

Bill NO. 7

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 (SIXTH ALTERATION) 2026

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 (2) For the purposes of subsection (1)(c) of this section, “forced or compulsory labour” does not include – (a) any labour required in consequence of the sentence or order of a court; (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;	Clause 2 Alteration of Section 34 Section 34 of the Principal Act is altered in subsection (2)(b) by substituting the words “Nigeria Police Force”, for the word “Police”.	
35. Right to personal liberty (7)(b) as invalidating any law by reason only that it authorises 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.	Clause 3 Alteration of Section 35 Section 35 of the Principal Act is altered in subsection (7)(b) by substituting the words “Nigeria Police Force”, for the word “Police”.	

39. Right to freedom of expression and the press (3)(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.	Clause 4 Alteration of Section 39 Section 39 of the Principal Act is altered in subsection (3)(b) by substituting the words “Nigeria Police Force”, for the word “Police”.	
42. Right to freedom from discrimination (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.	Clause 5 Alteration of Section 42 Section 42 of the Principal Act is altered in subsection (3) by substituting the words “Nigeria Police Force”, for the word “Police”.	
84. Remuneration, etc. of the President and certain other officers (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, 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	Clause 6 Alteration of Section 84 Section 84 of the Principal Act is altered in subsection (4) by substituting the words “the Nigeria Police Council and the Police Service Commission”, for the words “the National Police Council and the Federal Police Service Commission”.	

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 (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 authorised in that behalf by the President of the Senate or the Speaker of the House of Representatives, as the case may require.	Clause 7 Alteration of Section 89 Section 89 of the Principal Act is altered in subsection (2) by substituting the words “Nigeria Police Force”, for the words “Federal Police”.	
129. Power as to matters of evidence (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 authorised in that behalf by the Speaker of the House of Assembly of the State.	Clause 8 Alteration of Section 129 Section 129 of the Principal Act is altered in subsection (2) by substituting the words “Nigeria Police Force”, for the words “State Police”.	
B - Establishment of certain Federal Executive Bodies 153. Federal Commissions and Councils, etc (1) There shall be established for the Federation the following bodies, namely (l) Nigeria Police Council; (m) Police Service Commission; and	Clause 9 Alteration of Section 153 Section 153 of the Principal Act is altered in subsection (1) – (a) paragraph (l) by deleting the word “Nigeria” and inserting the word “National” instead thereof; and (b) paragraph (m) by inserting the word “Federal” before the word “Police”.	

<i>B - Establishment of certain State Executive Bodies</i> 197. State Commissions (1) There shall be established for each State of the Federation the following bodies, namely (c) State Judicial Service Commission	Clause 10 Alteration of Section 197 Section 197 of the Principal Act is altered in subsection (1) by inserting immediately after paragraph (c) a new paragraphs (d) as follows – “(d) State Police Service Commission.”	
<i>B - Nigeria Police Force</i>	Clause 11 Alteration of Chapter VI, Part III Chapter VI, Part III of the Principal Act is altered by deleting the sub-heading B and inserting a new sub-heading “B” as follows – “B – Federal and State Police”.	
214. Establishment of Nigeria Police Force (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. 	Clause 12 Alteration of Section 214 Section 214 of the Principal Act is amended by substituting the existing provisions Section 214 for a new Section 214 – “Establishment of Federal and State Police” “214. _ (1) The following bodies are established – (a) the Federal Police; and (b) State Police. (2) The National Assembly shall by an Act prescribe for the structure, organisation, administration, and powers of the Federal Police and provide the framework and guidelines for the establishment of State Police. (3) No State Police shall commence operational policing unless it has been established by a Law of the House of Assembly of the State and certified as meeting national minimum standards in the manner prescribed by an Act of the	

