

# 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 POLICE SERVICE AND ENSURE COOPERATION AND PARTNERSHIP BETWEEN THE POLICE AND HOST COMMUNITIES IN MAINTAINING PEACE AND COMBATING CRIME; AND FOR RELATED MATTERS

*Sponsored by Senator Jika Dauda Haliru*

[ ] Commencement

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

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### 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.

2. The specific objectives of this Bill are to:

Specific Objectives

- (1) ensure that the Nigerian Police 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;
- (4) respect the dignity of all persons;
- (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 guaranteed under the constitution;

1 (7) Foster cooperation and partnership between the Police and the  
2 communities it serves; and

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

4 PART II - ESTABLISHMENT AND DUTIES OF THE POLICE

Establishment  
and Composition  
of the Nigerian  
Police Service

5 3.-(1) There is hereby established for Nigeria a police organization to  
6 be known as the Nigerian Police which shall replace the former Nigeria Police  
7 Force and assume its rights, powers, privileges liabilities structures and  
8 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;

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16 (iii) appointed as Special Constables under section 49 of the repealed  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 Cap. P19 Laws of Federation 1990; and

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

General duties  
of the Police

19 4. 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 Right, and any other law;

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

24 (c) preserve 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, roads
- 3 streets and avenues open to public without subjecting citizenry to
- 4 inhuman treatments or any form of extortion;
- 5 (h) adopt community partnership in the performance of the duties
- 6 provided under this section; and
- 7 (j) prevent and detect crimes without unreasonably threatening the
- 8 liberty and privacy of the citizens.

9 5.-(1) There is established a body to be known as the Nigerian Establishment

10 Police Council (in this Bill referred to as "the Council") which shall consist of the Nigerian

11 of; Police Council

- 12 (a) The President, who shall be the Chairperson;
- 13 (b) The Governor of each State of the Federation;
- 14 (c) The Chairman of the Police Service Commission; and
- 15 (d) The Inspector-General of Police.

16 (2) The functions of the Council shall include-

- 17 (a) the organisation and administration of the Police and all other
- 18 matters relating thereto (not being matters relating to the use and operational
- 19 control of the Police, or the appointment, disciplinary control and dismissal
- 20 of members of the Police);
- 21 (b) the general supervision of the Police;
- 22 (c) advising the President on the appointment of the Inspector-
- 23 General of Police.

24 (3) The Permanent Secretary in the Police Affairs Office, in the

25 Presidency, shall be the Secretary to the Council and the Secretariat of the

26 Council shall be in the Police Affairs Office, the Presidency.

27 PART III

28 6. Pursuant to Section 215 (1) of the Constitution, the hierarchy of

29 the Police shall consist of the following:

- 30 (i) The Inspector-General of Police;

- 1 (ii) Deputy Inspector- General of Police;
- 2 (iii) Assistant Inspectors-General of Police;
- 3 (iv) Commissioners of Police;
- 4 (v) Deputy Commissioner of Police;
- 5 (vi) Assistant Commissioner of Police;
- 6 (vii) Chief Superintendent of Police;
- 7 (viii) Superintendent of Police;
- 8 (ix) Deputy Superintendent of Police;
- 9 (x) Assistant Superintendent of Police;
- 10 (xi) Inspector of Police;
- 11 (xii) Sergeant Major;
- 12 (xiii) Sergeant;
- 13 (xiv) Corporal;
- 14 (xv) Constable; and
- 15 (xv) Such other officers as the Nigeria Police Council may, from time
- 16 to time, consider necessary for effective discharge of the functions of the
- 17 Police.

Appointment  
of Inspector  
General of Police

18 7.-(1) The Inspector General of Police shall be the head of the Police  
19 and exercise all operational control over the Police and all its  
20 departments/units.

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

25 (3) The person for the office of the Inspector General of Police shall  
26 be appointed as follows:

27 (i) interested persons shall make an open and formal application to the  
28 Police Council;

29 (ii) the Nigerian Police Council shall nominate three applicants from  
30 among the pool of applicants using the stipulated criteria for competences and

1 qualification; and

2 (iii) the President shall appoint the Inspector General of Police  
3 from the recommended applicants subject to the confirmation of the senate.

4 (4) The Inspector-General of Police shall not be removed from  
5 office except for gross misconduct, gross violation of the constitution or  
6 demonstrated incapacity to effectively discharge the duties of the office.

7 (5) The Inspector General of Police shall not be removed from  
8 office except:

9 (i) a report or complaint of gross misconduct or incapacity to  
10 perform his duties has been made against him by any person, including the  
11 President;

12 (ii) the Nigerian Police Council considers the allegations against  
13 him serious and sets up a committee of the Council to investigate the matter.

14 (iii) the Committee investigates the allegation, and after fair  
15 hearing, recommends that the person be removed from office; and

16 (iv) the Senate by resolution confirms the removal of the person.

17 (6) the person appointed to the office of the Inspector General of  
18 Police shall hold office for a single term of 5 years subject to the statutory  
19 retirement requirement in the public service.

20 8.-(1) the Deputy Inspector General and Assistant Inspectors  
21 General shall be appointed by the Police Service Commission

Appointment  
of Deputy Inspector  
General of Police,  
etc.

22 (2) A Person appointed under subsection (1) of this section shall  
23 hold office until retirement or removal following due process by the Police  
24 Service Commission on account of gross misconduct or incapacity to  
25 perform his/her duties based on recommendation by the Inspector General  
26 of Police.

27 9. A Commissioner of Police shall be appointed for each state of  
28 the federation and the Federal Capital Territory by the Police Service  
29 Commission on the recommendation of the Inspector General of Police.

