

TRAFFIC WARDEN SERVICE BILL, 2015

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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 OTHER RELATED MATTERS.

Sponsored by Senator Buhari Abdulfatai

[] Commencement

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

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

Establishment,
Composition, Etc
of the Traffic
Warden Service

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

9 2.-(1) The Board shall consist of:

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

Establishment
and Composition
of the Board

12 (b) 6 Deputy Controller-Generals;

13 (c) all Assistant Commandant-Generals;

14 (d) all State Controller of Traffic;

15 (2) one representative each of:

16 (i) the Ministry of Interior,

17 (ii) the Ministry of Transport,

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

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

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

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

Proceedings of
the Board

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

Removal from
office and
cessation of
membership
of the Board

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

16 (a) be removed from office by the President, if he has been found,
17 after due enquiry, to have conducted himself in a manner that renders him
18 unsuitable as a member of the Board, or is mentally or physically incapable of
19 carrying out the duties and responsibilities of his office under this Act;

20 (b) resign his appointment by writing under his hand a letter or
21 resignation to the President, and his membership of the Board shall cease on the
22 date of the receipt of the letter by the President.

Establishment
and Composition
of the Governing
Board

23 5. -(1) The Traffic Warden Service shall for the meantime be under
24 control of the Presidency and the supervision of a Governing Board of the
25 Service which shall consist of a Chairman and other Members.

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

30 (3) The Chairman shall be the Chief Executive Officer of the Board

1 and shall be responsible for the overall supervision, development,
2 regulation and policy formulation and implementation of Traffic Warden
3 Service matters.

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

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

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

13 6-(1) There shall be established for the Service a Transitional
14 Management Committee which shall for the meantime be responsible for
15 the overall supervision, development, regulation, policy formulation and
16 implementation of the Nigerian Traffic Service matters.

Establishment of
Transitional
Management
Committee

17 (2) The Committee shall be chaired by the Chairman of the Civil
18 Rights Non- Governmental Organization for a period of eight years to
19 nurture the take-off of the Service, provide necessary logistics, build,
20 develop, re-organize, reform, re- structure and reposition the Service firmly
21 on ground.

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

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

Command
structure,
organization,
Officers and
Other Ranks
of the Traffic
Warden Service

PART 2

7.-(1) CONTROLLER-GENERAL OF TRAFFIC - CGT

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

(b) the Controller-General shall:

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

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

(iii) manage the Service financial affairs; and

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

(c) Powers of the Controller-General:

(i) The Controller-General of Traffic shall be vested with the power to delegate function(s) to any capable Senior Staff Officer beneath, in the ranks of Deputy Controller-General, Assistant Controller-General, Controller of Traffic, Deputy Controller, Assistant Controller, Chief Superintendent, Deputy Superintendent, Assistant Superintendent (1) and Assistant Superintendent (11) to carry out such function(s) on behalf of the Controller-General of Traffic, anywhere within the federation;

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

1 the Service.

2 (iii) The Controller-General of Traffic is answerable to the
3 President and Commander-in-Chief of the Armed Forces, Federal Republic
4 of Nigeria.

5 B. DEPUTY CONTROLLER-GENERAL - DCG

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

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

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

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

17 C. ASSISTANT CONTROLLER-GENERAL - ACG

18 (i) There shall be the Office(s) of Assistant Controller-Generals of
19 Traffic in place to hold appointment under the Office of each Deputy
20 Controller-General and or Directorate or Arm of the Service and, in each
21 Zonal Command as may be demarcated. The Zonal Assistant Controller-
22 General of Traffic shall be the Officer- in-charge of the Zone;

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

26 (iii) An Assistant Controller-General appointed (under the Office
27 of DCG and/or at the Service National Headquarters) shall exercise powers
28 as may be assigned to him/her within the Directorate under the Office of
29 Deputy Controller-General of Traffic or any other Special assignment that
30 he/she may be called to carryout. In case of Zonal Assistant Controller-

1 General appointed (to Head the Zonal Command) shall exercise powers as may
2 be delegated/assigned to him/her only within the designated and Specified
3 Area of Jurisdiction.

4 (iv) All Assistant Controller-General(s) shall be assisted by other
5 appointed Staff Officers.

