CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (SIXTH ALTERATION) BILL, 2026

EXPLANATORY MEMORANDUM

This Bill alters the Constitution of the Federal Republic of Nigeria, 1999, to create a constitutional pathway for establishing State Police Services, subject to the Constitution and to an Act of the National Assembly prescribing national minimum policing standards.

The Bill preserves the Federal Police Service as the default police service in any State until a State Police Service is lawfully established and certified operational, and preserves the continuing federal policing role in every State and in the Federal Capital Territory, Abuja.

The Bill establishes constitutional guardrails for civilian control, human rights, national minimum standards, independent police service commissions, intergovernmental cooperation, criminal information systems, firearms control, and exceptional federal intervention in State policing in cases of breakdown, serious incapacity, national security threat, or egregious abuse.

The Bill leaves the detailed organisation, procedures, operational control, certification, complaints mechanisms, grants, and implementation arrangements to subsequent Acts of the National Assembly and, where applicable, to the Laws of the Houses of Assembly of States.

CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (SIXTH ALTERATION) BILL, 2026

Arrangement of Sections

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CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (SIXTH ALTERATION) BILL, 2026

A Bill

For

An Act to alter the Constitution of the Federal Republic of Nigeria, 1999 to provide for the establishment of state police services; and for related matters.

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

Alteration of Cap. C23 LFN, 2004

1. The Constitution of the Federal Republic of Nigeria, 1999 Cap. C23 Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is altered as set out in this Bill.

Alteration of section 84

2. Section 84(4) of the Principal Act is altered by substituting for the words "the Nigeria Police Council and the Police Service Commission", the words "the National Police Council and the Federal Police Service Commission".

Alteration of section 89

3. Section 89(2) of the Principal Act is altered by substituting for the words "the Nigeria Police Force", the words "the Federal Police Service".

Alteration of section 121

4. Section 121(3) of the Principal Act is altered by inserting after paragraph (b), a new paragraph "(c)" —

"(c) a State Police Service Commission established for a State shall be paid directly to the Commission".

Alteration of section 124

5. Section 124 (4) of the Principal Act is altered by inserting after the words "State Judicial Service Commission", the words, "and the State Police Service Commission, where established".

Alteration of section 129

6. Section 129 (2) of the Principal Act is altered by substituting for the words "any member of the Nigeria Police Force or by any person authorised", the words "any member of the Federal Police Service, any member of a State Police Service established for the State where that service has commenced operational policing, or by any person authorised".

Alteration of section 153

7. Section 153(1) of the Principal Act is altered —

(a) in paragraph (l), by substituting for the word "Nigeria" the word "National"; and

(b) in paragraph (m), by inserting before the word "Police", the word "Federal".

8. Section 157(2) of the Principal Act is altered by substituting for the words "Nigeria Police Council", the words "National Police Council" and substituting for the words "Police Service Commission", the words "Federal Police Service Commission". Alteration of section 157

9. Section 158(1) of the Principal Act is altered by inserting after the words "Federal Character Commission", the words, "the Federal Police Service Commission". Alteration of section 158

10. Section 160 of the Principal Act is altered by inserting after subsection (2), a new subsection "(3)" — Alteration of section 160

"(3) Notwithstanding subsection (1) of this section, the Federal Police Service Commission may, without the approval of the President, make rules regulating its own procedure or conferring powers and imposing duties on any officer or authority for the purpose of performing its functions under this Constitution or an Act of the National Assembly."

11. Section 197(1) of the Principal Act is altered by inserting after paragraph (c), a new paragraph "(d)" — Alteration of section 197

"(d) where a State Police Service is established for the State pursuant to section 214 of this Constitution, a State Police Service Commission."

12. Section 201(2) of the Principal Act is altered by substituting for the words "and the State Judicial Service Commission" the words, "the State Judicial Service Commission and the State Police Service Commission". Alteration of section 201

13. Section 202 of the Principal Act is altered by substituting for the words "and State Judicial Service Commission" the words, "State Judicial Service Commission and the State Police Service Commission". Alteration of section 202

14. Section 204 of the Principal Act is altered by inserting after subsection (1), a new subsection "(1A)" — Alteration of section 204

"(1A) Notwithstanding subsection (1) of this section, the State Police Service Commission may, without the approval or control of the Governor, make rules regulating its own procedure or conferring powers and imposing duties on any officer or authority for the purpose of performing its functions under this Constitution, an Act of the National Assembly or a Law of the State House of Assembly."