*Powers, Duties and Functions*

Power and  
Duties of the  
Inspector General  
of Police

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2                   **10.**-(1) The Inspector General of police may exercise the powers and  
3 shall perform the duties and functions necessary to give effect to section 7(1) of  
4 this Bill.

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

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

10                  (b) having due regards to the state of the security across the country  
11 and population, determine the distribution of the numerical strength of the  
12 Police after due consultation with the Police Service Commission;

13                  (c) organize or reorganize the Nigeria Police at national level into  
14 various components, units or groups;

15                  (d) establish and maintain training institutions or centers for the  
16 training of officials and other members; and

17                  (e) perform any legal act or act in any legal capacity on behalf of the  
18 Police.

Duties of the  
Deputy Inspector  
General of Police

19                   **11.**-(1) The Deputy Inspector-General shall act in the absence of the  
20 Inspector-General of Police.

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

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

27                   (b) all matters of importance dealt with by the Deputy Inspector-  
28 General during the absence of the Inspector-General shall be referred to the  
29 Inspector General on his return.



1 their expertise in the advancement of the duties of the service.

2 (3) All candidates intending to be enlisted/ recruited into the service  
3 shall undergo psychological and other evaluations as may be required as part of  
4 the enlistment or recruitment process to ascertain their character and suitability  
5 for the job.

6 (4) Within the period of enlistment, every police officer shall undergo  
7 specialized training in any professional field relevant to policing and law  
8 enforcement.

9 16.-(1) Subject to section 18 of this Bill, the Police Service  
10 Commission may extend the service of constables whose service is needed  
11 beyond general duties for a period of six years.

12 (2) Subject to subsection (i) of this section, a Constable that serves an  
13 extension may be considered for a re-engagement into the Police Force  
14 provided he applies for it.

Delegation

15 17. A Non-Commissioned Officer; Constable or Recruit Constable  
16 on fresh enlistment, or re-engaged for a further period of service, shall make  
17 and subscribe to the Police declaration prescribed by the Oaths Act.

Re-engagement

18 18.-(1) Upon approval by the appropriate authority, a Non-  
19 Commissioned Officer or Constable of good character may be re-engaged to  
20 serve for second period of six years as well as third period of six years or until  
21 the officer reaches 35 years of service or age of 60 years, whichever is earlier

22 (2) Upon completion of such third period of six years, or if the officer  
23 has re-engaged until reaching the age of 60 years, the Non-Commissioned  
24 Officer or Constable may be discharged or may claim a discharge provided a  
25 six months' notice is given to or by him.

26 (3) The prescribed approval referred to in subsections (1) and (2) of  
27 this section shall be that of the Chairman of the Police Service Commission or  
28 as delegated to the Inspector General of Police by the Commission.

29 (4) Where a Non-Commissioned Officer or Constable Offers to re-  
30 engage within six months after having received his discharge, he shall on re-



1 engagement be entitled to the rank which he was holding at the time of his  
2 discharge provided there is a vacancy in the establishment of that rank at the  
3 time he re-engages.

4 (5) The service of a Non-Commissioned Officer or Constable who  
5 has re-engaged under this section shall be deemed to be continuous for the  
6 purposes of the pension or annual allowance or gratuities, as the case may  
7 be, and the Non-Commissioned Officer or Constable regarded as being on  
8 leave without pay during the period between discharge and re-engagement

9 (6) A Non-Commissioned Officer or Constable may not be re-  
10 engaged after a period of six months has elapsed since his discharge, except  
11 his offer of service is accepted.

12 (7) The question of reinstatement of a re-enlisted Non-  
13 Commissioned Officer or Constable to the rank he held prior to his  
14 discharge shall be decided by a superior Police Officer.

15 (8) A Non-Commissioned Officer or Constable whose period of  
16 service expires during a state of war, insurrection or hostilities, may be  
17 compulsorily retained and his service prolonged for such period, not  
18 exceeding twelve months, as the Police Service Commission may direct.

19 (9) Subject to the provision of section 7 (1) of the Pension Act and  
20 to the provisions of subsection (2) of this section, no Police Officer other  
21 than a superior police officer shall be at liberty to resign or withdraw himself  
22 from his duties without the approval of the Police Service Commission or  
23 any Police Officer authorized in writing by the Police Service Commission.

24 19.-(1) All police officers shall undergo periodic training and  
25 retraining in basic policing and law enforcement courses as well as  
26 specialized courses relevant to law enforcement;

Training and  
retraining of  
Police Personnel

27 (2) The Inspector-General, in consultation with the Police Service  
28 Commission, shall be responsible for the revision of the training, duration as  
29 well as content of police training at least once in every five years

## PART V - POWERS OF THE POLICE OFFICER

Conduct of  
Prosecutions

1  
2           20.-(a) Subject to the provisions of section 174 and 211 of the  
3 Constitution of the Federal Republic of Nigeria and section 106 of the  
4 Administration of the Criminal Justice Act which relates to the powers of the  
5 Attorney-General of the Federation and of a State to institute and undertake,  
6 take over and continue or discontinue criminal proceedings against any person  
7 before any court of law in Nigeria, a Police Officer may conduct in person  
8 prosecutions before any court whether or not the information or complaint is  
9 laid in his name;

10           (b) a police officer referred to in 20(a) above may conduct such  
11 prosecutions before the courts subject to the provisions of the relevant criminal  
12 procedure laws in force at the federal level and in state regarding prosecution  
13 by non-qualified legal practitioners

14           (c) There shall be assigned to every Police Division at least 1 Police  
15 Officer that is qualified to practice as legal practitioner in accordance with the  
16 Legal Practitioners Act Cap L11 LFN 2004.

Decision to file  
case

17           21. Where a crime is reported to the Police or a person is brought to a  
18 police station on the allegation of commission of a criminal offence, it shall be  
19 the duty of the Police to investigate such allegations according to its internal  
20 processes and procedures and report their findings to the Prosecutor who shall  
21 decide whether to file a charge or not.

