

CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999

(ALTERATION) BILL, 2021

ARRANGEMENT OF CLAUSES

1. Amendment of the Constitution of the Federal Republic of Nigeria
1999 Cap C 23 Laws of the Federation of Nigeria 2004
2. Amendment of Section 34 (2) b of the Principal Act
3. Amendment of Section 35 (7) b of the Principal Act
4. Amendment of Section 39 (3) of the Principal Act
5. Amendment of Section 42 (3) of the Principal Act
6. Amendment of Section 84 (4) of the Principal Act
7. Amendment of Section 129 (2) of the Principal Act
8. Amendment of Section 153 of the Principal Act
9. Amendment of Section 197 of the Principal Act
10. Amendment of Section 214 of the Principal Act
11. Amendment of Section 215 of the Principal Act
12. Amendment of Second and Third Schedule of the Principal Act
13. Amendment of item 45 of Part I of the Second Schedule of the
Principal Act
14. Amendment of Part II of the Second Schedule of the Principal Act
15. Amendment of Part I of the Third Schedule of the Principal Act
16. Amendment of Part II of the Third Schedule of the Principal Act
17. Citation

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO PROVIDE FOR THE ESTABLISHMENT OF STATE POLICE FORCE AND FOR OTHER RELATED MATTERS

Sponsored by Senator Uba Sani

[] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria:

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| 1 | 1. The Constitution of the Federal Republic of Nigeria 1999 Cap | 2 | C 23 Laws of the Federation of Nigeria 2004 in this Bill referred to as ("the | 3 | Principal Act") is amended as set out in this Bill. | 4 | 2. Section 34 (2) b of the Principal Act is amended in line 2 by | 5 | adding the words "... and State Police Force" immediately after "... Nigeria | 6 | Police Force ..." | 7 | 3. Section 35 (7) b of the Principal Act is amended in lines 3 and 4 | 8 | by adding the words "... and State Police Force" immediately | 9 | after"...Nigeria Police Force ..." | 10 | 4. Section 39 (3) b of the Principal Act is amended in line 3 by | 11 | adding the words"... and State Police Force" immediately after"... Nigeria | 12 | Police Force ..." | 13 | 5. Section 42 (3) of the Principal Act is amended in line 4 by | 14 | adding the words"... and State Police Force" immediately after "... Nigeria | 15 | Police Force ..." | 16 | 6. Section 84 (4) of the Principal Act is amended by substituting | 17 | for the words "Police Service Commission" with the words "Federal Police | 18 | Service Commission". | Amendment of
the Constitution
of the Federal
Republic of
Nigeria 1999
Cap C23 LFN,
2004 | Amendment of
Section 34 (2) b
of the Principal
Act | Amendment of
Section 35 (7) b
of the Principal
Act | Amendment of
Section 39 (3)
of the Principal
Act | Amendment of
Section 42 (3)
of the Principal
Act | Amendment of
Section 84 (4)
of the Principal
Act |
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1. The first part of the document discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial data and for providing a clear audit trail.

2. The second part of the document outlines the various methods used to collect and analyze data. These methods include direct observation, interviews, and the use of specialized software tools.

3. The third part of the document describes the results of the data collection and analysis. The findings indicate that there are significant areas for improvement in the current processes, particularly in the areas of data accuracy and reporting.

4. The fourth part of the document provides recommendations for addressing the identified issues. These recommendations include implementing more rigorous data entry procedures, providing additional training for staff, and investing in more advanced data management software.

5. The fifth part of the document discusses the implementation of the recommended changes. This involves a detailed plan of action, including a timeline for implementation and a clear assignment of responsibilities to the relevant staff members.

6. The sixth part of the document outlines the monitoring and evaluation process. This involves regular reviews of the implementation progress and the effectiveness of the changes, with a view to making further adjustments as needed.

7. The seventh part of the document provides a summary of the key findings and recommendations. This summary is intended to provide a clear and concise overview of the entire report for those who may not have time to read the full document.

8. The eighth part of the document contains the conclusions and final thoughts. The author expresses confidence that the recommended changes will lead to a significant improvement in the overall quality and reliability of the data and reporting processes.

9. The final part of the document is a list of references and a list of appendices. The references provide a list of the sources used in the research, and the appendices contain additional information that is relevant to the study but that is too detailed to include in the main body of the report.

Amendment of
Section 129 (2)
of the Principal
Act

1 7. Section 129 (2) of the of the Principal Act is amended by
2 substituting for the words "Nigeria Police Force" with the words "State Police
3 Force"

Amendment of
Section 153 (1)
of the Principal
Act

4 8. Section 153 (1) m of the Principal Act is amended by substituting
5 for the words "Police Service Commission" with the words "Federal Police
6 Service Commission"

Amendment of
Section 197
of the Principal
Act

7 - 9. Section 197 of the Principal Act is amended by inserting a new
8 paragraph "d" after the existing paragraph "c" in subsection 1 thus:
9 "State Police Service Commission"

Amendment of
Section 214
of the Principal
Act

10 10. Section 214 of the Principal Act is amended by substituting the
11 existing Section 214 with a new section 214 thus:

12 "(1) There shall be a police force for Nigeria and the Federal Capital
13 Territory, which shall be known as the Nigeria Police Force, as well as State
14 Police Forces established for each of the 36 states of the Federation, and subject
15 to the provisions of this section no other police force shall be established for the
16 Federation or any part thereof

17 (2) Subject to the provisions of this Constitution:

18 (a) The Nigeria Police Force and the 36 State Police Forces shall be
19 organised and administered in accordance with such provisions as may be
20 prescribed by an act of the National Assembly and the House of Assembly of
21 each state;

22 (b) The Nigeria Police Force shall provide state policing for any state
23 that is unable to establish and operate a state police until such a time that one is
24 established:

25 Provided that pending the establishment of a State Police Force in any
26 State, the Governor of such a State or a Commissioner of the State as the
27 Governor may authorize in that behalf, shall have the authority to give to the
28 Commissioner of Police of that State such lawful directions with respect to the
29 maintenance and securing of public safety and public order within the state as
30 he may consider necessary, and the Commissioner of Police shall comply with

1 those directions or cause them to be complied with.

