

# A BILL

FOR

AN ACT TO REPEAL THE POLICE ACT CAP P19 LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NIGERIA POLICE ACT, 2020 TO PROVIDE FOR THE FRAMEWORK FOR THE NIGERIA POLICE FORCE AND ENSURE COOPERATION AND PARTNERSHIP BETWEEN THE POLICE AND HOST COMMUNITIES IN MAINTAINING PEACE AND COMBATING CRIME; AND FOR RELATED MATTERS

*Sponsored by Hon Gagdi Adamu Yusuf*

[ ] Commencement

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

PART I - PRELIMINARY

1. This Bill is based on the principles of:

Guiding Principle

(1) Efficiency and effectiveness;

(2) Accountability and transparency;

(3) Protection of human rights and fundamental freedoms; and

(4) Partnership with other security institutions,

2. The specific objectives of this Bill are to:

Specific Objectives

(1) establish the Nigeria Police Force that is people friendly;

(2) embody in the operations of the Police the values of accountability, fairness, justice and equity;

(3) make the Police responsive to the security concerns of citizens and the community and respect the dignity of all persons;

(4) efficiently and effectively prevent crimes and protect the liberty and privacy of citizens.

(5) ensure the safety and security of all persons and property in the country;

(6) uphold and safeguard the fundamental rights of every person as

1 guaranteed under the constitution;

2 (7) foster cooperation and partnership between the Police and the  
3 communities it serves: and

4 (8) respect for victims of crime and an understanding of their needs.

5 PART II

Establishment  
and Duties of  
the Police

6 3.-(1) There is hereby established for Nigeria a Police Force to be  
7 known as the Nigeria Police Force, which shall assume its duties, rights,  
8 powers, privileges, liabilities, structures and organs.

9 (2) The Police shall consist of:

10 (a) all persons who immediately before the commencement of this  
11 Bill were members:

12 (i) of a Force established by Section 214 of the Constitution of the  
13 Federal Republic of Nigeria, 1999 (as amended);

14 (ii) appointed by the Police Service Commission under the  
15 Constitution;

16 (iii) appointed as Special Constables under section 49 of the repealed  
17 Police Act and Regulations Cap. P19 Laws of Federation 2004; and

18 (b) Such other persons that may be appointed under this Bill.

General duties  
of the Police

19 4.-(1) The Police shall be employed to perform the following duties:

20 (a) protect the rights and freedom of every person in Nigeria as  
21 provided in the Constitution, the African Charter on Human and Peoples'  
22 Rights, and any other law;

23 (b) protect the lives and property of citizens;

24 (c) preservation of law and order;

25 (d) enforce all laws and regulations with which they are directly  
26 charged;

27 (e) perform such military duties within and outside Nigeria as may be  
28 required of them under the authority of this Bill or any other Law;

29 (f) provide humanitarian assistance for citizen(s) in distress such as  
30 victims of road accident, fire disaster, earthquake, flood, etc and where

- 1 necessary collaborate with other agencies for humanitarian assistance;
- 2 (g) facilitate the free passage and movement on highways, road,  
3 streets and avenues open to the public without subjecting the citizenry to  
4 inhumane treatments or any form of extortion;
- 5 (h) adopt community partnership in the performance of the duties  
6 provided under this Section;
- 7 (i) prevention, detection of crimes;
- 8 (j) apprehension and prosecution of offenders;
- 9 (k) to arrest, investigate and prosecute maritime cases;
- 10 (l) to visit public and private institutions of learning to check  
11 security situations;
- 12 (m) to vet and approve the registration of private security  
13 companies and guards;
- 14 (n) to vet and approve the registration of private Detective Schools  
15 and private Investigative outfits;
- 16 (o) to vet and approve the registration of private subsidiary oil  
17 companies and oil related servicing companies; and
- 18 (p) to vet and approve location of energy and petroleum products  
19 marketing companies.

20 5.-(1) There is hereby established a body to be known as the  
21 Nigeria Police Council (in this Act referred to as "the Council") which shall  
22 consist of-

- 23 (a) the President who shall be chairman;
- 24 (b) the Governor of each State of the Federation;
- 25 (c) the chairman of the Police Service Commission;
- 26 (d) the Inspector-General of Police.
- 27 (2) The functions of the Council shall include-
- 28 (a) the organisation and administration of the Nigeria Police Force  
29 and all other matters relating thereto (not being matters relating to the use  
30 and operational control of the Force, or the appointment, disciplinary

Establishment  
of the Nigeria  
Police Council

1 control and dismissal of members of the Force);

2 (b) the general supervision of the Nigeria Police Force;

3 (c) advising the President on the appointment of the Inspector-  
4 General of Police.

5 (3) The Permanent Secretary in the Police Affairs Office, in the  
6 Presidency, shall be the Secretary to the Council and the Secretariat of the  
7 Council shall be in the Police Affairs Office, the Presidency.

8 (4) The President shall be charged with operational control of the  
9 Force.

10 (5) The Inspector-General shall be charged with the command of the  
11 Force subject to the directive of the President.

Public safety  
and Public Order

12 6.-(1) The President may give to the Inspector-General of Police such  
13 directions with respect to the maintaining and securing of public safety and  
14 public order as he may consider necessary, and the Inspector-General shall  
15 comply with those directions or cause them to be complied with.

16 (2) Subject to the provisions of subsection (1) of this section, the  
17 Commissioner of a State shall comply with the directions of the Inspector-  
18 General of Police with respect to the maintaining and securing of public safety  
19 and public order within the State, or cause them to be complied with:  
20 Provided that before carrying out any such direction the Commissioner may  
21 request that the matter should be referred to the President for his directions.

Delegation by  
Inspector-General  
of Police

22 7. The Inspector-General of Police may, with the consent of the  
23 President by writing under his hand delegate any of his powers under this Act  
24 (except this power of delegation) so that the delegated powers may be  
25 exercised by the delegate with respect to the matters or class of matters  
26 specified or defined in the instrument of delegation.

Command of  
Police in case  
of active service

27 8. When required to perform military duties in accordance with the  
28 provisions of section 4 of this Act, such duties entailing service with the armed  
29 forces of Nigeria or any force for the time being attached thereto or acting  
30 therewith, the police shall be under the command and subject to the orders of

1 the officer in command of the forces in Nigeria, but for the purposes of  
2 interior economy shall remain under the control of a superior police officer

3 PART III

4 9. Pursuant to Section 215 (1) of the Constitution, the hierarchy of  
5 the Police shall consist of the following:

Hierarchy of  
the Police

- 6 (i) The Inspector-General of Police;  
7 (ii) Deputy Inspectors- General of Police;  
8 (iii) Assistant Inspectors-General of Police;  
9 (iv) Commissioners of Police;  
10 (v) Deputy Commissioners of Police;  
11 (vi) Assistant Commissioners of Police;  
12 (vii) Chief Superintendents of Police;  
13 (viii) Superintendents of Police;  
14 (ix) Deputy Superintendents of Police;  
15 (x) Assistant Superintendents of Police I  
16 (xi) Assistant Superintendents of Police II;  
17 (xii) Cadet Assistant Superintendents of Police;  
18 (xiii) Chief Inspector of Police;  
19 (xiv) Deputy Chief Inspector of Police;  
20 (xv) Assistant Chief Inspector of Police;  
21 (xvi) Principal Inspector of Police;  
22 (xvii) Senior Inspectors of Police;  
23 (xviii) Inspectors of Police I (Confirmed);  
24 (xix) Inspectors of Police II (Unconfirmed);  
25 (xx) Cadet Inspectors of Police;  
26 (xxi) Sergeant Majors;  
27 (xxii) Sergeants;  
28 (xxiii) Corporals  
29 (xxiv) Constables I  
30 (xxv) Constables II;

1 (xxvi) Recruits and  
2 (xxvii) Such other officers as the Nigeria Police Council may, from  
3 time to time consider necessary for effective discharge of the functions of the  
4 Police.

Appointment  
of the Inspector-  
General of Police

5 **10.-(1)** The Inspector General of Police shall be the head of the  
6 Nigeria Police Force and shall exercise full operational control over the Police  
7 and all its departments/units.

8 (2) The person to be appointed as Inspector General of Police shall be  
9 a Senior Police Officer not below the rank of an Assistant Inspector-General of  
10 Police with the requisite academic qualifications of not less than a first degree  
11 or its equivalent in addition to professional and management experience.

12 (3) The Inspector-General of Police shall be appointed by the  
13 President on the advice of the Police Council from among serving members of  
14 the Nigeria Police Force.

15 (4) The Inspector-General of Police shall not be removed from Office  
16 except for gross misconduct, gross violation of the constitution of the Federal  
17 Republic of Nigeria or demonstrated incapacity to effectively discharge the  
18 duties of the Office.

19 (5) The Inspector-General of Police shall not be removed from office  
20 except by the President of the Federal Republic of Nigeria.

21 (6) The person appointed to the Office of the Inspector-General of  
22 Police shall hold Office for Four (4) years.

Powers, duties  
and functions of  
the Inspector-  
General of Police

23 **11.-(1)** The Inspector-General of Police shall exercise the powers and  
24 perform the duties and functions necessary to give effect to section 10(1) of this  
25 Bill.

26 (2) Subject to subsection (1) of this section, the Inspector-General's  
27 powers, duties and functions shall include to:

28 (a) develop a plan before the end of each financial year, setting out the  
29 priorities, objectives and expected outcomes of policing and for the next  
30 financial year;

1 (b) having due regards to the state of the security across the country  
2 and population, determine the distribution of the numerical strength of the  
3 Police;

4 (c) organize or re-organize the Nigeria Police at the national level  
5 into various components, units or groups;

6 (d) establish and maintain training institutions or centres for the  
7 training of Officers and other members; and

8 (e) perform any duty on behalf of the Nigeria Police Force.

9 12.-(1) the Deputy Inspectors-General of Police and Assistant  
10 Inspectors-General of Police shall be appointed by the Police Service  
11 Commission on the recommendation of the Inspector-General of Police.

Appointment of  
Deputy Inspector-  
General of Police  
and Assistant  
Inspector-General  
of Police

12 (2) A Person appointed under subsection (1) of this section shall  
13 hold Office until retirement or removal following due process by the Police  
14 Service Commission on account of gross misconduct or incapacity to  
15 perform his/her duties based on recommendation by the Inspector-General  
16 of Police;

17 (3) the appointment of the Deputy Inspectors-General of Police  
18 shall reflect the Federal Character Principle as provided in the Constitution  
19 of the Federal Republic of Nigeria.

20 13.-(1) The most senior Deputy Inspector-General of Police shall  
21 act in the absence of the Inspector-General of Police.

Duties of the  
Deputy Inspector-  
General of Police

22 (2) When acting for the Inspector-General of Police, the Deputy  
23 Inspector-General of Police shall be guided by the following:

24 (a) all matters involving any change in Police policy shall be held  
25 in abeyance until the Inspector-General of Police returns or, if the matter is  
26 urgent, referred directly to the Inspector-General of Police for his  
27 instructions, provided such matters do not contradict the general policy  
28 directive of the Police Council; and

29 (b) all matters of importance dealt with by the Deputy Inspector-  
30 General of Police during the absence of the Inspector-General of Police shall

1 be referred to the Inspector-General of Police on his return;

2 (3) The Deputy Inspectors-General of Police shall be in charge of  
3 Police Geo-political Zones;

4 (4) The Deputy Inspectors-General of Police shall perform such  
5 duties as assigned by the Inspector-General of Police.

Duties of the  
Assistant Inspector-  
General of Police

6 14.-(1) The Assistant Inspectors-General of Police shall be  
7 subordinate in rank to the Deputy Inspector-General of Police but shall be  
8 senior to all Commissioners of Police.