Power to arrest  
without warrant

22           22.-(1) In addition to the powers of arrest without warrant conferred  
23 upon a Police Officer by section 18 of the Administration of Criminal Justice  
24 Act, it shall be lawful for any Police Officer and any person whom he may call  
25 to his assistance, to arrest without warrant:

26           (a) any person whom he finds committing a felony, misdemeanor or  
27 simple offence, or whom he reasonably suspects of having committed or is  
28 about to commit a felony, misdemeanor or breach of the peace;

29           (b) any person whom any other person charges with having  
30 committed a felony or misdemeanour.

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

4 (3) For the purpose of this section the expressions felony,  
5 misdemeanour and simple offence shall have the same meanings as they  
6 have in the Criminal Code and Penal Code.

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

Power to arrest  
without having  
warrant possession

12 **24.** Any summons lawfully issued by a court may be served by any  
13 police officer at any time during the hours of daylight, which is  
14 between 6.am to 6pm.

Summonses

15 **25.** When a person is arrested without a warrant, he shall be taken  
16 before a court which has jurisdiction with respect to the offence with which  
17 he is charged as soon as practicable after he is taken into custody:

Bail of person  
arrested without  
warrant

18 Provided that any Police officer for the time being in charge of a  
19 Police station may inquire into the case and:

20 (a) except when the case appears to such officer to be of a serious  
21 nature, he may release such person upon his entering into a recognizance  
22 with or without sureties, for a reasonable amount to appear in court at the  
23 day, time, and place mentioned in the recognizance; or

24 (b) if it appears to a police officer that an inquiry cannot be  
25 completed forthwith, he may release such person on his entering into are  
26 cognizance with or without sureties for a reasonable amount, to appear at  
27 such Police Station and at such times as are named in the recognizance,  
28 unless he previously receives notice in writing from the superior Police  
29 officer in charge of that Police station that his attendance is not required, and  
30 any such bond maybe enforced as if it were a recognizance, conditional for

1 the appearance of the person before a court.

Application for  
extension of  
detention or  
remand

2           26.-(1) Where a Senior Police Officer of the rank of superintendent or  
3 above in charge of a police station in which a person is detained has a  
4 reasonable ground to believe that it is imperative to secure the person arrested  
5 without charge in detention in order to preserve evidence pertaining to an  
6 offence for which he is arrested; or obtain such evidence by interrogating him;

7           (2) An application may be made to a Court pursuant to Section 293 of  
8 the ACJA to remand the person in prison custody or extend the detention in the  
9 police station and the court may grant the application for remand or extension  
10 of detention provided that:

11           (a) there are reasonable grounds to justify further detention;

12           (b) the application for extension is filed before the expiration of 48  
13 hours after the arrest;

14           (c) the arrested person has been served with a copy of the information  
15 brought before the court for hearing and is given opportunity to be heard;

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

18           (e) there is a verifiable evidence on oath that the person sought to be  
19 detained will materially interfere with investigation or escape from criminal  
20 trial if released; and

21           (f) there is no other way of ensuring attendance of the person to trial  
22 and non-interference with investigation except by remand in police or prison  
23 custody.

24           (3) The application referred to under this section, shall be determined  
25 by the court within 48 hours.

Power to search

26           27.-(1) In addition to the provision of section 12 of the Administration  
27 of Criminal Justice Act, a Police Officer may seize and retain anything for  
28 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  
5 may 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 harboring thieves, or of any offence  
10 involving fraud or dishonesty, and punishable by imprisonment.

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

13 28.-(1) A search warrant is unlawful unless it complies with this  
14 section.

Search warrant  
safeguard

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

17 (a) the ground on which he makes the application;

18 (b) the law under which the warrant would be issued;

19 (c) the premises to be searched, and

20 (d) possible the article(s) or person (s) to be searched.

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

23 (4) A warrant shall authorize an entry on one occasion only.

24 (5) (a) a warrant shall specify:

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

26 (ii) the date on which it is issued;

27 (iii) the law under which it is issued; and

28 (iv) the premises to be searched.

29 (b) a warrant shall identify, as practicable as possible, the article(s)  
30 or person(s) to be searched.

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

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

3 29.-(1) A warrant to enter and search premises may be executed by  
4 any Police Officer.

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

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

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

12 (a) identify himself to the occupier and, if not in uniform, shall  
13 produce to the occupier, his official identity card;

14 (b) produce the warrant to the occupier, and

15 (c) supply the occupier with a copy.

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

19 (6) Upon the execution of a warrant, a Police Officer shall make an  
20 endorsement on it stating;

21 (a) Whether the articles or persons sought were found; and

22 (b) whether any other articles were seized, other than articles which  
23 were sought.

24 (7) A search warrant may be endorsed by a superior Police Officer in  
25 the absence of a Magistrate or Justice of the Peace.

Power to detain  
and search  
suspected person  
or vehicle

26 30. A Police officer may detain and search any person or attended  
27 vehicle where:

28 (a) reasonable grounds for suspicion exist that the person being  
29 suspected is having in his possession; or conveying in any manner anything

1 which he has reason to believe to have been stolen or otherwise unlawfully  
2 obtained;

3 (b) reasonable grounds for suspicion exists that such person or  
4 vehicle is carrying an unlawful article;

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

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

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

12 31. The following shall not be grounds for reasonable suspicions:

Where reasonable  
suspicion never  
exit

13 (a) Personal attributes including a person's color, age, hairstyle or  
14 manner of dress;

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

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

18 32.-(1) Where an officer is exercising the powers under section 32,  
19 he shall before carrying out the search, question the person about his  
20 behaviour or his presence in circumstances which gave rise to the suspicion.

