

SECURITY AND POLICING

1. Establishment of State Police

Bill No: SB 484

A BILL FOR AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999, TO PROVIDE FOR THE ESTABLISHMENT OF STATE POLICE; AND FOR RELATED MATTERS.

#	Provision of the Constitution	Provision of the Bill	Remarks
		ENACTED by the National Assembly of the Federal Republic of Nigeria -	
		Clause 1 Alteration of the Constitution The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.	
34	Right to dignity of human person (1)..... (2)..... (a)..... (b) any labour required of members of the armed forces of the Federation or the Nigeria Police Force in pursuance of their duties as such; (e) in the case of persons who have conscientious objections to service in the armed forces of the Federation, any labour required instead of such service; (d) any labour or service that forms part of –	Clause 2 Alteration of Section 34 Section 34 is altered – (a) in paragraph (b) by substituting the word ‘Nigeria Police Force’, with the words “the Police or other Security Agencies established by law” (b) in paragraph (c) by inserting after the word “federation,” the words “the Police or other Security Agencies established by law”	

	<p>(i) normal communal or other civic obligations of the well- being of the community,</p> <p>(ii) such compulsory national service in the armed forces of the Federation as may be prescribed by an Act of the National Assembly, or</p>	<p>(c) in paragraph (d)(ii) by inserting after the word “Federation”, the words “the Police or other Security Agencies established by law”</p>	
35	<p>Right to personal liberty</p> <p>7(a).....</p> <p>(b) as invalidating any law by reason only that it carried156ti the detention for a period not exceeding three months of a member of the armed forces of the Federation or a member of the Nigeria Police Force in execution of a sentence imposed by an officer of the armed forces of the Federation or of the Nigeria Police Force, in respect of an offence punishable by such detention of which he has been found guilty.</p>	<p>Clause 3 Alteration of Section 35</p> <p>Section 7(b) is altered by substituting the words “Nigeria Police Force” anywhere it appears in the section, with the words “Police or other Security Agencies established by law”</p>	
39	<p>Right to freedom of expression and the press</p> <p>(1).....</p> <p>(2).....</p> <p>(3) Nothing in this section shall invalidate any law that is reasonably justifiable in a democratic society –</p> <p>(a)..... ; or</p> <p>(b) imposing restrictions upon persons holding office under the Government of the Federation or of a State, members of the armed forces of the Federation or members of the Nigeria Police Force or other Government security services or agencies established by law.</p>	<p>Clause 4 Alteration of Section 39</p> <p>Section 39(3)(b) is altered by substituting the words “Nigeria Police Force”, with the words “the Police”</p>	

42	<p>Right to freedom from discrimination</p> <p>(3) Nothing in subsection (1) of this section shall invalidate any law by reason only that the law imposes restrictions with respect to the appointment of any person to any office under the State or as a member of the armed forces of the Federation or member of the Nigeria Police Force or to an office in the service of a body corporate established directly by any law in force in Nigeria.</p>	<p>Clause 5 Alteration of Section 42</p> <p>Section 42(3) is altered by substituting the words “the Nigeria Police Force”, with the words “the Police or other Security Agencies established by law”</p>	
81	<p>Authorisation of expenditure from Consolidated Revenue Fund</p> <p>(1)..... (2)..... (3) The amount standing to the credit of the (a) Independent National Electoral Commission, (b) National Assembly, and (c) Judiciary, in the Consolidated Revenue Fund of the Federation shall be paid directly to the said bodies respectively; in the case of the Judiciary, such amount shall be paid to the National Judicial Council for disbursement to the heads of the courts established for the Federation and the States under section 6 of this Constitution.</p>	<p>Clause 6 Alteration of Section 81</p> <p>Section 81(3) is altered by inserting after paragraph “c”, a new paragraph “(cc)” –</p> <p>“(cc) – Federal Police Service and other Federal Government Security Agencies established by law”</p>	
84	<p>Remuneration, etc. of the President and certain other officers</p> <p>(1)..... (2)..... (3)..... (4) The offices aforesaid are the offices of President, Vice-President, Chief Justice of Nigeria, Justice of the Supreme Court, President of the Court of Appeal, Justice of the Court of Appeal, Chief Judge of the Federal High Court,</p>	<p>Clause 7 Alteration of Section 84</p> <p>Section 84(4) is altered by substituting the words “the Nigeria Police Council and the Police Service Commission.” With the words “National Police Council and Federal Police Service Commission.”</p>	