15. Chapter VI, Part III of the Principal Act is altered by substituting for the subheading "B - Nigeria Police Force", the subheading "B - Federal and State Police Services". Alteration of Chapter VI, Part III subheading

16. Substitute for section 214 of the Principal Act, new section "214" — Substitution for section 214

"**Federal and State Police Services**

214. (1) There shall be a police service for the Federation to be known as the Federal Police Service.

(2) There shall be established for each State of the Federation a State Police Service subject to this Constitution and Act of the National Assembly.

(3) No State Police Service 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 Service commences operational policing under subsection (3) of this section, the Federal Police Service shall continue to perform policing functions in that State, and after such commencement, the Federal Police Service shall continue to perform federal policing functions and may provide assistance to the State Police Service in accordance with law.

(5) The Federal Police Service shall be responsible for federal policing functions, including the enforcement of laws of the Federation, policing of the Federal Capital Territory, Abuja, protection of federal institutions and assets, and policing matters with inter-State, international, organised crime, terrorism, cybercrime, arms-trafficking, border-security, national-security or other federal dimensions as may be prescribed by an Act of the National Assembly.

(6) A State Police Service shall, within the State for which it is established, be responsible for the enforcement of laws of the State, the maintenance of public safety and public order, the prevention and detection of offences within its policing competence, the protection of life and property, and such local policing functions as may be prescribed by a Law of the House of Assembly of the State, subject to this Constitution and national minimum standards prescribed by an Act of the National Assembly.

(7) A State Police Service shall not exercise police powers outside the State for which it is established except as authorised by an Act of the National Assembly.

(8) No police service, police organisation or armed body exercising police powers shall be established for the Federation, a State, a Local Government Area or any part thereof except in accordance with this

Constitution and laws made pursuant to it, but nothing in this subsection shall prevent the establishment by law of unarmed traffic, emergency management, environmental, neighbourhood safety or community support services that do not exercise police powers.

(9) The Federal Police Service and every State Police Service shall cooperate, exchange information and provide mutual assistance in the manner prescribed by an Act of the National Assembly.

(10) The Federal Police Service may temporarily intervene in the internal security affairs of a State and may, to the extent necessary, assume specified operational responsibility, including temporary operational command of a State Police Service or any part thereof, only where —

(a) there is an actual or imminent breakdown of public order or public safety which the State Police Service is unable or unwilling to contain;

(b) the Governor of the State requests federal intervention;

(c) the State Police Service is unable to function by reason of serious administrative, financial, operational or other incapacity and that incapacity creates an actual or imminent threat to public safety, public order, the enforcement of this Constitution or the protection of life and property;

(d) there is substantial evidence that the State Police Service is being used for egregious or systematic violation of fundamental rights, partisan or electoral intimidation, ethnic, religious or sectional persecution, or unlawful obstruction of this Constitution, an Act of the National Assembly, a Law of the State House of Assembly or an order of a court; or

(e) the situation presents a substantial threat to national security, the sovereignty or integrity of the Federation, or public safety across State boundaries.

(11) An intervention under subsection (10) of this section shall be temporary, necessary, proportionate and limited to the territory, functions and period required to address the breakdown, incapacity, abuse or threat.

(12) An intervention under subsection (10) of this section shall be authorised in writing by the President and shall state the grounds, territory, functions and duration of the intervention, and notice of the intervention shall be given to the Governor of the State, the Speaker of the House of Assembly

of the State, the National Police Council and the National Assembly within forty-eight hours of the start of any intervention.

(13) No intervention under subsection (10) of this section shall continue beyond such period as may be prescribed by an Act of the National Assembly unless approved by resolution of the National Assembly in the manner prescribed by that Act.

(14) The legality, scope, duration and conduct of an intervention under this section shall be subject to judicial review, and no intervention shall dissolve a State Police Service or suspend the elected institutions of a State except in accordance with this Constitution.

(15) Whenever and wherever an intervention under subsection (10) of this section is invoked, the State Police Service shall be subordinated to the Federal Police Service until after the expiration of the situation that warranted the intervention."

