

NIGERIA SECURITY AND CIVIL DEFENCE CORPS (AMENDMENT) ACT, 2007**EXPLANATORY MEMORANDUM**

This Act amends the Nigeria Security and Civil Defence Corps Act, 2003 in order to enhance its capacity to provide protection, crisis resolution and security to public infrastructures.

NIGERIA SECURITY AND CIVIL DEFENCE CORPS (AMENDMENT) ACT, 2007**ARRANGEMENT OF SECTIONS****SECTION:**

1. Amendment of section 3
2. Amendment of section 4
3. Amendment of section 8
4. Insertion of definition
5. Citation

NIGERIA SECURITY AND CIVIL DEFENCE CORPS (AMENDMENT) ACT, 2007

A BILL

FOR

AN ACT TO AMEND THE NIGERIA SECURITY AND CIVIL DEFENCE CORPS ACT, 2003 IN ORDER TO ENHANCE ITS CAPACITY TO PROVIDE PROTECTION, CRISIS RESOLUTION AND SECURITY TO PUBLIC INFRASTRUCTURES; AND RELATED MATTERS, 2007.

[] Commencement

ENACTED by the National Assembly of the Federal Republic
Nigeria:

1. Section 3 of the Principal Act is amended by substituting for a new subsections "3 (1) and (3)"- Amendment of section 3.

(1) The Corps shall-

- (a) assist in the maintenance of peace and order and in the protection and rescuing of the civil population during the period of emergency;
- (b) recommend to the Minister the registration of private guard companies;
- (c) from time to time, inspect the premises of private guard companies, their training facilities and approve same if it is up to standard;
- (d) supervise and monitor the activities of all private guard companies and keep a register for that purpose-
 - (i). periodically organize workshops and training courses for private guard companies, and
 - (i) seal up any private guard company which operates without a valid licence;
- (e) maintain twenty-four hour surveillance over infrastructures, sites and projects for the Federal, State and Local Government-
 - (i). enter and search any premises and seize any material suspected to have been used in vandalization or suspected proceed of vandalization,
 - (ii) enter and search premises of any suspected illegal dealer in petroleum products or material used by Power Holding Company of Nigeria, Postal Services, Nigeria Telecommunication or for any other public utility or infrastructure ;

- (f) have power to arrest with or without a warrant, detain, investigate and institute legal proceedings by or in the name of the Attorney General of the Federation in accordance with the provisions of the constitution of the Federal Republic of Nigeria against any person who is reasonably suspected to have committed an offence under this Act or is involved in any :-
 - (i) criminal activity;
 - (ii) chemical poison or oil spillage, nuclear waste, poisoning;
 - (iii) industry espionage or fraud;
 - (iv) activity aimed at frustrating any government program or policy;
 - (v) riot, civil disorder, revolt, strike, or religious unrest; or
 - (vi) power transmission lines, or oil pipelines, NIPOST cables, equipment, water board pipes or equipment vandalism;
- (g) monitor the activities of religious bodies and trade associations;
- (h) monitor, investigate, and take every necessary step to forestall any planned act of terrorism particularly –
 - (i) cult and ethnic militia activities,
 - (i) criminal activities aimed at depriving citizens of their properties or lives, or
 - (ii) syndicate activity aimed at defrauding the Federal, State or Local Government;
- (i) monitor, investigate, and take every necessary step to forestall any act of terrorism and report same to appropriate Federal security agency;
- (j) provide necessary warning for the civilian population in times of danger;
- (k) evacuate the civilian population from danger areas;
- (l) provide and manage shelters for civilians during period of emergency;
- (m) assist in the decontamination and in the taking of precautionary measures during any period of emergency;
- (n) carry out rescue operations and control volatile situations;
- (o) assist in the provision of emergency medical services, including first aid, during any period of emergency;

- (p) detect and demarcate any danger area;
- (q) assist the Federal and State Fire Service in fire-fighting operation;
- (r) assist in the distribution of emergency supplies;
- (s) provide assistance to restore and maintain order in distressed areas in any period of emergency;
- (t) assist in repairing indispensable public utilities during any period of emergency;
- (u) provide intelligence information to the Ministry on any matter relating to-
 - (i) crime control generally;
 - (ii) riot, disorder, revolt, strike or religious unrest;
 - (iii) subversive activity by members of the public aimed at frustrating any government programme or policy;
 - (iv) industrial action and strike aimed at paralyzing Government activities;
 - (v) any other matter as may be directed by the Minister; and
 - (vi) have power to arrange and mediate in the settlement of disputes among willing members of the public.

