



2009 ANNUAL REPORT

POLICE SERVICE COMMISSION

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NOTES

FOREWARD

It is my delight to present this Annual Report of the Police Service Commission for the Year 2009. The regular activities of the Commission during the Year revolved around the application of rules and procedures that are necessary to sustain the organizational discipline and efficiency of the Nigeria Police Force. The Commission moved to reposition the Force in line with Government white paper on the M. D. Yusuf Reforms Committee aimed at higher levels of efficiency. The repositioning was in line with government view that the changing times and circumstances required the Nigeria Police Force be brought to operate effectively within the constant and rapid changes occasioned by political, social and environmental factors as a modern Police Force. The Commission's resolve to maintain strict compliance with the rules and to operate transparently with accountability, justice and fairness in the conduct of its business during the Year paid off and earned the confidence and appreciation of members of the Force, whose moral were very low due to undue influence, nepotism and tribalism in matters affecting promotion, postings, discipline of erring officers, etc.

In my preface to the year 2008 report the Commission reaffirmed its commitment to the rule of law and due process. We have since reawakened the Commission from years of slumber into the consciousness of the ordinary Police Officer and the general public. The Commission introduced a systematic approach to performance of its functions such as reliance on the approved Force Establishment for determining vacancies, strict application of government policy on promotion which stipulates promotion courses and passing of prescribed examinations before serving members of the Force can earn promotion to higher ranks, prompt disposal of disciplinary cases and the retirement matters of Police Officers.

2009 was the first full Year in the life of the Commission. It set to achieve the vision of government to build integrity and merit based professional Police service driven by the national interest and efficient management. The immediate results were obvious as for the first time in along while police Officer ceased to lobby for promotion and none with proven case of misconduct escaped punishment.



Chairman of the Commission, Mr. Parry Osayande, DIG (rtd), CFR, OFR, NPM, mni, inspecting a guard of honour mounted in his honour during the Commission's tour of State Police Commands in the federation.



Chairman of PSC with Inspector General of Police, Ogbonna Onovo at an interactive session between the Commission and the Police Management Team after the appointment of Onovo as IGP

The Commission's leadership is cohesive and has the political will to formulate and implement policies and projects aimed at transforming the Nigeria Police Force to a modern police organization.

In 2009, the Commission on a sensitization exercise toured twelve States and interacted with the Officers and men of the Commands.

We also embarked on the design of a comprehensive Scheme of Service for Professionals and Specialists in the Nigeria Police Force, and thus have offered bright career prospects to generations of qualified Nigerians. We worked with development partners, with commitment to our mandate and this earned us some assistance and opened up new vistas to the work of both the Commission and the Police. There has been a great deal of mutual understanding and cooperation between the Commission and the Inspector-General of Police who promptly implement reform and policy issues.

Finally, the political support by the President and the National Assembly for the work of the

Commission as a civilian body overseeing the Police in Nigeria has created immense public confidence and impetus for its work. Although it operated under severe challenges and constraints, the Commission steadily built its capacity and esteem among its various stakeholders.

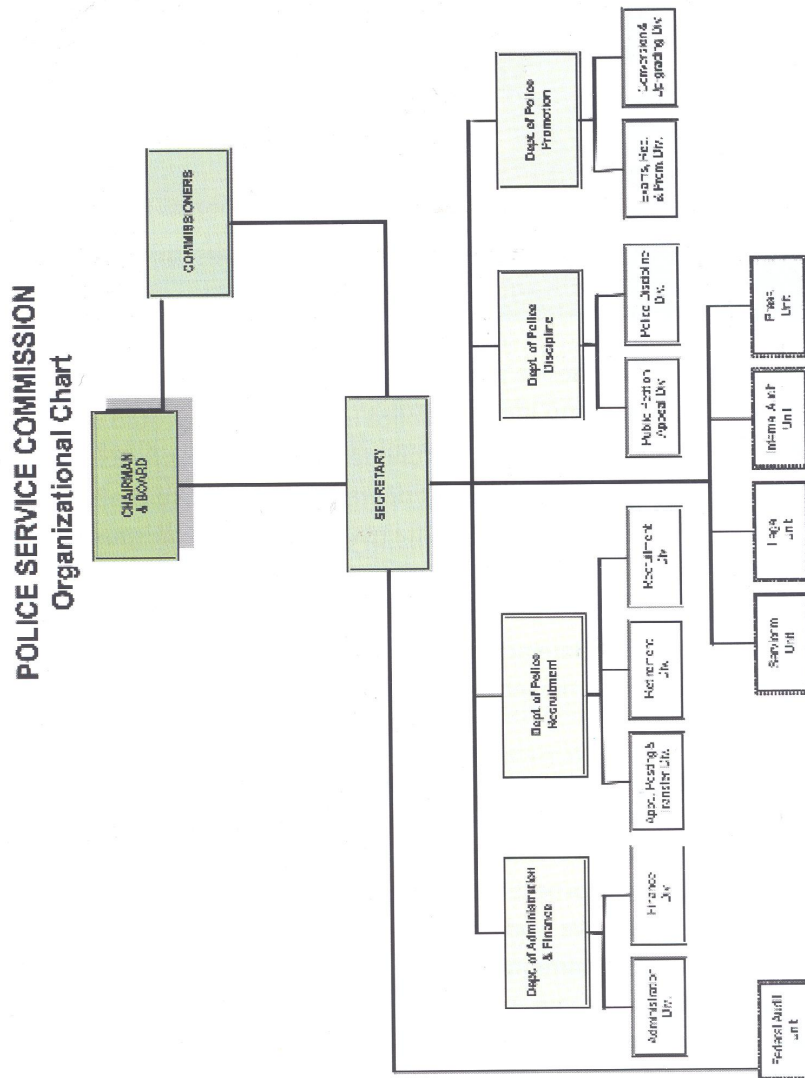
In all, the Commission in 2009 garnered quite some information and experience and looked forward to overcoming its constraints and to give even more efficient service in the coming year.

**Parry B.O. Osayande, DIG (Rtd), CFR,
OFR, NPM, mni**

*Chairman /Chief Executive
Police Service Commission*

April 2009

PSC Organogram





MANDATE OF THE POLICE SERVICE COMMISSION

The mandate of the Police Service Commission under the Constitution of the Federal Republic of Nigeria, 1999 and the Police Service Commission (Establishment, Etc) Act, 2001 are as stated below:

1999 Constitution

Paragraph 30 of the Third Schedule of the 1999 Constitution of the Federal Republic of Nigeria states as follows:-

The Commission shall have power to:-

- (a) Appoint persons to offices (other than the 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 subparagraph (a) of this paragraph.

Also Section 215 (1) (b) states: There shall be a Commissioner of Police for each State of the Federation who shall be appointed by the Police Service Commission.

PSC Establishment Act 2001

Police Service Commission (Establishment, Etc) Act 2001, Part II (6) 1-2 also states that the Commission shall be responsible to:-

- Appoint and promote persons to offices (other than the office of the Inspector-General of Police) in the Nigeria Police Force;
- Dismiss and exercise disciplinary control over persons (other than the Inspector-General of Police) in the Nigeria Police Force;
- Formulate policies and guidelines for the appointment, promotion, discipline and dismissal of Officers of the Nigeria Police Force;
- Identify factors inhibiting or undermining discipline in the Nigeria Police Force;
- Formulate and implement policies aimed at the efficiency and discipline of the Nigeria Police Force;

- Delegate powers to any Member or Committee of members of the Nigeria Police Force it may deem fit.
- Implement directives which may from time to time be given by the President.
- Perform such other functions which in the opinion of the Commission are required to ensure the optimal efficiency of the Nigeria Police Force.
- The Commission shall not be subject to the direction, control or supervision of any other authority or person in performance of its functions other than as is prescribed in this Act.