National Assembly. (4) Unless and until a State Police commences operational policing under subsection (3) of this section, the Federal Police shall continue to perform policing functions in that State; and after such commencement, the Federal Police shall continue to perform federal policing functions and may provide assistance to the State Police in accordance with law. (5) The Federal Police shall – (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 this Constitution or by an Act of the National Assembly; and (b) be responsible for the maintenance of public security, preservation of public order and security of persons and property within a State to the extent that the State has power to make laws under this Constitution. (6) Subject to the provisions of this Constitution, the Federal Police shall not interfere with the operations of any State Police of the internal security affairs of a State except – (a) to contain serious threats to public order where it is shown that there is a complete breakdown of law and order within a State and the State Police is unable to contain the threat; (b) where the Governor of a State requests the intervention of the Federal Police to prevent or contain a breakdown of law and order in the State; and (c) where a State Police is unable to function owing to administrative, financial or other problems which render it	
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	inoperative at a given time: Provided that any intervention under this subsection shall only be made after approval by National Police Council. (7)(a) The Federal Capital Territory shall be deemed to be within the territorial jurisdiction of the Federal Police, and all powers, duties, functions, and responsibilities conferred on the Federal Police under this Act shall apply <i>mutatis mutandis</i> to the Federal Capital Territory. (b) The Federal Police shall establish and maintain such commands, formations, departments, and operational units within the Federal Capital Territory as may be necessary for the effective discharge of its functions.	
215. Appointment of Inspector-General and control of Nigeria Police Force (1) There shall be	Clause 13 Alteration of Section 215 Section 215 of the Principal Act is amended by substituting the existing Section 215 for a new Section 215 – “Appointment of Inspector-General of Police and the Commissioner of Police of a State” “215. _ (1) The Federal Police shall be headed by an Inspector-General of Police who shall be appointed by the President on the advice of the National Police Council from among serving members of the Federal Police, subject to confirmation by the National Assembly. (2) The Federal Police shall be under the command of the Inspector-General of Police, including contingents of the Federal Police stationed in a State. (3) The President or such other Minister of the Government of the Federation as he may authorise 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 directions or cause them to be complied with. (4) A State Police shall be headed by a Commissioner of Police who shall be appointed by the Governor of the State on the advice of the National Police Council from among serving members of the State Police subject to confirmation by the State House of Assembly. (5) The Governor or such other Commissioner of the Government of the State as he may authorise in that behalf may give to the Commissioner of Police such lawful directions with respect to the maintenance and securing of public safety and order as he may consider necessary, and the Commissioner of Police shall comply with those directions or cause them to be complied with: Provided that where the Commissioner of Police feels that the direction given under this subsection is unlawful or contradicts general policing standards or practice, he may request that the matter be referred to the National Police Council for review and decision of the National Police Council shall be final.	
216. Delegation of powers to the Inspector-General of Police	Clause 14 Alteration of Section 216 Section 216 of the Principal Act is amended by – (a) substituting the existing Section 216 for a new Section 216 – “Removal of Inspector-General of Police and the Commissioner of Police of a State” “216. _ (1) An Inspector-General of Police shall only be removed by the President upon the	

	recommendation of the National Police Council praying that he be so removed on any of the following grounds – (a) grave misconduct in the discharge of his official duties; (b) breach of Police Act, Regulation, Code and Code of Conduct; (c) conviction of any offence involving fraud or dishonesty by a court of law or tribunal; (d) bankruptcy; or (e) mental incapacity. (2) The removal under subsection (1) of this Section shall be subject to approval by a resolution of a two third majority of the National Assembly. (3) A Commissioner of Police of a State shall only be removed by the Governor upon the recommendation of the National Police Council praying that he be so removed on any of the following grounds – (a) grave misconduct in the performance of his official duties; (b) breach of policing standards, law, Regulation, Code and Code of Conduct; (c) conviction of any offence involving fraud or dishonesty by a court of law or tribunal; (d) bankruptcy; or (e) mental incapacity.	
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	(4) The removal under subsection (3) of this Section shall be subject to approval by two-thirds majority of the House of Assembly of the State.”; and (b) inserting the following as new Section 216A – “Grants or Aids to State Police” “216A. The Federal Government shall provide grant or aids to State Police on the recommendation of the National Police Council subject to the approval of the National Assembly.”	
SECOND SCHEDULE PART I Exclusive Legislative List <i>Item</i> 1. Accounts of the Government of the Federation, and of offices, courts, and authorities thereof, including audit of those accounts. 2. Arms, ammunition and explosives.	Clause 15 Alteration of Second Schedule The Second Schedule to the Principal Act is altered – (a) in Part I – (i) in item 2 by inserting after the word “explosives”, the words “other than light arms for the purpose of policing”; (ii) by substituting the existing Item 28 for a new Item 28 – “28. Fingerprints, identification, biometric, forensic, custody and criminal records, subject to the collection, retention, use and sharing of such records by a State Police Service in accordance with this Constitution and an Act of the National Assembly.”; and (iii) by substituting the existing Item 45 for a new item 45: “45. Federal Police and other government security services established by law for the Federation.”; and (b) in Part II, by inserting immediately after paragraph 20A a new paragraph 20B as follows – “20B. Police and policing standards (1) The National Assembly may make laws for the	