(3) For the purposes of efficiently carrying out the functions set out in section 3 of the Principal Act, the Corps shall maintain an armed squad which shall be entitled to bear fire arms and deployed by the office of the Commandant General.

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| 2. Section 4 is amended in sub-section (1) by substituting for paragraph (b) the following new paragraph “(b)”: | Amendment of section 4. |
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“(b) the supervision of management and general administration of the Corps”.

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| 3. Section 8 is amended in sub-section (2) by inserting the following new paragraph “(c)”: | Amendment of section 8 |
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“(c) the Commandant-General shall be the Chief Executive and Accounting Officer of the Corps”.

4. Insert the following definition of “act of terrorism” –

Insertion of
definition

“Act of terrorism” means an act which -

- (a) may seriously damage a country or an international organization or is intended to or can reasonably be regarded as having been intended to seriously intimidate a population.
- (b) involves or causes -
 - (i) attack upon a person’s life which may cause death or upon the physical integrity of a person or kidnapping of a person,
 - (ii) extensive destruction to a government or public facility or infrastructure or private property and likely to endanger human life or result in major economic loss,
 - (iii) seizure of aircraft, ship or other means of public or goods transport,
 - (iv) the manufacture, possession, acquisition of weapons, explosives of nuclear, biological or chemical effect without lawful authority,
 - (v) the release of dangerous substances, or causing of fire explosions or flood which endangers life. and
 - (vi) propagation of information or information materials whether true or false calculated to cause panic, evoke violence or intimidate a person”.

5. This Act may be cited as the Nigeria Security and Civil Defence Corps Citation. (Amendment) Act, 2007.

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I CERTIFY, IN ACCORDANCE WITH SECTION 2 (1) OF THE ACTS AUTHENTICATION ACT, CAP. 4, LAWS OF THE FEDERATION OF NIGERIA 1990, THAT THIS IS A TRUE COPY OF THE BILL PASSED BY BOTH HOUSES OF THE NATIONAL ASSEMBLY.



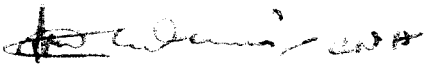
NASIRU IBRAHIM ARAB,
CLERK TO THE NATIONAL ASSEMBLY

 Day of May, 2007

SCHEDULE TO THE NIGERIA SECURITY AND CIVIL DEFENCE CORPS (AMENDMENT BILL), 2007.

(1) SHORT TITLE OF THE BILL	(2) LONG TITLE OF THE BILL	(3) SUMMARY OF THE CONTENTS OF THE BILL	(4) DATE PASSED BY THE SENATE	(5) DATE PASSED BY THE HOUSE OF REPRESENTATIVES
Nigeria Security and Civil Defence Corps (Amendment) Bill, 2007.	An Act to amend the Nigeria Security and Civil Defence Corps Act, 2003 in order to enhance its capacity to provide protection, crises resolution and security to public infrastructures; and for related matters	This Bill amends the Nigeria Security and Civil Defence Corps Act, 2003 in order to enhance its capacity to provide protection, crises resolution and security to public infrastructures.	23 rd May, 2007	17 th May, 2007

I certify that this Bill has been carefully compared by me with the decision reached by the National Assembly and found by me to be true and correct decision of the Houses and is in accordance with the provisions of the Acts Authentication Act Cap. 4, Laws of the Federation of Nigeria, 1990.


NASIRU IBRAHIM ARAB,
 Clerk to the National Assembly
 25th Day of May, 2007

I ASSENT.


CHIEF OLUSEGUN OBASANJO, QCFR
 President of the Federal Republic of Nigeria
 25th Day of May, 2007