POLICE SERVICE COMMISSION

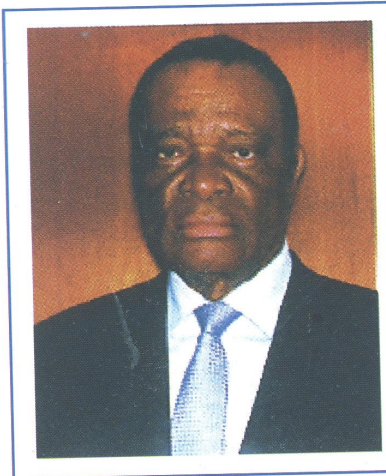
VISION

A highly motivated, professional,
disciplined and accountable Police
service that upholds human rights.

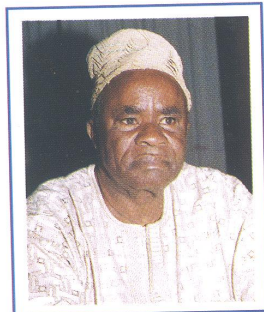
MISSION STATEMENT

To improve service delivery in the
Nigeria Police Force by Promoting
Transparency and Accountability in the Police

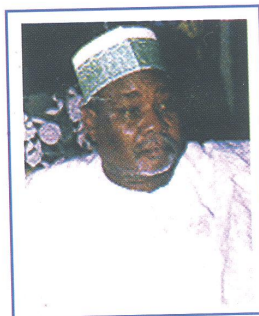
MEMBERS OF THE COMMISSION



Mr. Parry Osayande, DIG (RTD) CFR, OFR, NPM, Mni
Chairman



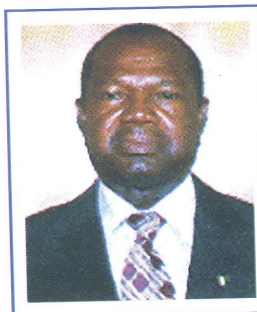
Hon. Justice (Dr) Sunday Akintan JSC (RTD) CON



Alh. Habu Daura, CP (RTD)



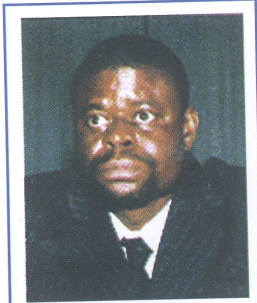
Dame Comfort Obi



Dr. Ignatius I. Adaji, OON, mni



Hajia Fati Kake'nna Maidugu



Dr. Otive Igbuzor



Engr. Esther G. Gonda FNSE
Secretatry

- Section 29(b) of the Constitution of the Federal Republic of Nigeria, 1999 provides that the Commission shall have not less than 7 or more than 9 members to be appointed for a 5-year tenure in accordance with Section 155(i) (c) of the Constitution.
- Members of the Commission are appointed by the President and confirmed by the Senate of the Federal Republic of Nigeria.
- The composition of the Commission as provided for in the Act is as follows:-
 - (a) Chairman, who shall be the Chief Executive of the Commission;
 - (b) A retired Justice of the Supreme Court or Court of Appeal;
 - (c) A retired Police Officer not below the rank of Commissioner of Police;
 - (d) One representative each of: Women interest; the Nigerian Press; Non governmental Human Right Organizations in Nigeria; Organized Private Sector and the Secretary to the Commission.

The present Commission was inaugurated on 15th April, 2008 at the Presidential Villa, Abuja. The membership of the Commission as at 31st December, 2009 was as follows:

Composition

Mr. Parry Osayande, DIG (Rtd) CFR, OFR, NPM, mni,
 Hon Justice (Dr) Sunday Akintan JSC (Rtd), CON,
 Alhaji Habu Daura, CP (Rtd)
 Hajia Fati Kake'nna, Maidugu
 Dame Comfort Obi,
 Dr. Otiye Igbuzor ,
 Dr. Ignatius I. Adaji, OON , mni,
 Engr. Esther Gonda, FNSE,

(* - Full Time)

Membership

Chairman/Chief Executive*	Edo
Member I (Judiciary)*	Ondo
Member II (Police)*	Katsina
Member III (Women)	Borno
Member IV (Press)	Imo
Member V (NGO/ Human Rights Org.)	Delta
Member VI (Org. Private Sector)	Benue
Member, VII: Secretary (Federal Perm. Sec)	Plateau

CORPORATE INFORMATION MANAGEMENT OF THE COMMISSION

MEMBERS

- | | | |
|----|--|----------------------|
| 1. | Mr. Parry Osayande, CFR, OFR, NPM, mni | Chairman/CEO |
| 2. | Hon Justice (Dr) Sunday Akintan, CON | Member I (Judiciary) |
| 3. | Alhaji Habu Daura | Member II (Police) |
| 4. | Engr. Esther Gonda, FNSE | Member/Secretary |

MANAGEMENT STAFF

- | | | |
|-----|-------------------------|---------------------------------|
| 1. | Dr. Sabo A. Albasu | HOD, Administration and Finance |
| 2. | Mr. Cletus Imomon | Special Assistant to Chairman |
| 3. | Mr. I.A.A. Igwe | DD, APD |
| 4. | Mr. Obi Ume-Ezeoke | HOD, Police Discipline |
| 5. | O.F. Agabi | HOD, Police Promotion |
| 6. | Abdullahi G. Kangiwa | HOD, Police Recruitment |
| 7. | Dr. Emmanuel Ibe | HOD, Budget |
| 8. | Mr. Anietie Don Etiebet | Head, SWT |
| 9. | Tijani Mohammed Esq. | Head, Legal Unit |
| 10. | Mr. P. Ogbaudu | Head, Internal Audit Unit |
| 11. | Mr. Ikechukwu Ani | Head, Press Unit |
| 12. | A.O. Achonwa | Resident Federal Auditor |

INTRODUCTION BY THE SECRETARY

This Annual Report highlights the functions, activities and achievements of the Police Service Commission in the year 2009. It is the second in the life of the present Commission which was inaugurated on the 15th of April, 2008.

The Commission is an Independent Government Agency established under Section 153 of the 1999 Constitution with the power to Appoint, Promote, Post, Dismiss and exercise disciplinary control over members of the Nigeria Police Force. The Police Service Commission (Establishment) Act No. 1, 2001 further clarified the scope of the Commission's powers and responsibilities. It is one of the Federal Executive Bodies generally answerable to the President and the National Assembly.

The Commission's first year in office (2008) was basically committed to laying the foundation for a defined and coordinated positioning of its affairs to meet the increasing challenge of providing appropriate manpower for the Nigeria Police Force in an ever complex environment. Year 2008 was more like a watershed in the operations of the Commission as it successfully established the road map for the pursuit of effective and efficient policing based on the rule of law and due process.

Year 2009 was a year of consolidation with resultant successes in almost every aspect of the Commission's activities. It witnessed unprecedented achievement in most areas of the Commission's core mandate, i.e. Recruitment, Appointment, Posting, Promotion and Discipline of members of the Nigeria Police Force.

A new member, Hon. Justice Sunday Akintan, CON Ph.D, a retired Justice of the Supreme Court of Nigeria was appointed into the Commission to replace Hon. Justice A.O. Ejiwunmi who passed on in 2008 at the age of 73.

The Commission held ten plenary meetings in 2009 during which it approved the promotions, postings and recruitment of Senior Police Officers and disposed of a number of pending disciplinary matters.

It also continued the tour of Police Formations and Commands in the country and visited 24 State Commands. The tour of the Commands is part of the Commission's commitment to sensitize the Police, State Executive Governors and Members of the Executive Councils, Chairmen of State Traditional Councils, Retired Police Officers, Members of the Police Community Relations Committee (PCRC), etc on the Police Reform Agenda embarked upon by the Federal Government.