	Judge of the Federal High Court, President of the National Industrial Court, Judge of the National Industrial Court, Chief Judge and Judge of the High Court of the Federal Capital Territory, Abuja, Chief Judge of a State, Judge of the High Court of a State, Grand Kadi and Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja, President and Judge of the Customary Court of Appeal of the Federal Capital Territory, Abuja, Grand Kadi and Kadi of the Sharia Court of Appeal of a State, President and Judge of the Customary Court of Appeal of a State, the Auditor-General for the Federation and the Chairmen and members of the following executive bodies, namely, the Code of Conduct Bureau, the Federal Civil Service Commission, the Independent National Electoral Commission, the National Judicial Council, the Federal Judicial Service Commission, the Judicial Service Committee of the Federal Capital Territory, Abuja, the Federal Character Commission, the Code of Conduct Tribunal, the National Population Commission, the Revenue Mobilisation Allocation and Fiscal Commission, the Nigeria Police Council and the Police Service Commission.		
89	Power as to matters of evidence (1)..... (2) A summons or warrant issued under this section may be served or executed by any member of the Nigeria Police Force or by any person carried158ti in that behalf by the President of the Senate or the Speaker of the House of Representatives, as the case may require.	Clause 8 Alteration of Section 89 Section 89(2) is altered by substituting the words “Nigeria Police Force”, with the words “Federal Police”	
121	Authorisation of expenditure from Consolidated Revenue Fund (1)..... (2).....	Clause 9 Alteration of Section 121 Section 121is altered by substituting the existing subsection (3), with a new subsection “(3)” –	

	<p>(3) Any amount standing to the credit of –</p> <p>(a) a State House of Assembly of a State in the Consolidated Revenue Fund of the State shall be paid directly into the account of the Assembly; and</p> <p>(b) the Judiciary of a State in the Consolidated Revenue Fund of the State shall be paid directly to the heads of the courts concerned.</p>	<p>“(3) – Any amount standing to the credit of the –</p> <p>(a) House of Assembly of the State;</p> <p>(b) Judiciary;</p> <p>(c) a State Police</p> <p>in the Consolidated Revenue Fund of the State shall be paid directly into the account of the bodies respectively; in the case of the above bodies such amount shall be paid directly to the account of the institutions/bodies concerned.”</p>	
129	<p>Power as to matters of evidence</p> <p>(1).....</p> <p>(2) A summons or warrant issued under this section may be served or executed by any member of the Nigeria Police Force or by any person carried159ti in that behalf by the Speaker of the House of Assembly of the State.</p>	<p>Clause 10 Alteration of Section 129</p> <p>Section 129(2) is altered by substituting the words “Nigeria Police Force”, with the words “State Police”.</p>	
153	<p>Federal Commissions and Councils, etc.</p>	<p>Clause 11 Alteration of Section 153</p> <p>Section 153 is altered by substituting the existing subparagraphs “(l)” and “(m)”, with new subparagraphs “(l)” and “(m)” –</p> <p>“(l) – National Police Council;</p> <p>(m) – Federal Police Service Commission; and”</p>	
154	<p>[Part I Third Schedule]</p> <p>Appointment of Chairman and members</p> <p>(1).....</p>	<p>Clause 12 Alteration of Section 154</p> <p>Section 154(2) is altered by inserting after the words “Council of State”, the words “National Police Council”</p>	

