

TRAFFIC WARDEN SERVICE BILL, 2016

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A BILL

FOR

AN ACT TO REPEAL SECTIONS 59 - 69 OF THE POLICE ACT CAP 359 LAWS OF THE FEDERATION OF NIGERIA, 1990, TO RE-ENACT THE TRAFFIC WARDEN SERVICE WHICH SHALL BE RESPONSIBLE FOR THE APPOINTMENT, PROMOTION AND DISCIPLINE OF TRAFFIC WARDENS, ISSUANCE OF CERTIFICATE OF APPOINTMENT AND DISCHARGE, AND FOR RELATED MATTERS

Sponsored by Hon. Bassey Eko Ewa

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[] Commencement

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

A. INTENDMENT OF THE BILL:

THE POLICE ACT CAP 359 Laws of the Federation of Nigeria, 1990, contains provisions the establishment of Traffic Warden Service, the appointment of Traffic Wardens, period of service of a Traffic Warden, powers of a Traffic Warden, issuance of Certificate of Appointment and discharge to Traffic Wardens, ranks of Traffic Wardens, resignation and discipline of Traffic Wardens, provision of equipment for Traffic Wardens and instruction of Traffic Wardens under sections 59 - 69 of the Police Act.

B. REPEAL OF SECTIONS 56 - 69 OF THE POLICE ACT:

All the foregoing provisions contained in section 56 - 69, are hereby repealed from the Police Act CAP. 359 LFN, 1990 and to re-enact the Traffic Warden Service.

PART I

1.-(1) There shall be established a Traffic Warden Service (hereafter in this Act referred to as "The Warden Service") which shall be a body corporate with perpetual succession and a common seal, and may sue or be sued in its corporate name.

Establishment, composition, etc of the Traffic Warden Service

1 (2) The Warden Service shall consist of Traffic Wardens appointed
 2 from time to time under this Act. The Board established pursuant to subsection
 3 (1) of this section shall have its headquarters located in the Federal Capital
 4 Territory, Abuja.

Establishment
 and composition
 of the Board

5 2.-(1) The Board shall consist of-

6 (a) the Controller-General of the Traffic Warden Service, who shall be
 7 chairman of the Board;

8 (b) 6 Deputy Controller-Generals;

9 (c) all Assistant Commandant-Generals;

10 (d) all State Controller of Traffic;

11 (2) one representative each of:

12 (i) the Ministry of Interior,

13 (ii) the Ministry of Transport,

14 (e) the National Co-ordinator of the Service, who shall be the
 15 Secretary to the Board.

16 (3) Members of the Board in sub-section 2(i) and (ii) shall be
 17 appointed into the Board by their Ministers on the recommendation of the
 18 Controller-General of the Traffic Warden Service.

19 (4) The representatives from the Ministries of Interior and Transport
 20 to the Board section 2(i) and (ii) of this Section, shall hold office for a period of
 21 four years, and shall be eligible for reappointment for one further period of four
 22 years, and no more.

23 (4) The salaries and allowances payable to members of the Board in
 24 sub-section 2(i) and (ii) shall be in accordance with such rates as may be
 25 approved by the Government of the Federation, from time to time.

Proceedings of
 the Board

26 3. The provisions of the First Schedule to this Act shall apply with
 27 respect to the proceedings of the Board and the other matters contained therein.

Removal from
 office, and
 cessation of
 membership of
 the Board

28 4. A member of the Board, other than an ex-officio member, may:

29 (a) be removed from office by the President, if he has been found,
 30 after due enquiry, to have conducted himself in a manner that renders him

1 unavailable as a member of the Board, or is mentally or physically incapable
2 of carrying out the duties and responsibilities of his office under this Act;
3 (b), resign his appointment by writing under his hand a letter of
4 resignation to the President, and his membership of the Board shall cease on
5 the date of the receipt of the letter by the President.

6 5.-(1) The Traffic Warden Service shall for the meantime be under
7 control of the Presidency, and the supervision of a Governing Board of the
8 Service which shall consist of a Chairman and other Members.

Establishment
and composition
of the Governing
Board

9 (2) The Chairman and Members of the Board shall be appointed by
10 the President and Commander-in-Chief of the Federal Republic of Nigeria
11 for a period of four years and subject to renewal for another four years and no
12 more.

13 (3) The Chairman shall be the Chief Executive Officer of the Board
14 and shall be responsible for the overall supervision, development,
15 regulation and policy formulation and implementation of Traffic Warden
16 Service matters.

17 (4) The Members of the Board of the Warden Service shall be
18 persons of reputable qualities and must have served the public for at least 20
19 years.

20 (5) There shall be appointed by the Board of the Traffic Warden
21 Service, a Secretary/National Coordinator to the Board, who shall not be a
22 Member of the Board and who shall keep the records and conduct the
23 correspondence of the Board and perform such other duties as the Chairman
24 may from time to time direct.

25 (6) The Board shall be accountable only to President.

26 6.-(1) There shall be established for the Service a Transitional
27 Management Committee which shall for the meantime be responsible for
28 the overall supervision, development, regulation, policy formulation and
29 implementation of the Nigerian Traffic Service matters.

Establishment of
Transitional
Management
Committee

30 (2) The Committee shall be chaired by the Chairman of the Civil

1 Rights Non- Governmental Organization for a period of eight years to nurture
2 the take-off of the Service, provide necessary logistics, build, develop, re-
3 organize, reform, re-structure and reposition the Service firmly on ground.

4 (3) The Committee shall have the power to acquire/covert all federal
5 government abandoned and/or unutilized buildings and structures across the
6 nation into office accommodation for the Service.