A strategic validation Workshop on the Commission's 5-year Strategic Plan, (2008 – 2012) was held by the Commission. The plan is to serve as a broad guide and working tool for the Commission in its discharge of its constitutional responsibilities. The Commission within the reporting period of year 2009 also held a Workshop on Policy Formulation for the Nigeria Police Force. The Workshop was organized to receive inputs from relevant and concerned parties in the Police Sector for the formulation of defined policies on issues such as Domestic Violence, Gender, In-Custody Death and Death during Police operations.

The Commission addressed the low morale of staff with the promotion of staff who passed prescribed Promotion Examinations in year 2008. It also put in place the machinery for the recruitment of new staff to address the perennial shortage of requisite manpower of the Commission. A Handbook on the Staff conditions of service, the first for the Commission was documented and approved and is already in use in the handling of staff matters. There was also a significant uplift in the Welfare with attendant improvement in the self worth of the Commission's staff.

In all, the Commission was able to record these laudable achievements within the period largely due to a dedicated leadership and commitment to duty by members and staff.

It is noteworthy to state that the year 2009 was eventful, and despite financial and infrastructural constraints, the Commission was able to meet most of its goals.

Engr. Esther G. Gonda, FNSE

Permanent Secretary/Secretary to the Commission,

24th March, 2010

PART TWO

ACTIVITIES IN 2009

2.0 Appointment of the Members of the Nigeria Police Force

2.1 Recruitment of Constables

In order to enhance the technical efficiency of the Nigeria Police Force, the Commission in collaboration with the Force conducted interviews for the recruitment of Constable Technicians. A total of 3,783 recruits were selected in August 2009, trained and de-

ployed to the Technical Sections. The technicians will boost the operational efficiency and technical competence of the Force. Table 1 below shows the distribution details of the recruitment of the Constable in 2009 according to their Departments and States of origin.



PSC Chairman with former Secretary of the Commission Mrs. Elizabeth Emuren and the leader of delegation of the Federal Character Commission during a courtesy call on PSC by FCC

2.2 Retirement of Police Officers

The Commission in 2009 received applications from the Force Headquarters for the retirement of 3,325 Police Officers. The Retirement letters were processed and issued to the affected officers. Below is the table indicating the number of approved retirement letter forwarded to the IGP according to their ranks.

Table I: Analysis of Retirement of Officers in the NPF

S/N	Rank	Jan	Feb	Mar	April	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
1	DIG	1		1										2
2	AIG			2	3									5
3	CP				2		4	5	5		1	2	1	20
4	DCP	1			1	1	1	2	3	2	1	1	1	14
5	ACP	5	1	4	6		4	4	12	9	1		1	47
6	CSP	12	11	23	40	10	17	19	26	14	10	10	23	215
7	SP	22	11	32	65	24	24	39	36	14	10	10	26	313
8	DSP	55	33	76	139	43	69	90	119	28	30	31	72	785
9	ASP	218	53	112	246	97	147	183	383	71	135	135	267	2047
TOTAL	314	109	250	502	175	266	342	584	138	188	189	391	3448	

2.3 Retirement of Civil War Affected Police Officers

The Commission also processed the retirement letters of the last batch of the war affected officers, totaling 153 granted amnesty by Mr. President on 20th of September 2001. Below is the breakdown of the approved letters forwarded to the IGP according to their rank:

Table II: Analysis of Retired Civil War Affected Police Officers

SP	DSP	ASP	INSP	SGT	CPT	PC	TOTAL
4	2	8	19	15	15	90	153

2.4 Review of over 7,000 Rationalized Police Officers

Over 7,000 disengaged Police Personnel who were rationalized in 2007 had their cases reviewed in two phases March and April 2009 in the 12 Police Zonal Commands. A total of 4,046 Personnel presented themselves for screening while a total of 1,588 were recalled, 147 recommended for formal retirement to enable the officers access their terminal benefits. 34 cases are still pending with Force Disciplinary Committee and the Department of Discipline, Police Service Commission.

2.5.0 POLICE PROMOTION

2.5.1 Promotions of Senior Police Officers

The Commission in 2009 processed the promotion of Two Thousand Two Hundred and Thirty Six (2,236) Senior Police Officers on IGP's recommendation. The numbers of officers based on ranks distribution are as follows:

Table III: Analysis of Promotion of Senior Police Officers

S/N	RANKS	NO. OF OFFICERS PROMOTED
1.	AIG – DIG	3
2.	CP – AIG	6
3.	DCP – CP	12
4.	ACP – DCP	21
5	CSP – ACP	151

2.5.2 Appeals and Petition

Sixty Four (64) appeals and complaints were received in 2009 from aggrieved Police officers.

2.5.3 Gazettes

The Commission is making arrangement to gazette the promotion of all officers in the NPF from 2001 – date.



Some members of the Commission at one of its plenary meetings. From right, Chairman, Mr. Parry Osayande, DIG (rtd), CFR, OFR, NPM, mni, Justice (Dr.) Sunday Akintan, CON, JSC (rtd), Alhaji Habu Daura, CP (rtd), Dame Comfort Obi and Dr. Ignatius Adaji, OON, mni.

Table V: Analysis of Public Complaints against Members of the NPF

S/N	ALLEGED MISCONDUCT	RANK														TOTAL
		DIG	AIG	CP	DCP	ACP	CSP	SP	DSP	ASP	INSP	SGT	CPL	PC	POL	
1	Abuse of office	3	1	5	1		5	1	2	2					9	29
2	Brutality and Assault															
3	Burglary/Stealing															
4	Corruption						1	1		2					2	6
5	Criminal Force			4	2	1	3	1	1	1	1		1	2		17
6	Extortion												1		3	4
7	Extra Judicial Killing			4	2	1	3	1	1	1	1		1	2	2	19
8	Harassment/Intimidation			1	1		1			1			1			5
9	Homicide/Murder		1					1			2					4
10	Rapes															
11	Shooting/Maiming															
12	Threat to life		3	1	5	2	2	1	1	1	1	1				18
13	Torture			1												1
14	Benefits withheld											1				1
15	Wrongful Detention					1		1								2
16	others/Miscellaneous Cases															
	Total	3	5	16	11	5	15	7	5	8	5	2	4	4	16	106

2.6.3 DISCIPLINE OF SPOs

The Table shows the nature of disciplinary actions and their distribution by rank

Table V: Analysis of Pending Disciplinary Matters (PDM) received from IGP

S/N	Decision/Punishment	DIG	AIG	CP	DCP	ACP	CSP	SP	DSP	ASP	TOTAL
1	Exoneration						1	3	1		5
2	Letter of Advice			1		1		1	1	1	5
3	Reprimand				1			2	3	7	13
4	Severe Reprimand					1	4	1	6	19	31
5	Reduction in Rank					2	5	3	5	1	16
6	Compulsory Retirement			1		2	4	5	10	25	47
7	Dismissal					1	3	3	3	23	33
	Total	0	0	2	1	7	17	18	29	76	150

2.6.0 POLICE DISCIPLINE

2.6.1 Police Appeals/Petitions

The Commission in 2009 received a total of 807 mails comprising 590 Appeals and Petitions on disciplinary actions meted out to erring members of the Nigeria Police Force and 159 complaints from aggrieved communities and individual members of the public on the conduct of some officers and men of the Nigeria Police Force.

Similarly, a total of 158 recommendations from the Inspector General of Police on various types of sanctions against Senior Police Officers were received.