Action before  
a search takes  
places

21 (2) If the person to be searched has a satisfactory explanation  
22 which will make a search unnecessary or other circumstances has come to  
23 attention of the officer that make the search unnecessary, no search may take  
24 place.

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

28 (a) his name and the name of the Police station to which he is  
29 attached;

30 (b) the object of the search; and

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

2 (4) For any police officer to exercise the power to stop and search, he  
3 must be in uniform or wear visibly a valid Police Identity Card.

Conduct of  
search

4 **33.**-(1) Reasonable effort must be taken to minimize the  
5 embarrassment that a person being searched may experience.

6 (2) The co-operation of the person to be searched shall be sought in  
7 every case.

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

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

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

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

17 (a) shall be done out of public view and by an officer of the same sex  
18 with the person being searched; and

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

Action after a  
search is carried  
out

21 **34.**-(1) An officer who has carried out a search must make a written  
22 record unless it is not practicable to do so, including situations where the  
23 number of persons to be searched is large or in situations involving public  
24 disorder.

25 (2) The records must be completed and signed by the officer and  
26 person being searched on the spot and a copy to be given to the person being  
27 searched or the vehicle driver if it is a vehicle.

28 (3) Subject to subsection (2) of this section, in case the search record  
29 is not available on the spot, the officer that carried out the search shall advise  
30 the person searched or the driver of the vehicle searched, the police station the



1 person may pick up the search record.

2 (4) A searched person may refuse to collect a search record that his  
3 signature is not appended on.

4 (5) Where the person to be searched is unwilling to provide  
5 detailed information about himself, the officer may not detain him; he  
6 should be allowed to go unless unlawful items are found in his possession or  
7 in the vehicle searched

8 35.-(1) A search record shall be prepared in the prescribed Form to  
9 be known as a National search Record Form.

10 (2) The following information must always be included in the  
11 National Search Record:

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

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

15 (iii) a note of the person's ethnic origins

16 (iv) when a vehicle is searched, a description of the vehicle,  
17 including the registration number;

18 (v) the object of the search;

19 (vi) the ground for making the search;

20 (vii) the date and time the search was made;

21 (viii) the place where the search was made;

22 (ix) the result of the search

23 (x) a note of any injury or damage to property resulting from the  
24 search; and

25 (x) the identity of the officer making the search.

26 36.-(1) A police officer shall take and record for the purposes of  
27 identification the measurements, photographs and fingerprint impression of  
28 all persons who may from time to time be in lawful custody.

29 (2) where a person who has not previously been convicted of any  
30 criminal offence is discharged or acquitted by a court, all records relating to

Power to take  
fingerprints

1 such measurements, photographs and fingerprint impressions including the  
2 document of acquittal or discharge shall be stored in a retrievable form and  
3 handed over to such person upon request.

4 (3) A police officer shall apply to a Court to compel any person in  
5 lawful custody, who refuses to submit to the taking and recording of his  
6 measurements, photographs or fingerprint impressions, to submit himself.

7 (4) Subject to subsection (3) of this section, the Court may authorize a  
8 Police Officer to take the measurements, photographs and finger-print  
9 impressions of such person.

Public safety  
and public order

10 37.-(1) The Inspector-General shall be responsible for maintaining  
11 and securing public safety and public order. In discharging these  
12 responsibilities, the Inspector-General shall:

13 (a) uphold the provisions of the Constitution and laws made there  
14 under;

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

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

18 (2) Subject to the provisions of subsection (1) of this section, the  
19 Commissioner of police of a State shall be responsible for maintaining and  
20 security public safety and public order within the State.

21 (3) Notwithstanding the provisions of any law for the time being in  
22 force, neither the Inspector General of Police nor the Commissioner of Police  
23 or their lawful delegates shall unreasonably disallow members of the public,  
24 the right to hold peaceful rallies, processions and assemblies in public  
25 highways, buildings or spaces.

26 (4)(a) Where a person or organization notifies the police of their  
27 intention to hold a public meeting, rally or procession on a public highway, or  
28 such meetings in a place where the public has access to, the appropriate Police  
29 officer responsible for the area where the meeting, rally or procession will take  
30 place, shall mobilize personnel to provide security cover for the meeting, rally

1 or procession,

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

7 (5) Where the organisation decides to proceed with the meeting,  
8 rally assembly or procession, notwithstanding the advice; the police may  
9 apply to a High Court in the state where the meeting, rally, procession or  
10 assembly is to take place, for an order restraining the organisers from  
11 proceeding with it

12 PART VI - PROPERTY UNCLAIMED, FOUND OR OTHERWISE

13 38.-(1) Where a police officer or any other person finds a property,  
14 the property shall be taken to the nearest police station within 24 hours

15 (2) A police officer on duty shall collect the property found and  
16 make a record of it.

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

19 (a) the name of the property found;

20 (b) the description of the state or general particular of the property  
21 found; when it was brought to the police station; and any other relevant  
22 information relating to the property;

23 (c) the date and time it was found and brought;

24 (d) the name, address and telephone number, if any of the person  
25 who found and brought it to the station;

26 (e) the name and rank of the police officer who collected the  
27 property, and

28 (f) the signature of both the police officer and the person who found  
29 and brought the property to the station.

30 (4) A police officer who collects the lost but found property shall

1 prepare two copies of the lost but found property in the prescribed Form and a  
2 copy shall be given to the person who found and brought the property to the  
3 police station.

4 (5) (a) The police officer in-charge of the police station that is in  
5 possession of lost but found property shall make public announcements, about  
6 the property and for the rightful owner to claim it within 6 months with  
7 evidence and proof of ownership;

8 (b) The police officer in charge of the station in possession of the  
9 property shall release the property to the owner upon satisfactory proof of  
10 ownership;

11 (6) Where the property remains unclaimed after the expiration of six  
12 (6) months, the police officer in charge of the station shall bring the property  
13 before a court for public auction.