9 (2) The Assistant Inspectors-General of Police shall act for the  
10 Inspector-General of Police in the absence of both the Inspector-General of  
11 Police and the Deputy Inspectors-General of Police, and when so acting, the  
12 provisions of paragraphs (a) and (b) of subsection (2) of section 10 of this Bill  
13 shall, with all necessary modifications, apply to him;

14 (3) The Assistant Inspectors-General of Police shall be in charge of  
15 Police Zonal Commands and shall perform such duties as assigned by the  
16 Inspector-General of Police.

Appointment of  
Commissioner  
of Police

17 15. A Commissioner of Police shall be appointed for each state of the  
18 Federation and the Federal Capital Territory by the Police Service Commission  
19 on the recommendation of the Inspector-General of Police.

Powers, Duties  
and Functions  
of a Commissioner  
of Police

20 16.-(1) Subject to this Bill, a State Commissioner of Police shall have  
21 command and operational control over the Police in the state he/she is assigned  
22 to and shall exercise the powers and perform the duties and functions necessary  
23 to give effect to sections 2 and 4 of this Bill.

24 (2) A State Commissioner of Police shall perform any duties assigned  
25 to him by the Inspector-General of Police subject to sections 2 and 4 of this Bill.

26 (3) A State Commissioner of Police shall subject to the directions of  
27 the Inspector-General of Police, be responsible for establishing and  
28 implementing Community Policing in the state under his command.

Delegation by the  
Inspector-General  
of Police

29 17.-(1) The Inspector-General of Police may delegate any of his  
30 powers under this Bill to any Police Officer so that the delegated powers may



1 be exercised by the delegate with respect to the matters or class of matters  
2 specified or defined in the instrument of delegation.

3 (2) Guided by the principle of efficiency and effectiveness, and for  
4 ease of delegation of powers, the Inspector-General of Police shall devolve  
5 powers to Zonal, States, Area Commands, Divisions and Police Posts to  
6 ensure quick response to safety and security needs.

7 PART IV - GENERAL ADMINISTRATION

8 18. On enlistment/recruitment or appointment of any person as a  
9 member of the Nigeria Police Force, such person shall forth with take and  
10 subscribe to the official oath, the Police oath, the oath of allegiance and oath  
11 of secrecy.

Oaths for Police  
Officers

12 19.-(1) The responsibility for the recruitment and enlistment of  
13 Officers and Men into the Force shall be the duty of the Nigeria Police Force.

Enlistment/  
Recruitment,  
Appointment  
and Service

14 (2) For the purpose of Section 19 (1) above, there shall be the  
15 Nigeria Police Recruitment Board;

16 (a) The Nigeria Police Recruitment Board shall be responsible for  
17 the recruitment of Officers and Men into the Nigeria Police Force;

18 (b) The Police Recruitment board shall comprise of the Inspector-  
19 General of Police as Chairman, all the serving Deputy Inspectors-General of  
20 the Force, the Force Secretary, Comandants of Staff College Jos, Police  
21 Academy Wudil - Kano, Police Colleges and the Officer in-charge of the  
22 Legal Section of the Force;

23 (c) The recruitment of Officers and Men into the Nigeria Police  
24 Force shall be of national spread, cutting across each state of the federation;

25 (d) The members of the Police Recruitment Board shall have  
26 power to delegate officers not below the rank of Chief Superintendent of  
27 Police to represent them at Board Meetings or recruitment exercise;

28 (e) The decision of the Board shall be final as regard any matter  
29 affecting the recruitment/ enlistment of Officers and Men into the Nigeria  
30 Police Force;

1 (3) A Constable shall on enlistment serve in the Nigeria Police Force  
2 for a period of 35 years or till he/she attains the age of 60 years, which ever is  
3 earlier.

4 (4) Professionals from the relevant fields of engineering, medicine,  
5 pathology, pilots, forensic, etc, shall be appointed into the Nigeria Police Force  
6 as Specialists and shall practise their professions and expertise in the  
7 advancement of the objectives of the Force.

8 (5) All candidates intending to be enlisted/recruited or appointed into  
9 the Nigeria Police Force shall undergo psychological and other medical  
10 evaluations as may be required as part of the enlistment/recruitment or  
11 appointment process to ascertain their character and suitability for the job.

12 (6) Within the period of enlistment/recruitment or appointment, every  
13 Police Officer shall undergo specialized training in any professional field  
14 relevant to Policing and law enforcement.

Re-engagement  
after service

15 20.-(1) Subject to the approval of the Inspector-General of Police, a  
16 retired Police Officer may be re-engaged for service for a period of two (2)  
17 years and upon further application may be retained or re-engaged for another  
18 term of two (2) years.

Training and  
re-training of  
Police personnel

19 21.-(1) All Police Officers shall undergo periodic training and  
20 retraining in basic policing and law enforcement courses as well as specialized  
21 courses relevant to law enforcement;

22 (2) The Inspector-General of Police shall be responsible for the  
23 revision of the training duration as well as content of Police training at least  
24 once in every five years

25 PART V - POWERS OF THE POLICE OFFICER

Conduct of  
Prosecution

26 22.-(a) Subject to the provisions of Sections 174 and 211 of the  
27 Constitution of the Federal Republic of Nigeria and section 106 of  
28 Administration of Criminal Justice Act, 2015 which relates to the powers of the  
29 Attorney-General of the Federation and of a State to institute and undertake,  
30 take over and continue or discontinue criminal proceedings against any person

1 before any court of law in Nigeria, a Police Officer may conduct in person  
2 prosecutions before any court whether or not the information or complaint is  
3 laid in his/her name;

4 (b) a Police Officer referred to in 19(a) above may conduct such  
5 prosecutions before the courts subject to the provisions of the relevant  
6 criminal procedure laws in force at the Federal and State levels;

7 (c) there shall be assigned to every Police Division at least one (1)  
8 Police Officer that is qualified to practice as legal practitioner in accordance  
9 with the Legal Practitioners Act in force.

10 23. Where a crime is reported to the Police or a person is brought to  
11 a Police Station on the allegation(s) of commission of a criminal offence, it  
12 shall be the duty of the Police to investigate such allegation(s) according to  
13 its internal processes and procedures and report their findings to the Police  
14 Legal Officer for vetting and Prosecution where necessary.

Decision to file  
case

15 24.-(1) In addition to the powers of arrest without warrant  
16 conferred upon a Police Officer by relevant laws, it shall be lawful for any  
17 Police Officer and any person whom he may call to his assistance, to arrest  
18 without warrant:

Power to arrest  
without warrant

19 (a) any person whom he finds committing a felony, misdemeanour  
20 or simple offence, or whom he reasonably suspects of having committed or  
21 is about to commit a felony, misdemeanour or breach of the peace:

22 (b) any person whom any other person:

23 (i) charges with having committed a felony or misdemeanour;

24 (ii) suspects of having committed a felony or misdemeanour;

25 (iii) charges with having committed a simple offence, if such other  
26 is willing to accompany the Police Officer to the Police Station and to enter  
27 into a recognizance to prosecute such charge.

28 (2) The provisions of this section shall not apply to any offence  
29 with respect to which it is provided that any offender may not be arrested  
30 without warrant.

1 (3) For the purpose of this section the expressions felony,  
2 misdemeanour and simple offence shall have the same meaning as they have in  
3 the Criminal Code, Penal Code and other relevant legislations.

Power to arrest  
without having  
warrant in  
possession

4 25. Any warrant lawfully issued by a court for apprehending a person  
5 charged with any offence may be executed by a Police Officer at any time  
6 notwithstanding that the warrant is not in his possession at that time, but the  
7 warrant shall be shown to the person apprehended not later than 24 hours after  
8 his arrest.

Summons

9 26. Any summons lawfully issued by a court may be served by any  
10 Police Officer at anytime during the hours of daylight, which is between 6am to  
11 6pm.

Bail of person(s)  
arrested without  
warrant

12 27. When a person is arrested without a warrant, he shall be taken  
13 before a court which has jurisdiction with respect to the offence with which he  
14 is charged as soon as practicable after he is taken into custody, provided that  
15 any Police Officer for the time being in charge of a Police Station may inquire  
16 into the case:

17 (a) except where the case appears to such Officer to be of a serious  
18 nature, he may release such person upon his entering into a recognizance with  
19 or without surety or sureties, for a reasonable amount to appear in court at the  
20 day, time and place mentioned in there cognizance; or

21 (b) if it appears to a Police officer that an inquiry cannot be completed  
22 forthwith, he may release such person on his entering into are cognizance with  
23 or without surety or sureties for a reasonable amount, to appear at such Police  
24 Station and at such time named in the recognizance, unless he previously  
25 received notice in writing from the Superior Police Officer in charge of that  
26 Police Station that his attendance is not required, and any such bond maybe  
27 enforced as if it were a recognizance, conditional for the appearance of the  
28 person before a Court.

Authorized  
detention  
extension

29 28.-(1) In addition to the provisions of Section 293 of the  
30 Administration of Criminal Justice Act, 2015 and other existing relevant laws,

1 where a Senior Police Officer of the rank of Superintendent or above in  
2 charge of a Police Station in which a person is detained has a reasonable  
3 ground to believe that:

4 (a) it is imperative to secure the person arrested without charge in  
5 detention in order to preserve evidence pertaining to an offence for which he  
6 is arrested; or to obtain such evidence by interviewing him;

7 (b) offence for which the person is arrested is of a serious nature;  
8 and

9 (c) for the investigation to be speedily completed the extension is  
10 necessary, an application may be made to a Court pursuant to Section 293 of  
11 the ACJA or pursuant to other relevant laws to remand the person in  
12 correctional custody or extend the detention in the Police Station and the  
13 Court may grant the application for remand or extension of detention period  
14 provided that:

15 (i) there are reasonable grounds to justify further detention;

16 (ii) the application for extension is filed before the expiration of 48  
17 hours after the arrest;

18 29.-(1) Upon an application on Oath made by a Police Officer and  
19 supported by relevant information, a Court may extend a warrant for further  
20 detention provided that:

Warrant for  
further detention

21 (a) the Court in question found reasonable grounds to justify  
22 further detention;

23 (b) the application for extension is filed before the expiration of the  
24 former order of remand;

25 (c) the arrested person has been served with a copy of the  
26 information brought before the Court for hearing and is given opportunity to  
27 be heard;

28 (d) the offence for which the person is to be charged carries a  
29 sentence of not less than 3 years imprisonment upon conviction;

30 (e) there is a verifiable evidence on oath that the person sought to

1 be detained will materially interfere with investigation or escape from criminal  
2 trial if released; and

3 (f) there is no other way of ensuring attendance of the person to trial  
4 and non-interference with investigation except by remand in Police or  
5 Correctional Service Centre.

6 (2) The application referred to under this section, shall be determined  
7 by the court within 48 hours.

8 (3) in addition to the provision of Section 296 of the Administration of  
9 Criminal Justice Act, 2015 or other relevant laws, where the conditions stated  
10 in Sub-Section 1(a)-(e) of this Section are not met the Court may dismiss the  
11 application.

Special provision  
for pre-trial  
detention

12 30.-(1) In addition to the provisions of section 294 of the  
13 administration of Criminal Justice Act, 2015 or other relevant laws, where a  
14 person is detained in Police custody and the prosecuting counsel decides that  
15 he has a case to answer but has not concluded preparation to arraign him/her in  
16 the appropriate Court, the prosecuting counsel may apply to a Court for a  
17 warrant of detention pending conclusion of preparation for trial.

18 (2) the Court shall not grant such detention warrant except:

19 (a) the offence for which the person is to be charged carries a sentence  
20 of three (3) years imprisonment after conviction;

21 (b) there is a verifiable evidence on oath that the person sought to be  
22 detained will materially interfere with investigation or escape from criminal  
23 trial if granted bail; and

24 (c) there is no other way of ensuring attendance of the person to trial  
25 and non-interference with investigation except by remand in Police custody.