The appeals/petitions received during the year cut across the various ranks in the Police Force as tabulated below:-

Table IV: Analysis of Appeals/Petitions from Member of the NPF

RANK	DIG	CP	DCP	ACP	CSP	SP	DSP	ASP	INSP	SGT	CPL	PC	UN-	TOTAL
Appeals	1	4	5	10	12	9	25	35	25	38	21	19	100	304

A total of 23 cases have been processed and briefs prepared awaiting deliberations by the standing Committee on Petitions/Appeals and Public Complaint. Twenty – Nine (29) letters from Police Officers appealing for review of the Commission's decision on them are being processed. Sixty – Eight (68) letters have also been forwarded to IGP for comments. One hundred and Twenty (120) of the mails received under Police Petition/Appeal are receiving attention while action is pending on about 184 mails.

2.6.2 Public Complaints

159 mails on perceived injustices meted out to members of the Public either directly or indirectly by the Nigeria Police were received in 2009. The Complaints largely border on abuse of office, threat to life, extra judicial killings, Corruption, Harassment/Intimidation, Burglary/Stealing etc as in the table below. One hundred and thirty – three (133) of these cases have been forwarded to the office of the Inspector General of Police for comments and/or investigation,

2.7.0 LEGAL MATTERS

2.7.1 Court Cases

The Commission in 2009 received almost 150 petitions from both Policemen and aggrieved civilians. The petitions were treated. Also not less than 300 Writ of Summons from the various jurisdictions were received and these have been handled by our Legal Unit.

2.7.2 Police Act

The Police Act, Cap. 19 Law's of the Federation of Nigeria is currently before the National Assembly for amendment. The Commission, through the Legal Unit has made an input in the drafting of the Act.

2.7.3 Police Service Commission (Establishment Act) 2001

There is an urgent need for the review of the Commission's Act. This is to bring it in harmony with the functions of the Commission and the constitution.

2.8.0 TRAINING

2.8.0 Training Activities

During the period under review, Staff Welfare and Training Section carried out the following responsibilities:

- i. Preparation and submission of the year 2009 Training proposals for Permanent Secretary's approval.
- ii. Meeting with the Federal Staff Housing Loan Board in the Office of the Head of Civil Service of the Federation (OHCSF) on housing loan for staff of the Commission.

Two (2) Staff in the Budget Unit attended a workshop in 'Budgeting and Implementation

May, 2009

Eleven (11) Management staff were also trained on Computer proficiency (ICT)

- i. 33 staff were trained on Report, Speech and Memo writing for Administrative Officers.
- ii. 9 staff were trained on Micro-Computing and Office Management for Secretaries.
- iii. 2 officers were also trained on Budgeting, Monitoring, Implementation and Strategy in the Public Service.

In summary, a total of Sixty-Eight (68) staff were trained during the period under review.

April, 2009

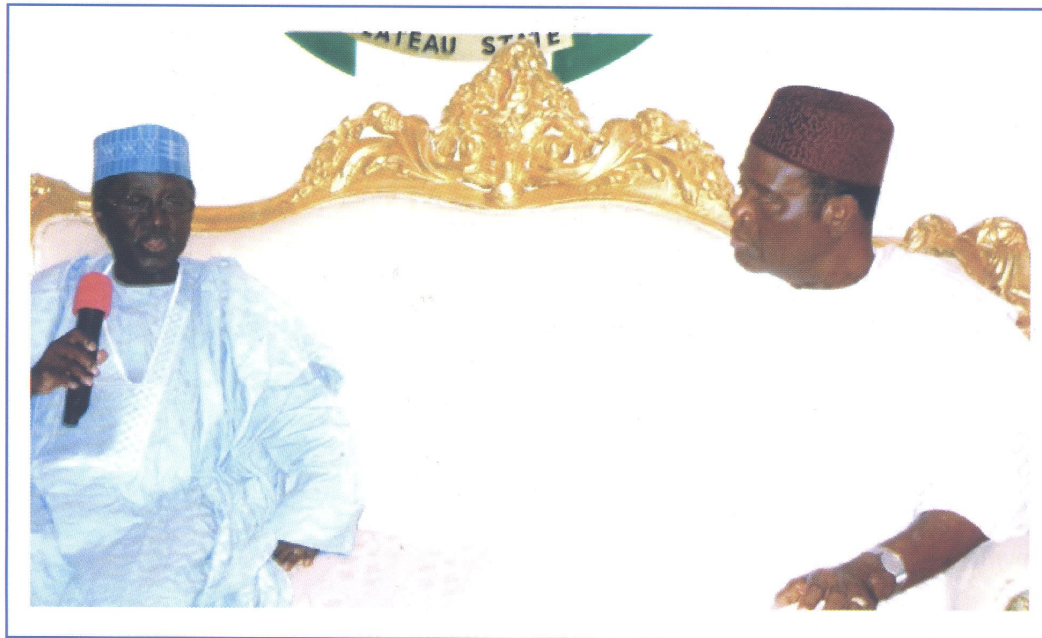
Eleven (11) officers attended a workshop on E-payment

PART THREE

OTHER ACTIVITIES AND ACHIEVEMENT 2009

3.1 Tour of police formations and commands

The Commission in 2009 continued with its tour of Police State Commands which it commenced in 2008, a few months after its inauguration. It visited 12 State Commands spread across the South-East, South-South and North Central Zones of the Country. It also visited the Federal Capital Territory Police Command.



Executive Governor of Plateau State, His Excellency, Chief Jonah Jang addressing the Chairman of the Commission during the commission's courtesy visit to the Governor, in Jos, Plateau State.

The tour of the Commands in the Country was for the Commission to formally meet with the officers and men of the Police Force in their work environment with a view to ascertaining their problems and challenges and fashioning out ways and means of resolving them, and also to motivate the personnel for effective and efficient policing.

In each of the States visited, the Commission met with State Governors, who are the Chief Security Officers in their States, Traditional Rulers, Retired Police Officers and Members of the Police Community Relations Committee. During the meetings, the Commission solicited for their support in assisting the Police in the effective performance of their statutory duties. The Commission is expected to complete the tour in 2010.

MORE ACTIVITIES IN PICTURES 2009



Executive Governor of Bayelsa State, Mr. Timipre Sylva welcoming the Chairman and Members of the Commission in Yenagoa, Bayelsa State during the Commission's tour of the State Police Command.



PSC Chairman listening to the Executive Governor of Anambra State, Mr. Peter Obi when he led the members of the Commission on a courtesy visit to the Governor in Awka, Anambra State.

MORE ACTIVITIES IN PICTURES 2009



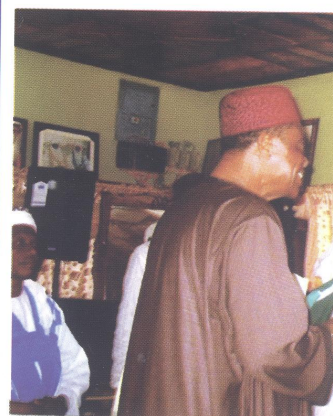
Delta State Deputy Governor, Prof. Amos Ituama, SAN, receiving Permanent Secretary and secretary of the commission, Engr. Esther Gonda, FNSE, at the Government House, Asaba.



PSC Chairman and members of the Commission headquarters for an interactive session with the media.



PSC Chairman and the Emir of Lafia, at his palace in Lafia, Nasarawa State.



PSC Chairman presenting a plaque to the Etsu Nupur Council, Dr. Yahaya Abubakar during the Commission's tour.



PSC Chairman addressing the media in Uyo, Akwa Ibom State as part of the activities of the Commission's tour of the State Police Command.



PSC Chairman at the Rivers State Police Command during the tour of the Police State Command.



on arriving the Plateau State Police Command
the Officers and Men of the State Police Command



PSC Chairman and the Imo State Police Commissioner Aloysius Okorie during the Commission's tour of the State Police Command.



and Chairman of the Niger State Traditional Rulers
on's courtesy visit to the royal father in Bida Niger State.



PSC Chairman addressing retired Police Officers and members of the Rivers State Police
Community Relations Committee in Port-Harcourt.