6 D. STATE CONTROLLER OF TRAFFIC - CT

7 (i) There shall be in each State of the federation and, the Federal
8 Capital Territory, FCT, the Office of the Controller of Traffic, as the Chief
9 Executive Officer of the State/FCT Command Sector of the Traffic Warden
10 Service;

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

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

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

21 (v) The State Controller is hereby vested with the power to delegate
22 function(s) to any capable Staff Officer beneath, in the ranks of Deputy
23 Controller, Assistant Controller, Chief Superintendent, Superintendent,
24 Deputy Superintendent and Assistant Superintendent of Traffic, to carryout
25 such function(s) on behalf of the State Controller of Traffic, within the State of
26 appointment;

27 (vi) A Controller of Traffic is answerable to the Controller-General of
28 Traffic.

29 E. AREA TRAFFIC OFFICER - ATO

30 (i) There shall be the Office of Area Traffic Officers who oversees the

1 designated and specified Area of jurisdiction, referred to, as Area
2 Command;

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

6 (iii) Area Traffic Officers are answerable to the Controller of
7 Traffic;

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

10 F. DIVISIONAL TRAFFIC OFFICER - DTO

11 (i) There shall be the Office of Divisional Traffic Officer who is
12 the Administrative Head of each designated and specified area of
13 jurisdiction referred to as, Division;

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

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

19 8.-(1) The Principal Officers of the Traffic Warden Service shall, in
20 the performance of their functions under Sub-sections A - F above, be
21 governed by the approved Terms and conditions of service for the Traffic
22 Warden Service, provided that, any exercise of such powers prior to the
23 approval and application of the conditions of service, shall be governed by
24 the Federal Civil Service Rules, 1999.

Approved terms
and Condition of
Service

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

27 (a) is not less than eighteen (18) or more than twenty-five years of
28 age.

29 (b) is in possession of a minimum Certificate of Education and/or

- 1 qualification of a Secondary School Certificate of Education or its equivalent;
2 (c) is not less than 167.64 centimeters and 162.56 centimeters tall
3 respectively, for men and women;
4 (d) in the case of men, has not less than 86.36 centimeters chest
5 measurement when fully expanded;
6 (e) is of good character and is physically fit; and
7 (f) has signified in writing, his/her willingness to serve as a Traffic
8 Warden.

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

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

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

Powers, Privileges
and Immunities
of Traffic Wardens

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

Functions and
Powers of the
Traffic Warden
Service

23 10. Traffic Warden Service Personnel shall be employed and
24 deployed to perform the following statutory function(s) in the metropolitan
25 cities and urban (intra city roads).

26 (a) Enforcement of intra-city road traffic control, regulation and/or
27 ensure steady vehicular movement of vehicles in the metropolitan cities and
28 urban roads in the country;

29 (b) Control of intra-city road traffic, decongest and removal of all
30 perceived obstructions blockades and/or obstacles that mayor could likely

1 create hold up and congestion on the road;

2 (c) Take control of vehicle(s) reported to be or are involved in
3 accident on the road (within the cities and urban towns);

4 (d) Create public enlightenment programme(s) to educate road
5 users on the proper manner to use the road; on how to obey traffic rules and
6 road signs and/or promote continuous movement of vehicles on the road in
7 the metropolitan cities and urban towns.

8 (e) Check vehicle particulars;

9 (f) Take active involvement and/or participate in all intra-city road
10 traffic administration, management and control and other related matters;

11 (g) Formulate policies including, organized fora, symposia,
12 conferences, workshops, courses and retraining that shall assist the road
13 traffic control administration and management of the sub- sector to achieve
14 desired goal in the nation's metropolitan cities and urban towns;

15 (h) Assist vehicle Drivers tow and/or rescue broken down vehicles
16 out of the road corridor, to safe place(s), to avoid traffic hold-up, go- slow or
17 road obstruction, blockade and congestion.;

18 (i) Survey and/or investigate traffic related matters and car vehicle
19 theft;

20 (j) Prosecute traffic offender(s) (in case of major/fatal accident) to
21 Court and/or charge other traffic offenders(s) (in case of minor accident) to
22 pay instant fine with official receipt issued thereupon;

