

A BILL

FOR

AN ACT TO AMEND THE IMMIGRATION ACT NO. 8 OF 2015 AND ESTABLISH THE NIGERIA IMMIGRATIONS BORDER PATROL AGENTS AS A SPECIALISED DIRECTORATE IN THE NIGERIAN IMMIGRATION SERVICE TO PATROL, MAINTAIN SURVEILLANCE, CONDUCT BORDERLINE WATCH AND PREVENT PERSONS FROM ENTERING OR LEAVING NIGERIA WITHOUT PERMISSION AND FOR RELATED MATTERS, 2020

Sponsored by Hon. Benjamin Bem Mzondu

[] Commencement

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

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| <p>1 1. The Immigration Act No.8 of 2015 (in this Bill referred to as</p> <p>2 "the Principal Act") is amended as set out in this Bill.</p> | <p>Amendment of
the Immigration
Act No. 8 of 2015</p> |
| <p>3 2. The Principal Act is amended by inserting a new "Part X -</p> <p>4 DIRECTORATE OF BORDER PATROL AGENTS" to renumber from</p> <p>5 section 64 and subsequent sections accordingly.</p> | <p>Insertion of new
Part X-Directorate
of Border Patrol
Agents</p> |
| <p>6 3. There is established for the Nigeria Immigration Service, a</p> <p>7 specialized Directorate in the Service to be known as the Directorate of</p> <p>8 Nigeria Immigrations Border Patrol Agents (in this Bill referred to as "the</p> <p>9 Directorate") which shall be responsible for the coordination, operation,</p> <p>10 direction, posting and training of Immigration Officers deployed to the</p> <p>11 Directorate and designated as Border Patrol Agents.</p> | <p>Establishment
of Nigeria
Immigration
Border Patrol
Agents</p> |
| <p>12 4. The Directorate shall be headed by a Deputy Comptroller</p> <p>13 General in the Service.</p> <p>14 The Directorate shall be responsible for:</p> <p>15 (1) deployment and designation of certain Immigration Officers as</p> <p>16 Border Patrol Agents in Divisions, Units and Stations to man the Nigeria</p> <p>17 Borderline;</p> | <p>Functions of the
Directorate</p> |

	1	(2) ensuring the patrol, surveillance and watching of the borderline at
	2	all times;
	3	(3) conduct specialized and tailored training programmes and courses
	4	for and posting of Border Patrol Agents;
	5	(4) determine and create such divisions, units and stations of
	6	operations as the Directorate may deem fit;
	7	(5) perform any other duties as may from time to time be assigned by
	8	the Comptroller General or the Minister.
Duties of the Agents	9	5. The Nigeria Immigrations Border Patrol Agents shall:
	10	(1) continuously patrol Nigeria land borders to prevent persons from
	11	entering or leaving Nigeria without government permission;
	12	(2) detect and prevent the smuggling and unlawful entry of aliens into
	13	Nigeria;;
	14	(3) apprehend any person found to be in violation of immigration
	15	laws;
	16	(4) check, reduce border crimes and improve the quality of life in
	17	border communities;
	18	(5) conduct borderline watch by the detection, prevention and
	19	apprehension of terrorists, illegal aliens and smugglers of both aliens and
	20	contraband at or near the land border by maintaining surveillance from a covert
	21	position, responding to electronic sensor television systems, aircraft sightings,
	22	and interpreting and following tracks, marks and other physical evidence;
	23	(6) conduct traffic check, traffic observation, city patrol,
	24	transportation check, forest, farm and ranch check, administrative intelligence
	25	and anti-smuggling activities;
	26	(7) deter illegal entries through improved enforcement;
	27	(8) detect, apprehend and deter smugglers of humans, drugs, and
	28	other contraband;
	29	(9) use smart border technology to achieve smart border surveillance.

1	6. All Border Patrol Agents shall under take specialized training	Specialized training courses and programmes for Agents
2	courses and programmes for a mandatory period of not less than six (6)	
3	months: (1) border Patrol Agent Trainees shall be instructed in courses or	
4	subjects including but not limited to:	
5	(a) criminal law;	
6	(b) nationality and citizenship provisions of the constitution;	
7	(c) immigration service laws and administration;	
8	(d) police sciences;	
9	(e) self-defense and arrest techniques;	
10	(f) firearms training with pistol, shotgun and rifle;	
11	(g) police vehicle driving;	
12	(h) anti-terrorists/bomb techniques;	
13	(i) other border patrol law enforcement subject.	
14	(2) All Border Patrol Agents shall undergo field training	
15	programme, an on-the-job training for a minimum period of 12 weeks and a	
16	maximum period of 16 weeks, depending on the practical demands of the	
17	duty station or unit.	
18	(3) All Border Patrol Agents shall periodically undergo additional	
19	classroom-based training at their duty stations.	
20	(4) The Directorate shall organize or conduct foreign training	
21	courses and programmes for all Border Patrol Agents as deemed fit.	
22	7. Notwithstanding any provisions of the Principal Act, Border	Uniforms, Ranks and Insignia
23	Patrol Agents shall wear and be addressed in such uniforms, ranks and	
24	insignia as may be specified and provided by the Comptroller General or the	
25	Minister.	
26	8. The Border Patrol Agents shall carry and use such firearms and,	Use of firearms
27	in a manner, as may be directed and approved by the Comptroller General or	
28	the Minister.	
29	9. The Directorate shall have power to procure or purchase any	Power of Procurement
30	facility, instrument, tool or gadget and Information Technology equipment	

	1	needed for the effective operations of the Border Patrol Agents subject to the
	2	approval of the Comptroller General and in accordance with the provisions of
	3	the Public Procurement Act, 2007.
Interpretation	4	10. In this Bill unless the context otherwise requires:
	5	"Border Patrol Agent" means any fit Immigration Officer deployed to the
	6	Directorate in accordance with Section 2 of this Bill;
	7	"Comptroller General" means the Comptroller General of the Nigeria
	8	Immigration Service;
	9	"Deputy Comptroller General" means a Deputy Comptroller General of the
	10	Nigeria Immigration Service heading the Directorate;
	11	"Directorate" means the Directorate of Border Patrol Agents established in
	12	accordance with Section 1 of the Bill;
	13	"Division" means an administrative unit under the Directorate;
	14	"Service" means the Nigeria Immigration Service established by the
	15	Immigration Service Act of 2015.
Citation	16	11. This Bill may be cited as the Immigration Act 2015 (Amendment)
	17	(Border Patrol Agents) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Immigration Act No. 8 of 2015 to establish a specialized Directorate in the Nigeria Immigration Service for the purpose of deploying and training Immigration Officers designated as Border Patrol Agents to effectively man the Nigerian borderline at all times to prevent illegal immigrants, terrorists and other criminals from entering Nigeria.