Command Headquarters in Port-Harcourt Rivers
Command by the Commission.



At the Bayelsa State Police Command Headquarters, PSC Chairman addressing the Officers
and men of the Command.

3.2 Workshop on Policy Formulation for the Nigeria Police force

A two-day workshop on Policy Formulation for the Nigeria Police Force was held by the Commission on August 19th and 20th 2009. The Workshop which attracted participants from relevant organizations and interested parties was organized to brain-storm on the recommendations of a Committee on Strategic Development Plan set up by the Commission to actualize its policy formulation and implementation functions.

Issues considered at the Workshop included cases of Domestic Violence, In-custody Death, Gender and Death during Police operations.

The Policy is intended to enhance the efficiency and effectiveness of the Nigeria Police Force and to design defined rules and regulations guiding the conduct of the Police. The Policy is expected to be ready for use in 2010.

PART FOUR

4.0 FINANCIAL STATEMENT OF THE COMMISSION

4.1 Summary of Income and Expenditure between January – December 2009

RECEIPTS ALLOCATIONS:

Recurrent :		
Personnel cost	178,186,300.39	
Overhead cost	303,025,500.00	
Service-wide vote	50,000,000.00	631,211,800.39

EXPENDITURE

Payments:		
Personnel cost	125,517,619.73	
Overhead cost	287,566,935.39	
Service-wide vote	149,999,792.26	563,084,347.38

UNSPENT BALANCE RETURNED TO CHEST: Breakdown

Personnel cost	52,668,680.66	
Overhead cost	15,458,356.87	
Service-wide vote	207.74	68,127,245.27

SUMMARY OF MONTHLY INCOME ALLOCATION
FOR THE YEAR 2009

MONTH	PERSONNEL	OVERHEAD
January	14,848,866.70	32,880,193.91
February	14,848,866.70	32,880,193.91
March	14,848,866.70	32,880,193.91
April	13,318,557.81	17,624,056.09
May	13,318,657.81	17,624,056.09
June	13,318,657.81	17,624,056.09
July	27,090,537.81	25,252,125.00
August	13,318,657.81	25,252,125.00
September	13,318,657.81	25,252,125.00
October	13,318,657.81	25,252,125.00
November	13,318,657.81	25,252,125.00
December	13,318,657.81	25,252,125.00
TOTAL	178,186,300.39	303,025,500.00

SUMMARY OF MONTHLY EXPENDITURE
FOR THE YEAR 2009

MONTH	PERSONNEL	OVERHEAD
January	8,048,822.22	-
February	8,920,277.21	10,670,277.33
March	8,121,944.74	22,109,059.60
April	17,308,946.99	9,412,232.08
May	8,871,518.74	32,264,250.65
June	8,325,386.94	7,491,430.00
July	17,204,679.75	20,767,671.04
August	9,417,392.60	32,097,674.80
September	10,329,788.43	41,123,351.87
October	9,219,330.94	32,850,260.00
November	9,322,943.03	32,827,835.75
December	10,426,588.14	45,952,892.27
TOTAL	125,517,619.73	287,566,935.39

(a) Internal Audit Queries:- All Internal Audit Queries for the period under review have been answered.

(b) Closure of Accounts:- All authorised transactions were duly captured in the Cash Books and balanced appropriately before rule-off by the Accountant General of the Federation. The sum of =N=68,127,245.27 was paid back to Sub-Treasurer of the Federation as unspent balance for the 2009 Financial Year.

PART FIVE

CHALLENGES/CONSTRAINTS

The Commission has continued to grapple with enormous challenges and constraints which have affected its operational efficiency and effectiveness.

i. Office Accommodation

The Commission is still battling with the twin problems of inadequate budgetary allocation and lack of office accommodation. Its offices are scattered across the different phases and floors of the Federal Secretariat which has created difficulties in coordination and control of the staff. The Commission intends to seek approval for the estimated cost of the construction of office headquarters in Abuja with a view to solving this problem.

ii. Investigation

The Commission's operational efficiency and effectiveness is also adversely affected by its inability to promptly and fully investigate alleged Police misconduct. Due to inadequate resources, the Commission has been unable to fund such investigations and thus has been unable to properly serve the public in this regard. At present, it depends

on the Police authorities for its investigative findings which has in most cases been delayed or outrightly compromised.

iii. Returns on NPF Personnel by the IGP

The Commission is further constrained by inadequacy of periodic returns by the Police authority, in respect of actions taken on the Junior Cadres of the Force, to the Commission as required by the Delegation of Powers granted to the IGP.

CONCLUSION

To realize its mandate of giving Nigeria a well equipped, disciplined, efficient and committed Police Force, the Commission is poised to work to overcome its challenges and constraints.

It is also committed to building a highly motivated, professional, disciplined and accountable Police service that upholds human rights and the Rule of Law. The Commission has put in place structures to improve service delivery in the Nigeria Police Force by promoting transparency and accountability in the Force.

The Commission has deployed the necessary tools and materials for effective performance of its functions. It will continue to hold dear and sacrosanct the principles of the rule of law and due process and will leave no stone unturned to ensure successful accomplishment of its responsibilities in 2010.

Police Service Commission

Abuja

HISTORY OF THE COMMISSION

Before Nigeria's independence on October 1st 1960, the administration of the Colonial Police Force (Estab. 1930) was governed by the 1954 Constitution, which gave the Governor-General the power to appoint, promote, discipline, post and transfer all officers of the Nigeria Police Force, in consultation with the Secretary of State. At Independence, the 1960 Constitution saw the establishment of a Police Service Commission with powers to appoint, promote, transfer, dismiss and exercise disciplinary powers over all Police Officers from Constable to the Inspector – General of Police. Section 102 of the Constitution made provision for two to four members for the Commission to be appointed by the Governor-General on the advice of the Prime Minister, with one of the members a judge of the High Court.

The Commission was to exercise its functions with the approval of the Prime Minister, and subject to such conditions as it might deem fit, delegate any of its powers to any member or committee of the Nigeria Police Force. The 1960 Constitution also required the Commission to consult the Prime Minister before making any appointment to the office of Inspector –General or removing such officer from office. The same was applied to the office of the Commissioner of Police of a Region where the Commission was required to consult the premier of that Region.

The 1963 Constitution of the Federal Republic of Nigeria vested the power to appoint members of the Commission in the President, but on the advice of the Prime Minister. Other provisions of Section 110 of the 1963 Constitution of the Federation as they relate to tenure, functions, power to delegate functions, appointment and removal of the Inspector-General or Commissioner of Police, were the same as those of Section 103 of the 1960 Constitution.

After the 1966 Coup d'état that led to the Military takeover of government, there were virtually no changes except that by Decree 12 of 1977, the Chairmanship was taken over from civilians by the Military. The Decree re-ordered the composition of the membership of the Commission with the Chief of Staff, Supreme Headquarters, Major General Shehu Musa Yar'adua as Chair-

man. The other five members included the Inspector – General of Police, Deputy Inspector – General, the Chairman, Federal Public Service Commission, another member of the Federal Public Service Commission and a retired judge or a court with unlimited jurisdiction.

The Second Republic Constitution of 1979 established the Police Service Commission. The Police Service Commission (Membership) Act 1980 removed from the Commission the power to appoint the Inspector-General of Police and vested that in the President, acting on the advice of the Commission. All other powers and functions remained unchanged, except that it increased the membership from a maximum of four to eight. A civilian, Alhaji A. Fatika, OFR, became the Chairman.

The Military takeover of government of 31st December 1983 saw the return of the Chief of Staff, Supreme Headquarters as Chairman of the Commission. Major General Tunde Idiagbon, the then Chief of Staff Supreme Headquarters became the Chairman. Following the Military change of government in August 1985, the Commission was suspended. The Head of State appointed the Inspector – general of Police with whom he supervised the police.