	(2) In exercising his powers to appoint a person as Chairman or member of the Council of State or the National Defence Council or the National Security Council, the President shall not be required to obtain the confirmation of the Senate.		
157	<p>Removal of members</p> <p>(1).....</p> <p>(2) This section applies to the offices of the Chairman and members of the Code of Conduct Bureau, the Federal Civil Service Commission, the Independent National Electoral Commission, the National Judicial Council, the Federal Judicial Service Commission, the Federal Character Commission, the Nigeria Police Council, the National Population Commission, the Revenue Mobilisation Allocation and Fiscal Commission and the Police Service Commission.</p>	<p>Clause 13 Alteration of Section 157</p> <p>Section 157(2) is altered in –</p> <p>(a) substituting the words “Nigeria Police Council”, with the words “National Police Council”; and</p> <p>(b) substituting the words “Police Service Commission”, with the words “Federal Police Service Commission”</p>	
158	<p>Independence of certain bodies</p> <p>(1) In exercising its power to make appointments or to exercise disciplinary control over persons, the Code of Conduct Bureau, the National Judicial Council, the Federal Civil Service Commission, the Federal Judicial Service Commission, the Revenue Mobilisation and Fiscal Commission, the Federal Character commission, and the Independent National Electoral Commission shall not be subject to the direction or control of any other authority or person.</p>	<p>Clause 14 Alteration of Section 158</p> <p>Section 158(1) is altered by inserting after the words “Federal Character Commission”, the words “Federal Police Service Commission”</p>	
162	<p>Distributable pool account</p> <p>(1).....</p> <p>(2).....; and</p>	<p>Clause 15 Alteration of Section 162</p> <p>Section 162 is altered by inserting after the existing subsection “(9)”, a new subsections “(9A)” and “(9B)” –</p>	

	<p>(9) Any amount standing to the credit of the judiciary in the Federation Account shall be paid directly to the National Judicial Council for disbursement to the heads of courts established for the Federation and the States under section 6 of this Constitution.</p>	<p>“(9A) – The Federation shall maintain a special account called the Federal Police Service and other Federal Government Security Agencies Account into which shall be paid such allocation to the Federal Police Service and other Federal Government Security agencies established by law from the Consolidated Revenue Fund of the Federation; and</p> <p>(9B) – The amount standing to the credit of the Federal Police Service and other Federal Government Security Agencies established by law shall be paid to the Inspector-General of Police and the head of these agencies.”</p>	
197	<p>State Commissions</p> <p>(1) There shall be established for each State of the Federation the following bodies, namely</p> <p>(a) State Civil Service Commission;</p> <p>(b) State Independent Electoral Commission; and</p> <p>(c) State Judicial Service Commission.</p>	<p>Clause 16 Alteration of Section 197</p> <p>Section 197(1) is altered by inserting after paragraph “©”, new paragraphs “(ca)” and “(cb)” –</p> <p>“(ca) – State Police and other State Security Agencies Commission; and</p> <p>“(cb) – State Police and other Security Agencies Council.”</p>	
201	<p>Removal of members</p> <p>(1)</p> <p>(2) This section applies to the offices of the Chairmen and members of the State Civil Service Commission, the State Independent Electoral Commission and the State Judicial Service Commission.</p>	<p>Clause 17 Alteration of Section 201</p> <p>Section 201(2) is altered by inserting after the words “State Judicial Service Commission”, the words “State Police and Other State Security Agencies Service Commission and State Police and other State Security Agencies Council”</p>	

202	<p>Independence of certain bodies</p> <p>In exercising its power to make appointments or to exercise disciplinary control over persons, the State Civil Service Commission, the State Independent Electoral Commission and the State Judicial Service Commission shall not be subject to the direction and control of any other authority or person.</p>	<p>Clause 18 Alteration of Section 202</p> <p>Section 202 is altered by inserting after the words “State Independent Electoral Commission”, the words “State Police and other State Security Agencies Commission and State Police and other Security Agencies Council”</p>	
214	<p>B – Nigeria Police Force</p> <p>Establishment of Nigeria Police Force</p> <p>(1) There shall be a police force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provisions of this section no other police force shall be established for the Federation or any part thereof.</p> <p>(2) Subject to the provisions of this Constitution</p> <p>(a) the Nigeria Police Force shall be carried162t and administered in accordance with such provisions as may be prescribed by an Act of the National Assembly;</p> <p>(b) the members of the Nigeria Police Force shall have such powers and duties as maybe conferred upon them by law;</p> <p>(c) the National Assembly may make provisions for branches of the Nigeria Police Force forming part of the armed forces of the Federation or for the protection of harbours, waterways, railways and airfields.</p>	<p>Clause 19 Alteration of Section 214</p> <p>Section 214 is altered by substituting the existing section “214”, with a new section “214” –</p> <p>“B – Federal Police Service, State Pollice Services and other related Security Agencies</p> <p>214 (1) There shall be a Police Service for the Federation which shall be known as the Federal Police Service and there shall be for each State desiring and having complied with guidelines for the establishment of State Police, issued by the National Police Council, a State Police Service or other related security Service by whatever name so called, which shall be established by the House Assembly of each State of the Federation, and the State Police Service shall attend to matters within the legislative competence of the respective State House of Assembly;</p> <p>(2) subject to the provisions of this Constitution –</p> <p>(a) the Federal Police Service shall be organized and administered in accordance with such provisions as may be prescribed by an Act of the National Assembly;</p>	