7 (4) The National Coordinator shall hold forth the office of the
8 Controller-General of the Service for eight years in Acting Capacity until the
9 President, Commander-In-Chief of the Armed Forces of the Federal Republic
10 of Nigeria appoints a substantive Controller-General for the Service.

11 PART 2 - COMMAND STRUCTURES, ORGANIZATION, OFFICERS AND
12 OTHER RANKS OF THE TRAFFIC WARDEN SERVICE

Controller-General
of Traffic. CGT

13 7.-(1) -(a) There shall be the Office of the Controller-General of
14 Traffic CGT, as the Chief Executive Officer of the Traffic Warden Service who
15 shall be appointed by the President on the on the advice of the Board of the
16 Traffic Warden Service, and who shall be a person possessing sound
17 knowledge of and ability in the organization and administration of matters
18 relating to the Traffic Control;

19 (b) the Controller-General shall:

20 (i) exercise general supervision and control over members of the
21 Service, the Zonal and State Commands of the Traffic Warden Service, and the
22 other staff of the Board;

23 (ii) direct the activities of Traffic Wardens including the course of
24 their training and education, and of the officers and servants of the Board;

25 (iii) manage the Service financial affairs; and

26 (iv) be free to deploy the human and material resources of the Council
27 in accordance with this Act in order to achieve results and ensure the attainment
28 of the objects of this Act, and in this regard, the Board shall not interfere with
29 his methods or with the manner in which he performs the foregoing duties.

30 (c) Powers of the Controller-General.

1 (i) The Controller-General of Traffic shall be vested with the power
2 to delegate function(s) to any capable Senior Staff Officer beneath, in the
3 ranks of Deputy Controller-General, Assistant Controller- General,
4 Controller of Traffic, Deputy Controller, Assistant Controller, Chief
5 Superintendent, Deputy Superintendent, Assistant Superintendent (I) and
6 Assistant Superintendent (II) to carryout such function(s) on behalf of the
7 Controller-General of Traffic, anywhere within the federation;

8 (ii) The Office of the Controller-General of Traffic shall be assisted
9 by other appointed Staff Officer/Personnel of the Service, to ensure
10 effective, efficient and smooth running of the day to day administration and
11 operation of the Service;

12 (iii) The Controller-General of Traffic is answerable to the
13 President and Commander-In-Chief of the Armed Forces, Federal Republic
14 of Nigeria.

15 B. DEPUTY CONTROLLER-GENERAL - DCG:

16 (i) There shall be the 6(six) Deputy Controller-Generals of Traffic
17 in place as Officers- in-Charge of the various Directorates or Arms of the
18 Service, as may be designed from time to time;

19 (ii) All Deputy Controller-Generals of Traffic shall be appointed by
20 the Controller- General of Traffic from time to time on the advice of the
21 Board of the Traffic Warden Service;

22 (iii) A Deputy Controller-General appointed shall exercise powers
23 as may be delegated/assigned to him/her only within the Directorate or Arm
24 of the Service, as assigned;

25 (iv) All Deputy-Controller-General(s) shall be assisted by other
26 appointed Staff Officers.

27 C. ASSISTANT CONTROLLER-GENERAL - ACG:

28 (i) There shall be the Office(s) of Assistant Controller-Generals of
29 Traffic in place to hold appointment under the Office of each Deputy
30 Controller-General and/or Directorate or Arm of the Service and, in each

1 Zonal Command as may be demarcated. The Zonal Assistant Controller-
2 General of Traffic shall be the Officer-in-charge of the Zone;

3 (ii) An Assistant Controller-General shall be appointed by the
4 Controller-General of Traffic from time to time on the advice of the Board of
5 the Traffic Warden Service;

6 (iii) An Assistant Controller-General appointed (under the Office of
7 DCG and/or at the Service National Headquarters) shall exercise powers as
8 may be assigned to him/her within the Directorate under the Office of Deputy
9 Controller-General of Traffic or any other Special assignment that he/she may
10 be called to carry out. In case of Zonal Assistant Controller-General appointed
11 (to Head the Zonal Command) shall exercise powers as may be
12 delegated/assigned to him/her only within the designated and Specified Area of
13 Jurisdiction;

14 (iv) All Assistant Controller-General(s) shall be assisted by other
15 appointed Staff Officers;

16 D. STATE CONTROLLER OF TRAFFIC - CT:

17 (i) There shall be in each State of the federation and, the Federal
18 Capital Territory, FCT, the Office of the Controller of Traffic, as the Chief
19 Executive Officer of the State/FCT Command Sector of the Traffic Warden
20 Service;

21 (ii) State Controllers shall be appointed by the Controller-General of
22 Traffic, on the advice and upon the approval of the Board of the Traffic Warden
23 Service;

24 (iii) A State Controller appointed, shall exercise powers as may be
25 assigned to him/her by the Controller-General of Traffic, only within that State
26 of appointed;

27 (iv) The State Controller shall be assisted by other appointed Staff
28 Officers and Personnel of the Traffic Warden Service, to ensure effective,
29 efficient and smooth running of the day to day administration of the Service in
30 the State of appointment;

1 (v) The State Controller is hereby vested with the power to delegate
2 function(s) to any capable Staff Officer beneath, in the ranks of Deputy
3 Controller, Assistant Controller, Chief Superintendent, Superintendent,
4 Deputy Superintendent and Assistant Superintendent of Traffic, to carryout
5 such function(s) on behalf of the State Controller of Traffic, within the State
6 of appointment;

7 (vi) A Controller of Traffic is answerable to the Controller-
8 General of Traffic;

9 E. AREA TRAFFIC OFFICER - ATO:

10 (i) There shall be the Office of Area Traffic Officers who oversees
11 the designated and specified Area of jurisdiction, referred to, as Area
12 Command;

13 (ii) An Area Traffic Officer shall be appointed by the State
14 Controller of Traffic, to carryout delegated traffic functions on behalf of the
15 State Controller of Traffic;

16 (iii) Area Traffic Officers are answerable to the Controller of
17 Traffic;

18 (iv) The Area Traffic Officers shall be assisted by Staff Officers
19 and Personnel of the Traffic Warden Service.