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

Documentation  
of arrest witnesses  
and death in Police  
Station

20 39.-(1) Where a person appears in a police station in respect of a crime  
21 or an allegation of commission of a crime either as an accused person or a  
22 witness, or as a relation or friend of an accused person or a witness, the Duty  
23 officer or such other officer as may be authorized by the officer in Charge of the  
24 station shall enter in the official record book:

25 (a) the name of the person and his national identity number if any;

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

27 (c) the reason for the person's visits;

28 (d) the name and address of the person's next of kin;

29 (e) the exact time the person came to the station and leaves, for  
30 everyday he visits; and

1 (f) any ailment or medical condition which the person has.

2 (2) The particulars mentioned in sub-section (1) of the section shall  
3 be updated each day the person remains in custody in the police station.

4 (3) Where in exercise of the police duty a person is shot, wounded  
5 or killed, the officer commanding the operation shall record the number of  
6 those wounded or killed, the names of such victims or their description as  
7 much as possible and efforts taken to ensure hospitalization of the wounded  
8 or proper reservation of the dead.

9 (4) Any police officer who fails to keep appropriate records  
10 mentioned in subsections (1), (2) and (3) of this section shall be guilty of a  
11 serious misconduct, which shall attract disciplinary measure.

12 (5) the Inspector General shall give a quarterly report to the Police  
13 Service Commission itemizing the number and identity of persons who  
14 were killed or wounded during police operations across the country; or died  
15 in police custody

16 40.-(1) Any person who is aware that somebody under his  
17 employment or control is missing shall within 24 hours report to the police  
18 the identity of the missing person and the circumstances in which that person  
19 got missing.

Missing person

20 (2) When such report is lodged with the police, the duty officer or  
21 such other designated staff shall immediately record the names and  
22 addresses of the missing person and the person who made the report.

#### 23 PART VII - OTHER PROVISIONS

24 41.-(1) There shall be established a fund to be called "the Police  
25 Reward Fund"(in this section referred to as "the Fund")into which shall be  
26 paid the following:

The Police  
Reward Fund

27 (a)all monies forfeited by order of a superior officer on members of  
28 the police for offences against discipline;

29 (b) all fines levied for assaults on members of the police;

30 (c) one third of any fees paid by members of the public in respect of

1 extracts from reports made by the police;

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

4 (e) all sums ordered to be paid into the fund under section 43(7)(b) of  
5 this Bill.

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

10 (a) to reward members of the police for exemplary services;

11 (b) for payment of ex gratia compassionate gratuities to widows or  
12 children of deceased members of the force;

13 (c) for making ex gratia payments towards the funeral expenses of any  
14 member of the police who dies in the service of the police; and

15 (d) such other purpose as may be determined from time to time by the  
16 Nigerian Police Council

Recognition and  
commendation  
for gallant and  
exemplary  
service

17 42. Police officers who have distinguished themselves with their  
18 outstanding performance in the discharge of their duties shall be duly  
19 honoured and recognized for their gallant and exemplary service in any of the  
20 following ways:

21 (a) by recommendation for national honors, in particular attention  
22 being paid to deserving officers of lower rank;

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

25 (c) the police shall set aside a day or week in every year to celebrate  
26 outstanding performance by its officers as well as to remember their fallen  
27 heroes

Police Officer  
and indebtedness

28 43.-(1) A police officer shall not get himself trapped in indebtedness  
29 of any kind while still in service, and where he does, he shall be disciplined and  
30 the debt shall be recovered from his salary or remuneration provided the

1 creditor have evidence(s) to prove the indebtedness.

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

5 (3)When an order for payment of such debt or satisfaction of such  
6 liability is made, the court making the order shall give due notice to the  
7 senior police officer in charge of the command to which the indebted officer  
8 belongs, and the amount ordered shall be withheld or deducted from the  
9 indebted officers remuneration until the amount of the debt is made good.

10 44. The remuneration of a police officer shall not be withheld upon  
11 any debt or liability, which he may have incurred within three years before  
12 being appointed to the police.

Debt Recovery;  
Exception

13 45. While still in service, a police officer shall not directly be  
14 involved in managing and running any private business or trade except  
15 farming.

Private business  
and conflict of  
interest

16 PART VIII - OFFENCES

17 46. -(1)A police officer who:

Offences by  
Police Officer

18 (a) begins, raises, abets, countenances, or excites mutiny;

19 (b) causes or joins in any sedition or disturbance whatsoever;

20 (c) being at any assemblage tending to riot, does not use his utmost  
21 endeavour to suppress such assemblage;

22 (d) coming to the knowledge of any mutiny, or intended mutiny  
23 does not without delay give information thereof to his superior officer;

24 (e) strikes or offers any violence to his superior officer, such officer  
25 being in the execution of his duty;

26 (f) deserts or aids or abets the desertion of any officer from the  
27 Service;

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

30 (h) on enlistment falsely states that he has not been convicted or

1 imprisoned for a criminal offence or that he was never employed by the  
2 government of the federation or government of any state;

3 (2) Any officer found indulging in any manner prescribed in  
4 S.48(l)(a-h) shall be subject to appropriate disciplinary proceedings in  
5 accordance with the police disciplinary mechanisms and if found guilty, shall  
6 be recommended for dismissal and charged to court for prosecution in  
7 accordance with the relevant laws in force.

8 (3) In discharging his duty, a police officer shall not discriminate  
9 against any Nigerian, based on the person's place of origin; gender, socio-  
10 economic status, ethnic, political or religious affiliation; or any form of  
11 disability; and shall not use such language, or act in such a way that suggests a  
12 bias towards a particular group.