17. Substitute for section 215 of the Principal Act, new section "215" — Substitution for section 215

"**215. Appointment, command, directions and tenure**

(1) The Federal Police Service shall be headed by an Inspector-General of Police appointed by the President on the advice of the National Police Council, subject to confirmation by the Senate and to such qualifications as may be prescribed by an Act of the National Assembly.

(2) The Federal Police Service shall be under the command of the Inspector-General of Police, including contingents of the Federal Police Service stationed in a State subject to this Constitution and any Act of the National Assembly.

(3) The President, or such Minister of the Government of the Federation as the President may authorise, may give lawful directions in writing, being directions of general policy, to the Inspector-General of Police with respect to the maintenance and securing of public safety and public order.

(4) The Federal Police contingent stationed in a state shall be headed by a Commissioner of Police who shall receive orders from the Inspector General of Police or any other officer authorised by him and as provided by an Act of the National Assembly.

(5) A State Police Service shall be headed by a Commander of Police of the State appointed by the Governor of the State on the recommendation of the National Police Council, subject to confirmation by the House of

Assembly of the State and to such qualifications and national minimum standards as may be prescribed by an Act of the National Assembly.

(6) A State Police Service shall be under the command of the Commander of Police of the State, subject to this Constitution, an Act of the National Assembly, a Law of the House of Assembly of the State and any lawful federal intervention under section 214 of this Constitution.

(7) The Governor of a State, or such Commissioner of the Government of the State as the Governor may authorise, may give lawful directions in writing, being directions of general policy, to the Commander of Police of the State with respect to the maintenance and securing of public safety and public order in the State.

(8) No direction under this section shall require the arrest, detention, investigation, non-investigation, deployment or use of force against any named person, political party, association or class of persons except in accordance with law, or require a police service or any member of a police service to act unlawfully, violate fundamental rights, suppress lawful political activity, discriminate against any person or group, or enforce the law for a partisan, ethnic, religious, sectional or personal purpose.

(9) The Inspector-General of Police or a Commander of Police of a State may request the appropriate Police Service Commission to review any directive which that officer considers unlawful or inconsistent with national minimum standards, and nothing in this subsection shall oust the jurisdiction of a court.

(10) The Inspector-General of Police shall not be suspended or removed except for stated cause, in accordance with a fair hearing, on the recommendation of the National Police Council and subject to approval by a resolution supported by not less than two-thirds majority of the Senate.

(11) A Commander of Police of a State shall not be suspended or removed except for stated cause, in accordance with a fair hearing, on the recommendation of the National Police Council and subject to approval by a resolution supported by not less than two-thirds majority of members of the House of Assembly of the State."

18. Substitute for section 216 of the Principal Act, new section "216" —

Substitution for section 216

"**216. National policing standards, oversight and accountability**

(1) The National Assembly shall by an Act prescribe national minimum standards applicable to the Federal Police Service and every State Police Service, including standards on recruitment, vetting, training, certification, appointment, promotion, discipline, conduct, use of force, firearms, custody, complaints, criminal information, inter-governmental cooperation, public reporting and accountability.

(2) A Law of a House of Assembly may prescribe standards for a State Police Service that are higher than or additional to national minimum standards but shall not derogate from or fall below those standards.

(3) An Act of the National Assembly shall provide for independent arrangements for policing standards, inspection, certification, complaints, reporting, criminal information systems, data sharing, federal intervention, grants and accountability, and may confer functions for those purposes on an existing body or a body established by that Act.

(4) Members of the Federal Police Service and of a State Police Service may bear only such arms, ammunition and equipment as may be authorised by an Act of the National Assembly, and every use of force by a police service shall be lawful, necessary, proportionate and accountable."

19. Insert after section 317 of the Principal Act, new section "317A" —

Insertion of a new section 317A

"**317A. Transitional and savings provisions**

(1) Upon the commencement of this Bill, the Nigeria Police Force established under section 214 of the Constitution before its alteration by this Bill shall continue as the Federal Police Service until restructured in accordance with this Constitution and an Act of the National Assembly.

(2) The person holding office as Inspector-General of Police and every person serving as a member of the Nigeria Police Force immediately before the commencement of this Bill shall continue in office as the Inspector-General of Police or as a member of the Federal Police Service, as the case may be, subject to this Constitution and any Act of the National Assembly.