20 F. DIVISIONAL TRAFFIC OFFICER - DTO:

21 (i) There shall be the Office of Divisional Traffic Officer who is the
22 Administrative Head of each designated and specified area of jurisdiction
23 referred to as Division;

24 (ii) Divisional Traffic Officers shall be appointed by the State
25 Controller of Traffic, to carryout functions within the area of jurisdiction, on
26 behalf of the State Controller of Traffic;

27 (iii) Divisional Traffic Officers shall be assisted by Staff Officers
28 and Personnel of the Traffic Warden Service.

29 8.-(1) The Principal Officers of the Traffic Warden Service shall, in
30 the performance of their functions under Sub-sections A- F above, be

1 governed by the approved Terms and conditions of service for the Traffic
2 Warden Service, provided that, any exercise of such powers prior to the
3 approval and application of the conditions of service, shall be governed by the
4 Federal Civil Service Rules, 1999.

5 (2) Subject to the provision of this Act, a person may be appointed into
6 the Traffic Warden Service if he/she:

7 (a) is not less than eighteen (18) or more than twenty-five years of age;

8 (b) is in possession of a minimum Certificate of Education and/or
9 qualification of a Secondary School Certificate of Education or its equivalent;

10 (c) is not less than 167.64 centimeters and 162.56 centimeters tall
11 respectively, for men and women;

12 (d) in the case of men, has not less than 86.36 centimeters chest
13 measurement when fully expanded;

14 (e) is of good character and is physically fit; and

15 (f) has signified in writing, his/her willingness to serve as a Traffic
16 Warden.

17 (3) Every Traffic Warden shall be liable to serve in any State of the
18 federation.

19 (4) Every Traffic Warden shall upon his appointment, be trained for
20 period of Six months and/or a specified number of additional months for
21 professional training or course (for Professionals only) and thereafter issued
22 Certificate of Appointment by the Controller- General of Traffic.

23 (5) Every Traffic Warden appointed under this Act shall serve as
24 Traffic Warden for a period of thirty-five years or until he is (60) sixty Years old
25 except where duly disengaged in accordance with this Act.

Powers, Privileges
and Immunities of
Traffic Wardens

26 9. A Traffic Warden appointed under this Act, shall when on duty and
27 in uniform, have the powers, privileges and immunities of a law enforcement
28 Officer under any law relating to the regulation road of traffic, including the
29 power of arrest, detain and prosecute a traffic offender, provided that the place
30 of detention shall be warden cell rank.

- 1 10. Traffic Warden Service Personnel shall be employed and
2 deployed to perform the following statutory function(s) in the metropolitan
3 cities and urban (intra city roads):
- 4 (a) Enforcement of intra-city road traffic control, regulation and/or
5 ensure steady vehicular movement of vehicles in the metropolitan cities and
6 urban roads in the country;
- 7 (b) Control of intra-City road traffic, decongest and removal of all
8 perceived obstructions blockades and/or obstacles that mayor could likely
9 create hold up and congestion on the road;
- 10 (c) Take control of vehicle(s) reported to be or are involved in
11 accident on the road (within the cities and urban towns);
- 12 (d) Create public enlightenment programme(s) to educate road
13 users on the proper manner to use the road; on how to obey traffic rules and
14 road signs and/or promote continuous movement of vehicles on the road in
15 the metropolitan cities and urban towns.
- 16 (e) Check vehicle particulars;
- 17 (f) Take active involvement and/or participate in all intra-city road
18 traffic administration, management and control and other related matters.
- 19 (g) Formulate policies including, organized fora, symposia,
20 conferences, workshops, courses and retraining that shall assist the road
21 traffic control administration and management of the sub- sector to achieve
22 desired goal in the nation's metropolitan cities and urban towns;
- 23 (h) Assist vehicle Drivers tow and/or rescue broken down vehicles
24 out of the road corridor, to safe place(s), to avoid traffic hold-up, go- slow or
25 road obstruction, blockade and congestion;
- 26 (i) Survey and/or investigate traffic-related matters and car/vehicle
27 theft;
- 28 (j) Prosecute traffic offender(s) (in case of major/fatal accident) to
29 Court and/or charge other traffic offenders(s) (in case of minor accident) to
30 pay instant fine with official receipt issued thereupon;

Functions and
powers of the
Traffic Warden
Service

1 (k) Assist Pedestrians to cross major roads safely and/or encourage
2 Pedestrians to use the foot bridge where available;

3 (l) Liaise with Urban Planners and/or take active/effective role in the
4 building, construction, designing or redesigning and/or the development of
5 intra-city and urban roads;

6 (m) Generate income through the enforcement of daily toll fee on all
7 Commercial vehicles and Motorcycles/Tricycles plying the intra-city and
8 urban roads;

9 (n) Develop commercial car/vehicle parks) at strategic points or
10 where necessary with the aim of clearing and/or discouraging road side parking
11 habit along major roads in the metropolitan cities and urban towns;

12 (o) Relate with the Parent or Supervising Ministry and/or other arms
13 of the government for purpose of rendering or remitting the proceeds (from the
14 activities of paragraphs "m" and "n") appropriately;

15 (p) Protect lives, properties and road infrastructures round the cities
16 and urban towns from willful and/or intentional damage by Motorists and/or
17 Road users;

18 (q) Involve in vehicle fire fighting on the road; evacuate and/or
19 dispose of the remains, to appropriate environment;

20 (r) Assist other Security and Law-enforcement Agencies in
21 combating crime involving vehicles(s) on the road within the cities and urban
22 towns.