Power to search

26 31.-(1) In addition to the provision of section 12 of the Administration  
27 of Criminal Justice Act, 2015 or other relevant laws, a Police Officer may seize  
28 and retain anything for which a search has been authorized.

29 (2) In every case in which any property is seized pursuant to this  
30 section, the person on whose premises it was at the time of seizure or the person

1 from whom it was taken if other than the person on whose premises it was,  
2 may be summoned or arrested and brought before a court to account for his  
3 possession of such property, and the court shall make such order on the  
4 disposal of such property and may award costs as the justice of the case may  
5 require.

6 (3) Such authority under subsection 2 of this section may only be  
7 given when the premises to be searched are, or within the preceding twelve  
8 months have been, in the occupation of any person who has been convicted  
9 of receiving stolen property or of harbouring thieves, or of any offence  
10 involving fraud or dishonesty, armed robbery, unlawfull possession of fire  
11 arms, terrorism and other offences.

12 (4) While searching the premises, a Police officer shall not violate  
13 the human rights of person found in the premises that is being searched.

14 32.-(1)A search warrant is unlawful unless it complies with the  
15 provisions of this Bill.

Search warrant  
safeguards

16 (2) Where a Police Officer applies for any search warrant, it shall  
17 be his duty to state:

18 (i) the ground on which he makes the application;

19 (ii) the law under which the offence is/about to be committed;

20 (b) to specify the premises which it is desired to enter and search,

21 and

22 (c) to identify as practical as possible the article(s) or person(s) to  
23 be searched for.

24 (3)An application for a warrant shall be made formally in writing  
25 under oath and supported by necessary information.

26 (4) to be granted a warrant, a Police Officer in question shall  
27 answer on oath any question the Court asks him.

28 (5)A warrant shall authorize an entry on one occasion only.

29 (6) (a) a warrant shall specify:

30 (i) the name of the person who applies for it;

- 1 (ii) the date on which it is issued;  
2 (ii) the law under which it is issued; and  
3 (iv) the premises to be searched.  
4 (b) a warrant shall identify, as practicable as possible, the article(s) or  
5 person(s) to be searched.

6 (7) Two copies of a warrant shall be made.

7 (8) The two copies shall be clearly certified as copies.

Execution of  
Warrants

8 33.-(1) A warrant to enter and search premises may be executed by any  
9 Police Officer.

10 (2) Such a warrant may authorize a person to accompany any Police  
11 Officer who is executing it.

12 (3) A search warrant may be issued and executed at any time on any  
13 day, including a Sunday or public holiday.

14 (4) Where the occupier of premises which are to be searched is present  
15 at the time when a Police Officer seeks to execute a warrant to enter and search,  
16 the officer shall:

17 (a) identify himself to the occupier and, if not in uniform, shall  
18 produce to the occupier documentary evidence that he is a Police Officer;

19 (b) produce the warrant to the occupier; and

20 (c) serve the occupier with a copy.

21 (5) Where the occupier is not present, but some other person who  
22 appears to the Police Officer to be in-charge of the premises is present,  
23 subsection 4 of this section shall take effect as if the occupier is present.

24 (6) Upon the execution of a warrant, a Police Officer shall make an  
25 endorsement on it stating:

26 (a) Whether the articles or persons searched for were found; and

27 (b) whether any other articles were seized, other than articles which  
28 were searched for.

29 (7) A search warrant may be endorsed by a Superior Police Officer not  
30 below the rank of an Assistant Superintendent of Police or a Magistrate or



1 Justice of the Peace.

2 34. A Police Officer may detain and search any person or vehicle  
3 where;

Power to detain  
and search suspected  
person or vehicle

4 (a) reasonable grounds for suspicion exist that the person being  
5 suspected is having in his possession; or conveying in any manner anything  
6 which he has reason to believe to have been stolen or otherwise unlawfully  
7 obtained;

8 (b) reasonable grounds for suspicion exists that unlawful articles  
9 obtained or possessed are being carried;

10 (c) reasonable grounds for suspicion that incidents involving  
11 serious violence may take place within a locality;

12 (d) information has been received as to a description of an article  
13 being carried or of a suspected offender; and

14 (e) a person is carrying a certain type of article at an unusual time or  
15 in a place where a number of burglaries or thefts are known to have taken  
16 place recently.

17 35. The following shall not be grounds for reasonable suspicions:

Where reasonable  
suspicion never  
exist

18 (a) Personal attributes including a person's colour, age, hairstyle or  
19 manner of dress;

20 (b) Previous conviction for possession of an unlawful article; or

21 (c) Stereotyped images of certain persons or groups as more likely  
22 to be committing offences.

23 36.-(1) Where an Officer is exercising the powers under section 31  
24 of this Bill, he shall before carrying out the search, question the person(s)  
25 about his/her behaviour or presence in circumstances which gave rise to the  
26 suspicion.

Action before a  
search takes place

27 (2) If the person to be searched has a satisfactory explanation  
28 which will make a search unnecessary or other circumstances has come to  
29 the attention of the Officer that makes the search unnecessary, no search may  
30 take place.

1 (3) Before any search of a detained person or vehicle may take place,  
2 the Officer must give the person to be searched or in-charge of the vehicle the  
3 following information:

4 (a) his name and the name of the Police Station to which he is  
5 attached.

6 (b) the object of the search; and

7 (c) his grounds or authorization for undertaking the search.

8 (4) For any Police Officer to exercise the power to stop and search, he  
9 must be in a Police uniform or in possession of valid Police Identity Card.

Conduct of  
search

10 37.-(1) Reasonable effort must be taken to minimize the  
11 embarrassment that a person being searched may experience.

12 (2) The co-operation of the person to be searched shall be sought in  
13 every case even if he initially objects to the search.

14 (3) A forcible search may be used as a last resort only if it has been  
15 established that the person being searched is unwilling to co-operate or resists.

16 (4) The length of time for which a person or vehicle may be detained  
17 for a search will depend on the circumstances, but this must be within a  
18 reasonable time.

19 (5) Searches in public must be restricted to superficial examination of  
20 outer clothing.

21 (6) Where it is considered necessary to conduct a more thorough  
22 search that requires a person to take off his cloth or headgear, it;

23 (a) Shall be done out of public view and by an officer of the same sex  
24 with the person being searched and

25 (b) may not be made in the presence of anyone of the opposite sex  
26 unless the person being searched requests it.

Action after a  
search is carried  
out

27 38.-(1) An officer who has carried out a search must make a written  
28 record unless it is not practicable to do so, on account of the numbers to be  
29 searched or for some other operational reason, e.g in situations involving  
30 public disorder.

1 (2) The records must be completed on the spot unless  
2 circumstances make this impracticable (e.g other immediate duties or very  
3 bad weather).

4 (3) Where the person to be searched is unwilling to provide  
5 detailed information about himself, the officer may take him to the nearest  
6 Police Station if there is a reasonable suspicion that he may be in possession  
7 of an incriminating item(s) and be searched, he should be allowed to go  
8 unless such incriminating item(s) are found in his possession or in the  
9 vehicle searched.

10 (4) A search record shall be prepared in the prescribed Form to be  
11 known as a Police Search Record Form

12 (5) The following information(s) should be included in the Police  
13 Search Record;

14 (i) the name of the person searched or if he withholds it, description  
15 of the person;

16 (ii) the date of birth of the person searched;

17 (iii) a note of the person's nationality;

18 (iv) where a vehicle is searched, a description of the vehicle,  
19 including the registration number;

20 (v) the object of the search and grounds for making the search;

21 (vi) the place, date and time the search was conducted;

22 (vii) a note of the outcome of the search including any injury or  
23 damage to property resulting from the search; and the identity of the officer  
24 making the search.

25 39.-(1) A Police Officer shall, subject to Section 15 of the  
26 Administration of Criminal Justice Act, 2015 and other relevant Laws in  
27 force and take record for the purposes of identification the measurements,  
28 photographs and fingerprint impressions of all persons who may from time  
29 to time be in lawful custody.

30 (2) where a person who has not previously been convicted of any

Power to profile  
arrested person(s)

1 criminal offence is discharged or acquitted by a court, all records relating to  
2 such measurements, photographs and fingerprint impressions including the  
3 document of acquittal or discharge shall be stored in a retrievable form and  
4 handed over to such person upon request or where no such request is made be  
5 destroyed within three (3) months of the said discharge and acquittal.

6 (3) A Police Officer shall apply to a Magistrate to compel any person  
7 in lawful custody who refuses to submit to the taking and recording of his  
8 measurements, photographs, or fingerprint impressions.

9 (4) Subject to subsection (3) of this section, the Magistrate shall  
10 compel the person(s) to allow a Police officer to take the measurements,  
11 photographs and finger-print impressions or be charged for the alleged offence.

Public Safety  
and Public Order

12 40. The Inspector-General of Police shall be responsible for  
13 maintaining and securing public safety and public order. In discharging these  
14 responsibilities, the Inspector-General of Police shall:

15 (a) uphold the provisions of the Constitution and Laws made  
16 thereunder;

17 (b) uphold and protect the fundamental rights of citizens; and

18 (c) be fair to all citizens notwithstanding their economic status or  
19 religious, ethnic or political beliefs and affiliations

20 (2) Subject to the provisions of subsection (1) of this section, the  
21 Commissioner of Police of a State shall be responsible for maintaining and  
22 securing public safety and public order within the State.

23 (3) Subject to the provisions of any law for the time being in force, the  
24 Inspector-General of Police or the Commissioner of Police or their lawful  
25 delegates may allow members of the public, the right to hold peaceful rallies,  
26 processions and assemblies in public highways, buildings or spaces after due  
27 notification in writing.

28 (4) (a) Subject to Section 3 above, where a person or organization  
29 notifies the Police of their intention to hold a public meeting, rally or  
30 procession on a public highway, or such meetings in a place where the public

1 has access to, the appropriate Police Officer responsible for the area where  
2 the meeting, rally or procession will take place, shall mobilize personnel to  
3 provide security cover for the meeting, rally or procession within the  
4 available man power where such a gathering is lawful;

5 (b) Where the appropriate Police Officer has reason to believe that  
6 the rally, procession or assembly will lead to riots or other violence, he shall  
7 convey this in writing giving reasons for his refusal to provide cover for the  
8 public meeting, rally, procession or such assembly; and may advise for its  
9 postponement.

10 (5) Where the organization decides to proceed with the meeting,  
11 rally, assembly or procession, notwithstanding the advice; the police may  
12 apply to a High Court in the state where the meeting, rally, procession or  
13 assembly is to take place, for an order restraining the organizers from  
14 proceeding with it and take such necessary steps to preserve public order.

#### 15 PART VI

16 41.-(1) Where a Police Officer or any other person finds a property,  
17 the property shall be taken to the nearest Police station within 24 hours

Property unclaimed,  
found or otherwise

18 (2) A Police Officer on duty shall collect the property found and  
19 make a record of it.

20 (3) A register shall be designed and kept for lost but found property  
21 which must contain the following information:

22 (a) the name of the property found, date, time and place it was  
23 found; .

24 (b) the description of the state or general particular of the property  
25 found, when it was brought to the Police Station; and any other relevant  
26 information relating to the property;

27 (c) the name, address and telephone number, of any of the person  
28 who found and brought it to the Station;

29 (d) the name and rank of the Police Officer who collected the  
30 property, and

1 (e) the signature of both the Police Officer and the person who found  
2 and brought the property to the station.

3 (4) A Police Officer who collects the lost but found property shall  
4 prepare two copies of the lost but found property in the prescribed Form and a  
5 copy shall be given to the person who found and brought the property to the  
6 Police Station.