13 (4) A police officer may be proceeded against for desertion without  
14 reference to the time during which he may have been absent, and thereupon  
15 may be found guilty, either of desertion or of absence without leave:

16 Provided that a police officer shall not be convicted as a deserter or of  
17 attempting to desert unless the court is satisfied that there was an intention on  
18 the part of such officer either not to return to the force, or to escape some  
19 particular important service.

Apprehension  
of deserters

20 47. Upon reasonable suspicion that any person is a deserter, a police  
21 officer or any other person may apprehend him and forthwith bring him before  
22 a court having jurisdiction in the place where he was found, which may deal  
23 with the suspected deserter or refer him to a court having jurisdiction in the  
24 place in which he has deserted

Assault on  
Police Officer

25 48. Any person who assaults, obstructs or resists any police officer in  
26 the execution of his duty, or aids or incites any other person to assault, obstruct  
27 or resist any police officer or any person aiding or assisting such police officer  
28 in the execution of his duty, shall be guilty of an offence and, on summary  
29 conviction by a court, shall be liable to a penalty of fifty thousand naira or to  
30 imprisonment for a term of six months.



1           49. Where any person is called upon to aid and assist a police  
2           officer who is, while in the execution of his duty, assaulted or resisted or in  
3           danger of being assaulted or resisted, and such person refuses or neglects to  
4           aid and assist accordingly, he shall be guilty of an offence and, on summary  
5           conviction by a court, shall be liable to a penalty of fifty thousand naira or to  
6           imprisonment for a term of six months.

Refusing to aid  
Police Officer  
assaulted

7           50.-(1) While on duty, a police officer shall not take any in  
8           toxicating liquor, psychotropic substances or stimulants, where he does, he  
9           shall be punished in accordance with the police disciplinary procedures.

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

10           (2) A person who:

11           (a) Knowingly harbors or entertains, or either directly or indirectly,  
12           sells or gives any intoxicating liquor, psychotropic substances or stimulants  
13           to any police officer while on duty, or permits any such police officer to  
14           abide or remain in his house unlawfully; except in cases of extreme urgency;

15           (b) by threats or by offer of money, gift, spirits, liquors,  
16           psychotropic substances or stimulants induces or attempts to induce any  
17           police officer to commit a breach of his duty as a police officer or to omit any  
18           part of such duty;

19           Shall be guilty of an offence and liable on conviction to one month  
20           in prison with or without an option of fine not less than ten thousand naira.

21           51. Any person not being a police officer who:

22           (a) puts on or assumes either in whole or in part, the apparel, name  
23           , designation, or description of any police officer or resembling and intended  
24           to resemble the apparel, name or designation of any police officer; or

25           (b) in any way pretend to be a police officer for the purpose of  
26           obtaining admission into any house or other place, or of doing any act which  
27           such person would not by law be entitled to do of his own authority:

28           Shall be guilty of an offence and on summary conviction liable to a  
29           penalty of not less than N50,000, or to imprisonment for a term of three  
30           years or to both.

Impersonation  
of Police Officer



1 (2) The Inspector General of Police may make Standing Orders  
2 relating to operational control of the police.

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

5 PART X - APPLICATION

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

10 PART XI - COMMUNITY POLICE FORUMS AND BOARDS

11 58.-(1) For effective and efficient community policing, the  
12 Commissioner of Police in each state of the federation shall establish  
13 Community Police Forums and Boards that shall consist broadly of  
14 representatives of the local community in his state of jurisdiction. Establishment  
of Community  
Police Forums

15 (2) A community police sub forum shall be established at all  
16 Divisional Police Headquarters.

17 (3) Subject to section 65 (1) (b) of this Bill, the Commissioner of  
18 Police and the members designated by him from time to time for the  
19 purpose, shall be members of the community police forum and sub-forums  
20 established at various police formations.

21 59.-(1) A State Commissioner of Police shall in collaboration with  
22 the relevant stake holders in the community, establish Divisional  
23 Community Police Boards in all Police Divisions within the State. Establishment  
of Divisional  
Community  
Police Boards

24 (2) A Divisional Community Police board shall in collaboration  
25 with the relevant stake holders in the community, establish Divisional  
26 Community Police Boards in all Police forums.

27 (3) Subject to section 65 (1) (b) of this Bill, the Divisional Police  
28 Officers and the members designated by him from time to time for that  
29 purpose, shall be members of the Divisional Community Police Board  
30 concerned.

Establishment of State Community Police Boards	1	60.-(1) A State Police Commissioner shall in collaboration with the
	2	State Executive Council, establish a State Community Police Board.
	3	(2) A State Community Police Board shall subject to subsection (3) of
	4	this section, consist of representatives of Divisional Community Police Boards
	5	designated for that purpose by the Divisional Community Police Boards in the
	6	state concerned.
	7	(3) Subject to section 65 (1) (b) of this Bill, the State Commissioner of
	8	Police and the members designated by him from time to time for the purpose,
	9	shall be members of the State Community Police Board concerned.
Objects of Community Police Forums and Boards	10	61.-(1) The Community Police Forums and Boards shall in each state
	11	be established with a view to:
	12	(a) maintaining a partnership between the Community and the Police;
	13	(b) promoting communication between Nigerian Police and the
	14	Community;
	15	(c) promoting co-operation between the police and the community in
	16	fulfilling the needs of the community regarding policing;
	17	(d) improving the rendering of Police services to the community;
	18	(e) improving transparency in the Police and accountability of police
	19	service to the community; and
	20	(2) This section shall not prevent Police liaison with the community
	21	by means other than Community Police Forums and Boards.
Functions of Community Police Forums and Boards	22	62. A State or Divisional Community Police Board or Community
	23	Police Forum or Sub-Forum shall perform the functions it deems necessary and
	24	appropriate to achieve the objects stated in section 63 of this Bill.
Procedural matters	25	63.-(1) Every State or Divisional Community Police Board and
	26	Community Police Forum or Sub-Forum shall:
	27	(a) shall elect from amongst its members a Chairperson, Vice-
	28	Chairperson and a the Secretary who shall be a Police Officer;
	29	(b) determine the number of members to be assigned by the State
	30	Commissioner or Division Police Officer to serve as members of the Board,

1 forum or Sub-Forum concerned;

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

4 (d) whenever it deems it necessary, co-opt other members or  
5 experts or Community leaders to the Board or Forum in an advisory  
6 capacity.

