

# A BILL

## FOR

AN ACT TO AMEND SECTIONS 23, 124, AND 149 OF THE POLICE ACT, 1943 AND THE POLICE REGULATIONS, 1968 RESPECTIVELY TO PREVENT ITS CONTINUED INFRACTION OF SECTION 42 OF THE CONSTITUTION OF NIGERIA, 1999 (AS AMENDED) BY ITS REQUIREMENT FOR FEMALE POLICE OFFICERS TO REQUEST PRIOR PERMISSION OF THEIR COMMISSIONERS OF POLICE BEFORE UNDERTAKING MARRIAGE, AND FOR RELATED PURPOSES

*Sponsored by Hon. Bassey Eko-Ewa*

to amend  
the  
Police Act  
1943  
and  
the  
Police  
Regulations  
1968

Commencement

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

1           1. The Police Act, 1943 and the Nigeria Police Regulations, 1968  
2           respectively, Chapter P.19, Laws of the Federation of Nigeria, 2004 (in this  
3           Bill referred to as "the Principal Act" and "Principal Regulation"  
4           respectively) are amended as set forth in this Bill.

Amendment of  
the Principal Act

5           2. Section 23 of the Principal Act is amended by inserting a new  
6           phrase (in italics) immediately after the end of this Section, which ends with  
7           the phrase: "... laid in his name", after the insertion, the new section reads as  
8           follows:

Amendment of  
Section 23

9           "Section 23  
10           23. Conduct of prosecutions:  
11           Subject to the provisions of sections 174 and 211 of the Constitution of the  
12           Federal Republic of Nigeria 1999 (which relate to the power of the Attorney-  
13           General of the Federation and of a State to institute and undertake, take over  
14           and continue or discontinue criminal proceedings against any person before  
15           any court of law in Nigeria), any police officer may conduct in person all  
16           prosecutions before any court, whether or not the information or complaint  
17           is laid in his name. *Any police officer engaged in the prosecution of cases*

Amendment of  
Section 124 of  
the Principal  
Regulation

1 *shall not be transferred from his duty post during the pendency of such cases”*  
2           **3.** Section 124 of the Principal Regulation is amended by deleting the  
3 phrase: “... requesting permission to marry and giving the name, address, and  
4 occupation of the person she intends to marry. Permission will be granted for  
5 the marriage if the intended husband is of good character and the woman police  
6 officer has served in the Force for a period of not less than three years.”

7 After the deletion, and the insertion the new Section reads as follows:

8           “Section 124

9           124. All Police Officers whether men or women to apply for  
10 permission to travel for marriage ceremony A police officer, whether male or  
11 female, who is desirous of marrying must first apply in writing to the  
12 commissioner of police for the State Police command in which she is serving  
13 for permission to travel for her marriage ceremony stating the dates and venue  
14 of the marriage ceremony”.

Amendment of  
Section 149 of  
the Principal  
Regulation

15           **4.** Sections 149 of the Principal Regulation is amended by insertion  
16 of a new sub-section (d) as follows:

17           “Section 149 (d) There shall be no promotion of a police officer based  
18 on the sole criterion that they performed their duty as police officers attached to  
19 political office holders such as President, Vice President, Governors”.

Short title

20           **5.** This Bill may be cited as Police Act, 1943 and Police Regulations,  
21 1968 (Amendment) Bill, 2017.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend Sections 23, 124, and 149 of the Police Act, 1943 and the Police Regulations, 1968 respectively to prevent its continued infraction of section 42 of the Constitution of Nigeria, 1999 (as amended) by its requirement for female police officers to request prior permission of their Commissioners of Police before undertaking marriage, and for related purposes.