		<p>(b) the members of the Federal Police Service shall have such powers and duties as may be conferred upon them by the law;</p> <p>(c) the National Assembly may make provisions for branches of the Federal Police Service forming part of the Armed Forces of the Federation or of the protection of harbors, waterways, railways and air fields;</p> <p>(d) the respective State Police Service shall be organized and administered by such laws as may be prescribed by the House of Assembly of the respective States having complied with guidelines approved by the National Police Council;</p> <p>(e) Membership of the Federal Police Service shall have such powers as may be conferred upon them by law.</p> <p>(3) The Federal Police shall –</p> <p>(a) be responsible for the maintenance of public security, preservation of public order and security of persons and property throughout the Federation to the extent provided for under the Constitution or by an Act of the National Assembly;</p> <p>(b) be responsible for the maintenance of public security, preservation of public order, and security of persons and property within a State on matters within the Exclusive List or on Federal Crimes and wherever there is no State Police Service.</p> <p>(c) Subject to the provisions of this Constitution, the Federal Police shall not interfere with the operations of any State Police on the internal security of a State except –</p>	
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		<p>(d) there is an urgent need to curtail a serious threat to national security or public order within a State and the State Police Service in the State is unable to curtail the threat;</p> <p>(e) where the Governor of a State requests the intervention of the Federal Police Service to prevent or curtail a breakdown of law and order within the State;</p> <p>(f) where the acts of disturbance of public order or security is an act within the concurrent list as provided in the constitution or the crime complained of doubles as a Federal Offence;</p> <p>(g) where there is a serious allegation of the State Police Service being used as an instrument of political intimidation and coercion or being used for purposed inimical to democratic principles as enshrined in the Constitution;</p> <p>Provided that the Federal Police Service shall not interfere or take on investigation in a State, save for paragraph © of this subsection, without the approval of the National Police Council provided for in the Third Schedule, Part I of this Constitution.”</p>	
215	<p>Appointment of Inspector-General and control of Nigeria Police Force</p> <p>(1) There shall be</p> <p>(a) an Inspector-General of Police who, subject to section 216(2) of this Constitution shall be appointed by the President on the advice of the Nigeria Police Council from among serving members of the Nigeria Police Force;</p>	<p style="text-align: center;">Clause 20 Alteration of Section 215</p> <p>Section 215 is altered by substituting the existing section “215”, with a new section “215” –</p> <p>“215(1) – There shall be for the Federal Police Service –</p> <p>(a) An Inspector-General of Police who subject to the provisions of this Constitution shall be appointed by the President on the advice of the Nigerian Police Council from</p>	