7 (2) Members of the Community Police Forums or Boards shall  
8 render their services on a voluntary basis and shall have no claim to  
9 compensation solely for services rendered to such Forums and Boards.

10 (3) The majority of the members of the Board, Forum or Sub-  
11 Forum concerned shall constitute a quorum at a meeting thereof.

12 (4) In the absence of the Chairperson of the board or forum or sub-  
13 forum at a meeting, the vice-chairperson shall act as Chairperson, and if both  
14 the Chairperson and the Vice-Chairperson are so absent, the members  
15 present shall elect one of their members present at the meeting to preside.

16 PART XII - TRAFFIC WARDEN SERVICE

17 64.-(1) There is hereby established a Traffic Warden Service (in  
18 this Bill referred to as "the warden Service").

Establishment  
of the Traffic  
Warden Service

19 (2) The Warden Service shall consist of traffic wardens appointed  
20 from time to time under this Bill.

21 (3) The Warden Service shall be a part of the Nigerian Police and  
22 accordingly, references to the Police established under this Bill shall subject  
23 to the provisions of this Bill include references to the Warden Service.

24 (4) Notwithstanding subsection (3) of this section, in so far as any  
25 enactment whether passed or made before or after the commencement of  
26 this Bill requires Police Officers to perform military duties, or confers any  
27 power on any person whether expressly or in general terms to require  
28 Police Officers to perform such duties, that enactment, shall not in the  
29 absence of express provision to the contrary extend to Traffic Wardens.

30 (5) Traffic Wardens shall be employed to discharge functions

1 normally undertaken by the Police in connection with the control and  
2 regulation of, or the enforcement of the law relating to road traffic and shall in  
3 that connection, act under the direction of the Police.

4 (6) Without prejudice to the generality of the foregoing sub section, a  
5 Traffic Warden shall be required to deal majorly with-

6 (a) the general control and direction of motor traffic on the highway;

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

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

Appointment  
of Traffic Wardens

9 65.-(1) Notwithstanding anything to the contrary in any enactment,  
10 the Inspector -General is vested with the power to appoint, confirm such  
11 appointment, promote, transfer, dismiss or exercise any disciplinary control  
12 over any Traffic Warden.

13 (2) Subject to the provisions of this Bill, a person may be appointed a  
14 Traffic warden if he-

15 (a) is not less than nineteen nor more than 21 years of age;

16 (b) is in possession of a minimum educational qualification of Senior  
17 Secondary School Certificate (SSCE);

18 (c) is not less than 167.64 centimetres and 162.56 centimetres tall  
19 respectively for the men and the women;

20 (d) in the case of men , has not less than 86.36 centimetres chest  
21 measurement when fully expanded;

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

23 (f) has signified his willingness to serve as a traffic warden,

24 (3) The supervising ministry on the recommendation of the Nigeria  
25 Police Council shall from time to time by notice published in the Federal  
26 gazette, fix the maximum number of persons who may at any given time hold  
27 appointments under this section; and a person shall not be appointed as a traffic  
28 warden if his appointment would cause the number or the time being so fixed to  
29 be exceeded.

30 (4) The Inspector-General may-

1 (a) from time to time with the approval of the Police Service  
2 Commission, fix the maximum number of Traffic Wardens who may at any  
3 given time hold appointments in any State;

4 (b) at his own discretion fix the maximum number of Traffic  
5 Wardens who may at any given time hold any particular rank in the warden  
6 service in any State, and

7 (c) in either case fix different numbers with respect to different  
8 States.

9 (5) In relation to traffic wardens appointed under this Bill;

10 (a) section 18 of this Bill shall have effect as if for the reference to  
11 enlistment or re-engagement, there were substituted respectively a  
12 reference to appointment or re-appointment, and

13 (b) the form of the Police Declaration prescribed by the Oaths Act  
14 shall be adapted by the substitution:

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

17 (ii) for the words from "for the preservation of peace" to the end of  
18 the declaration, of the words 'to discharge all duties of my office according  
19 to law'.

20 66.-(1) Every Traffic Warden appointed under this Bill shall be  
21 appointed to serve as a traffic warden for a period of one year, and only in the  
22 Police Province, District or Division in which he resides.

23 (2) Such a Traffic Warden may subject to satisfactory conduct and  
24 service, be re-appointed for further periods of three years until the expiration  
25 of the tenth year of his appointment in the warden service, when he may elect  
26 to determine his appointment or elect that his service be allowed to continue  
27 until he is 55 years of age.