(3) The Police Service Commission and the Nigeria Police Council existing immediately before the commencement of this Bill shall

continue as the Federal Police Service Commission and the National Police Council respectively, subject to this Constitution and any Act of the National Assembly.

(4) The Federal Police Service shall continue to police every State until a State Police Service for that State commences operational policing in accordance with this Constitution and an Act of the National Assembly and shall continue thereafter to perform federal policing functions in that State.

(5) No existing State, local, community, vigilante, neighbourhood, traffic or other security outfit shall, by reason only of this Bill, become a State Police Service or exercise police powers or bear firearms unless authorised in accordance with this Constitution and an Act of the National Assembly.

(6) Existing laws, regulations, instruments and proceedings referring to the Nigeria Police Force, the Nigeria Police Council or the Police Service Commission shall, with necessary modifications and until amended or repealed, be construed as referring to the Federal Police Service, the National Police Council or the Federal Police Service Commission respectively.

(7) Subject to the express alterations made by this Bill and unless the context otherwise requires, the Principal Act, as altered by this Bill, is further altered wherever the following expressions occur, including in any heading, marginal note, Schedule or Arrangement of Sections, by substituting the corresponding expressions —

(a) "Nigeria Police Force", where the reference is to the police institution of the Federation, with "Federal Police Service";

(b) "the Force", where the expression is used as a reference to the Nigeria Police Force or the Federal Police Service, with "the Federal Police Service";

(c) "member of the Nigeria Police Force", "members of the Nigeria Police Force", "officer of the Nigeria Police Force", "officers of the Nigeria Police Force", "member of the Force", "members of the Force", "officer of the Force" or "officers of the Force", where the provision is of general application to police personnel, with "member of a police service", "members of a police service", "officer of a police service" or "officers of a police service", as the context requires;

(d) "office in the Nigeria Police Force" or "offices in the Nigeria Police Force", with "office in the Federal Police Service" or "offices in the Federal Police Service", as the context requires;

(e) "Police Service Commission", with "Federal Police Service Commission";

(f) "Chairman of the Police Service Commission", with "Chairman of the Federal Police Service Commission";

(g) "Chairman and members of the Police Service Commission", with "Chairman and members of the Federal Police Service Commission"; and

(h) "the Commission", where the expression is used as a reference to the Police Service Commission, with "the Federal Police Service Commission."

Alteration of section 318

20. Section 318(1) of the Principal Act is altered —

(a) in the interpretation of "public service of the Federation", by substituting for the words "Nigeria Police Force" in paragraph "h" the words "Federal Police Service";

(b) in the interpretation of "public service of a State", by inserting after paragraph (g), a new paragraph "(h)" —

"(h) members and staff of a State Police Service and of a State Police Service Commission established for the State"; and

(c) by inserting in alphabetical order, the definition of —

"Federal Police Service" means the police service established for the Federation under section 214 of this Constitution;

"national minimum standards" means the minimum policing standards prescribed by an Act of the National Assembly pursuant to sections 214-216 of this Constitution;

"police powers" includes powers of arrest, detention, search, seizure, criminal investigation, use of force, public order management, custody of suspects and enforcement of criminal law;

"police service" means the Federal Police Service or a State Police Service established pursuant to this Constitution;

"State Police Service" means a police service established for a State by a Law of the House of Assembly pursuant to section 214 of this Constitution; and

"State Police Service Commission" means a body established for a State pursuant to section 197 and Part II of the Third Schedule to this Constitution.

Alteration of the Second Schedule

21. The Second Schedule to the Principal Act is altered —

(a) in Part I, by substituting for items 28 and 45, new items "28" and "45" —

"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;

45. Federal Police Service and other government security services established by law for the Federation."; and

(b) in Part II, by inserting after paragraph 20A, a new paragraph "20B" —

"**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 Service;

(b) organisation, powers and duties and national minimum standards for all police services;

(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 214-216 of this Constitution.

(2) A House of Assembly of a State may make laws for the establishment, administration, funding and oversight of a State Police Service for that State, subject to this Constitution and to any Act of the National Assembly validly made under subparagraph (1) of this paragraph.