Establishment
of administrative
and operations
departments

23 11.-(1) In order to facilitate the proper discharge of its functions and
24 the exercise of the powers conferred on the Service by this Act, there shall be
25 established for the Service the following administrative and operations
26 departments, namely:

27 (a) the Department of State Coordination Services;

28 (b) the Department of Administration Services;

29 (c) the Department of Finance Services;

30 (d) the Department of Procurement and Supply;

1 (e) the Legal and Corporate Services Department;

2 (f) the Department of Training and Operations.

3 (2) The composition, duties and powers of the administrative and
4 operations department established pursuant to subsection (1) of this section
5 shall be as may be determined by the Controller-General, subject to
6 approval by the Board.

7 12.-(1) The Board shall have responsibility for drawing up
8 programmes for the appointment, recruitment and training of members of
9 the Service in order to enhance their knowledge, diligence and efficiency in
10 the performance of their functions under this Act.

Appointments,
recruitment, etc.
of officers and
other ranks of the
service

11 (2) Members of the Traffic Warden Service appointed and
12 recruited in terms of the foregoing provisions of this section of this Act, shall
13 bear such insignia as may be assigned to them by the Board, and without
14 prejudice to this subsection, the ranks and insignia thereof for members of
15 the Service for the time being shall be as specified in the Second Schedule to
16 this Act.

17 (3) The qualification for the appointment and recruitment of the
18 officers and other members of the Traffic Warden Service and the procedure
19 for their promotion to various ranks shall be in accordance with the rules
20 made by the Board for that purpose.

21 13. The Service shall provide for every serving Traffic warden
22 such accouterments as it may consider necessary for the proper discharge of
23 the functions conferred under this Act, and without prejudice to the
24 foregoing provisions of this subsection, such accouterments shall include
25 uniforms; identification cards, raincoats, high-powered motor-cycles,
26 motor cars, two-way mobile radio, telephone sets and other necessary
27 equipment and such other items in the Schedule.

Accouterments,
immunity and
protection of
members of the
Traffic Warden
Service

28 PART III - FINANCIAL PROVISIONS

29 14.-(1) There shall be established and maintained by the Board a
30 fund into which shall be paid and credited:

Establishment of
Fund and
Expenditure

1 (a) the take-off grant for the Board and the Service;

2 (b) the annual subvention received from the Government of the
3 Federation;

4 (c) such monies as may, from time to time, be lent, deposited with or
5 granted to the Board and the Service by the Government of the Federation,
6 State or Local Council, or any other department, agency, etc. of government
7 and otherwise howsoever;

8 (d) all fees and charges for services rendered by the Board and the
9 Service; and

10 (e) all other sums which may, from time, accrue to the Board and the
11 Service.

12 (2) The Board may, from time to time, apply the proceeds of the fund
13 at its disposal:

14 (a) to the cost of administration and operations of the Board and the
15 Service and other activities undertaken thereof;

16 (b) to the payment of fees, allowances and expenses of the members
17 of the Board and of any committee set up by the Board;

18 (c) to the payment of salaries, allowances and benefits of officers,
19 staff and other members of the Service;

20 (d) for the maintenance of any property vested in the Board or under
21 its administration;

22 (e) for the training of members of the Service within and outside
23 Nigeria, and other research programmes carried on by the Service; and

24 (f) for and in connection with all or any of the functions of the Traffic
25 Warden Service under this Act.

26 (3) The proceeds of the funds established pursuant to subsection (1) of
27 this section shall be disbursed by the Chairman of the Board with the approval
28 of other members of the Board.

29 15.-(1) The Board may accept gifts of land, money, donations or other
30 property and testamentary dispositions by persons, bodies corporate or non-

1 governmental organizations within or outside Nigeria, upon such terms and
2 conditions, if any, as may be specified by the person or organization making
3 the gift.

4 (2) The Board shall not accept any gift if the condition attached by
5 the person or organization making the gift are inconsistent with the
6 functions of the Board and the Service under this Act.

7 16.--(1) The Board may, with the consent of its members or in
8 accordance with the general guidelines or authority given by the
9 Government of the Federation, borrow by way of loan or overdraft from any
10 source, any moneys required by the Board and the Service to meets its
11 obligations and its functions under this Act, so however, that such consent or
12 authority shall be required where the sum or aggregate of the sums involved
13 at any time does not exceed such amount as is for the time being specified in
14 relation to the Board and the Service by the Government of the Federation.

Borrowing and
investment power
of the Board

15 (2) The Board may, subject to the provisions of this Act and
16 conditions of trust in respect of funds held or property owned, invest any
17 surplus of its funds with the same consent or general authority described in
18 subsection (1) of this section.

19 17.--(1) The Chairman of the Board shall cause to be prepared, not
20 later than six months before the end of each financial year, estimates of
21 recurrent and capital expenditure and income of the Board during the next
22 succeeding financial year, which shall be acceded to by other members of
23 the Board, and presented to the President, through the Minister.

Annual estimates,
account and audit

24 (2) The Chairman of the Board shall keep proper accounts and
25 proper records in relation thereto, and shall prepare in respect of each
26 financial year, a statement of accounts in such form as the Board may direct.