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

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

28 (m) Generate income through the enforcement of daily toll fee on
29 all Commercial vehicles and Motorcycles/Tricycles plying the intra-city
30 and urban roads.;

1 (n) Develop commercial car/vehicle peak(s) at strategic points or
2 where necessary with the aim of clearing and/or discouraging road side parking
3 habit along major roads in the metropolitan cities and urban towns;

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

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

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

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

Establishment
of Administrative
and Operations
Departments

15 **11.-(1)** In order to facilitate the proper discharge of its functions and
16 the exercise of the powers conferred on the Service by this Act, there shall be
17 established for the Service the following administrative and operations
18 departments, namely:

19 (a) the Department of State Coordination Services;

20 (b) the Department of Administration Services;

21 (c) the Department of Finance Services;

22 (d) the Department of Procurement and Supply;

23 (e) the Legal and Corporate Services Department;

24 (f) the Department of Training and Operations;

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

Appointments,
Recruitment, etc.
of Officers and
other ranks of the
service

29 **12.-(1)** The Board shall have responsibility for drawing up
30 programmes for the appointment, recruitment and training of members of the

1 Service in order to enhance their knowledge, diligence and efficiency in the
2 performance of their functions under this Act.

3 (2) Members of the Traffic Warden Service appointed and
4 recruited in terms of the foregoing provisions of this section of this Act, shall
5 bear such insignia as may be assigned to them by the Board, and without
6 prejudice to this subsection, the ranks and insignia thereof for members of
7 the Service for the time being shall be as specified in the Second Schedule to
8 this Act.

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

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

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

20 PART 111- FINANCIAL PROVISIONS

21 14.-(1) There shall be established and maintained by the Board a
22 fund into which shall be paid and credited:

Establishment of
Fund and
Expenditure

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

24 (b) the annual subvention received from the Government of the
25 Federation;

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

30 (d) all fees and charges for services rendered by the Board and the

1 Service; and

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

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

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

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

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

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

14 (e) for the training of members of the Service within and outside
15 Nigeria, and other research programmes carried on by the Service; and for and
16 in connection with all or any of the functions of the Traffic Warden Service
17 under this Act.

18 (3) The proceeds of the funds established pursuant to subsection (i) of
19 this section shall be disbursed by the Chairman of the Board with the approval
20 of other members of the Board.

Power to accept
gifts, etc.

21 **15.-(1)** The Board may accept gifts of land, money, donations or other
22 property and testamentary dispositions by persons, bodies corporate or non-
23 governmental organizations within or outside Nigeria, upon such terms and
24 conditions, if any, as may be specified by the person or organization making the
25 gift.

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

Borrowing and
investment power
of the Board

29 **16.-(1)** The Board may, with the consent of its members or in
30 accordance with the general guidelines or authority given by the Government

of the Federation, borrow by way of loan or overdraft from any source, any moneys required by the Board and the Service to meet its obligations and its functions under this Act, so however, that such consent or authority shall be required where the sum or aggregate of the sums involved at any time does not exceed such amount as is for the time being specified in relation to the Board and the Service by the Government of the Federation.

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

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

Annual Estimates,
Account and Audit

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

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

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

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

(b) a detailed report containing the observations and

1 recommendations of the auditors on all aspects of the operations of the Board
2 for that year.

Annual Report

3 **18.** The Board shall prepare and submit to the President and the
4 National Assembly, not later than the end of June of each financial year, a report
5 on the activities of the Board and the Service during the immediately preceding
6 financial year, and shall include in such report a copy of the audited accounts of
7 the Board and the Service for that year, and the auditors report thereon.

8 **PART V - DISCIPLINE OF OFFICERS AND OTHER RANKS OF THE SERVICE**

Establishment
of the Traffic
Warden Service
Discipline
Committee

9 **19.-(1)** Without prejudice to the powers of the Board to set up
10 committees for the conduct of its affairs under this Act, there shall be
11 established a committee to be known as the Traffic Warden Service
12 Disciplinary Committee (in this Act referred to as "the Disciplinary
13 Committee") which shall be charged with the duty of the maintenance of
14 discipline among members of the Service, and considering and determining
15 any report of gross indiscipline by any member of the Service referred to it by
16 the Panel established pursuant to section 21 of this Act and any other matter for
17 which the Disciplinary Committee has authority under this Act.