Decree No. 5 of 1989 formally proscribed the Commission and transferred all its powers and functions to the Nigeria Police Council (NPC) under the Chairmanship of the Head of State. The situation prevailed until the 1999 Constitution restored the Commission and its enabling Act - Police Service Commission (Establishment) Act 2001 was enacted.

All powers and functions, including the membership bestowed by the 1979 Constitution were restored. The Commission was inaugurated on 28th November 2001 with Chief Simon Okeke as Chairman. The Okeke led Commission served out its Constitutional 5 year tenure in November 2006 and for almost two years there was no Police Service Commission. The present Commission was inaugurated on April, 15th 2008 with Mr. Parry Osayande, CFR, OFR, NPM, mni, DIG (rtd) as Chairman.

1999 CONSTITUTION

Paragraphs 29 and 30 of the Third Schedule of the 1999 Constitution of the Federal Republic of Nigeria states as follows:-

(29) 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.

(30) The Commission shall have power to:-

(a) appoint persons to offices (other than the 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.

Also Section 215 (1) (b) states: There shall be a Commissioner of Police for each State of the Federation who shall be appointed by the Police Service Commission.

The Police Service Commission (Establishment) Act No. 1 of 2001



FEDERAL REPUBLIC OF NIGERIA

The Police Service Commission (Establishment) Act, 2001

Published as supplement to the Federal Republic of Nigeria Official Gazette No
15, Vol. 87 of 14th March 2001 as Act No 1 of 2001.

POLICE SERVICE COMMISSION ACT 2001

ARRANGEMENT OF CLAUSES

CLAUSES:

1. Establishment of the Police Service Commission
2. Management of the Commission
3. Tenure of Office
4. Cessation of Membership of the Commission, etc
5. Removal from Office, etc.
6. Functions of the Commission
7. Powers of the Commission
8. Powers of Delegation
9. Establishment of Departments
10. Appointment of Secretary to the Commission, etc.
11. Service in the Commission to be Pensionable, Cap.346 LFN
12. Funds of the Commission
13. Expenditure of the Commission
14. Gifts to the Commission
15. Annual Estimates and Expenditure
16. Quarterly Report
17. Annual Report
18. Offices and Premises of the Commission, Cap. 202 LFN
19. Directives by the President
20. Limitation of Suits against the Commission, etc., Cap.379 LFN
21. Service of Documents
22. Restriction on Execution against Property of the Commission
23. Indemnity of Officers
24. Transitional Provisions
25. Regulations
26. Interpretation
27. Citation

POLICE SERVICE COMMISSION (ESTABLISHMENT) ACT 2001



2001 No. 1

AN ACT TO ESTABLISH THE POLICE SERVICE COMMISSION, WHICH SHALL BE CHARGED WITH RESPONSIBILITY, AMONG OTHER THINGS TO APPOINT PERSONS TO OFFICES (OTHER THAN THE OFFICE OF THE INSPECTOR-GENERAL OF POLICE) IN NIGERIA POLICE FORCE AND TO DISMISS AND EXERCISE DISCIPLINARY CONTROL OVER ANY PERSON HOLDING OFFICE IN THE NIGERIA POLICE FORCE (OTHER THAN THE INSPECTOR-GENERAL OF POLICE); AND FOR RELATED PURPOSE

(4th January, 2001)

Commencement

ENACTED BY THE NATIONAL ASSEMBLY OF THE FEDERAL REPUBLIC OF NIGERIA –

PART I-ESTABLISHMENT, ETC OF THE POLICE SERVICE COMMISSION

1. - (1) There is hereby established a body to be known as the Police Service Commission (In this Act referred to as "the Commission").

Establishment of the
Police Service Commission.

- (2) The Commission-
- (a.) shall be a body corporate with perpetual succession and a common seal;
and
 - (b) may sue or be sued in its corporate name
- (3) The headquarters of the Commission shall be at the Federal Capital Territory, Abuja.

- 2.- (1) The management of the Commission shall vest in the following members, whose appointment shall be in line with the Federal Character provision of the Constitution

Management of the Commission

- (a) a Chairman who shall be the Chief Executive of the Commission;
- (b) a retired Justice of the Supreme Court or Court of Appeal;
- (c) a retired Police Officer not below the rank of Commissioner of Police;
- (d) one representative each of -
 - (i.) Women interest;
 - (ii.) The Nigerian Press;
 - (iii.) Non-Governmental human rights organisations in Nigeria
 - (iv) Organized Private Sector;
 - (v) The Secretary to the Commission.

- (2) The Chairman and other members of the Commission shall-
 - (a) be appointed by the President subject to the confirmation by the Senate;
 - (b) be persons of proven Integrity and ability.
- (3) The members of the Commission referred to in paragraph (d) of Subsection (1) of this section shall be part-time members.
- (4) The supplementary provisions set out in the Schedule to this Act shall have effect with respect to the proceedings of the Commission and the other matters contained therein.
- 3. (1) Subject to the provisions of Section 4 of this Act, a member of the Commission, other than ex-officio members shall each hold office-
 - (a) for a term of four years and no more; and
 - (b) on such terms as to remuneration; salaries and allowances as may be prescribed by the National Assembly but not exceeding the amount as shall have been determined by the National Revenue Mobilization Allocation and Fiscal Commission.
- 4. (1) Notwithstanding the provisions of section 3 of this Act, a person shall cease to hold office as member of the Commission if-
 - (a) he becomes bankrupt, suspends payment or compounds with his creditors; or
 - (b) he is convicted of a felony or any offence involving dishonesty or fraud; or
 - (c) he becomes of unsound mind, or is incapable of carrying out his duties; or
 - (d) he is guilty of serious misconduct in relation to his duties; or
 - (e) in the case of a person possessed of professional qualifications, he is disqualified or suspended, other than at his own request, from practicing his profession in any part of the world by an order of a competent authority made in respect of that member.

- (2) A member of the Commission may be removed by the President if he is satisfied that it is not in the interest of the Commission or the interest of the public that the member should continue in Office.
 - (3) Where a vacancy occurs in the membership of the Commission, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, so however, that the successor shall represent the same interest and shall be appointed by the President subject to confirmation by the Senate.
- 5.-(1) Notwithstanding the provisions of Section 4 of this Act, the Chairman and any other member, may at any time be removed from that office by the President acting on an address supported by two-thirds majority of the Senate praying that he be removed for inability to discharge the functions of the Office (whether arising from infirmity of mind or body or any other cause of misconduct).
- (2) A member may resign his appointment by a notice in writing under his hand addressed to the President and that member shall on the date of the receipt of the notice by the President cease to be a member of the Commission.

PART II - FUNCTIONS AND POWERS OF THE COMMISSION

6. (1) The Commission shall- Functions of the Commission
- (a) be responsible for the appointment and promotion of persons to offices (other than the office of the Inspector-General of Police) in the Nigeria Police Force;
 - (b) dismiss and exercise disciplinary control over persons (other than the Inspector-General of Police) in the Nigerian Police Force;
 - (c) formulate policies and guidelines for the appointment, promotion, discipline and dismissal of officers of the Nigerian Police Force;
 - (d) Identify factors inhibiting or undermining discipline in the Nigeria Police Force;
 - (e) formulate and implement policies aimed at the efficiency and discipline to the Nigeria Police Force;
 - (f) perform such other functions which in the opinion of the Commission are required to ensure the optimal efficiency of the Nigeria Police Force; and
 - (g) carry out such other functions as the President may, from time to time, direct.
- (2) The Commission shall not be subject to the direction, control or supervision of any other authority or person in performance of its functions other than as is prescribed in this Act.
7. The Commission shall have power to- Powers of the Commission
- (a) pay the staff of the Commission such remuneration and allowances as are payable to persons of equivalent grades in the Civil Service of the Federation;
 - (b) enter into such contracts as may be necessary or expedient for the discharge of its functions and ensure the efficient performance of the functions of the Commission; and

- (c) do such other things as are necessary and expedient for the efficient performance of the functions of the Commission.
8. The Commission may, subject to such conditions as it may think fit, delegate any of its powers under this Act- **Powers of the delegation**
- (a) to any officer in the service of the Nigeria Police Force; or
 - (b) to a Committee consisting of such number of persons, one of whom shall be named as Chairman, as may be prescribed by the Commission .

