, Abuja, in which he resides of his intended destination.
- 10.** A Senior Immigration Officer or the Aliens Officer, receiving from an alien information as to change of or residence, shall forthwith-
- (a) notify the Chief Immigration Officer of such change of status or residence;
  - (b) if an alien changes his place of residence to another State or Federal Capital Territory, Abuja, forward all documents relative to the registration of such alien to the Senior Immigration Officer or the Aliens Officer of the State to which the alien has changed his residence.

- 11.** The Director of Immigration may, by notice in writing addressed to any alien, require him to-
- (a) report to a Senior Immigration Officer or the Aliens Officer or to any Police Officer at a time and place stated and to provide such Officer with any information regarding his movements and such other information as such Officer may require and which is in the power of the alien to provide;
  - (b) report to the Senior Immigration Officer or the Aliens Officer of the State or Federal Capital Territory, Abuja, in which he resides, his intention to absent himself from his place of residence for any period exceeding twenty-four hours or such other period as may be specified in the notice;
  - (c) obtain from the Senior Immigration Officer or the Aliens Officer of the State or Federal Capital Territory, Abuja, in which he resides, a permit to travel in respect of any journey which he intends to undertake exceeding a distance of thirty miles from the place in which he is resident;
  - (d) report his arrival to the Senior Immigration Officer or the Aliens Officer of any State or Federal Capital Territory, Abuja, to which he travels and in which he remains for any period exceeding twelve hours or such longer period as may be specified in the notice;
  - (e) report to the Senior Immigration Officer or the Aliens Officer of the State or Federal Capital Territory, Abuja in which he resides his intended departure from Nigeria for any period, his intended destination and the date of his intended return to Nigeria.
- 12.** The householder of any premises in which an alien, who is required to comply with any or all of the provisions of regulation 8 or 9 of these Regulations, resides, shall take all reasonable measures to ensure that such alien complies with the regulations and, should such alien fail to do so, shall within the periods prescribed in the regulation notify the Senior Immigration Officer or the Aliens Officer, or any Superior Police Officer in the State in which he is resident, or in the Federal Capital Territory, Abuja of such alien's failure to comply, or intention not to comply with, the regulations.
- 13.** The owner or manager of any boarding-house, hotel, lodging-house or rest-house or any premises where lodging or sleeping accommodation is provided for payment, shall maintain a register in the form prescribed in the Fifth Schedule to these Regulations and shall require every person accommodated or boarded in such premises to enter his full name, address and occupation therein and, in addition, shall, subject to the proviso in regulation 14 require every alien accommodated or boarded in such premises to enter therein, such further particulars as are provided for in the said Schedule.

14. Every person accommodated or boarded at such premises as are described in regulation 13 shall enter in the register provided, particulars as prescribed in the said regulation, provided that, if such person is illiterate, or is unable to enter such particulars in a language in common use in Nigeria, he shall provide such information as may be necessary to enable the owner or manager or other responsible person to enter such particulars in the register.
15. Every register required to be maintained under the provisions of Regulation 13 shall at all times be available for inspection by a Senior Immigration Officer or an Aliens Officer or by any Police Officer acting in the execution of his duty.
16. The Chief Immigration Officer may, by notice in writing addressed to the owner or manager of any boarding-house, hotel, lodging-house or rest-house or any premises where lodging or sleeping accommodation is provided for payment, require such owner or manager to-
  - (a) provide to the Senior Immigration Officer or the Aliens Officer in the State or Federal Capital Territory, Abuja, in which such premises are situate, a daily list showing particulars as prescribed in the Fifth Schedule to these Regulations of every alien who was accommodated at such premises during the previous twenty-four hours;
  - (b) provide to the Senior Immigration Officer or the Aliens Officer in the State or Federal Capital Territory, Abuja, in which such premises are situate, at such times and at such intervals as may be specified, a list of any or all aliens accommodated at such premises during any period specified in the notice.
17. It shall be an offence punishable upon first conviction by a fine not exceeding fifty naira or a term of imprisonment not exceeding three months in lieu thereof or, upon a subsequent conviction, a fine not exceeding one hundred naira or a term of imprisonment not exceeding six months or both such fine and imprisonment-
  - (a) for an alien to fail to comply with any of the provisions of regulations 8 or 9, or to fail to comply with a notice issued under the provisions of regulation 11 of these Regulations;
  - (b) for any person, required by the regulations so to do, to fail to comply with any of the relevant provisions of regulations 12, 13, 14 or 15, or to fail to comply with a notice issue under the provisions of Regulation 16 of these Regulations;
  - (c) for any person to aid or abet any other person committing any offence against any of these Regulations or knowingly to harbour any person who has committed any offence against these Regulations.
18. An alien shall, upon demand by a Senior Immigration Officer or an Aliens Officer, Immigration Officer or any Police Officer, produce his certificate of

registration and provide such information as to his name, address and occupation as may be requested by such officer or if he is exempt from the requirements of the Act or these Regulations, shall satisfy such Officer that he is so exempt.

- 19.** A Senior Immigration Officer, Aliens Officer, Customs Officer, or any Police Officer may arrest without a warrant, any alien found committing an offence, or whom he reasonably suspects of having committed an offence, against these Regulations.
- 20.** A Senior Immigration Officer, Aliens Officer, or any Police Officer, authorised by a Senior Immigration Officer, Aliens Officer or by any Superior Police Officer, may, without a warrant, enter and search any premises in which he reasonably believes that an offence against these Regulations is being committed or is about to be committed.
- 21.** An offence against these Regulations shall, for the purposes of prosecution, be deemed to have been committed at the place where the offence took place, or where the offender was apprehended.
- 22.** The Minister may, by order, declare any alien, or any class of aliens, to be exempt from these requirement to comply with any or all of these Regulations.
- 23.** These Regulations shall not, with the exception of Regulation 18 apply to-
  - (a) a young person who has not attained the age of sixteen years;
  - (b) a person who is entitled to diplomatic immunity and has been duly accredited to the Government of the Federation of Nigeria;
  - (c) a visiting Head of State, his family and his suite;
  - (d) a seaman, unless he leaves his ship and remains ashore for a period exceeding twenty-eight days;
  - (e) an alien who enters Nigeria and holds a visitor's permit during the validity of such permit unless he remains in Nigeria for more than fifty-six days.