7 (5) (a) The Police Officer in-charge of the Police Station that is in  
8 possession of lost but found property shall make public announcements about  
9 the property and for the rightful owner to claim it within 6 months with  
10 evidence and proof of ownership;

11 (b) The Police Officer in charge of the station in possession of the  
12 property shall release the property to the owner upon satisfactory proof of  
13 ownership.

14 (6) Where the property remains unclaimed after the expiration of six  
15 (6) months, the Police Officer in charge of the station shall apply to the Court  
16 for the property to be disposed through public auction.

17 (7) Where a property in Police custody is a perishable article or its  
18 custody involves unreasonable expense or inconvenience, it may be sold at any  
19 time, but the proceeds of sale shall not be paid into the Police reward fund until  
20 they have remained in the possession of the Police for six months, and in any  
21 other case, the property shall not be sold until it has remained in the possession  
22 of the Police for six months.

Documentation  
of arrested  
person(s)

23 42.-(1) Where a person appears in a Police station in respect of a crime  
24 or an allegation of commission of a crime, the Duty Officer or such other  
25 Officer as maybe authorized by the Officer in Charge of the Station shall enter  
26 in the official recordbook as follows:

27 (a) the name and address of the person and his national identity  
28 number (if any);

29 (b) the date of birth of the person;

30 (c) the reason for the person's arrest;

- 1 (c) the name and address of the person's next of kin;  
 2 (e) the exact time the person came to the station and leaves; and  
 3 (f) any ailment or medical condition which the person has.
- 4 (2) The particulars mentioned in sub-section (1) of the section shall  
 5 be updated each day the person remains in Police custody.
- 6 (3) Where in the performance of Police duty, a person is shot,  
 7 wounded or killed, the Officer commanding the operation shall record the  
 8 number of those wounded or killed, the names of such victims or their  
 9 description as much as possible and efforts taken to ensure hospitalization of  
 10 the wounded or proper preservation of the dead.
- 11 (4) Any Police Officer who fails to keep appropriate records  
 12 mentioned in subsections (1), (2) and (3) of this section shall be guilty of a  
 13 serious misconduct, which shall attract disciplinary measure.
- 14 (5) The Inspector-General of Police shall keep record of number(s)  
 15 and identity(ies) of persons who were killed or wounded during Police  
 16 operations across the country.

17 43.-(1) Any person who is aware that somebody under his  
 18 employment or control is missing shall within 24 hours report to the Police,  
 19 the identity of the missing person and the circumstances in which that person  
 20 got missing.

Missing person

21 (2) When such report is lodged with the Police, the Duty Officer or  
 22 such other designated Officer shall immediately record the names and  
 23 addresses of the missing person and the person who made the report.

#### 24 PART VII - OTHER PROVISIONS

25 44.-(1) There shall be established a fund to be called "the Police  
 26 Reward Fund"(in this section referred to as "the Fund") into which shall be  
 27 paid the following:

The Police  
Reward Fund

- 28 (a) all monies forfeited by order of a Superior Officer on members  
 29 of the Police for offences against discipline;  
 30 (b) all fines levied for assaults on members of the Police;

1 (c) one third of any fees paid by members of the public in respect of  
2 extracts from reports of accident made by the Police;

3 (d) one third of any fees paid in accordance with Standing Orders for  
4 the services of Police Officers who would otherwise be off duty; and

5 (e) all sums ordered to be paid into the fund under section 39(7) of this  
6 Bill.

7 (2) Subject to the rules of the time being in force under section 23 of  
8 the Finance Control and Management Act and other relevant laws, the fund  
9 shall be applied and disbursed at the direction of the Inspector-General of  
10 Police, based on criteria laid by the Nigeria Police Council, for any of the  
11 following purposes:

12 (a) to reward members of the Police Force for extra or special or  
13 exemplary services;

14 (b) for procuring comfort, conveniences or advantages for members  
15 of the Police Force which are not authorized to be paid for out of the monies  
16 provided by the Federal Government;

17 (c) for payment of ex gratia compassionate gratuities to widows or  
18 children of deceased members of the Force; and

19 (d) for making ex gratia payments towards the funeral expenses of  
20 any member of the Police Force who dies in the service of the Force.

Recognition  
and commendation  
for gallantry and  
exemplary service

21 45. Police Officers who have distinguished themselves with  
22 outstanding performance in the discharge of their duties shall be duly honoured  
23 and recognized for gallantry and exemplary service in any of the following  
24 ways:

25 (a) by recommendation for National Honours, with particular  
26 attention being paid to deserving Officers of lower rank:

27 (b) through public presentation of awards and certificates of  
28 exemplary service from communities and civil society; and

29 (c) the Nigeria Police Force shall set aside a day or week in every year  
30 to celebrate outstanding performance by its Officers as well as to remember



1 their fallen heroes.

2 46.-(1) A Police Officer shall not get himself trapped in  
3 indebtedness of any kind while still in service, and where he does, he shall be  
4 disciplined and the debt shall be recovered from his salary or remuneration  
5 provided the creditor has evidence(s) to prove the indebtedness.

Police Officer  
and indebtedness

6 (2) Subject to subsection (1) of this section, for such debt or liability  
7 to be settled the Officer's remuneration may be withheld to an extent not  
8 exceeding one-half of his monthly payment thereof.

9 (3) When an order for payment of such debt or satisfaction of such  
10 liability is made, the Court making the order shall give due notice to the  
11 Senior Police Officer in charge of the Command to which the indebted  
12 Officer belongs, and the amount ordered shall be withheld or deducted from  
13 the indebted Officer's remuneration until the amount of the debt is made  
14 good.

15 47. The remuneration of a Police Officer shall not be withheld upon  
16 any debt or liability which he may have incurred within three years before  
17 being enlisted into the Force.

Debt recovery  
exception

18 48.-(1) While still in service, a Police Officer shall not directly be  
19 involved in managing and running any private business or trade except  
20 farming.

Private business  
and conflict of  
interest

21 (2) Every Police Officer shall undertake a trade or skill of his  
22 choice at the Police Pre-retirement Training and Resettlement Centre within  
23 two (2) years to his retirement.

#### 24 PART VIII

25 49.-(1) A Police Officer who:

- 26 (a) begins, raises, abets, countenances, or excites mutiny;  
27 (b) causes or joins in any sedition or disturbances whatsoever;  
28 (c) being at any assemblage tending to riot, does not use his utmost  
29 endeavour to suppress such assemblage;  
30 (d) coming to the knowledge of any mutiny, or intended mutiny

Offences

1 does not without delay give information thereof to his Superior Officer;

2 (e) strikes or offers any violence to his Superior Officer, such Officer  
3 being in the execution of his duty;

4 (f) deserts or aids or abets the desertion of any Officer from the  
5 Service;

6 (g) fails to come to the aid or to assist any person in need of assistance  
7 at the time of distress; or

8 (h) on enlistment falsely states that he has not been convicted or  
9 imprisoned for a criminal offence or that he was never employed by the  
10 government of the federation or government of any state.

11 (2) Any Officer found indulging in any manner prescribed in  
12 S.47(1)(a-h) shall be subject to appropriate disciplinary measure.

13 (3) In discharging his duty, a Police Officer shall not discriminate  
14 against any Nigerian, based on the person's place of origin, gender, socio-  
15 economic status, ethnic, political or religious affiliation; or any form of  
16 disability; and shall not use racial or chauvinist language, or act in such a way  
17 that suggests a bias towards a particular group.

18 (4) A Police Officer may be proceeded against for desertion without  
19 reference to the time during which he may have been absent, and thereupon  
20 may be found guilty, either of desertion or of absence without leave:

21 Provided that a Police Officer shall not be convicted as a deserter or of  
22 attempting to desert unless the Court is satisfied that there was an intention on  
23 the part of such Officer either not to return to the Force, or to escape some  
24 particular important service.

Apprehension  
of deserters

25 **50.** Upon reasonable suspicion that any person is a deserter, a Police  
26 Officer or any other person may apprehend him and forthwith bring him before  
27 a Court having jurisdiction in the place wherein he was found, which may deal  
28 with the suspected deserter or refer him to a Court having jurisdiction in the  
29 place in which he has deserted.

1           51. Any person who assaults, obstructs or resists any Police officer  
2           in the execution of his duty, or aids or incites any other person to assault,  
3           obstruct or resist any Police Officer or any person aiding or assisting such  
4           Police Officer in the execution of his duty, shall be guilty of an offence and,  
5           on summary conviction before a Magistrate, shall be liable to a penalty of  
6           Fifty Thousand Naira (N50,000.00) only or to imprisonment for a term of  
7           six months.

Assault on Police  
Officer

8           52. Where any person is called upon to aid or assist a Police  
9           Officer who is, while in the execution of his duty, assaulted or resisted or in  
10          danger of being assaulted or resisted and such person refuses or neglects to  
11          aid and assist accordingly;  
12          shall be guilty of an offence and, on summary conviction thereof before a  
13          Magistrate, shall be liable to a penalty of Fifty Thousand Naira  
14          (N50,000.00) only or to imprisonment for a term of six months.

Refusing to aid  
Police Officer  
assaulted

15          53.-(1)While on duty, a Police Officer shall not take any  
16          intoxicating liquor, psychotropic substances or stimulants, where he does,  
17          he shall be punished in accordance with the Police disciplinary procedures.

Drinking of  
Alcohol or use  
of psychotropic  
substances and  
stimulants while  
on duty

18          (2)A person who:

19          (a) Knowingly harbours or entertains, or either directly or  
20          indirectly, sells or gives any intoxicating liquor, psychotropic substances or  
21          stimulants to any Police officer while on duty, or permits any such Police  
22          Officer to abide or remain in his house unlawfully; except in cases of  
23          extreme urgency,

24          (b) by threats or by offer of money, gift, spirits, liquors,  
25          psychotropic substances or stimulants induces or attempts to induce any  
26          Police Officer to commit a breach of his duty as a Police Officer or to omit  
27          any part of such duty; shall be guilty of an offence and liable on conviction to  
28          one month in prison with or without an option of fine of not less than Fifty  
29          Thousand Naira (N50,000.00) only.

Impersonation  
of Police Officer

1                   **54.** Any person not being a Police officer who:  
2                   (a) puts on or assumes either in whole or in part, the apparel, name,  
3 designation, or description of any Police Officer or resembling and intended to  
4 resemble the apparel, name or designation of any Police Officer; or  
5                   (b) in any way pretends to be a Police officer for the purpose of  
6 obtaining admission into any house or other place, or of doing any act which  
7 such person would not by law be entitled to do of his own authority; shall be  
8 guilty of an offence and on summary conviction before a Court, shall be liable  
9 to a penalty of not less than Fifty Thousand Naira(N50,000.00) only or to  
10 imprisonment for a term not less than three years or both.

Obtaining admission  
into the Nigeria  
Police Force by  
fraud

11                   **55.**-(1) A person who:  
12                   (a) knowingly uses or attempts to pass off any forged or false  
13 certificate, character, letter, or any other document for the purpose of obtaining  
14 admission into the Nigeria Police Force; or  
15                   (b) on applying for enlistment, makes any false answer to any  
16 question put to him by any appropriate authority; shall be guilty of an offence  
17 and, on summary conviction before a Court be liable to imprisonment for a  
18 term of six months.

19                   (2) A Police Officer may arrest without a warrant any person whom he  
20 reasonably believes or suspects of having committed an offence under this  
21 section.

Ordinary course  
of Law not to be  
interfered with

22                   **56.** Nothing in this Bill shall be construed to exempt a Police Officer  
23 from being proceeded against by the ordinary course of law when accused of  
24 any offence punishable under any other Act or law.

Persons acquitted  
by the Court shall  
not be punished  
on the same charge  
under this Bill,  
not if convicted  
except by reduction

25                   **57.**-(1) A person who has been acquitted by a court of any crime or  
26 offence shall not be tried on the same charge or suffers any punishment under  
27 this Bill.