27 (3) The Board shall, as soon as may be after the end of the financial
28 year to which the accounts relate, cause the accounts to be audited by
29 qualified auditors appointed from the list of auditors in accordance with the
30 guidelines laid down by the Auditor-General of the Federation.

1 (4) The auditors shall on completion of the audit of the accounts of the
 2 Board and the Service for each financial year, prepare and submit to the Board
 3 the following two reports, that is to say:

4 (a) a general report setting out the observations and recommendations
 5 of the auditors on the financial affairs of the Board and the Service generally for
 6 that year, and on any important matters which the auditors may consider
 7 necessary to bring to the notice of the Board; and

8 (b) a detailed report containing the observations and
 9 recommendations of the auditors on all aspects of the operations of the Board
 10 for that year.

Annual report

11 18. The Board shall prepare and submit to the President and the
 12 National Assembly, not later than the end of June of each financial year, a report
 13 on the activities of the Board and the Service during the immediately preceding
 14 financial year, and shall include in such report a copy of the audited accounts of
 15 the Board and the Service for that year, and the auditors report thereon.

16 PART V - DISCIPLINE OF OFFICERS AND OTHER RANKS OF THE SERVICE

Establishment of the Traffic Warden Service Disciplinary Committee

17 19.-(1) Without prejudice to the powers of the Board to set up
 18 committees for the conduct of its affairs under this Act, there shall be
 19 established a committee to be known as the Traffic Warden Service
 20 Disciplinary Committee (in this Act referred to as "the Disciplinary
 21 Committee") which shall be charged with the duty of the maintenance of
 22 discipline among members of the Service, and considering and determining
 23 any report of gross indiscipline by any member of the Service referred to it by
 24 the Panel established pursuant to section 21 of this Act and any other matter for
 25 which the Disciplinary Committee has authority under this Act.

26 (2) The Disciplinary Committee shall consist of a Chairman and four
 27 other members of the Council.

28 (3) The Disciplinary Committee shall have a Secretary and such other
 29 number of staff as the Chairman of the Board may determine.

30 (4) The Chairman of the Disciplinary Committee shall have power to

1 summon a meeting of the Committee, at any time to consider and determine
2 any report of indiscipline by any member of Service.

3 (5) The Disciplinary Committee may make standing rules for its
4 proceedings not contained in this Act.

5 20.-(1) There shall be a body to be known as the Traffic Warden
6 Service Investigating Panel (in this Act, referred to as "the Panel") which
7 shall be charged with the duty of:

Establishment
of the Traffic
Warden Service
Investigating Panel

8 (a) conducting a preliminary investigation into any matter brought
9 before it where it is alleged that a member of the Service has misbehaved or
10 breached any of the Codes of conduct in his capacity as an officer or other
11 rank of the Service;

12 (b) deciding whether the matter should be referred to the
13 Disciplinary Committee; and

14 (c) present a report containing its recommendations to the
15 Disciplinary Committee in respect of any matter brought before it.

16 (2) The Panel shall be appointed by the Board, and shall consist of
17 three members of the Board and two other persons who are members of the
18 Service, but who are not members of the Board at the time of their
19 appointment.

20 (3) The Panel may make rules, not contained in this Act, as to its
21 procedure for carrying on an investigation into any matter brought before it.

22 21.-(1) The Board shall have responsibility for setting out the
23 Codes of Conduct for members of the Service which may not be published in
24 the Federal Government Gazette, but the Board shall cause them to be
25 brought to the notice of all the members of the Service in such a manner as it
26 may, from time to time, determine.

Codes of Conduct
for members of
the service

27 (2) Notwithstanding the foregoing provisions of this section, the
28 Codes of Conduct set out by the Board shall take cognizance of matters
29 relating to the conduct and comportment of members of the Service in public
30 places, their dealings with members of the society and attitude to the

Offences and
punishment

1 performance of their duties.

2 **22.-(1)** Where a member of the Service breaches, contravenes or
3 violates any of the Codes of Conduct of the Service or any other law in force in
4 the Federation, the Disciplinary Committee shall have power to recommend:

5 (a) the imposition of a fine of an amount on that member of the
6 Service;

7 (b) suspension of the member of the Service from duty without pay
8 for a specified period;

9 (c) demotion in rank of the member of the Service, or deferment of
10 promotion for a specified period;

11 (d) dismissal from the Service; or

12 (e) any combination of the foregoing punishments.

13 (2) In the case of the contravention or violation of any law in force in
14 the Federation by a Traffic Warden, the Disciplinary Committee shall, in
15 addition to issuing a recommendation for his dismissal, recommend that the
16 offender be handed over to the appropriate authority for prosecution.

17 (3) Every recommendation of the Disciplinary Committee under this
18 section of this act shall not have force unless approved by the Board.

19 **PART IV - MISCELLANEOUS AND SUPPLEMENTARY**

Directives by
the Minister, etc.

20 **23.** The Minister may give to the Board such directives of a general
21 nature or relating generally to matters of policy with regard to the exercise by
22 the Board of its functions under this Act; and it shall be the duty of the Board to
23 comply with the directives or cause them to be complied with.

Secrecy

24 **24.-(1)** A member of the Board or the Controller-General or any other
25 officer or other ranks or employee of the Service shall:

26 (a) not, for his personal gain, make use of any information which has
27 come to his knowledge in the exercise of his powers or is obtained by him in the
28 ordinary course of his duty as a member of the Board or as Controller-General,
29 officer, other rank or employee for the Service;

30 (b) treat as confidential any information which has come to his

1 knowledge in the exercise of his powers or is obtained by him in the
2 performance of his duties under this Act;

3 (c) not disclose any information referred to under paragraph (b) of
4 this subsection, except when required to do so by a Court or in such other
5 circumstances as may be prescribed by the Board, from time to time.