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

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

22 (4) The Chairman of the Disciplinary Committee shall have power to
23 summon a meeting of the Committee, at any time to consider and determine
24 any report of indiscipline by any member of Service.

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

Establishment of
the Traffic Warden
service Investigating
Panel

27 **20.-(1)** There shall be a body to be known as the Traffic Warden
28 Service Investigating Panel (in this Act, referred to as "the Panel") which shall
29 be charged with the duty of:

30 (a) conducting a preliminary investigation into any matter brought

1 before it where it is alleged that a member of the Service has misbehaved or
2 breached any of the Codes of conduct in his capacity as an officer or other
3 rank of the Service;

4 (b) deciding whether the matter should be referred to the
5 Disciplinary Committee; and

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

8 (2) The Panel shall be appointed by the Board, and shall consist of
9 three members of the Board and two other persons who are members of the
10 Service, but who are not members of the Board at the time of their
11 appointment.

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

14 **21.-(1)** The Board shall have responsibility for setting out the
15 Codes of Conduct for members of the Service which may not be published in
16 the Federal Government Gazette, but the Board shall cause them to be
17 brought to the notice of all the members of the Service in such a manner as it
18 may, from time to time, determine.

Codes of Conduct
for Members of
the Service

19 (2) Notwithstanding the foregoing provisions of this section, the
20 Codes of Conduct set out by the Board shall take cognizance of matters
21 relating to the conduct and comportment of members of the Service in public
22 places, their dealings with members of the society and attitude to the
23 performance of their duties.

24 **22.-(1)** Where a member of the Service breaches, contravenes or
25 violates any of the Codes of Conduct of the Service or any other law in force
26 in the Federation, the Disciplinary Committee shall have power to
27 recommend:

Offences and
Punishment

28 (a) the imposition of a fine of an amount on that member of the
29 Service;

30 (b) suspension of the member of the Service from duty without pay

1 for a specified period;

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

4 (d) dismissal from the Service; or

5 (e) any combination of the foregoing punishments.

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

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

12 PART IV - MISCELLANEOUS AND SUPPLEMENTARY

Directives by
the Minister, etc.

13 23. The Minister may give to the Board such directives of a general
14 nature or relating generally to matters of policy with regard to the exercise by
15 the Board of its functions under this Act, and it shall be the duty of the Board to
16 comply with the directives or cause them to be complied with.

Secrecy

17 24.-(1) A member of the Board or the Controller-General or any other
18 officer or other ranks or employee of the Service shall:

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

23 (b) treat as confidential any information which has come to his
24 knowledge in the exercise of his powers or is obtained by him in the
25 performance of his duties under this Act;

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

29 (2) Any person who contravenes the provisions of subsection (1) of
30 this section commits an offence and is liable to a fine of fifty thousand Naira or

1 imprisonment for a term not exceeding one year or to both such fine and
2 imprisonment.

3 25. The Board shall provide and maintain a library at the
4 headquarters and State Command Offices of the Service comprising such
5 books and publications as may be provided, for the advancement of the
6 knowledge and skills of members of the Service, for research purposes, and
7 for other purposes connected with the objects and functions of the Service.

Provision of
Library facilities

8 26. On the commencement of this Act:

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

Transfer to the
Board of certain
properties, etc.

13 (b) the Police Council shall cease control administratively and
14 otherwise of the Service.

15 27.-(1) The Board may, with the approval of the Minister, make
16 such rules and regulations as in its opinion are necessary or expedient for
17 giving full effect to the provisions of this Act and for the due execution of its
18 provisions.

Rules and
Regulations

19 (2) Without prejudice to the provisions of subsection (1) of this
20 section, the Board shall have powers to make regulations generally for
21 carrying out the objects of this Act and, in particular, shall make regulations
22 relating to:

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

24 (b) the hours of duty, schedule of work and leave of members of the
25 Service;

26 (c) the procedure and terms of appointment and recruitment of
27 members of the Service;

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

- 1 (e) the maintenance of discipline among members of the Service; and
2 (1) any other matter for which the Board has powers or which is
3 incidental or supplementary to the foregoing provisions of this subsection.

