

Assented to by me this.....day.....20.....

.....
ENGR. SEYI MAKINDE
His Excellency, The Executive Governor



OYO STATE OF NIGERIA

No.2

**A LAW TO ESTABLISH THE OYO STATE SECURITY NETWORK
AGENCY AND AMOTEKUN CORPS TO ASSIST IN MAINTAINING LAW AND
ORDER IN OYO STATE AND FOR OTHER MATTERS CONNECTED THEREWITH**

**PART 1
PRELIMINARY**

Date of commencement. ()

Enactment. **ENACTED** by the House of Assembly of Oyo State of Nigeria as follows:

Short Title. 1. This Law is cited as the Oyo State Security Network Agency Law, 2020.

Interpretation. 2. In this Law-
"Agency" means Oyo State Security Network Agency established under section 3 of this Law;

"Amotekun" is the symbol of the Oyo State **Amotekun** Corps (Image of a Leopard);

'Arms' means firearms properly licensed by the Police;

"Attorney-General" means the Attorney-General and Commissioner for Justice of the State;

"Governor" means Governor of the State;

"House of Assembly" means Oyo State House of Assembly;

"Ministry" means the Ministry of Justice of the State;

"Amotekun Corps" means officials engaged by the Agency to assist in maintaining law and order in the State;

"Police" has the same meaning as provided in the Nigeria Police Act;

"State" means Oyo State of Nigeria;

"Tag" means a badge which includes the name and identification number of a member of the Amotekun Corps;

"Zone" means Geo-political or administration zones of the State (Ibadan city, Ibadan less city, Oyo, Ogbomoso, Ibarapa, Oke-Ogun 1 and Oke Ogun 2).

PART II ESTABLISHMENT, FUNCTIONS AND POWERS OF THE AGENCY AND BOARD

Establishment
of the Oyo State
Security Network Agency.

3 (1). There is established the Oyo State Security Network Agency (referred to in this Law as the "Agency").

(2) The Agency shall-

(a) be a body corporate with perpetual succession and common seal;

(b) have power to sue and be sued in its corporate name; and

(c) be capable of acquiring, holding, managing and disposing of properties movable or immovable, for the purpose of exercising the objectives and functions specified in this Law.

(3) The Agency shall work with similar security network agencies in other states of the Federation and in particular, shall collaborate with other Security Network Agencies in Ogun, Lagos, Ondo, Osun and Ekiti States.

Departments
of the Agency.

4. The departments of the Agency shall comprise of the following-
- (i) Administration and Supplies;
 - (ii) Legal Services;
 - (iii) Operation and Monitoring;
 - (iv) Finance and Accounts;
 - (v) Research, Planning and Statistics; and
 - (vi) any other department as may be created by the Agency through its regulation.

Objectives
of the Agency.

5. The objectives of the Agency are to-
- (a) systematically gather, document, evaluate and analyse data and information to convert to actionable intelligence for tactical, operational and strategic goals;
 - (b) share intelligence about crime, crime in progress, suspicious activities, criminal suspects and other criminal activities;
 - (c) collaborate with similar security network agencies, in other states particularly, Ogun, Ondo, Osun, Lagos, and Ekiti States to deter kidnapping, terrorism, cattle rustling, destruction of farms and crops, livelihood and criminal damage to properties, human trafficking, cultism, highway robbery and other criminal offences and to assist the Police and other

Law enforcement agencies in apprehending such criminals;

- (d) protect lives and property within the State;
- (e) ensure that all persons travelling along the highways, major roads, remote areas, hinterland, forest and inland waterways are free to carry out their normal social and economic life without fear or hindrance; and
- (f) assist the Police to carry out any other lawful activity for maintaining law and order in the State.

**Functions
of the Agency.**

6 (1) The functions of the Agency are to-

- (a) collaborate with and assist the Police and other security network agencies in gathering information about crime, crime investigation, arrest and prosecution of persons suspected or involved in kidnapping, terrorism, cattle rustling, cultism, highway robbery and other criminal activities;
- (b) collaborate with and assist the Police and other security agencies in maintaining law and order within the State by-
 - (i) making available relevant information on crime, crime in progress, crime related activities, suspicious activities and criminal suspects;
 - (ii) undertaking routine day and night patrol on major roads, remote areas, hinterland, forests and inland waterways;
 - (iii) ensuring that offenders are identified, arrested, registered and promptly handed over to the nearest Police station or post, then follow up

- to prosecution;
- (iv) giving timely report of suspicious activities and crimes in progress to aid in the effective policing of the State; and
- (v) providing the Police and other security agencies with relevant information to aid in the effective policing of the State;
- (c) disarm unauthorized persons in possession of arms and other dangerous weapons;
- (d) render prompt assistance to crime and accident victims;
- (e) undertake routine day and night patrols on interconnected roads and surveillance on highways, major roads, remote areas, hinterland, forests and inland waterways;
- (f) undertake joint operations with the Police and other security agencies in furtherance of the objects of the Agency;
- (g) react and respond promptly and strategically to distress calls;
- (h) prevent highway crimes and any other criminal activities by way of local intelligence gathering and use of technology;
- (i) collaborate with vigilante groups or other security agencies in carrying out its duties;
- (j) carry out such other duties as may be necessary or expedient to ensure safety of lives and properties of the citizenry; and
- (k) carry out such other directives as the Governor may expressly give to the *Amotekun* Corps in relation to security and the maintenance of public order and safety.