	<p>(b) a Commissioner of Police for each State of the Federation who shall be appointed by the Police Service Commission.</p> <p>(2) The Nigeria Police Force shall be under the command of the Inspector-General of Police and contingents of the Nigeria Police Force stationed in a State shall, subject to the authority of the Inspector-General of Police, be under the command of the Commissioner of Police of that State.</p> <p>(3) The President or such other Minister of the Government of the Federation as he may carried165t in that behalf may give to the Inspector-General of Police such lawful directions with respect to the maintenance and securing of public safety and public order as he may consider necessary, and the Inspector-General of Police shall comply with those direction or cause them to be compiled with.</p> <p>(4) Subject to the provisions of this section, the Governor of a State or such Commissioner of the Government of the State as he may carried165t in that behalf, may give to the Commissioner of Police of that State such lawful directions with respect to the maintenance and securing of public safety and public order within the State as he may consider necessary, and the Commissioner of Police shall comply with those directions or cause them to be complied with:</p> <p>Provided that before carrying out any such directions under the foregoing provisions of this subsection the Commissioner of Police may request that the matter be referred to the President or such Minister of the Government of the Federation as may be carried165ti in that behalf by the President for his directions.</p>	<p>amongst senior serving members of the Federal Police Service subject to the confirmation by the Senate.</p> <p>(b) The Federal Police Service shall be under the command and control of the Inspector-General of Police, including contingents and Divisions of the Federal Police Service stationed in a State.</p> <p>(c) The President or such other Minister of Government of the Federation, as he may authorize on that behalf, may give to the Inspector-Geneal of Police such lawful directives concerning the maintenance and security of public safety and public order as he may consider necessary, and the Inspector-General of Police shall comply with those directions or cause them to be complied with.</p> <p>(d) There shall be in each State, a contingent of the Federal Police Service which shall be headed by the Commissioner of Federal Police in the State who shall be appointed by the Federal Police Service Commission, subjected to the provisions of the Constitution, shall take directive from the Inspector-General of Police.</p> <p>(e) The Federal Police Service shall be under the command of the Inspector-General of Police and any contingent of the Federal Police Service stationed in a State, shall subject to the authority of the Inspector-General of Federal Police, be under the Commissioner of Federal Police on duty in that State.</p> <p>(2) The State Police Service of a State shall be headed by a Chief of State Police, who shall be appointed by the Governor of the State on the advice of the State Police and other Security Agencies Council from among members of the State Police service subject to confirmation by the State House of Assembly</p>	
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	<p>(5) The question whether any, and if so what, directions have been given under this section shall not be inquired into in any court.</p>	<p>(3) The Governor or such other Commissioner of the Government of the State as he may authorize on that behalf may give to the State Chief of Police such lawful directions concerning maintenance and securing of public safety and order as he may consider necessary and the State Chief of Police shall comply with those directions or cause them to be complied with;</p> <p>Provided that when the State Chief of Police justifiably believes that the direction given under this subsection is unlawful or contradicts general policing standard or practice, he may request that the matter be referred to the National Police Council for review and the decision of the Council shall be final.</p> <p>(4) An Act of the National Assembly may prescribe a bi-annual certification review of the activities of all the State Police Services in the country by the Nigerian Police Council to ensure that they meet approved national standards of policing and that their operations promote democratic tenets, national integrity, curtail ethnicity, inequality, and marginalization of any segment of society within the State.”</p>	
216	<p>Delegation of powers to the Inspector-General of Police</p> <p>(1) Subject to the provisions of this Constitution, the Nigeria Police Council may, with the approval of the President and subject to such conditions as it may think fit, delegate any of the powers conferred upon it by this Constitution to any of its members or to the Inspector General of Police or any other member of the Nigeria Police Force.</p>	<p style="text-align: center;">Clause 21 Alteration of Section 216</p> <p>Section 216 is altered –</p> <p>(a) in subsection (1) by,</p> <p style="padding-left: 40px;">(i) substituting the words “Nigeria Police Council, with the words “National Police Council”; and</p> <p style="padding-left: 40px;">(ii) substituting the words “Nigeria Police Force”, with the words “Federal Police Service”;</p>	