PART III-STRUCTURE OF THE COMMISSION

9. -(1) There shall be establishment in the headquarters of the the following Departments **Establishment of Commission Departments**
- (a) the Department of Administration and Personnel Management;
 - (b) the Department of Investigation;
 - (c) the Department of Finance and Supply;
 - (d) the Department of Planning, Research and Statistics; and
 - (e) the Department of Legal Services.

A6 2001 No. 1 Police Service Commission (Establishment, etc.) Act

2. The Commission may, with the approval of the President, Increase the number of Departments as it may deem necessary and expedient to facilitate the realization of the objectives of the Commission.

PART IV-STAFF

Appointment of Secretary to the Commission etc.

- 10.- (1) There shall be for the Commission, a Secretary to the Commission who shall-
- (a) be an officer in the Civil Service of the Federation not below the rank of a Permanent Secretary;
 - (b) have such qualification and experience as are appropriate for a person required to perform the functions of that office under this Act;
 - (c) be accounting officer of the Commission;
 - (d) be appointed by the President subject to the confirmation by the Senate; and
 - (e) hold office on such terms and conditions as to emolument, conditions of service as are applicable to the Civil Service of the Federation.
- (2) The Secretary shall subject to the general direction of the Commission through the Chairman be responsible-
- (a) for the day to day administration of the Commission;
 - (b) for keeping the books and proper records of the proceedings of the Commission; and
 - (c) for-
 - (i) the administration of the secretariat of the Commission; and
 - (ii) the general direction and control of all other employees of the Commission subject to the directives of the Commission.
- (3) The Commission shall have power to-
- (a) employ either directly or on secondment from any civil or public service in the Federation or a State such number of employees as may, in the opinion of the Commission, be required to assist the Commission in the discharge of any of its functions under this Act; and

- (b) pay to persons so employed such remuneration (including allowances) as are applicable to other officers of equivalent rank in the Civil Service of the Federation.

Service in the to be Pensionable, Cap. 346 LFN.

- 11 – (1) Service in the Commission shall be approved service for the purposes Commission of the Pensions Act.
- (2) The officers and other persons employed in the Commission shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the Civil Service of the Federation.
- (3) Nothing in Subsections (1) and (2) of this section shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.
- (4) For the purposes of the application of the provisions of the Pensions Act, any power exercisable there under by the Minister or other authority of the Government of the Federation, other than the power to make regulations under Section 23 thereof, is hereby vested in and shall be exercisable by the Commission and not by any other person or authority.

PART V-FINANCIAL PROVISIONS

12. (1) The Commission shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Commission. **Funds of the Commission**
- (2) There shall be paid and credited to the fund established pursuant to Subsection (1) of this section-
- (a) such monies as may, from time to time, be granted or lent to or deposited with the Commission by the Federal or State Government or any other body or institution whether local or foreign;
 - (b) all monies raised for the purposes of the Commission by way of gifts, loan, grants-in-aid, testamentary dispositions or otherwise; and
 - (c) proceeds from all other assets that may, from time to time, accrue to the Commission.
- (3) The fund shall be managed in accordance with the rules made by the Commission, and without prejudice to the generality of the power to make rules under this subsection, the rules shall in particular contain provisions-
- (a) specifying the manner in which the assets or the fund of the Commission are to be held, and regulating the making of payments into and out of the Fund; and
 - (b) requiring the keeping of proper accounts and records for the purpose of the Fund in such form as may be specified in the rules.

13. The Commission shall apply the proceeds of the Fund established pursuant to Section 12 of this Act to- **Expenditure of the Commission.**
- (a) the cost of administration of the Commission;
 - (b) the payment of salaries, allowances and benefits of members of the Commission or any Committee of the Commission;
 - (c) the payment of salaries, remuneration, allowances, benefits, pensions and gratuities payable to officers and employees of the Commission;
 - (d) the payment for all contracts, including mobilization, fluctuations, variations, Legal fees and cost on contract administration;
 - e) the payment for all purchases; and
 - (f) undertake such other activities as are connected with all or any of the functions of the Commission under this Act.
14. (1) The Commission may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift. **gifts to the Commission.**
- (2) The Commission shall not accept any gift if the conditions attached thereto are inconsistent with the functions of the Commission under this act.

**Annual
Estimates
and expenditure**

15. (1) The Commission shall, not later than 30th September in each year, submit to the President an estimate of the expenditure and income of the Commission during the next succeeding year.
- (2) The Commission shall cause to be kept proper accounts of the Commission in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than 6 months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

**Quarterly
Report**

16. The Commission shall, at the end of every quarter in each year submit to the President a report on the activities and administration of the Commission.

**Annual
Report**

17. (1) The Commission shall prepare and submit to the President, not later than 30th June in each year, a report in such form as the President may direct on the activities of the Commission during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Commission for that year and the auditor's report thereon
- (2) The President, upon receipt of the report referred to in subsection (1) of this section, cause a copy of the report and the audited accounts of the Commission and the auditor's report thereon to be submitted to each House of the National Assembly.

PART VI MISCELLANEOUS

Offices and
Premises of the
Commission Cap.
202 LFN

18. (1) For the purposes of providing offices and premises necessary for the performance of its functions under this Act, the Commission may, subject to the Land Use Act-

- (a) purchase or take on lease any interest in land, or other property; and
 - (b) construct offices and premises and equip and maintain same.
- (2) The Commission may, subject to the Land Use Act, sell or lease out any office or premises held by it, which office or premises is no longer required for the performance of its functions under this Act.

Directives by the
President

19. Subject to the provisions of this Act, the President, may give to the Commission directives of a general nature or relating generally to matters of policy with regard to the performance by the Commission of its functions and it shall be the duty of the Commission to comply with the directives.

Limitation of Suits
against the Com-
mission etc. Cap
379 LFN

20. (1) Subject to the provisions of this Act, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Commission.
- (2) Notwithstanding anything contained in any other law or enactment, no suit shall lie against any member of the Commission, the Secretary or any other officer or employee of the Commission for any act done in pursuance or execution of this Act or any other law or enactment, or of any public duty or authority or in respect of any alleged neglect or default in the execution of this Act or such law or enactment, duty or authority, shall lie or be instituted in any Court unless-

(a) it is commenced within three months next after the Act, neglect or default complained of; or

(b) in the case of a continuation of damage or injury, within six months next after the ceasing thereof.

(3) No suit shall be commenced against a member of the Commission, the Secretary, officer or employee of the Commission before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Commission by the intending plaintiff or his agent.

(4) the notice referred to in Subsection(3) of this section shall clearly and explicitly state the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief, which he claims.

21. -A notice, summons or other document required or authorized to be served upon the Commission under the provisions of this Act or any other law or enactment may be served by delivering it to the Secretary or by sending it by registered post and addressed to the Secretary at the principal office of the Commission.

Service of Documents.

22. - (1) In any action or suit against the Commission, no execution or attachment of process in the nature thereof shall be issued against the Commission

Restriction on execution against poverty of the Commission

(2) Any sum of money which may by the judgement of any court be awarded the Commission shall, subject to any direction given by court where notice of appeal of the said judgement has been given, be paid from the general reserve fund of

23. A member of the Commission, the Secretary, any officer or employee of the Commission shall be indemnified out of the assets of the Commission against any proceeding, whether civil or criminal, in which judgement is given in his favour or in which is acquitted, if any such proceeding is brought against him in his capacity as a member of the Commission, the Secretary, officer or employee of the Commission.