28 67. A Traffic Warden appointed under this Bill shall, when on duty,  
29 be in uniform and within the Police Division in which he is appointed to  
30 serve, but not elsewhere, and shall have the powers, privileges and

Powers of a  
Traffic Warden

	1	immunities of a Police Officer under any law relating to the regulation of road
	2	traffic.
Certificate of Appointment and Discharge	3	68. Every Traffic Warden shall on first appointment, be issued with a
	4	certificate of appointment in a form approved by the Inspector -General and on
	5	the determination of that or any subsequent appointment whether by effluxion
	6	of time or under section 12 of this Bill, shall in like manner be issued with a
	7	certificate of discharge.
Ranks of Traffic Wardens	8	69.-(1) A Traffic Warden shall have such rank as may be assigned to
	9	him by the Inspector-General within the following grades:
	10	(a) Traffic Warden Grade III;
	11	(b) Traffic Warden Grade II;
	12	(c) Traffic Warden Grade I; and
	13	(d) Senior Traffic Warden.
Regulation	14	70.-(1) A Traffic Warden appointed under this Bill may at any time
	15	give to any superior Police Officer under whom he is serving, notice in writing
	16	of his intention to resign his appointment on a date mentioned in the notice (not
	17	being less than 28 days later than the date on which the notice is given).
	18	(2) On receipt by the superior police officer of the notice referred to in
	19	subsection (1) of this section, the superior police officer shall immediately
	20	refer such notice to the Commissioner having control over him and the Traffic
	21	warden and if the Commissioner consents to the notice having effect, the
	22	appointment of the traffic warden shall be terminated accordingly.
Discipline	23	71.-(1) In so far as the context so admits, but subject to the provisions
	24	of this Bill, a Traffic Warden shall be subject to the provisions of the Police
	25	Regulations for purposes of discipline.
	26	(2) In the application to Traffic Wardens of the Second Schedule to the
	27	Police Regulations, references to Constables, Corporals, Sergeants and
	28	Inspectors shall include respectively references to Traffic Wardens Grade I and
	29	Senior Traffic Wardens.
Provision of Equipment	30	72.-(1) The Inspector-General may provide for use by the Traffic



1 Wardens such equipment as he considers necessary for the proper carrying  
2 out of the duties of Traffic Wardens under this Bill.

3 (2) Any expenses incurred by the Inspector-General under this  
4 section shall be defrayed out of monies provided by the Federal  
5 Government.

6 73. The Inspector-General may delegate any of his powers under  
7 this Bill to the Commissioner of a state or the Commandant of a Police  
8 College (except his power of delegation), so that the delegated powers may  
9 be exercised by the delegate with respect to the matters or class of matters  
10 specified or defined by the instrument of delegation.

Delegation of  
power by Inspector  
General

11 74.-(1) Every person appointed into the warden service shall be  
12 required to undergo a course of training at the traffic training school of  
13 Police College for a period of twelve weeks or such other or further period as  
14 the Inspector-General may determine.

15 (2) A Traffic Warden appointed under this Bill shall be allocated a  
16 service number with the letters "TW" and the service numbers of all traffic  
17 wardens employed in the Federation shall appear on the register kept for that  
18 purpose by the inspector General.

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

#### 22 PART XIII - POLICE PUBLIC COMPLAINTS AND DISCIPLINE

23 75. The Inspector-General of Police shall establish a Police  
24 Complaints Response Unit in this Act referred to as "the Unit" in each of the  
25 Police Commands in all the State of Federation.

26 76.-(1) The Unit shall consist of representatives of the Federal or  
27 State Intelligence Bureau, Police Provost Marshal and any other unit as the  
28 Inspector General of Police may deem fit.

29 (2) The Unit shall be headed by an officer not below the rank of a  
30 Chief Superintendent of Police.

1           77.-(1) The Unit shall receive:

2           (a) complaint or information of Police officers misconduct from the  
3 public; or

4           (b) complaint of police officer misconduct from other police  
5 members or authority.

6           (2) The Unit may receive:

7           (a) any complaint alleging that the conduct complained of resulted in  
8 the death or serious injury or other gross human rights violation;

9           (b) any complaint showing that a police officer is involved in an act  
10 constituting professional misconduct.

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

12           (4) While conducting investigation into any complaint by any  
13 member of the public against a Police Officer, the Nigeria Police shall afford  
14 the person against whom the complaint has been made opportunity to defend  
15 himself.

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

Steps to be taken  
after Investigation

19           78. After investigation, the head of the Unit with approval from the  
20 Inspector General of Police shall:

21           (a) send a copy of the investigation report and recommendations to  
22 the Director of Public Prosecutions for prosecution if the investigation reveals  
23 that a criminal offence has been committed.

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

29           (c) where it is discovered after investigations that the complainant  
30 knowingly gave false information against any Police Officer or should have

1 reasonably known that the information is false, such a person shall be tried  
2 according to relevant laws for the time being in force.

3 79. The Police Act Cap P19, Laws of the Federation of Nigeria,  
4 2004 is repealed.

5 80. Anything done or purported to have been done under the  
6 Police Act, Cap P19, Laws of the Federation of Nigeria, 2004 remains valid,  
7 subject to the Provisions of this Bill.

8 81. In this Bill, except where the context otherwise requires:

Interpretation

9 "Commissioner" means a Commissioner of Police, a Deputy Commissioner  
10 of Police or an Assistant Commissioner of Police;

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

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

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

14 "Minister" means the minister charged with responsibility over Police  
15 matters and Ministry" shall have a corresponding meaning;

16 "Non-Commissioned Officer" means a Police Sergeant-Major, a Police  
17 Sergeant or a Police Corporal as the case may be;

18 "Police Officer" means any member of the Nigerian Police;

19 "Prosecuting Officer" means any person appointed by the Attorney General  
20 of the Federation or of the States to prosecute crimes on their behalf and for  
21 the Nigeria Police;

22 "Senior Police Officer" means any Police Officer above the rank of a Cadet  
23 Assistant Superintendent of Police;

24 "Superintendent of Police, includes a Chief Superintendent of Police,  
25 Superintendent of Police, a Deputy Superintendent of Police, and an  
26 Assistant Superintendent of Police; and

27 "The Police" means the Nigeria Police Service established under this Bill.

28 82. This Bill may be cited as the Nigerian Police Act (Repeal and  
29 Re-enactment) Bill, 2020. Citation

## 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.