28                   (2) where a member of the Nigeria Police Force has been convicted by  
29 a court of any crime or offence, he shall not be liable to be punished for the same  
30 offence under this Bill, notwithstanding that administrative punishment either

1 by reduction in rank or grade or by dismissal from the Police Force.

2 PART IX - REGULATIONS AND STANDING ORDERS

3 58.-(1) The Inspector General of Police may make Standing Orders Standing Orders  
4 relating to operational control of the Police.

5 (2) Such Standing Orders shall be binding upon all Police Officers  
6 and shall be published in the Federal Gazette and in one national daily.

7 PART X- APPLICATION.

8 59. All the provisions of this Bill shall extend to all persons who, at Application of  
9 the commencement of this Bill are serving in the Nigeria Police Force already serving  
10 established by the Constitution of the Federal Republic of Nigeria as if such  
11 persons had been appointed under this Bill.

12 PART XI - COMMUNITY POLICING COMMITTEE

13 60.-(1) There shall be Community Policing Committee for Establishment  
14 effective and efficient Policing. of Community  
policing Committee

15 (2) the Commissioner of Police in each state of the federation shall  
16 establish Community Policing Committee that shall consist broadly,  
17 representatives of local communities in his state of jurisdiction.

18 (3) A community Policing sub-committee shall be established at all  
19 Divisional Police Headquarters and Police Posts.

20 (4) Subject to subsection (2) of this Section, the Commissioner of  
21 Police and the members designated by him from time to time for the  
22 purpose, shall be members of the community policing committee and sub-  
23 committees established at various Police Formations.

24 61.-(1) The duties of Community Policing Officers shall include  
25 assisting the Police in:

Duties of  
Community  
Policing Officers

26 (a) Crime detection and prevention;

27 (b) Conflict resolution;

28 (c) Criminal intelligence-gathering and dissemination to the local  
29 Police Commanders;

30 (d) Maintenance of Law and Order;

1 (e) Deployment to complement the conventional Police in the patrol  
2 of the public space within their local communities;

3 (f) Reassuring and advising the public on public safety, crime  
4 prevention and security tips;

5 (g) Deal with minor offences and social vices;

6 (h) Work with the community, schools, and young people, business  
7 communities, religious bodies, cultural groups, community-based  
8 Associations, recreational centres and hospitality businesses toward crime  
9 control.

10 (i) They could also assist in traffic management and school safety  
11 duties.

12 (2) The Inspector-General of Police in implementing Community  
13 Policing shall promote organisational strategies that support the systematic use  
14 of partnerships and problem - solving techniques to proactively address  
15 conditions that cause crime, social disorder and fear of crime.

16 (3) The Inspector-General of Police in implementing Community  
17 Policing may vary strategies according to the needs of the communities  
18 involved and the cultural context. Local models will vary and evolve according  
19 to the differing needs of differing communities, whilst retaining and sharing  
20 the same set of goals and basic principles.

Establishment  
of State  
Community  
Policing  
Committee

21 62.-(1) A State Police Commissioner of Police shall in collaboration  
22 with the State Executive Council, establish a State Community Policing  
23 Committee.

24 (2) A State Community Policing Committee shall subject to  
25 subsection (3) of this section, consist of representatives of Divisional  
26 Community Policing Committee designated for that purpose by the Divisional  
27 Community Policing Committee in the state concerned.

28 (3) Subject to section 58(1) of this Bill, the State Commissioner of  
29 Police and the members designated by him from time to time for the purpose,  
30 shall be members of the State Community Policing Committee concerned.

1                   **63.-(1)** A State Commissioner of Police shall in collaboration with  
 2 the relevant stakeholders in the community, establish Divisional  
 3 Community Policing sub-committees in all Police Divisions within the  
 4 State.

Establishment  
 of Divisional  
 Community  
 Policing  
 Sub-Committee

5                   **(2)** A Divisional Community Policing sub-committee shall subject  
 6 to sub-section (3) of this Section consist of representatives of the various  
 7 Community groups in the Division concerned, designated for the purpose of  
 8 such Community Policing Sub-Committee.

9                   **(3)** Subject to section 58(1) of this Bill, the Divisional Police  
 10 Officers and their members designated by him from time to time for that  
 11 purpose, shall be members of the Divisional Community Policing Sub-  
 12 committee.

13                   **64.-(1)** The Community Police Committee shall in each state be  
 14 established with a view to:

Object of  
 Community  
 Policing  
 Committees

15                   **(a)** maintaining a partnership between the Community and the  
 16 Police;

17                   **(b)** promoting communication between the Nigeria Police Force  
 18 and the Community;

19                   **(c)** promoting co-operation between the Police and the community  
 20 in fulfilling the needs of the community regarding policing;

21                   **(d)** improving the rendering of Police services to the community;

22                   **(e)** improving transparency in the Police and accountability of  
 23 Police services to the community; and

24                   **(2)** This section shall not prevent Police liaison with the  
 25 community by means other than Community Policing Committee.

26                   **65.** A State Community Policing Committee or Divisional  
 27 Community Policing Sub-committee shall perform the functions it deems  
 28 necessary and appropriate to achieve the objects stated in section 64 of this  
 29 Bill.

Functions of  
 Community  
 Policing  
 Committee

30                   **66.-(1)** Every State Community Policing Committee or Divisional

Procedural  
 Matters

1 Community Policing Sub-committee shall:

2 (a) elect from amongst its members a Chairperson, Vice-  
3 Chairperson and a Secretary;

4 (b) determine the number of members to be assigned by the State  
5 Commissioner or Divisional Police Officer to serve as members of the  
6 committee or Sub-committee concerned;

7 (c) determine its own procedure and cause minutes to be kept of its  
8 proceedings; and

9 (d) whenever it deems it necessary, co-opt other members or experts  
10 or community leaders to the committee or Sub-committee in an advisory  
11 capacity.

12 (2) Members of the Community Policing committee or Sub-  
13 committee shall render their services on a voluntary basis and shall have no  
14 claim to compensation solely for services rendered to such committee or Sub-  
15 committee.

16 (3) The majority of members of the Committee or Sub-  
17 committee concerned shall constitute a quorum at a meeting thereof.

18 (4) In the absence of the Chairperson of the Committee or Sub-  
19 committee at a meeting, the vice-chairperson shall act as Chairperson, and if  
20 both the Chairperson and the Vice-Chairperson are absent, the members  
21 present shall elect one of their members present at the meeting to preside.

#### 22 PART XII - SPECIAL CONSTABLES

23 67.-(1) It is hereby established under this Bill the Special  
24 Constabulary.

25 (2) The special constabulary shall be deemed as Part of the Nigeria  
26 Police Force, and accordingly references in this Bill to the Police Force  
27 established under this Act shall, subject to the provisions of this Bill, include,  
28 and be deemed always to have included, references to the special constabulary.

29 (3) The special constabulary shall consist of-

30 (a) special constables appointed in normal circumstances under



1 Section .67 of this Bill; and

2 (b) such emergency special constables as may be appointed from  
3 time to time under Section 4 of this Bill.

4 (4) In so far as any enactment (whether passed or made before or  
5 after the commencement of this Act) requires police officers to perform  
6 military duties or confers power (whether expressly or in general terms) to  
7 require police officers to perform such duties, that enactment shall not, in the  
8 absence of express provision to the contrary, extend to members of the  
9 special constabulary.

10 68.-(1) Subject to the provisions of this section, the competent  
11 authority may appoint as a special constable any person (whether male or  
12 female) who:

Appointment of  
Special Constables

13 (a) has attained the age of 21 years but has not attained the age of  
14 fifty (50) years;

15 (b) is of good character and physically fit; and

16 (c) has signified willingness to serve as a special constable.

17 (2) The Inspector-General of Police shall, from time to time, by  
18 notice published in the Force Administrative Instructions fix the maximum  
19 number of persons who may at any time hold appointments under this  
20 section; and a person shall not be appointed as a special constable under this  
21 section if his appointment would cause the number for the time being so  
22 fixed to be exceeded.

23 (3) Subject to subsection (2) of this section, the Inspector-General  
24 may from time to time:

25 (a) review the maximum number of persons who may at any time  
26 hold appointments under this section in any territory; and

27 (b) at his own discretion fix the maximum number of persons  
28 appointed under this section who may at any time hold any Particular rank in  
29 the special constabulary in any territory, and may, in either case, fix different  
30 numbers with respect to different territories; and it shall be the duty of every

1 competent authority to ensure that the numbers fixed under this subsection are  
2 not exceeded.

3 (4) Every special constable appointed under this section-

4 (a) shall be appointed to serve as a special constable for one year or  
5 such longer period as may be agreed between him and the authority by whom  
6 he is appointed, and shall on appointment sign an engagement in the prescribed  
7 form to serve as a special constable for that period;

8 (b) shall be appointed in respect of the Police Area Command or,  
9 where there is no Police Area Command, the Police division in which he  
10 resides or is employed;

11 (c) shall within the territory in which the Police area in respect of  
12 which he is appointed is situated, but not elsewhere, have the powers,  
13 privileges and immunities of a special constable; and

14 (d) subject to the provisions of this Act, shall be a member of the  
15 Special Constable for all purposes: provided that a Special Constable  
16 appointed in respect of a Police area within the Federal Capital Territory, Abuja  
17 shall have the powers, privileges and immunities of a Special Constable not  
18 only within the Federal Capital Territory, Abuja but also within any Police area  
19 adjacent to the Federal Capital Territory, Abuja.

20 (5) A Special Constable appointed under this section shall have such  
21 rank as may be assigned to him by the competent authority; the assigning  
22 authority shall cause notice thereof to be published in Force Administrative  
23 Instructions.

24 (6) A special constable appointed under this section may within three  
25 months before the end of his first or any subsequent period of engagement, and  
26 with the permission of the competent authority, re-engage to serve for a further  
27 period of one year or such longer period as may be agreed between him and the  
28 authority and, if he does so, his appointment under this section shall be deemed  
29 to have been extended accordingly; and without prejudice to the right of the  
30 competent authority to refuse permission in any case, a person shall not be

1 permitted to re-engage under this subsection unless he would, if not already  
2 a Special Constable, be qualified for appointment as such under this  
3 subsection.

4 (7) Every Special Constable appointed under this section shall, on  
5 appointment, be issued with a certificate of appointment in the prescribed  
6 form, and on the determination of his appointment (whether by the passage  
7 of time or under section 68 of this Bill, shall be issued with a certificate of  
8 discharge in the prescribed form.

9 69.-(1) A special constable appointed under section 68 of this Bill  
10 may at any time give to the Superior Police Officer in charge of the Police  
11 Area in respect of which he is appointed notice in writing to the effect that he  
12 desires to resign his appointment on a date (not being less than fourteen days  
13 later than the date on which the notice is given) mentioned in the notice.

Resignation,  
suspension and  
dismissal of  
Special Constables  
appointed under  
Section 68

14 (2) On receipt of a notice under the foregoing subsection the  
15 Superior Police Officer in question shall refer it to the competent authority;  
16 and if, but only if, the competent authority consents to the notice having  
17 effect, the appointment of the special constable by whom the notice was  
18 given shall determine on the date mentioned in the notice or the date on  
19 which he is notified that the competent authority has given his consent under  
20 this subsection, whichever is the later.

21 (3) The competent authority may at any time, for reasons appearing  
22 to him to be sufficient, by notice in writing forthwith suspend or determine  
23 the appointment of any special constable appointed under section 68 of this  
24 Bill and may, if he thinks fit, do so without informing the Special Constable  
25 of the reasons for his action, but shall in every case immediately report his  
26 action and the reasons therefor to the Inspector-General of Police.