6 (2) Any person who contravenes the provisions of subsection (1) of
7 this section commits an offence and is liable to a fine of fifty thousand Naira
8 or imprisonment for a term not exceeding one year or to both such fine and
9 imprisonment.

10 25. The Board shall provide and maintain a library at the
11 headquarters and State Command Offices of the Service comprising such
12 books and publications as may be provided, for the advancement of the
13 knowledge and skills of members of the Service, for research purposes, and
14 for other purposes connected with the objects and functions of the Service.

Provision of
library facilities

15 26. On the commencement of this Act:

16 (a) all property held immediately before that day by or on behalf of
17 the former Police Council shall, by virtue of this subsection and without
18 further assurance, vest in the Board established under this Act and held by it
19 for the purposes of the Board and the Service; and

Transfer to the
Board of certain
property, etc.

20 (b) the Police Council shall cease control administratively and
21 otherwise of the Service.

22 27.-(1) The Board may, with the approval of the Minister, make
23 such rules and regulations as in its opinion are necessary or expedient for
24 giving full effect to the provisions of this Act and for the due execution of its
25 provisions.

Rules and
regulations

26 (2) Without prejudice to the provisions of subsection (1) of this
27 section, the Board shall have powers to make regulations generally for
28 carrying out the objects of this Act and, in particular, shall make regulations
29 relating to:

30 (a) the rank, pay and allowances of members of the Service;

1 (b) the hours of duty, schedule of work and leave of members of the
2 Service;

3 (c) the procedure and terms of appointment and recruitment of
4 members of the Service;

5 (d) subject to the provisions of this Act, the qualification for
6 appointment of members of the Service or any ranks, and the procedure for
7 promotion to any such rank;

8 (e) the maintenance of discipline among members of the Service; and

9 (f) any other matter for which the Board has powers or which is
10 incidental or supplementary to the foregoing provisions of this subsection.

11 PART V

Retirement/
Resignation
provisions

12 28.-(1) A Traffic Warden appointed under this Act shall be retired
13 upon attaining thirty-five Years in Public Service or reaching sixty years of age,
14 whichever comes first.

15 (2) Subject to the provisions in subsection (1) above, a Traffic Warden
16 may resign his or her appointment by a notice in writing addressed to the
17 Controller-General of the Traffic Warden Service indicating his intention to
18 resign his appointment on a date mentioned in the notice (not being less than
19 twenty-eight days after than the date on which the notice is given).

20 (3) On receipt of the notice and upon the Chief Executive Officer
21 consenting in writing to same, the appointment of the Traffic Warden shall
22 determine accordingly.

23 (4) Every Traffic Warden disengaged under this Act, shall be issued
24 Certificate of Discharged,

Remuneration
and allowances

25 29.-(1) Every Traffic Warden employed under this Act shall be
26 entitled to his/her monthly basic salary as may be determined by the authority
27 from time to time, including the following:

28 (a) Hazard allowance;

29 (b) Medical allowance;

30 (c) Accommodation allowance;

- 1 (d) Transport allowance;
- 2 (e) Torch light allowance;
- 3 (f) Meal subsidy allowance;
- 4 (g) Kits (uniform) allowance;
- 5 (h) Insurance scheme;
- 6 (i) Housing scheme;
- 7 (j) Leave allowance;
- 8 (k) Every Traffic Warden is also entitled to benefit from the
- 9 National Health Insurance Scheme, NHIS.

10 PART VI

11 30.-(1) There shall be established for the Service Traffic Warden
12 Training Colleges in each geo-political zone of the federation, designated,
13 College of Road Traffic Control for the purpose of training of eligible
14 persons employed as Traffic Wardens under this Act.

Establishment of
Training Colleges

15 (2) The Traffic Warden Training College shall be manned by
16 Training Instructors whose educational qualification shall not be less than a
17 First Degree or its equivalent and other Service Personnel that may be
18 drafted, deployed or posted to the college.

19 (3) The Officer in-Charge of the Training Colleges shall be
20 designated as the Commandant, College of Road Traffic Control.

21 (4) There shall also be other Professional Schools established for
22 the purpose of training and retraining of Traffic Warden Personnel to
23 enhance their professional backgrounds.

24 (5) Traffic Wardens shall be trained in fire fighting, to sequel fire
25 outbreak in burning vehicles on the road and evacuation.

26 (6) Traffic Wardens shall be trained in the use of light arms to assist
27 other Security Agencies in combating and preventing crime involving
28 vehicles(s) and on the road.

29 PART VII - MISCELLANEOUS PROVISIONS

30 31.-(1) Every Traffic Warden appointed under this Act, shall be

Service number
of Traffic
Wardens

1 issued Service Number with the letters "TWS" and the Service number. All
2 Traffic Wardens employed in the federation, shall have their names and
3 numbers appear on the register kept for that purpose by, the Board of the
4 Warden Service.

5 (2) Every Traffic Warden to whom a Service number has been
6 allocated under sub- section (1) of this section shall while on duty, wear such
7 Service number (for Rank/File only) and/or name tag on the Chest top pockets
8 of his/her uniform.