	Federation or any part thereof with respect to – (a) the establishment, organisation, administration, powers and duties of the Federal Police; (a) the powers and duties of the State Police; (b) national minimum standards for Federal and State Police; (c) policing standards, inspection, certification, complaints, criminal information systems, inter-governmental cooperation, federal intervention, use of force, firearms, grants and accountability; and (d) any matter necessary to give effect to sections 214 to 216 of this Constitution. (2) A House of Assembly of a State may make laws for the establishment, organisation, administration, funding, and oversight of a State Police for that State, subject to this Constitution and to any Act of the National Assembly validly made under subparagraph (1) of this paragraph. (3) A Law of a House of Assembly may prescribe standards higher than national minimum standards but shall not prescribe or apply standards lower than national minimum standards. (4) No Act of the National Assembly made under this paragraph shall confer on any federal authority routine command, deployment, appointment, promotion, transfer, suspension, dismissal or disciplinary control over any member of a State Police, except to the extent expressly authorised by this Constitution for federal intervention under this Constitution or an Act of the National Assembly; and the enforcement of national minimum standards shall not amount
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	to routine operational or personnel control over a State Police.”.	
THIRD SCHEDULE PART I Federal Executive Bodies (established by section 153) 8. (1) In giving effect to the provisions of section 14(3) and (4) of this Constitution, the Commission shall have the power to- (a) work out an equitable formula subject to the approval of the National Assembly for the distribution of all cadres of posts in the public service of the Federation and of the States, the armed forces of the Federation, the Nigeria Police Force and other government security agencies, government owned companies and parastatals of the States; <i>L - Nigeria Police Council</i> 27. Nigeria Police Council The Nigeria Police Council shall comprise the following members – (a) the President who shall be the Chairman; (b) the Governor of each State of the Federation; (c) the Chairman of the Police Service Commission; and (d) the Inspector-General of Police. 28. The functions of the Nigeria Police Council shall include – (a) the organisation and administration of the Nigeria Police Force and all other matters relating thereto (not being matters relating to the use and	Clause 16 Alteration of Third Schedule Part I of the Third Schedule to the Principal Act is altered – (a) in paragraph 8(1)(a) by substituting the words “Nigeria Police Force” for the words “Federal Police and State Police”; (b) by substituting the existing subheading “L – Nigeria Police Council” for a new subheading “L – National Police Council”; (c) in paragraph 27 – (i) by substituting existing subparagraph (c) for a new paragraph (c) – “(c) Chairman of the National Police Council,” and (ii) by inserting the following as new subparagraph (e) – “(e) Chairman of the State Police Service Commission of each State of the Federation.”; (d) in paragraph 28, by substituting the words “Nigeria Police Council” for the words “Federal Police and State Police”;	