	<p>(2) Before making any appointment to the office of the Inspector General of Police or removing him from office, the President shall consult the Nigeria Police Council.</p>	<p>(b) in subsection (2), by substituting the words “Nigeria Police Council”, with the words “National Police Council”;</p> <p>(c) by inserting after the existing subsection (2), a new subsection “(2A)” –</p> <p>“(2A) – in addition to any other powers as may be conferred on the Nigerian Police Council, the Council shall periodically consider and approve proposals for State Police, and shall ensure that the State Police Services are organized and administered in a manner to ensure internal security of the respective States and shall look into allegations of abuse of power by the various State Police Service.”</p>	
216		<p style="text-align: center;">Clause 22 Inserting of New Section 216A</p> <p>“216A – Functions and Powers of the National Police Council</p> <p>216A(1) – The National Police Council shall –</p> <p>(a) Advise the President of the Federal Republic of Nigeria on the Appointment of the Inspector General of the Federal Police Service;</p> <p>(b) Consider and approve applications for the establishment of a State Police Service;</p> <p>(c) Be responsible for the organization and administration of the Federal Police Service and all other matters relating thereto excluding matters, relating to the use and operational control of the Federal Police Service;</p> <p>(d) Be responsible for general oversight of the various State Police Services to avoid abuse of power and breach of democratic ideals;</p> <p>(e) Investigate all allegations of misconduct and address for the removal of the Inspector General of Police and the</p>	

		<p>State Chiefs of Police and make appropriate recommendations to the Senate or the relevant House of Assembly.</p> <p>(2) An Inspector General of Police shall only be removed by the President subject to recommendation of the National Police Council, on the following grounds:</p> <ul style="list-style-type: none"> (a) Misconduct in the discharge of his official duties; (b) breach of Police Act, Regulations and Code of Conduct; (c) Conviction of any offence involving fraud or dishonesty by a Court or Tribunal of competent jurisdiction; (d) mental or general medical incapacity; (e) bankruptcy; (g) meddling in partisan politics whilst in office. <p>(3) The removal under subsection (2) of this section shall be subject to approval by a simple majority of the Senate.</p> <p>(4) A State Chief of Police shall only be removed by the Governor of a State upon the recommendation of the National Police Council recommending that be so removed on the following grounds.</p> <ul style="list-style-type: none"> (a) misconduct in the performance of the official duties; (b) breach of the Constitution, Police Law, Regulations and Code of conduct; (c) Conviction of any offence involving fraud or dishonesty by a Court or Tribunal of competent jurisdiction; (d) bankruptcy; (e) mental incapacity; (f) meddling in partisan politics or acts of bias; 	
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		(5) The removal under subsection (4) of this Section shall be subject to the approval of simple majority of the House of Assembly of the State.”	
318	<p style="text-align: center;">PART IV Interpretation, citation and commencement</p> <p>Interpretation</p> <p>(1) In this constitution, unless it is otherwise expressly provided or the context otherwise requires-</p>	<p style="text-align: center;">Clause 23 Alteration of Section 318</p> <p>Section 318 is altered by inserting after the item “office”, a new item “Police or other related security services or agencies” –</p> <p>“Police or other related security services or agencies” means any Security Service that may be established by law either by the Federal or State Government with policing powers which shall include powers to arrest for designated penal offences, powers to investigate for such offences and powers to initiate prosecution or prosecute for such offences.</p>	
Seco nd Sche dule	<p style="text-align: center;">SECOND SCHEDULE [Section 4] Legislative Powers PART I Exclusive Legislative List</p> <p>2. Arms, ammunition and explosives.</p> <p>45. Police and other government security services established by law.</p> <p style="text-align: center;">PART II [Section 4] Concurrent Legislative List</p>	<p style="text-align: center;">Clause 24 Alteration of Second Schedule</p> <p>Part I of the Second Schedule is altered –</p> <p>(a) in Part I –</p> <p style="padding-left: 20px;">(i) in item 2 by inserting after the word “explosives”, the words “except small arms, light weapons and ammunitions”; and</p> <p style="padding-left: 20px;">(ii) by deleting item 45</p> <p>(b) in Part II, by inserting –</p> <p>(c) after paragraph 22, a new paragraph “22A” –</p>	