27 (4) A Special Constable whose appointment is suspended or  
28 determined under subsection (3) of this section otherwise than by the  
29 Inspector-General of Police, may appeal against the suspension or  
30 determination to the competent authority; and any such appeal shall be heard

1 and determined by the competent authority to whom it is made.

2 (5) Any delegation of the powers of the Inspector-General of Police  
3 under subsections (3) and (4) of this section shall be such as to secure that in  
4 every case the competent authority having power to hear and determine an  
5 appeal under subsection (4) of this section is a Police Officer of higher rank  
6 than the Police Officer against whose action the appeal is brought.

Appointment  
of Emergency  
Special Constables

7 70.-(1) If at any time the Commissioner of Police for a State is  
8 satisfied, as regards any Police Area in that State, that an unlawful assembly or  
9 riot or breach of the peace has taken place or may reasonably be expected to  
10 take place in that area, or that by reason of other special circumstances it is  
11 necessary in the public interest for Emergency Special Constables to be  
12 appointed in respect of that area, he may authorise the Superior Police Officer  
13 in charge of that area or any Chief Superintendent of Police to appoint persons  
14 resident or employed in that area (whether male or female) as Emergency  
15 Special Constables.

16 (2) An authorisation under this section need not be in writing, but  
17 must specify the maximum number of Emergency Special Constables who  
18 may be appointed under that authorisation.

19 (3) Where a Superior Police Officer proposes to appoint any person as  
20 an emergency special constable under an authorisation given under this  
21 section, he shall cause to be served on that person a notice in the prescribed  
22 form requiring him to present himself at a time and place specified in the notice  
23 for appointment as an Emergency Special Constable.

24 (4) Every person on whom a notice is served under subsection (3) of  
25 this section shall present himself at the time and place specified in the notice  
26 and shall there, on being required to do so by the Superior Police Officer  
27 proposing to appoint him, make and sign a promise in the prescribed form to  
28 serve as an Emergency Special Constable until such time as his appointment is  
29 determined under this section; and immediately after he has made and signed  
30 that promise, the Superior Police Officer shall hand to him a document in the

1 prescribed form appointing him as an Emergency Special Constable in  
2 respect of the Police Area to which the authorisation under which he is being  
3 appointed relates.

4 (5) Every emergency special constable appointed under this  
5 section-

6 (a) shall, in the police area in respect of which he is appointed, but  
7 not elsewhere, have the powers, privileges and immunities of a special  
8 constable; and

9 (b) subject to the provisions of this Bill, shall be a member of the  
10 Special Constabulary for all purposes and shall accordingly be subject to the  
11 provisions of this Bill.

12 (6) The Superior Police Officer in charge of the Police Area in  
13 respect of which an Emergency Special Constable is appointed may at any  
14 time, and shall if so directed by the Commissioner of Police for the State in  
15 which that police area is situated, by notice in writing forthwith, or with  
16 effect from a future date specified in the notice, determine the Emergency  
17 Special Constable's appointment; and on the determination of his  
18 appointment under this section an emergency special constable shall be  
19 issued with a certificate of discharge in the prescribed form.

20 (7) Any person who without reasonable excuse (proof of which  
21 shall lie on him)-

22 (a) refuses or fails to comply with the requirements of a notice  
23 served on him under subsection (3) of this section; or

24 (b) refuses to make and sign a promise to serve on being required to  
25 do so under subsection (4) of this section; shall be liable on summary  
26 conviction to a fine not exceeding Ten Thousand Naira (N10,000.00).

27 (8) The foregoing provisions of this section shall apply in relation  
28 to the Federal Capital Territory, Abuja as they apply in relation to a State,  
29 subject to the modification that, in relation to the Federal Capital Territory,  
30 Abuja any reference to the Commissioner of Police shall be construed as a

1 reference to the Inspector-General of Police.

2 (9) The foregoing provisions of this section shall have effect subject  
3 to section 68 (2) and (3) of this Bill.

Provisions  
supplementary  
to section 68

4 71.-(1) The Commissioner of Police for a State or the Inspector-  
5 General of Police;

6 (a) on giving an authorisation under section 68 of this Bill, shall  
7 forthwith inform the President of his action and of the circumstances which led  
8 him to take it, and shall as soon as possible cause notice of the giving of the  
9 authorisation to be published in the force administrative instructions; and

10 (b) as soon as possible after all Emergency Special Constables  
11 appointed under that authorisation have been discharged, shall cause notice of  
12 that fact to be published in the force administrative instructions.

13 (2) The Inspector-General of Police may by order published in the  
14 Force Administrative Instructions declare persons of any class or description  
15 specified in the order to be exempted from appointment as Emergency Special  
16 Constables under section 68 of this Bill, and the power to appoint persons as  
17 Emergency Special Constables under that section shall not extend to persons of  
18 any class or description for the time being so specified.

19 (3) Any power to make or determine appointments under or by virtue  
20 of section 68 of this Bill shall be exercisable only while there is in force the  
21 necessary delegation of that power by the Inspector-General of Police.

Equipment

22 72.-(1) The Inspector-General of Police may provide for use by  
23 Special Constables such as batons, clothing and other equipment as he  
24 considers necessary for the proper carrying out of their duties.

25 (2) Any expenses incurred by the Inspector-General of Police under this  
26 section shall be defrayed out of moneys provided by the Federal Government.

Instructions of  
Special Constables

27 73.-(1) Regulations made by virtue of section 57 of this Bill with  
28 respect to the organisation and administration of the Force shall not require  
29 Special Constables to attend for instruction on more than four days in anyone

1 month or for periods amounting in the aggregate to more than 24 hours in  
2 any one month.

3 (2) Any person responsible for giving instruction to Special  
4 Constables under regulations made as aforesaid shall have regard as far as  
5 possible to the convenience of Special Constables who are to attend for  
6 instruction and also, where applicable, to that of the employers of such  
7 Special Constables.

8 74.-(1) Except as expressly provided by this section or by  
9 regulations made by virtue of subsection (3) of this section, a person's  
10 service as a Special Constable shall render him for a stipend as may be  
11 determined by the Inspector-General of Police as approved by Police  
12 Council.

Allowances,  
Pensions, etc.

13 (2) A Special Constable shall have no claim on the Police Reward  
14 Fund established under section 43 of this Bill and shall not as such be  
15 entitled to occupy living accommodation provided at the public expense.

16 (3) Regulations made by virtue of section 57(a) of this Bill may  
17 provide for stipends to be paid to Special Constables-

18 (a) in respect of expenses incurred by them in connection with their  
19 attendance at periods of instruction;

20 (b) as compensation for loss of earnings during periods of full-time  
21 duty; and

22 (c) in respect of the use by Special Constables of or of this  
23 subsection the rank of Inspector of their own vehicles while on full-time  
24 duty, but shall not provide for the payment of any other stipends to Special  
25 Constables; and the amount of any such stipends as is mentioned in  
26 paragraph (a) or (b) of this subsection shall be fixed by the regulations, and  
27 shall not be calculated by reference to the actual expenses or loss of earnings  
28 of the person to whom it is payable.

29 (4) Without prejudice to the generality of the said section 57 of this  
30 Bill, regulations thereunder may make provision for enabling any such

1 stipend as is mentioned in subsection (3) of this section to be withheld by a  
2 Superior Police Officer if, in his opinion, there are good reasons for  
3 withholding it.

4 (5) Subject to subsection (7) of this section, section 6 of the Pensions  
5 Act (which contains corresponding provisions applicable to Police Officers  
6 above the rank of Constable) shall not apply to Special Constables as they  
7 apply to regular Police Officers.

8 (6) Subject to subsection (7) of this section, paragraphs (1) and (2) of  
9 regulation 24 of the repealed Pensions Regulations (which make provision for  
10 the payment of pensions to officers in respect of permanent injuries received  
11 while on duty) may apply to Special Constables as they apply to regular Police  
12 Officers, so however that, for the purposes of the application of those  
13 paragraphs to Special Constables, references to retirement shall be construed  
14 as references to retirement from employment other than employment as a  
15 Special Constable.

16 (7) If a Special Constable is killed or sustains injuries at a time when  
17 he holds some other office in the public service of the Federation or of a State,  
18 his duty as a Special Constable shall, for the purpose of the Pensions Act, be  
19 deemed to form Part of his duty as the holder of that other office, and  
20 subsections (5) and (6) of this section shall not apply in this case.

21 (8) Any pension granted by virtue of subsection (5) or (6) of this  
22 section shall be subject to the provisions of the Act under which it is granted  
23 and shall be liable to cease or be otherwise dealt with accordingly.

24 (9) In this section, "regular police officer" means a police officer who  
25 is neither a Special Constable nor a Supernumerary Police Officer.

#### 26 PART XIII - SUPERNUMERARY POLICE OFFICERS

27 75.-(1) Any person (including any government department or private  
28 company) who desires to avail himself of the services of one or more Police  
29 Officers for the protection of property owned or controlled by him may make  
30 application therefore to the Inspector-General of Police, stating the nature and



1 situation of the property in question and giving such other Particulars as the  
2 Inspector-General of Police may require.

3 (2) On an application under the foregoing subsection the Inspector-  
4 General of Police may, with the approval of the President, direct the  
5 appropriate authority to appoint as Supernumerary Police Officers in the  
6 Force such number of persons as the Inspector-General of Police thinks  
7 requisite for the protection of the property to which the application relates.

8 (3) Every Supernumerary Police Officer appointed under this  
9 section-

10 (a) shall be appointed in respect of the area of the Police Command  
11 or, where there is no Police Command, the Police Area Command or Police  
12 division in which the property which he is to protect is situated;

13 (b) shall be employed exclusively on duties connected with the  
14 protection of that property;

15 (c) shall, in the Police Area in respect of which he is appointed and  
16 in any Police Area adjacent thereto, but not elsewhere, have the powers,  
17 privileges and immunities of a Police Officer; and

18 (d) subject to the restrictions imposed by paragraphs (b) and (c) of  
19 this subsection and to the provisions of section 22 of this Bill, shall be a  
20 member of the Force for all purposes and shall accordingly be subject to the  
21 provisions of this Bill and in Particular the provisions thereof relating to  
22 discipline.

23 (4) Where any Supernumerary Police Officer is appointed under  
24 this section, the person availing himself of the services of that officer shall  
25 pay to the Accountant-General of the Federation:

26 (a) on the enlistment of the Officer, the full cost of the Officer's  
27 uniform; and

28 (b) quarterly in advance, a sum equal to the aggregate of the  
29 amount of the Officer's pay for the quarter in question and such additional  
30 amounts as the Inspector-General of Police may direct to be paid in respect

1 of the maintenance of the Officer during that quarter, and any sum payable to  
2 the Accountant-General of the Federation under this subsection which is not  
3 duly paid may be recovered in a summary manner before a Magistrate on the  
4 complaint of any Superior Police Officer:

5           Provided that this subsection shall not apply in the case of an  
6 appointment made on the application of a department of the Government of the  
7 Federation.

8           (5) Where the person availing himself of the services of any  
9 Supernumerary Police Officer appointed under this section desires the services  
10 of that officer to be discontinued, he must give not less than two months' notice  
11 in writing to that effect, in the case of an Officer appointed in respect of a Police  
12 Area within that Part known as the Federal Capital Territory, to the Inspector-  
13 General of Police or, in the case of an officer appointed in respect of a Police  
14 area within a State, to the Commissioner of Police of that State; and on the  
15 expiration of such notice the services of the Supernumerary Police Officer in  
16 question shall be withdrawn.

17           (6) Where the services of a Supernumerary Police Officer are  
18 withdrawn in pursuance of subsection (5) of this section in the course of a  
19 quarter for which the sum mentioned in subsection (4) (b) of this section has  
20 been paid to the Accountant-General of the Federation, the Accountant-  
21 General of the Federation shall pay to the person by whom that sum was paid a  
22 sum which bears to that sum the same proportion as the unexpired portion of  
23 that quarter bears to the whole of that quarter.