operational control of the Force or the appointment, disciplinary control and dismissal of members of the Force); (b) the general supervision of the Nigeria Police Force; and (c) advising the President on the appointment of the Inspector General of Police. <i>M - Police Service Commission</i> 29. Police Service Commission The Police Service Commission shall comprise the following members – (a) a Chairman; and (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.	(e) by substituting the existing subheading “M – Police Service Commission” for a new subheading “M – National Police Council”; (f) by substituting the existing paragraph 29 and for a new paragraph 29 – “29. The National Police Council shall comprise the following members – (a) a Chairman to be appointed by the President subject to the confirmation by the National Assembly; (b) Attorney-General of the Federation; (c) a serving police officer not below the rank of an Assistant Inspector General of Police to represent the Federal Police; (d) the Attorney-General of each State of the Federation; (e) six retired police officers not below the rank of Commissioner of Police representing each of the geo-political zones of the country to be appointed by the President subject to confirmation by the National Assembly; (f) two members representing the National Human Rights Commission; (g) one representative of the Public Complaints Commission;
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30. The Commission shall have power to (a) appoint persons to offices (other than office of the Inspector General of Police) in the Nigeria Police Force; and (b) dismiss and exercise disciplinary control over persons holding any office referred to in sub-paragraph (a) of this paragraph.	(h) a representative of the Nigerian Labour Congress to be appointed by the President of the Nigerian Labour Congress; (i) a representative of the Nigerian Bar Association to be appointed by the President of the Nigerian Bar Association; (j) a representative of the Nigerian Union of Journalists to be appointed by the President of the Nigerian Union of Journalists; (k) six Chairmen of the Council of Traditional Rulers representing the six geo-political zones; and (g) by substituting the existing paragraph 30 for a new paragraph 30 – “30. The National Police Council shall be responsible for – (a) the appointment of persons to offices (other than office of the Inspector-General of Police) in the Federal Police; (b) exercising disciplinary control over members of the Federal Police; (c) recommending to the Governor of a State the appointment of the Commissioner of Police, Deputy Commissioners of Police and Assistant Commissioners of Police of the State Police based on a list submitted to it by the State Police Service Commission of the relevant State and subject to confirmation by the House of Assembly of the State; (d) recommending to the Governor the discipline and removal of the Commissioner of Police, Deputy
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	Commissioner of Police and Assistant Commissioner of Police of the State Police; (e) supervising the activities of the Federal Police and State Police to the extent provided for in this Constitution; (f) prescribing standards for all police services in the country in training, criminal intelligence databases, forensic laboratories; and (g) render assistance to State Police in the areas as may be requested by such State Police.”.	
PART II State Bodies (established by section 197) <i>C - State Judicial Service Commission</i>	Clause 17 Alteration of Third Schedule Part II of the Third Schedule to the Principal Act is altered by inserting immediately after subheading “C” paragraph 6 the following as new subheading “D” paragraphs 7, 8 and 9 – “D – State Police Service Commission” “7. A State Police Service Commission shall comprise the following members – (a) a Chairman to be appointed by the Governor subject to the confirmation by the State House of Assembly; (b) two members representing the National Human Rights Commission who shall be indigenes of the respective States; (c) one representative of the Public Complaints Commission; (d) a representative of the Nigerian Labour Congress to be appointed by the Chairman of the State branch; (e) three retired assistant commissioners of police to be	

	appointed by the Governor, one from each senatorial district of the State subject to confirmation by the State House of Assembly; (f) a representative of the Nigerian Bar Association to be appointed by the President of the Nigerian Bar Association who shall be a legal practitioner from the respective State; (g) a representative of the Nigerian Union of Journalists to be appointed by the Chairman of the State branch; and (h) Chairman of State Traditional Rulers' Council or his representative 8. The Commission shall be responsible for – (a) recommending the appointment of a Commissioner of Police, Deputy Commissioner of Police and Assistant Commissioner of Police to the National Police Council; (b) the appointment, discipline and removal of members of the State Police below the rank of Assistant Commissioner of Police; and (c) other functions and powers of the Commission as may be specified in either the Constitution or an Act of the National Assembly. 9. In recommending the appointment of a Commissioner of Police, the Commission shall propose three qualified candidates to the National Police Council.”	
	Clause 18 Citation The Bill may be cited as the Constitution of the Federal Republic of Nigeria (Sixth Alteration) Bill, 2026.	
	Explanatory Memorandum	

	This Bill seeks to provide for the alteration of the Constitution of the Federal Republic of Nigeria, 1999 (As Altered) to provide for the establishment of State Police.	
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