9 (3) The Board shall from time to time liaise with the Federal
10 Government to ensure the provisions of the following logistics for the Traffic
11 Warden Service to enhance their performance:

- 12 (a) Vehicles, Trucks, Cars and Buses for official uses;
- 13 (b) Compressor equipment;
- 14 (c) Septic Tankers fixed with pumping machines and hoes;
- 15 (d) Industrial Pumping Machine;
- 16 (e) Motorcycles (Speed Bike), Helmets and Riding kits;
- 17 (f) Communication Equipment/gadgets;
- 18 (g) Medical Equipment;
- 19 (h) Light and heavy towing vehicles and heavy Fork lift plants;
- 20 (i) Crane mounted vehicles to displace heavy broken down vehicles;
- 21 (j) Reflective equipment kits, Jackets, Batons and other logistics for
22 traffic control/directing/dispensing;
- 23 (k) Uniform kits, Iron buttons customized with "TWS", Leg Anklets
24 and Boots, Beret and Belt, Rain Boot, Rain Coat and a round Jungle hat;
- 25 (l) Other necessary logistics gadgets as may be required from time to
26 time.

27 (4) Any person who, before the coming into force of this Act is
28 holding an Office in the Traffic Warden Service shall on the commencement of
29 this Act be deemed to have been appointed by the Board under this Act.

1 32. This Bill may be cited as the Traffic Warden Service Bill, 2016.

Citation

2 SCHEDULES

3 FIRST SCHEDULE

4 *(Section 3)*

5 *Proceedings of the Board*

6 1. The Board shall have powers to regulate its proceedings at any
7 meeting and may make standing orders for that purpose, and subject to such
8 standing orders and paragraph (2) of this Schedule, may function
9 notwithstanding any vacancy in its membership or the absence of any
10 member.

11 2. The quorum at a meeting of the Board shall consist of the
12 chairman or, in an appropriate case, the person presiding pursuant to
13 paragraph 4 (2) of this Schedule, and five other members.

14 3. At any time while the office of the chairman is vacant or the
15 chairman is, in the opinion of the Board, temporarily unable to perform the
16 functions of his office, a member of the Board duly appointed shall perform
17 those functions and references in this Schedule to the chairman shall be
18 construed accordingly.

19 4.-(1) Subject to the provisions of its standing orders, the Board
20 shall meet whenever summoned by the chairman; and if the chairman is
21 required to do so by notice given to him by not less than six other members,
22 he shall summon a meeting of the Board to be held within 21 days from the
23 date on which the notice is given.

24 (2) At any meeting of the Board, the chairman or, in his absence,
25 any member duly appointed by the Board, shall preside at that meeting.

26 (3) Where the Board wishes to obtain the advice of any person on a
27 particular matter, the Board may co-opt him as a member for such period as
28 it thinks fit, but a person who is a member by virtue of this subparagraph
29 shall not be entitled to vote at any meeting of the Board and shall not count
30 towards a quorum.

1 5.-(1) The Board may appoint one or more committees to carry out, on
2 behalf of the Board, such of its functions as the Board may determine.

3 (2) A committee appointed under this paragraph shall consist of the
4 number of persons determined by the Board, and not more than one-third of
5 such persons may be persons who are not members of the Board; and a person
6 other than a member of the Board shall hold office on the Committee in
7 accordance with the terms of the instrument by which he is appointed.

8 (3) A decision of a Committee of the Board shall be of no effect until it
9 is confirmed or approved by the Board.

10 6. The fixing of the seal of the Board shall be authenticated by the
11 signature of the Chairman or of some other member authorized generally or
12 specially by the Board to act for that purpose.

13 SECOND SCHEDULE

14 UNIFORMS, FLAG AND EMBLEM

15 (1) The Traffic Warden Service shall have and maintain the following
16 design of Uniforms, Flag and Emblem:

17 (a) A pair of Black Trousers for men and Skirt for women with Orange
18 top Shirt and Yellow Beret, Jungle cap or 'P' cap, a Black Line yard for Field
19 control/ Action Uniform/Normal daily duty;

20 (b) The Liberty Uniform shall be a complete Black starched khaki
21 Trousers and Shirt with Orange collar, Black background Shoulder flap with
22 design Orange pips (for Officers only) and/or "TWS" (for Rank/File only) on
23 it, with the Service colours at the beginning of the flaps and a pair of Yellow
24 Leg Anklelets, Yellow belt and Yellow Beret, Jungle cap or 'P' cap with the
25 Service colour-designed feathers on the caps, a Line yard and the designed
26 Hand Badge for general dressing. It shall be known as Liberty Uniform;

27 (c) The Ceremonial Uniform shall be a complete Yellow Outfit (a pair
28 of Trousers and a Jacket), for officers only. The Officers' trousers shall have the
29 Service colours adorn the sides. The Jacket shall be designed with Ceremonial
30 Line Yard, rank and a Belt. A Yellow 'P' cap with the Service designed-colours

1 on it and a pair of Yellow shoes, Yellow Hand gloves and a Sword by the
2 side.

3 For the Rank/File, the Ceremonial Uniform shall be a pair of Black Trouser
4 and a Yellow Jacket. The Trouser shall have the Service colours adorn on the
5 sides. The Jacket shall have a Conical shaped design at the arms, down the
6 sleeves, a Ceremonial Line Yard and Yellow Hand gloves, with a pair of
7 Black Boots and Yellow Anklets, Yellow Belt, a 'P' cap with the Service
8 colour-designed feathers on it for Ceremonial Functions.