(3) 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 Service, except to the extent expressly authorised by this Constitution for federal intervention under section 214, and the enforcement of national minimum standards shall not amount to routine operational or personnel control over a State Police Service."

Alteration of the Third Schedule

22. Part I of the Third Schedule to the Principal Act is altered —

(a) in paragraph 8 (1)(a) by substituting for the words "Nigeria Police Force", the words "Federal Police Service";

(b) by substituting for the subheading "L - Nigeria Police Council" a new subheading "L - National Police Council";

(c) by substituting for paragraph 27, new paragraph "27" —

"27. The National Police Council shall comprise the following members —

(a) the President who shall be the Chairman;

(b) the Presiding officers of the National Assembly;

(c) Governors of the 36 States of the Federation;

(d) Attorney-General of the Federation;

(e) the Chairman of the Federal Police Service Commission;

(f) the Inspector-General of Police.

(g) one representative of the National Human Rights Commission;

(h) one representative of the Public Complaints Commission; and

(i) the Secretary to the Council to be appointed by the President".

(d) by substituting for paragraph 28, new paragraph "28" —

"28. The functions of the National Police Council shall include —

(a) the organisation and administration of the Federal Police Service and all other matters relating thereto (not being matters relating to the use and operational control of the Service or the appointment, disciplinary control and dismissal of members of the Service);

(b) advising the President on the appointment and removal of the Inspector-General of Police;

(c) recommending to the Governor of a State on the appointment and removal of the Commander of Police;

(d) coordinating national policing policy and inter-governmental cooperation between the Federal Police Service and the State Police Services pursuant to this Constitution and any Act of the National Assembly;

(e) supervising the activities of the Federal Police Service and State Police Services to the extent provided for in this Constitution or an Act of the National Assembly; and

(f) performing such other functions as may be conferred upon it by this Constitution or an Act of the National Assembly."

Alteration of the Third Schedule: Federal Police Service Commission

23. Part I of the Third Schedule to the Principal Act is altered —

(a) by substituting for the subheading "M - Police Service Commission", the subheading "M - Federal Police Service Commission";

(b) in paragraph 29, by substituting for the words, "The Police Service Commission" the words "The Federal Police Service Commission"; and

(c) by substituting for paragraph 30, a new paragraph "30" —

"30. The Federal Police Service Commission shall have power to —

(a) appoint persons to offices in the Federal Police Service, other than the office of the Inspector-General of Police;

(b) promote, transfer, dismiss and exercise disciplinary control over persons holding offices in the Federal Police Service, other than the office of the Inspector-General of Police; and

(c) perform such other functions as may be conferred upon it by this Constitution or an Act of the National Assembly;"

24. Part II of the Third Schedule to the Principal Act is altered by inserting after paragraph 6, a new subheading "D" and new paragraphs "7" and "8" —

Alteration of the Third Schedule: State Police Service Commission

"**D - State Police Service Commission**

7. A State Police Service Commission shall comprise the following members —

(a) a Chairman; and

(b) such number of other persons, as may be prescribed by an Act of the National Assembly.

8. A State Police Service Commission shall have power to —

(a) recommend to the National Police Council persons qualified for appointment as Commander of Police of the State;

(b) appoint persons to offices in the State Police Service, other than the office of Commander of Police of the State;

(c) promote, transfer, dismiss and exercise disciplinary control over persons holding offices in the State Police Service, other than the office of Commander of Police of the State;

(d) exercise oversight, complaints and accountability functions relating to the State Police Service in accordance with this Constitution, an Act of the National Assembly and a Law of the House of Assembly; and

(e) perform such other functions as may be conferred upon it by this Constitution, an Act of the National Assembly or a Law of the House of Assembly."

25. Part II of the Fifth Schedule to the Principal Act is altered by substituting for paragraph 9, a new paragraph "9" —

Alteration of the Fifth Schedule

"9. The Inspector-General of Police, Deputy Inspectors-General of Police, Assistant Inspectors-General of Police, Commander of Police, Deputy Commander of Police, Assistant Commander of Police and all other members of the Federal Police Service, any State Police Service and any other government security service established by law, and the Chairman, members and staff of the Federal Police Service Commission and any State Police Service Commission."

26. This Act may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Sixth Alteration) Bill, 2026. Citation