

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, CAP. C23, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE FOR STATE POLICE AND OTHER STATE GOVERNMENT SECURITY SERVICES TO ENHANCE SECURITY AND PRESERVATION OF LIVES AND PROPERTIES IN NIGERIA; AND FOR RELATED MATTERS

Sponsored by Hon. Onofiok Luke

[] Commencement

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

- 1 **1.** The Constitution of the Federal Republic of Nigeria, Cap.C23, Alteration of
 2 Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Cap. C23, LFN,
 3 Principal Act") is altered as set out in this Bill. 2004
- 4 **2.** Section 197(1) of the Principal Act is altered by inserting after Alteration of
 5 paragraph (d), new paragraphs "(e)" - "(f)" - section 197
 6 "(e) State Police Council; and
 7 (f) State Police Service Commission."
- 8 **3.** The Second Schedule to the Principal Act is altered- Alteration of the
 9 (a) in Part I, by deleting item 45 from the Exclusive Legislative Second Schedule
 10 List; and
 11 (b) in Part II, by inserting after item 30 on the Concurrent
 12 Legislative List, new items "31" - "32"-
 13 "31. The National Assembly may make laws for the establishment
 14 of the Federal Police and other Federal Government Security Services;
 15 32. A House of Assembly may make laws for the establishment of
 16 State Police and other State Government Security Services."
- 17 **4.** The Third Schedule to the Principal Act is altered by inserting Alteration of the
 after paragraph (8), new paragraphs "9" - "12" - Third Schedule

1 "E State Police Council

2 9. A State Police Council shall comprise the following members:

3 (a) the Governor, who shall be the Chairman;

4 (b) the Chairman of the State Police Service Commission; and

5 (c) State Commissioner of Police.

6 10. The functions of a State Police Council shall include-

7 (a) the organisation and administration of a State Police Force and all
8 other matters relating thereto (not being matters relating to the use and
9 operational control of the Force or the appointment, disciplinary control and
10 dismissal of members of the Force);

11 (b) the general supervision of a State Police Force; and

12 (c) advising the Governor on the appointment of State Commissioner
13 of Police.

14 "F State Police Service Commission

15 11. A State Police Service Commission shall comprise the following
16 members-

17 (a) a Chairman; and

18 (b) such number of other persons, not less than five but not more than
19 seven, as may be prescribed by a Law made by the House of Assembly of a
20 State.

21 12. The Commission shall have power to-

22 (a) appoint persons to offices (other than the office of the State
23 Commissioner of Police) in the State Police Force; and

24 (b) dismiss and exercise disciplinary control over persons holding
25 any office referred to in sub paragraph (a)."

Citation

26 **5.** This Bill may be cited as the Constitution of the Federal Republic
27 of Nigeria (Fifth Alteration) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to provide for State Police and other state government security services to enhance security and preservation of lives and properties in Nigeria.