9 (d) The Provost Uniform shall be a complete Black starched khaki
10 Trouser and a Shirt with Orange collar, a pair of White Leg Anklets, White
11 Belt, White crossed Belt, White Line Yard and a White Beret or White 'P' cap
12 or a Jungle cap, with the Service colours-designed feathers on it, a Badge
13 with the inscription "TP" (Traffic Provost) and the Hand Badge and a Neck
14 Moflag with the Service colours and the emblem on it, for Provost Personnel
15 only;

16 (e) In addition, a Special Track Suit is designed for Traffic Warden
17 Service Sports Personnel, the Track Suit is Yellow in colour with the Service
18 colour adorn the sides of the trouser and the sleeves of the Jacket, running
19 from the neck/shoulders down the arms and round the neck flap and hand or
20 wrist. The Service emblem is also printed on the breast position of the
21 Jacket;

22 (f) A Special Cardigan for Traffic Warden Service Personnel uses is
23 also there, it is orange in colour with the Service colours running across the
24 'V' neck, the arms and the down end of the Cardigan. To be worn during
25 and/or in cold environment or in cold atmosphere.

26 (g) A Hand badge, Chest badge are also designed for Personnel
27 uses in additional to the various Uniforms, to show-case the beauty of the
28 Traffic Warden Service Uniform Outfits.

29 (2) Officers Uniform from the rank of Assistant Controller of
30 Traffic (ACT) and above would always have a collar designed Corgem

1 attached to it in accordance with the prevailing lay down ethics of Senior
2 Officers' rights, with the other Paramilitary Organizations in the country.

3 The 'P' cap designs of Officers shall be as follows:

4 (a) Chief Superintendent of Traffic (CST) would always have a Silver
5 designed cord in a single crescent form at the front handle, without a wreath
6 surrounding the Service emblem and/or in all the caps worn by these category
7 of Senior Officers;

8 (b) From the rank of Assistant Controller of Traffic (ACT), Deputy
9 Controller of Traffic (DCT) and the Controller of Traffic (CT), the 'P' cap
10 would always have a designed Gold shells in a single crescent form at the front
11 handle with a single wreath surrounding the Service emblem and/or in all the
12 caps worn by these category of Senior Officers;

13 (c) From the rank of Assistant Controller-General of Traffic (ACG)
14 and the Deputy Controller-General of Traffic (DCG) the 'P' cap would always
15 have a designed Gold shells in double crescent form at the front handle with
16 double wreath surrounding the Service emblem and/or in all the caps worn by
17 these category of Officers;

18 (d) For the Controller-General of Traffic (CGT), the 'P' cap would
19 always have a designed Gold shells in double crescent form at the handle with
20 triple wreath surrounding the Service emblem and/or in all the caps worn by the
21 Controller-General of Traffic (CGT).

22 (3) The Flag shall be Green, White and Orange colours arranged
23 horizontally from either sides.

24 (4) The Emblem of the Traffic Warden Service shall be the traffic sign
25 of "No Parking" represented with cross 'P' circled, with two batons on top,
26 connected by a cord, with an Eagle sitting on the cord. Underneath a wreath,
27 with the ensign "Traffic Warden Service".

28 (5) Any regulation(s) made under sub-section (1) of this section need
29 not be published in the federal gazette but the Traffic Warden Service Board
30 shall cause same to be brought to the notice of all Traffic Wardens.

1 THIRD SCHEDULE

2 RANKS STRUCTURE

3 The different ranks of Superior Traffic Warden Officers of the Service, the
4 precedence and the insignia of each of such rank, shall be as prescribed
5 below:

6 (a) Controller-General the device of the Federation, two Star
7 and crossed tip staves surrounded by a laurel wreath

8 (b) Deputy Controller-General the device of the Federation, one
9 star Star and crossed tip staves surrounded by a laurel wreath;

10 (c) Assistant Controller-General the device of the Federation,
11 one Bar, Bar and crossed tripstaves surrounded by a laurel wreath:

12 (d) Controller the device of the Federation, and crossed
13 tipstaved surrounded by a laurel wreath;

14 (e) Deputy Controller a star, and crossed tipstaves surrounded
15 by a laurel wreath;

16 (f) Assistant Controller crossed tipstaves surrounded by a laurel
17 wreath;

18 (g) Chief Superintendent the device of the Federation and a
19 star;

20 (h) Superintendent the device of the Federation;

21 (i) Deputy Superintendent).... three stars arranged vertically;

22 (j) Assistant Superintendent (Substantive rank.... two stars
23 arranged vertically;

24 (k) Assistant Superintendent one star (on probation/on trial);

25 (l) Cadet Assistant Superintendent one star surmounting a white
26 band on the shoulder trap.

27 (2) The different ranks of the Senior Non-Commissioned Officers
28 of the Service, the precedence, and the insignia of each of such rank shall be
29 as prescribed below;

30 (3) The different ranks of the Junior Non-Commissioned Officer of

1 the Service the precedence and the insignia of each of such rank shall be as
2 prescribed below:

3 (a) Chief Inspector four horizontal bars arranged vertically;

4 (b) Principal Inspector (Substantive) three horizontal bars
5 arranged vertically;

6 (c) Inspector (on probation) two horizontal bars arranged
7 vertically;

8 (d) Cadet Inspector (2nd 6 months in training) one epaulette and
9 two horizontal bars arranged vertically;

10 (e) Cadet Inspector (1st 6 months in training) one epaulette:

11 (a) Sergeant three chevrons, worn points down;

12 (b) Corporal two chevrons, worn points down;

EXPLANATORY MEMORANDUM

This Bill seeks to Repeal Sections 59 - 69 of the Police Act Cap 359 Laws of the Federation of Nigeria, 1990, to Re-Enact the Traffic Warden Service which shall be responsible for the appointment, promotion and discipline of traffic wardens, issuance of certificate of appointment and discharge, and for other related matters.