		<p>“22A – Small arms, light weapons and ammunitions”; and</p> <p>(ii) after paragraph 26, a new paragraph “26A” –</p> <p>“26A – Police and other government security services established by law”</p>	
Third sched ule	<p style="text-align: center;">THIRD SCHEDULE PART I Federal Executive Bodies (established by section 153)</p> <p>L – Nigeria Police Council</p> <p>27. Nigeria Police Council The Nigeria Police Council shall comprise the following members –</p> <p>(a) the President who shall be the Chairman; (b) the Governor of each State of the Federation; © the Chairman of the Police Service Commission; and (d) the Inspector-General of Police.</p> <p>28. The functions of the Nigeria Police Council shall include –</p> <p>(a) the organisation and administration of the Nigeria Police Force and all other matters relating thereto</p>	<p style="text-align: center;">Clause 25 Alteration of Third Schedule</p> <p>Part I of the Third Schedule is altered by substituting paragraphs 27 to 30, with new paragraphs “27” and “30” –</p> <p>“L – National Police Council</p> <p>27 – National Police Council</p> <p>The National Police Council shall comprise the following members –</p> <p>(a) the President who shall be the Chairman or the Vice-President as the President may direct or delegate; (b) the Governor of each State of the Federation; (c) the Chairman of the Federal Police Service Commission; and (d) the Inspector-General of Police; (e) the Chairman of each State Police Service Commission; (f) chief of Police of each state, where there operate a State Police established by law.</p> <p>28 – the functions of the National Police Council shall include –</p>	

	<p>(not being matters relating to the use and operational control of the Force or the appointment, disciplinary control and dismissal of members of the Force);</p> <p>(b) the general supervision of the Nigeria Police Force; and</p> <p>(c) advising the President on the appointment of the Inspector General of Police.</p> <p>M – Police Service Commission</p> <p>29. Police Service Commission</p> <p>The Police Service Commission shall comprise the following members –</p> <p>(a) a Chairman; and</p> <p>(b) such number of other persons, not less than seven but not more than nine, as may be prescribed by an Act of the National Assembly.</p> <p>30. The Commission shall have power to</p> <p>(a) appoint persons to offices (other than office of the Inspector General of Police) in the Nigeria Police Force; and</p> <p>(b) dismiss and exercise disciplinary control over persons holding any office referred to in sub-paragraph (a) of this paragraph.</p>	<p>(a) the organization and administration of the National Police Force and all other matters relating thereto (not being matters relating to the use and operational control of the Force or the appointment, disciplinary control and dismissal of members of the Force);</p> <p>(b) entertaining conflicts between the Federal Police Service and a State Police or between one State and another;</p> <p>(c) minimum training qualification and requirement of the Police Services;</p> <p>(d) the general supervision of the Federal Police Service; and</p> <p>(e) advising the President on the appointment of the Inspector General of Police.</p> <p>M – Federal Police Service Commission</p> <p>29. Federal Police Service Commission</p> <p>The Federal Police Service Commission shall comprise the following members –</p> <p>(a) a Chairman; and</p> <p>(b) such member or other persons not less than seven but not more than nine, as may be prescribed by an Act of the National Assembly.</p> <p>30. The Commission shall have power to –</p> <p>(a) appoint persons to offices (other than office of the Inspector-General of Police) in the Federal Police Service; and</p> <p>(b) dismiss and exercise disciplinary control over persons holding any office referred to in subparagraph (a) of this paragraph.”</p>	
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Third Sche dule	<p style="text-align: center;">PART II State Bodies (established by section 197)</p>	<p style="text-align: center;">Clause 26 Insertion of New Paragraphs</p> <p>Part II of the third Schedule is altered by inserting after the existing paragraph 6, new paragraphs “CA” and “CB” –</p> <p>“CA – State Police and other State Government Security Agencies Service Commission</p> <p>6A. The state Police and other State Government security agencies Commission by a law</p> <p>6B. The Commission shall comprise the following members-</p> <ul style="list-style-type: none"> (a) A Chairman; and (b) Such number of other persons not less than seven and not more than nine as may be prescribed by a law of the State House of Assembly. <p>6C. The Commission shall have power to-</p> <ul style="list-style-type: none"> (a) appoint persons into the office (other than office of the Chief of State Police) in the State Police Service; (b) appoint persons into the office (other than the office of the heads) in other security agencies established by law in the State; © Dismiss and exercise disciplinary control over persons holding any office referred to in sub-paragraph (a) and (b) of this paragraph. <p>CB- State Police and other State Government Security Agencies Council</p> <p>6D- A State may establish by law Government Security Agencies Council, State Police and other State Government Security Agencies.</p>	
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		<p>6E- The Council shall comprise of the following members:</p> <ul style="list-style-type: none"> (a) the Governor of the State; (b) the Chairman of each local Government Council in the State; (c) the Commissioner of State Police in the State; (d) the chief of State Police of the State; (e) the Chairman of the Traditional Council in each Local Government comp-rising the State; (f) the Chairman of the Nigerian Bar Association of the State; and (g) such other persons of integrity as may be prescribed by the Law of a State. <p>6F- The Council shall be responsible for-</p> <ul style="list-style-type: none"> (a) Advising the Governor of the State on the appointment of the chief of the State Police Service; (b) the organization and administration of the State Police Service and other State Security agencies established by law and all other matters relating thereto excluding matters relating to the use and operational control of the State Police Service and other security agencies established by law. © general oversight of the State Police Services to avoid abuse of power and breach of democratic ideals; (d) entertaining appeals of complaints from any matter relating to the operation of the State Police or other Security agencies established by law.” 	
		<p style="text-align: center;">Clause 27 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria 1999 (Sixth Alteration), Bill 2025</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to provide for the establishment of State Police or other State Government Security agencies.</p>	
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2. Establishment of a State Security Council