24           (7) In this section, "the Accountant-General" means the Accountant-  
25 General of the Federation; "government department" means any department of  
26 the Government of the Federation or of the Government of a State; and  
27 "quarter" means any period of three months; and any reference in this section to  
28 the person availing himself of the service of a Supernumerary Police Officer  
29 appointed under this section is a reference to the person on whose application  
30 the Officer was appointed or, if that person has been succeeded by some other

1 person as the person owning or controlling the property for the protection of  
2 which the Officer in question was appointed, that other person.

3 76.-(1) The appropriate authority may, at the request of any  
4 Superior Police Officer, appoint any person as a Supernumerary Police  
5 Officer in the Force with a view to that person's employment on duties  
6 connected with the administration or maintenance of premises occupied or  
7 used for the purposes of the Force, but shall not do so in any Particular case  
8 unless satisfied that it is necessary in the interests of security or discipline  
9 that persons performing the duties in question should be subject to the  
10 provisions of this Bill relating to discipline.

Appointment of  
supernumerary  
Police Officers  
for employment  
on administrative  
duties on Police  
premises

11 (2) Every Supernumerary Police Officer appointed under this  
12 section-

13 (a) shall be appointed in respect of the Police Area Command or  
14 where there is no Police Area Command, the Police Division in which the  
15 premises in connection with whose administration or maintenance he is to  
16 be employed are situated;

17 (b) shall be employed exclusively on duties connected with the  
18 administration or maintenance of those premises;

19 (c) shall, in the Police Area in respect of which he is appointed, but  
20 not elsewhere, have the powers, privileges and immunities of a Police  
21 Officer; and

22 (d) subject to the restrictions imposed by paragraphs (b) and (c) of  
23 this subsection and to the provisions of section 80 of this Bill, shall be a  
24 member of the Force for all purposes and shall accordingly be subject to the  
25 provisions of this Act and in Particular the provisions thereof relating to  
26 discipline.

27 77.-(1) If at any time the President is satisfied, as regards any police  
28 area, that it is necessary in the public interest for supernumerary police  
29 officers to be employed in that area, he may authorise the appropriate  
30 authority to appoint persons as supernumerary police officers in the Force

Appointment of  
supernumerary  
Police Officers  
where necessary  
in the public  
interest

1 under and in accordance with the authorisation.

2 (2) Every authorisation under this section shall be in writing and shall  
3 specify the police area to which it relates and the maximum number of  
4 supernumerary police officers who may be appointed under that authorisation.

5 (3) Every supernumerary police officer appointed under an  
6 authorisation given under this section-

7 (a) shall be appointed in respect of the police area to which the  
8 authorisation relates;

9 (b) shall, in the police area in respect of which he is appointed and in  
10 any police area adjacent thereto, but not elsewhere, have the powers, privileges  
11 and immunities of a police officer; and

12 (c) subject to the restriction imposed by paragraph (b) of this  
13 subsection and to the provisions of section 79 of this Bill, shall be a member of  
14 the Force for all purposes and shall accordingly be subject to the provisions of  
15 this Act and in Particular to the provisions thereof relating to discipline.

16 78.-(1) The appropriate authority may at the request of the Inspector-  
17 General of Police or of the Commissioner of Police of a State appoint any  
18 person as a Supernumerary Police Officer in the Force with a view to that  
19 person's attachment as an orderly to-

20 (a) a Minister; or

21 (b) a Commissioner of the Government of a State; or

22 (c) a Police Officer of or above the rank of Assistant Commissioner.

23 (2) Every Supernumerary Police Officer appointed under this section-

24 (a) shall be employed exclusively on duties connected with the  
25 activities of the person to whom he is attached;

26 (b) shall, while so employed, have throughout Nigeria the powers,  
27 privileges and immunities of a Police Officer; and

28 (c) subject to the restriction imposed by paragraph (a) of this  
29 subsection and to the provisions of section 80 of this Bill, shall be a member of  
30 the Force for all purposes and shall accordingly be subject to the provisions of

Appointment  
of supernumerary  
Police Officers  
for attachment  
as orderlies

1 this Bill and in Particular the provisions thereof relating to discipline.

2 79.-(1) Every Supernumerary Police Officer shall, on  
3 appointment, be enlisted to serve in the Force from month to month, and  
4 accordingly a Supernumerary Police Officer may at any time resign his  
5 appointment by giving one month's notice in that behalf to the Superior  
6 Police officer in charge of the Police Area in respect of which he is  
7 appointed, and his appointment may be determined by the appropriate  
8 authority on one month's notice in that behalf or on payment of one month's  
9 pay instead of such notice.

Provisions  
supplementary  
to sections 75  
to 78

10 (2) The ranks to which Supernumerary Police Officers may be  
11 appointed shall be prescribed by regulations made by the President under  
12 section 46 of this Bill on the recommendation of the Inspector-General of  
13 Police.

14 (3) A Supernumerary Police Officer shall have no claim on the  
15 Police Reward Fund; and, without prejudice to any liability under the  
16 Workmen's Compensation Act, to pay compensation to or in respect of any  
17 person by virtue of his employment as a Supernumerary Police Officer, a  
18 person's service as such as Officer shall not render him or any other person  
19 eligible for any pension, gratuity or annual allowance under this Bill or the  
20 Pensions Act.

#### 21 PART XI - TRAFFIC WARDEN SERVICE

22 80.-(1) There is hereby established a Traffic Warden Service (in  
23 this Bill referred to as "the warden Service").

Establishment  
of the Traffic  
Warden Service

24 (2) The Warden Service shall consist of traffic wardens enlisted  
25 from time to time under this Bill.

26 (3) The Warden Service shall be a part of the Nigerian Police Force  
27 and accordingly, references to the Police established under this Bill shall  
28 subject to the provisions of this Bill include references to the Warden  
29 Service.

30 (4) Notwithstanding subsection (3) of this section, in so far as any

1 enactment whether passed or made before or after the commencement of this  
2 Bill requires Police Officers to perform military duties, or confers any power  
3 on any person whether expressly or in general terms to require Police Officers  
4 to perform such duties, that enactment, shall not in the absence of express  
5 provision to the contrary extend to Traffic Wardens.

6 (5) Traffic Wardens shall be employed to discharge functions  
7 normally undertaken by the Police in connection with the control and  
8 regulation of, or the enforcement of the law relating to road traffic and shall in  
9 that connection, act under the direction of the Police.

10 (6) Without prejudice to the generality of the foregoing subsection, a  
11 Traffic Warden shall be required to deal majorly with:

12 (a) the general control and direction of motor traffic on the highway:

13 (b) assisting pedestrians to cross the road; and

14 (c) controlling vehicles stopping or parking in unauthorized places.

Appointment  
of Traffic Wardens

15 **§1.-(1)** Notwithstanding anything to the contrary in any enactment,  
16 the Inspector -General of Police is vested with the power to enlist, confirm such  
17 enlistment, promote, transfer, dismiss or exercise any disciplinary control over  
18 any Traffic Warden.

19 (2) Subject to the provisions of this Bill, a person may be enlisted as a  
20 Traffic warden if he/she:

21 (a) is not less than eighteen (18) years and not more than twenty-five  
22 25 years of age;

23 (b) possesses a minimum educational qualification of Senior  
24 Secondary School Certificate (SSCE);

25 (c) is not less than 167.64 centimetres and 162.56 centimetres tall  
26 respectively for the male and female;

27 (d) in the case of male, has not less than 86.36 centimetres chest  
28 measurement when fully expanded;

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

30 (f) has signified his/her willingness to serve as a Traffic Warden;

1 (3) The supervising Police ministry on the recommendation of the  
2 Inspector-General of Police shall from time to time by notice published in  
3 the Federal gazette, fix the maximum number of persons who may at any  
4 given time hold Office under this section; and a person shall not be enlisted  
5 as a Traffic Warden if his enlistment would cause the number for the time  
6 being so fixed to be exceeded.

7 (4) The Inspector-General of Police may:

8 (a) from time to time fix the maximum number of Traffic Wardens  
9 who may at any given time hold Office in any State;

10 (b) at his own discretion fix the maximum number of Traffic  
11 Wardens who may at any given time hold any particular rank in the Warden  
12 Service in any State; and

13 (c) in either case fix different numbers with respect to different  
14 States.

15 (5) In relation to Traffic Wardens enlisted under this Bill, the form  
16 of the Police Declaration prescribed by the Oaths Act shall be adapted by the  
17 substitution:

18 (i) for the words "Police Officer" where they occur in the fifth line,  
19 of the words "a Traffic Warden" and

20 (ii) for the words from "for the preservation of peace" to the end of  
21 the declaration, of the words "to discharge all duties of my Office according  
22 to law"

23 82. Every Traffic Warden enlisted under this Bill shall be enlisted Period of Service  
24 to serve as a Traffic Warden for a period of 35 years or until he/she attains 60  
25 years of age, which ever comes first, and only in the Police Command in  
26 which he resides.

27 83. A Traffic Warden enlisted under this Bill shall, when on duty be Powers of  
28 in uniform and within the Police Command in which he is enlisted to serve, Traffic Warden  
29 but not elsewhere, and shall have the powers, privileges and immunities of a  
30 Police Officer under any law relating to the regulation of Road Traffic.

Certificate of  
Enlistment and  
of Discharge

1                   **84.** Every Traffic Warden shall on first enlistment, be issued with a  
2 certificate of enlistment in a form approved by the Inspector-General of Police  
3 and on the determination of that or any subsequent enlistment whether by  
4 effluxion of time or under section 8 of this Bill, shall in like manner be issued  
5 with a certificate of discharge.

Ranks of Traffic  
Wardens

6                   **85.**-(1) A Traffic Warden shall have such rank as may be assigned to  
7 him by the Inspector-General of Police within the following grades:

- 8                   (a) Traffic Warden Grade III;  
9                   (b) Traffic Warden Grade II;  
10                  (c) Traffic Warden Grade I;  
11                  (d) Senior Traffic Warden II;  
12                  (e) Senior Traffic Warden I;  
13                  (f) Assistant Superintendent of Traffic II;  
14                  (g) Assistant Superintendent of Traffic I; and  
15                  (h) Deputy Superintendent of Traffic.

Resignation

16                  **86.**-(1) A Traffic Warden enlisted under this Bill may at any time give  
17 to any Superior Police Officer under whom he is serving, notice in writing of  
18 his intention to resign his appointment on a date mentioned in the notice (not  
19 being less than 28 days later than the date on which the notice is given).

20                  (2) On receipt by the Superior Police Officer of the notice referred to  
21 in subsection (1) of this section, the Superior Police Officer shall immediately  
22 refer such notice to the Commissioner of Police having control over him and  
23 the Traffic Warden and if the Commissioner of Police consents to the notice  
24 having effect, the appointment of the traffic warden shall be terminated  
25 accordingly.

Discipline

26                  **87.**-(1) In so far as the context so admits, but subject to the provisions  
27 of this Bill, a Traffic Warden shall be subject to the provisions of the Police  
28 Regulations subsidiary to this Bill, for purposes of discipline.

29                  (2) In the application to Traffic Wardens of the Second Schedule to the  
30 Police Regulations, references to Constables, Corporals, Sergeants, Inspectors



1 and Senior Police Officers shall include respectively references to Traffic  
2 Wardens Grade III-I and Senior Traffic Wardens Grade II-I and  
3 Superintendents of Traffic respectively.

4 88.-(1) The Inspector-General of Police may provide for use by the  
5 Traffic Wardens such equipment as he considers necessary for the proper  
6 carrying out of the duties of Traffic Wardens under this Bill.