Indemnity of Officers.

24. Any person who, immediately before the coming into force of this Act is the holder of any office in the Nigeria Police Force shall on the commencement of this Act, continue in office and be deemed to have been appointed to his office by the Commission under this Act.

Transitional provisions

25. The Commission may, with the approval of the President make regulations, generally for the purposes of giving full effect to this Act.

Regulations.

26. In this Act, unless the context otherwise requires- " Commission" means the Police Service Commission established by Section 1 of this Act;

Interpretations.

" member" means a member of the Commission and includes the Chairman.
"President" means the President, Commander-in-Chief of the Armed Forces.
"Secretary" means Secretary to the Commission appointed pursuant to Section 10 of this Act.

27. This Act may be cited as the Police Service Commission (Establishment Etc.) Act, 2001.

Citation

SCHEDULE

Section 2 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION, ETC.

Proceedings of the Commission

- Cap 192 LFN 1. - (1) Subject to this Act and Section 27 of the Interpretation Act, the Commission may make standing orders regulating its proceedings or those of any of its Committees.
- (2) The quorum of the Commission shall be the Chairman or the person presiding at the meeting and 4 other members of the Commission and the quorum of any Committee of the Commission shall be as determined by the Commission.
- 2 (1) The Commission shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than 4 other Members, he shall summon a meeting of the Commission to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Commission, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their number to preside at the meeting.
- (3) when the Commission desires to obtain the advice of any person on a particular matter, the Commission may co-opt him to the Commission for such period as it deems fit, but a person who is in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Commission and shall not count towards a quorum.

COMMITTEES

3. -(1) The Commission may appoint one or more Committees to carryout, on behalf of the Commission, such functions as the Commission may determine.

(2) A Committee appointed under this paragraph shall consist of such number of persons as may be determined by the Commission and a person shall hold office on the Committee in accordance with the terms of his appointment.

(3) A decision of a Committee of the Commission shall be of no effect until it is confirmed by the Commission.

MISCELLANEOUS

4. -(1) The fixing of the seal of the Commission shall be authenticated by the signatures of the Chairman or any other member of the Commission generally or specifically authorized by the Commission to act for that purpose and the Secretary.

(2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Commission by the Secretary or any person generally or specifically authorized by the Commission to act for that purpose.

(3) A document purporting to be duly executed under the seal of the Commission shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.

Police Service Commission (Establishment, etc) Act 2001 No. 1 A11

5. The validity of any proceedings of the Commission or of a Committee shall not be adversely affected by-
- (a) a vacancy in the membership of the Commission or Committee; or
 - (b) a defect in the appointment of a member of the Commission or Committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Commission or Committee.

EXPLANATORY MEMORANDUM

This Act Establishes the Police Service Commission, which is charge with responsibility, among other things to appoint persons to offices (Other than the office of the Inspector-General of Police) in Nigeria Police Force and to dismiss and exercise disciplinary control over any person holding office in the Nigeria Police Force (other than the Inspector –General of Police).

I certify, in accordance with section 2(1) of the Acts authentication Act, 1961, that this is a true copy of the Bill passed by both Houses of the National Assembly.

IBRAHIM SALIM, CON

Clerk to the National Assembly.

27th day of December, 2000



POWERS DELEGATED TO THE INSPECTOR-GENERAL OF POLICE – 15TH APRIL, 2005

Section 8 of the Police Service Commission (Establishment) Act 2001 empowers the Commission to delegate some of its powers to any officer in the service of the Nigeria Police Force.

The History of delegation of Power has its origin prior to independence in 1960. Then, it was the Governor – General who performed the oversight function on the Nigeria Police Force on the advice of the Secretary of State. In carryout out this function, section 173 of the 1954 Constitution and by Order – in – Council, the Colonial Governor –General of police matters pertaining to recruitment, promotion and discipline of only junior rank and file i.e from Constable to Inspector, while the Governor – General dealt with all superior officers above the rank of Inspector.

At independence, the 1960 Constitutions (Section 102 and 103) Established the Police Service commission which then assumed the powers of the Governor – General in personnel matters of the Nigeria Police Force. Throughout the period of Military rule, the Police Service Commission exercised the powers of appointment, promotion and discipline of Police officers from the rank of ASP and above, until the Commission was abolished by Decree No. 5 of 1989.

The 1999 Constitution re-established the Commission. At its inauguration in November 2001, and realizing that it had no infrastructure, funds, manpower and office facilities to effectively carryout its mandate, the Commission decided to temporarily empower the Inspector – General of Police to deal with appointment, promotion and discipline of police officers in hierarchical range of ASP to Superintendent, in addition to the traditionally delegated ranks of Constable to Inspector.

Having now gained the requisite capacity in terms of manpower, office accommodation and

infrastructure to exercise its constitutional mandate, the Commission has re-assumed its full powers of appointment, promotion and discipline of persons in the Nigeria Police Force from the rank of ASP and above. This covers personnel matters affecting the whole officers corps of the police without delegation and this group at present is less than 10% of the Police workforce.



In view of the above, the Commission at its 28th Ordinary meeting held on 12th – 13th April, 2005 delegated the following powers to the Inspector – General of Police.

The delegated powers: 2005

- i. All matters of promotion of junior ranks that is from Constable to Inspector.
- ii. All matters of discipline affecting junior ranks, that is from Constable to Inspector.
- iii. Recruitment and appointment of junior ranks other than Inspectors to fill vacancies in the junior ranks will be undertaken by the Nigeria Police Force in conjunction with the Police Service Commission, and
- iv. That in any further recruitment from Constable to Inspector, the Police Service Commission shall issue the requisite application forms and should be informed of the number to be recruited, the date and venues of the recruitment.
- v. The Police Service Commission will conduct the recruitment and appointment of Cadet Inspectors and Cadet ASP with the assistance from the Nigeria Police Force.
- vi. Application forms and the letters of appointment of Cadets Inspectors and ASPs are to be issued by the Police Service Commission henceforth.
- vii. Request for the extension of the delegated powers should be made at least six (6) weeks before expiry of the current mandate; and
- viii. Quarterly returns on the number of cases dealt with under the delegated powers, including deaths and exit from the Force, should be submitted fifteen (15) days after the end of each quarter in the format prescribed by the Commission.

RANKS OF THE NIGERIA POLICE FORCE

(In Descending Order of Hierarchy)

1.	Inspector – General of Police (IGP)	1 - 3
2.	Deputy Inspector – General of Police (DIG)	Inspector -
3.	Assistant Inspector – General of Police (AIG)	General Cadre
4.	Commissioner of Police (CP)	4 - 6
5.	Deputy Commissioner of Police (DCP)	 Commissioner Cadre 7 - 10 Superintendent Cadre
6.	Assistant Commissioner of Police (ACP)	
7.	Chief Superintendent of Police (CSP)	
8.	Superintendent of Police (SP)	
9.	Deputy Superintendent of Police (DSP)	
10.	Assistant Superintendent of Police (ASP I & II)	
11.	Chief Inspector	 18 - 20 Inspector Cadre
12.	Deputy Chief Inspector	
13.	Assistant Chief Inspector	
14.	Principal Inspector	
15.	Senior Inspector	
16.	Inspector	
17.	Cadet Inspector	

18. Sergeant (Sgt)

19. Corporal(Cpl)

20. Police Constables (Pc)



18 - 20

other

Ranks

21. Traffic Warden Grade I (TW I)

22. Traffic Warden Grade II (TW II)

23. Traffic Warden Grade III (TW III)

24. Senior Traffic Warden Grade I (STW I)



21 - 24

Traffic Warden

Cadre