A BILL FOR AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO ESTABLISH THE STATE SECURITY COUNCIL; AND FOR RELATED MATTERS.

Section	Provision of the Constitution	Provisions of the Bill	Remarks
		<p>Clause 1 Alteration of the Constitution</p> <p>The Constitution of the Federal Republic of Nigeria, 1999 (in this Bill referred to as “the Principal Act”) is altered as set out in this Bill.</p>	
197.	<p>State Commissions</p> <p>(1) There shall be established for each State of the Federation the following bodies, namely -</p> <p>(a) State Civil Service Commission;</p> <p>(b) State Independent Electoral Commission; and</p> <p>(c) State Judicial Service Commission.</p> <p>(2) The composition and powers of each body established by subsection (1) of this section are as set out in Part II of the Third Schedule to this Constitution.</p> <p>[Part II Third Schedule]</p> <p>(3) In appointing Chairmen and members of boards and governing bodies of statutory corporations and companies in which the Government of the State has controlling shares or interests and councils of Universities, Colleges and other institutions of higher learning, the Governor shall conform with the provisions of section 14 (4) of this Constitution.</p>	<p>Clause 2 Alteration of Section 197</p> <p>Section 197 (1) of the Principal Act is altered –</p> <p>(a) in paragraph (b), by deleting the word, “and”; and</p> <p>(b) by inserting after paragraph (c), a new paragraph “(d)” –</p> <p>“(d) State Security Council”.</p>	
Third Schedule	National Security Council	<p>Clause 3 Alteration of Part II of the Third Schedule</p>	

	<p>(a) the President who shall be the Chairman; (b) the Vice-President who shall be the Deputy Chairman; (c) (d)</p>	<p>Part II of the Third Schedule to the Principal Act is altered by - (a) inserting a new sub heading “CC” – “CC- State Security Council”; and (b) inserting after paragraph 6 (c), a new paragraph “6A” – “State Security Council 6A. (1) The State Security Council shall comprise the following members – (a) the Governor who shall be the Chairman; (b) the Deputy Governor who shall be the Deputy Chairman; (c) the Speaker of the House of Assembly of the State; (d) the Commissioner of the Government of the State charged with the responsibility for State internal affairs; (e) the Commissioner of the Government of the State charged with the responsibility for security; (f) the Commissioner of Police; (g) the Chairman of the State Council of Traditional Rulers; and (h) such other persons as the Governor may in his discretion appoint. (2) The Council shall have power to advise the Governor on matters relating to public security including matters relating to any organisation or agency established by law for ensuring the security of the State”.</p>	
		<p style="text-align: center;">Clause 4 Citation</p> <p>This Bill may be cited as the Constitution of the Federal Republic of Nigeria 1999 (Sixth Alteration), Bill 2025</p>	

		<p style="text-align: center;">Explanatory Memorandum</p> <p>This Bill seeks to alter the Constitution of the Federal Republic of Nigeria, 1999 to establish the State Security Council to advise the Governor on matters relating to public security.</p>	
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