4 PART V

Retirement /
Resignation
Provisions

5 **28.-(1)** A Traffic Warden appointed under this Act shall be retired
6 upon attaining thirty five Years in Public Service or reaching sixty years of age,
7 whichever comes first;

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

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

16 (4) Every Traffic Warden disengaged under this Act, shall be issued
17 Certificate of Discharged.

Remuneration
and Allowances

18 **29.-(1)** Every Traffic Warden employed under this Act shall he
19 entitled to his/her monthly basic salary as may be determined by the authority
20 from time to time, including the following:

- 21 (a) Hazard allowance;
22 (b) Medical allowance;
23 (c) Accommodation allowance;
24 (d) Transport allowance;
25 (e) Torch light allowance;
26 (f) Meal subsidy allowance;
27 (g) Kits (uniform) allowance;
28 (h) Insurance scheme;
29 (i) Housing scheme;
30 (j) Leave allowance;

(k) Every Traffic Warden is also entitled to benefit from the National Health Insurance Scheme, NHIS.

PART VI

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

Establishment
of Training
Colleges

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

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

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

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

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

PART VIII - MISCELLANEOUS PROVISIONS.

31.-(1) Every Traffic Warden appointed under this Act, shall be issued Service Number with the letters "TWS" and the Service number. All Traffic Wardens employed in the federation, shall have their names and numbers appear on the register kept for that purpose by, the Board of the Warden Service.

Service number
of Traffic Wardens

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

1 pockets of his/her uniform.

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

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

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

Citation

23 32. This Bill may be cited as the Traffic Warden Service Bill, 2015.

1 SCHEDULES

2 FIRST SCHEDULE

3 (Section 3)

4 PROCEEDINGS OF THE BOARD

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

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

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

18 4.-(1) Subject to the provisions of its standing orders, the Board
19 shall meet whenever summoned by the chairman; and if the chairman is
20 required to do so by notice given to him by not less than six other members,
21 he shall summon a meeting of the Board to be held within 21 days from the
22 date on which the notice is given.

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

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

30 5.-(1) The Board may appoint one or more committees to carry out,

1 on behalf of the Board, such of its functions as the Board may determine.

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

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

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

12 SECOND SCHEDULE

13 UNIFORMS, FLAG AND EMBLEM

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

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

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

26 (c) The Ceremonial Uniform shall be a complete Yellow Outfit (a pair
27 of Trouser and a Jacket), for officers only. The Officers' trouser shall have the
28 Service colours adorn the sides. The Jacket shall be designed with Ceremonial
29 Line Yard, rank and a Belt. A Yellow 'P' cap with the Service designed-colours
30 on it and a pair of Yellow shoes, Yellow Hand gloves and a Sword by the side.

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

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

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

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

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

27 (2) Officers Uniform from the rank of Assistant Controller of
28 Traffic (ACT) and above would always have a collar designed Corgem
29 attached to it in accordance with the prevailing lay down ethics of Senior
30 Officers' rights, with the other Paramilitary Organizations in the country.

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

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

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

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

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

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

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

26 (5) Any regulation(s) made under sub-section (1) of this section need
27 not be published in the federal gazette but the Traffic Warden Service Board
28 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 and
7 crossed tip staves surrounded by a laurel wreath;

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

10 (c) Assistant Controller-General the device of the Federation,
11 one 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 star;

19 (h) Superintendent the device of the Federation;

20 (i) Deputy Superintendent three stars arranged vertically;

21 (j) Assistant Superintendent two stars arranged vertically.

22 (Substantive rank)

23 (k) Assistant Superintendent one star (on probation/on trial)

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

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

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

30 (b) Principal Inspector three horizontal bars arranged vertically;

- 1 (Substantive)
2 (c) Inspector two horizontal bars arranged vertically.
3 (on probation)
4 (d) Cadet Inspector one epaulette and two horizontal bars arranged
5 (2nd 6 months in training) vertically;
6 (e) Cadet Inspector one epaulette.
7 (1st 6 months in training)
8 (3) The different ranks of the Junior Non-Commissioned Officer of
9 the Service the precedence and the insignia of each of such rank shall be as
10 prescribed below:
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.