Provision of  
equipment

7 (2) Any expenses incurred by the Inspector-General of Police under  
8 this section shall be defrayed out of monies provided by the Federal  
9 Government.

10 89. The Inspector-General of Police may delegate any of his  
11 powers under this Bill to the Commissioner of Police in a state or the  
12 Commandant of a Police College (except his power of delegation), so that  
13 the delegated powers may be exercised by the delegate with respect to the  
14 matters or class of matters specified or defined in the instrument of  
15 delegation.

Delegation of  
Power by the  
Inspector-General  
of Police

16 90.-(1) Every person enlisted into the Traffic Warden Service shall  
17 be required to undergo a course of training at the Traffic Training School of  
18 Police Colleges for a period of twelve weeks or such other or further period  
19 as the Inspector-General of Police may determine.

Instruction of  
Traffic Wardens,  
etc.

20 (2) A Traffic Warden enlisted under this Bill shall be allocated a  
21 service number with the letters "TW" and the service numbers of all traffic  
22 wardens employed in the Federation shall appear on the register kept for that  
23 purpose by the Inspector-General of Police.

24 (3) A Traffic Warden to whom a service number has been allocated  
25 under subsection 2 of this section shall wear his service number on the  
26 shoulder flaps of the uniform whenever he is on duty.

27 91. In this Part, except where the context otherwise requires, the  
28 following expressions have the meanings hereby assigned to them  
29 respectively, that is to say-

Interpretation

30 "competent authority", in relation to any power to appoint Special

1 Constables, or to approve their re-engagements, or to suspend or determine  
2 their appointments, or to assign ranks to or exercise disciplinary control over  
3 Special Constables, or to hear their appeals against suspension or dismissal,  
4 means the Inspector-General of Police or any Superior Police Officer or  
5 Inspector to whom the power in question has by notice published in the Force  
6 Administrative Instructions been delegated in accordance with this Bill, and  
7 any such notice may, as regards any such power, make different provision with  
8 respect to different ranks in the special constabulary;

9 "emergency special constable" means an emergency special constable  
10 appointed under section 67 of this Act;

11 "force administrative instructions", in relation to the Commissioner of Police  
12 for a State means the official publication, and in relation to the Inspector-  
13 General means the Force Administrative Instructions.

14 "police area" means any Police Formation, Command, Area Command;

15 "police division" means a Police division established under the provisions of  
16 standing orders made under section 58 of this Bill;

17 "prescribed" means prescribed by regulations made under section 57 of this  
18 Bill;

19 "special constable" includes an emergency special constable;

20 "territory" means a State or the Federal Capital Territory, Abuja.

Repeal and  
transitional  
provisions

21 92.-(1) The police Act CAP P19 Laws of the Federation of Nigeria  
22 2004 is repealed.

23 (2) Subject to subsections (1) and (4) of this section, anything done  
24 under or by virtue of the Police Act shall be deemed to have been done under or  
25 by virtue of the corresponding provision of this Act; and anything begun under  
26 or by virtue of the said Act of 2004 may be continued under or by virtue of this  
27 Bill as if begun under or by virtue of this Bill.

28 (3) Without prejudice to the generality of subsection (2) of this  
29 section, any person who immediately before the commencement of this Bill  
30 held an appointment as a member of the Nigeria Police Force under the Police

1 Act, LFN, 2004 shall be deemed to have been appointed under and in  
 2 accordance with the corresponding provisions of this Bill on the date and for  
 3 the period on or for which he was actually appointed; and service under that  
 4 Bill shall, for the purposes of any pension for which a Police Officer is  
 5 eligible by virtue of this Bill, be deemed to be service under this Bill.

6 (4) Nothing in this Bill shall affect any pension which was before  
 7 the commencement of this Bill granted under the Police Act, LFN, 2004; and  
 8 the provisions of that Bill shall continue to apply to any pension so granted  
 9 as if this Bill had not been made.

10 93.-( ) Where there is no specific provision under this Bill or in any  
 11 State where the Administration of Criminal Justice Act, 2015 is not  
 12 domesticated, the extant law of that State apply.

Saving as to  
 other Laws and  
 Subsidiary  
 Legislation

13 (2) Provisions of Police Regulations, 1968 made pursuant to  
 14 Section 46 of the repealed Police Act, CAPP19, LFN 2004 is still in force.

15 PART XII - POLICE PUBLIC COMPLAINTS AND DISCIPLINE

16 94. The Inspector-General of Police shall establish a Police  
 17 Complaints Response Unit in this Bill referred to as "the Unit" in each of the  
 18 Police Command in all the States of the Federation..

Establishment  
 of Police Complaint  
 Response Unit

19 95.-(1) The Unit shall consist of representatives of the Federal or  
 20 State Intelligence Bureau, Police Provost Marshal and any other unit as the  
 21 Inspector-General of Police may deem fit.

Unit Composition

22 (2) The Unit shall be headed by an Officer not below the rank of a  
 23 Chief Superintendent of Police.

24 96.-(1) The Unit shall receive:

Functions of the  
 Unit

25 (a) complaint or information of Police Officers misconduct from  
 26 the public; or

27 (b) complaint of Police Officers misconduct from other Police  
 28 members or authority.

29 (2) The Unit may receive:

30 (a) any complaint alleging that the conduct complained of resulted

1 in the death of or serious injury or other gross human rights violations; or

2 (b) any complaint showing that a Police officer may have committed a  
3 criminal offence;

4 (c) any complaint which shows that a Police Officer is involved in an  
5 act constituting professional misconduct.

6 (3) The Unit shall monitor the investigations initiated by the Unit.

7 (4) While conducting investigation into any complaint by any  
8 member of the public against a Police Officer, the Nigeria Police Force shall  
9 afford the person against whom the complaint has been made opportunity to  
10 defend himself.

11 (5) Upon the conclusion of an investigation, the appropriate  
12 investigative unit shall make available a copy of its findings or investigation  
13 report to the Unit within 21 days from the day the complaint was made.

Steps to be  
taken after  
investigation

14 97. After investigation, the head of the Unit with the approval of the  
15 Inspector General of Police shall:

16 (a) send a copy of the investigation report and recommendations to  
17 the Commissioner of Police, Legal for advice and possible prosecution if the  
18 investigation reveals that a criminal offence has been committed;

19 (b) send a copy of the investigation report and recommendations to  
20 the appropriate Police or oversight authority for proper disciplinary action if  
21 the investigations reveal that the offence committed is against discipline as  
22 stated in the First Schedule Regulations 370 of the Police Act and Regulations;  
23 and

24 (c) where it is discovered after investigations that the complainant  
25 knowingly gave false information against any Police Officer or should have  
26 reasonably known that the information is false, such a person shall be tried in  
27 accordance with relevant laws for the time being in force.

28 PART XIII

Legal Proceedings

29 98.-(1) subject to the provisions of this bill, the provisions of Public  
30 Officers Protection Act shall apply in relation to any suit instituted against any

1 member of the Nigeria Police Force.

2 (2) Notwithstanding anything contained in any other law or  
3 enactment, no suit against the Nigeria Police, the Inspector-General of  
4 Police, Commissioner of Police or any other member of the Police Force for  
5 any act done in pursuant or execution of this Act or any other law or  
6 enactment or any public duties or authority or in respect of any alleged  
7 neglect, or default in the execution of this Act or any other law or enactment,  
8 duties or authority shall lie or be instituted in any court unless it is  
9 commenced-

10 (a) within three months next after the act, neglect or default or  
11 complained of;

12 (b) in the case of a continuation of damage or injury within six  
13 months next after the ceasing thereof;

14 (c) after exhausting the remedies provided in sections 77 to 80 of  
15 this Act.

16 (3) No suit shall be commenced against the Nigeria police force,  
17 the Inspector-General of police, the commissioner of police or any member  
18 of the police force before the expiration of a period of one month after notice  
19 of intention to commence the suit have been served on the Inspector-General  
20 of police or the commissioner of police where the alleged cause of action  
21 arose by the intending plaintiff or his agent or legal practitioner.

22 (4) the notice referred to in subsection 3 of this section shall clearly  
23 and explicitly state:

24 (a) the cause of action;

25 (b) the particulars of claim;

26 (c) the name and address of the intending plaintiff;

27 (d) the relief(s) which he claims;

28 (e) and be accompanied by the petition written to the police  
29 complaint unit established by this Act

30 (5) A notice, summons or other documents required or authorized

1 to be served on the Nigeria police force, the Inspector-General of police,  
2 commissioner of police or any member of the police force under this Act or any  
3 other law or enactment may be served by delivery to the Legal Department of  
4 the force headquarters or Zonal, State command headquarters or formation or  
5 by sending it by registered post addressed to the commissioner of police, Legal  
6 Department force headquarters or Officer in charge Legal section of the state,  
7 Zonal or Formation concerned.

8 6.-(1) In any action or suit against the Nigeria Police Force, the  
9 Inspector-General of police, Commissioner of police or any member of the  
10 police Force, no execution or attachment of process in the nature thereof shall  
11 be issued against the Nigeria police, the Inspector-General of Police,  
12 Commissioner of police, unless not less than three months' notice of the  
13 intention to the execution or attachment has been given to the Inspector-  
14 General of police or Commissioner of police or any member of the police  
15 Force.

16 (2) Any sum of money which by the judgment of any court has been  
17 awarded against the Nigeria police Force, the Inspector -general of police or  
18 Commissioner of police shall subject to any direction by the court where no  
19 appeal against the judgment has been filed, be paid by the member of the police  
20 whose action led to the institution of the suit and the judgment.

#### 21 PART XIV- APPLICATION

22 99. All the provisions of this Bill shall extend to all persons who, at  
23 the commencement of this Bill are serving in the Nigeria Police Force  
24 established by the Constitution of the Federal of Nigeria as if such persons had  
25 been appointed under this Bill.

26 100. The Police Act Cap P19, Laws of the Federation of Nigeria,  
27 2004 is repealed.

28 101. Anything done or purported to have been done under the Police  
29 Act, Cap P19, Laws of the Federation of Nigeria, 2004 remains valid, subject to  
30 the Provisions of this Bill.

## 1 PART XV - INTERPRETATION

2 **102.** In this Bill, except where the context otherwise requires: Interpretation3 "Inspector General means, Inspector General of police, Deputy Inspector  
4 General and Assistant Inspector General of police,5 "Commissioner" means a Commissioner of Police, a Deputy Commissioner  
6 of Police or an Assistant Commissioner of Police,

7 "Constable" means any Police Officer below the rank of Corporal;

8 "Court" means any court established by any law in force in Nigeria,

9 "Inspector" includes a Chief Inspector and an Inspector of Police;

10 "Minister" means the minister charged with responsibility over Police  
11 matters an "Ministry" shall have a corresponding meaning;12 "Non-Commissioned Officer" means a Police Sergeant-Major, a Police  
13 Sergeant or a Police Corporal as the case may be;

14 "Police Officer" means any member of the Nigerian Police Force;

15 "Prosecuting Officer" means any police officer qualified to prosecute under  
16 this bill or any person appointed by the Attorney General of the Federation  
17 or of the States or Police to prosecute crimes on their behalf and for the  
18 Nigeria Police Force;19 "Senior Police Officer" means any Police Officer above the rank of a Cadet  
20 Assistant Superintendent of Police;21 "Superintendent of Police", includes a Chief Superintendent of Police,  
22 Superintendent of Police, a Deputy Superintendent of Police, and an  
23 Assistant Superintendent of Police; and

24 "The Police" means the Nigeria Police Force established under this Bill.

25 **103** This Bill may be cited as the Nigerian Police Act (Repeal and Short title  
Re-enactment) Bill, 2020.

## EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Police Act Cap. P19 LFN, 2004 and enact the Nigerian Police Act, 2020, to provide for the cooperation and partnership between the Police and host communities in maintaining peace and combating crime.