2 (c) The Nigeria Police Force shall not interfere with the operations
3 of any State Police Force or the internal security affairs of a state except in
4 the following instances:

5 (i) To investigate all crimes not assigned exclusively to another law
6 enforcement agency and gather intelligence;

7 (ii) To investigate threats to national security;

8 (iii) Where a State Police Force is unable to function owing to
9 administrative, financial or other challenges that renders it inoperative at a
10 given time and the Governor of such a state has requested the intervention of
11 the Nigeria Police Force in order to prevent and/or contain a breakdown of
12 law and order in the state:

13 Provided that any such request by the Governor for intervention by
14 the Nigeria Police Force shall only be made after the approval of two-thirds
15 majority of the State House of Assembly.

16 (d) The members of the Nigeria Police Force and the State Police
17 Forces shall have such powers and duties as may be conferred upon them by
18 law;

19 (e) The National Assembly may make provisions for branches of
20 the Nigeria Police Force forming part of the armed forces of the Federation
21 or for the protection of harbours, waterways, railways and airfields.

22 11. Section 215 of the Principal Act is amended:

23 (a) In subsection (1) b by substituting the existing subsection (1) b
24 with a new subsection (1) b thus:

25 "A Commissioner of Police for each state of the Federation who
26 shall be appointed and/or removed by the Governor of the State on the
27 advice of the State Police Service Commission subject to the approval of
28 such appointment and/or removal by two-thirds majority of the House of
29 Assembly of the State"

30 (b) In subsection (2) by substituting the existing subsection (2)

Amendment of
Section 215
of the Principal
Act

1 with a new subsection (2) thus:
2 "The Nigeria Police Force shall be under the command of the
3 Inspector General of Police and contingents of the Nigeria Police Force
4 stationed in a state shall be subject to the authority of the Inspector General of
5 Police, other than officers of the State Police Force who shall be subject to the
6 authority of the Commissioner of Police of that State."

7 (c) In subsection (4) by substituting the existing subsection (4) with a
8 new subsection (4) thus:

9 "Subject to the provisions of this section, the Governor of a State or
10 such Commissioner of the State as the Governor may authorize in that behalf,
11 shall give to the Commissioner of Police of that State such lawful directions
12 with respect to the maintenance and securing of public safety and public order
13 within the state as he may consider necessary, and the Commissioner of Police
14 shall comply with those directions or cause them to be complied with."

Amendment of
Second and
Third Schedule
of the Principal
Act

15 12. The Second and Third Schedules to the Principal Act are amended
16 as set out in this Bill.

Amendment of
item 45 of Part I
of the Second
Schedule of the
Principal Act

17 13. Item 45 of Part I of the Second Schedule to the Principal Act is
18 amended by substituting the existing Item 45 with a new Item 45 thus:
19 "Nigeria Police Force and other government security services established by
20 law"

Amendment of
Part II of the
Second Schedule
of the Principal
Act

21 14. Part II of the Second Schedule to the Principal Act is amended by
22 inserting new paragraph 31 thus:

23 "31. A House of Assembly shall have power to make laws for the state
24 with respect to the establishment of a State Police Force, subject to the
25 framework and guidelines established by an act of the National Assembly"

Amendment of
Part I of the
Third Schedule
of the Principal
Act

26 15. Part I of the Third Schedule to the Principal Act is amended:

27 (a) Altering Paragraph 27(c) to read thus: "the Chairman of the
28 Federal Police Service Commission"

29 (b) Altering Paragraph 28 by substituting the words "Nigeria Police
30 Force" with the phrase "Nigeria Police Force and State Police Force"

1 throughout paragraph 28

2 (c) Altering Item "M" by substituting the name Police Service
3 Commission with "Federal Police Service Commission" in the heading and
4 throughout Item "M"

5 16. Part II of the Third Schedule to the Principal Act is amended:

6 (a) By inserting a new item "D" after the existing item "C" thus:

7 "D. State Police Service Commission

8 The State Police Service Commission shall comprise the following
9 members:

10 (b) A Chairman to be appointed by the Governor subject to the
11 confirmation of the State House of Assembly;

12 (c) Such number of other persons, not less than seven but more than
13 nine, as may be prescribed by an the State House of Assembly;

14 The Commission shall be responsible for:

15 (a) Appoint persons to offices (other than office of the
16 Commissioner of Police) in the State Police Force; and

17 (b) Dismiss and exercise disciplinary control over persons holding
18 any office referred to in sub-paragraph (a) of this paragraph."

19 17. This Bill may be cited as the Constitution of the Federal
20 Republic of Nigeria 1999 (Alteration) Bill, 2021.

Amendment of
Part II of the
Third Schedule
of the Principal
Act

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to Alter the Constitution of the Federal Republic of Nigeria 1999 to amongst other provisions establish State Police Force in the 36 states of the Federation, change the name of the Police Service Commission to the Federal Police Service Commission, establish the State Police Service Commission and amend the Second and Third Schedules of the Constitution of the Federal Republic of Nigeria, 1999.