- (2) The Agency shall in the course of carrying out its duties safeguard the human rights of every person as enshrined in the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and other relevant human rights instruments.

Establishment and Composition
of the Governing Board
of the Agency.

- 7 (1) There is established for the Agency a Governing Board (referred to in this Law as the "Board")
- (2) The Board shall comprise-
 - (a) a Chairman, who shall be a person of proven integrity with not less than ten 10 years cognate experience in security matters;
 - (b) the Commissioner of Police in the State or his representative;
 - (c) one member representing the different services of the Armed Forces of Nigeria operating in the State;
 - (d) the State Commandant of the Nigerian Security and Civil Defence Corps in the State or his representative;
 - (e) the Executive Secretary, Oyo State Security Trust Fund or his representative;
 - (f) one representative each of the Community Development Association drawn from the three Senatorial Districts of the State, one of whom shall be a woman;
 - (g) the Chairman, Oyo State Council of Traditional Rulers or his representative;
 - (h) the *Amotekun* Corps Commander;
 - (i) the Secretary; and
 - (j) Political Aide to the Governor on Security matters.
- (3)
 - (i) The Secretary to the Board shall be a career officer not below Grade Level 14;
 - (ii) The Secretary shall be in charge of the day to day administration of the Agency;
 - (iii) The Secretary shall keep the records of proceedings of the Board.

(4) The Chairman and members of the Board shall be appointed by the Governor on the recommendation of the Attorney-General subject to the confirmation of at least two-thirds majority of the House of Assembly.

Powers of the Board

8. The powers of the Board shall include-

- (a) setting general policy guidelines for the management of the Agency;
- (b) setting the administrative guidelines for the conditions and welfare of staff of the Agency;
- (c) making recommendations to the Governor on the terms and conditions of employment and remuneration of staff of the Agency;
- (d) approving programmes of training for members and other staff of the Agency for effectiveness and efficiency in the performance of their functions under this Law;
- (e) providing a graded Command structure for the *Amotekun* Corps;
- (f) designing and approving the uniform of the different grades of the *Amotekun* Corps;
- (g) appointing suitable persons as members of the *Amotekun* Corps;
- (h) promoting and disciplining the staff of the Agency;
- (i) removing or deleting from the register, the name of an *Amotekun* Corps member if-
 - (i) the member is unfit to discharge the functions of the *Amotekun* Corps by reason of infirmity or misconduct; or
 - (ii) he withdraws in writing, from being a member of the *Amotekun* Corps;
- (j) fostering relationships between the Agency and similar

security network agencies, particularly in Ogun, Lagos,

Ondo, Osun and Ekiti States; and

(k) doing other such things as the Board may consider appropriate for the overall development and growth of the Agency.

Tenure of Office. 9. A person appointed as a member of the Board shall hold office on part-time basis for 4 years and be eligible for re-appointment for one further term of 4 years.

Remuneration. 10. The Chairman and members of the Board shall be paid such remuneration as the Governor may determine.

Cessation of Membership of the Board. 11.(1) A member of the Board shall cease to hold office if such person-

(a) resigns his appointment by giving 1 month notice in writing to the Governor; or

(b) is declared unfit or unable to discharge the functions of his office either by reason of infirmity of mind or body or mental incapacity; or

(c) becomes bankrupt; or

(d) is convicted of a felony or any offence involving dishonesty; or

(e) is guilty of serious misconduct or dereliction of duty.

(2) The Chairman and any member of the Board may be removed from office by the Governor if the Governor is satisfied that it is not in the interest of the public that such a member should continue in office subject to Resolution of two-thirds majority of the House of Assembly.

Standing Orders and meetings of the Board. 12. (1) The Board may make standing orders regulating its proceedings.

(2) The Board shall meet not less than 4 times in a year.

(3) At any meeting of the Board, the Chairman or, in his absence, any member duly elected by members present shall preside.

Quorum 13. The quorum at any meeting of the Board shall be 6 members, including the Chairman.

Voting

14. (1) All questions at a meeting of the Board shall be determined by a majority of votes of the members of the Board present and voting.

(2) At any meeting of the Board each member shall have one vote, and if there is a tie, the Chairman of the meeting shall have a second or determining vote.

Appointment of
Corps Commander.

15. (1) There shall be appointed by the Governor, a Corps Commander for the Agency, who shall be a retired Law Enforcement Officer or Military Officer not below the rank of a Colonel or its equivalent in other security services.

(2) The Corps Commander shall-

- (a) be a person with at least 10 years cognate experience in security matters;
- (b) be responsible for the day-to-day running of the affairs of the *Amotekun* Corps and implementation of the decisions of the Board;
- (c) hold meetings with his counterparts in other states, particularly Ogun, Lagos, Ondo, Osun and Ekiti States on a quarterly basis or as may be collectively determined by the Corps Commanders in those States;
- (d) have general supervision and control of all employees of the *Amotekun* Corps;
- (e) draw up programmes of training for members of the *Amotekun* Corps for effectiveness and efficiency in the performance of their functions under this Law; and
- (f) generally, perform all other duties affecting the Agency as may be specifically assigned by the Board.

Tenure of office
of Crops
Commander.

- (3) The *Amotekun* Corps Commander shall be appointed for a term of 4 years in the first instance and may be eligible for re-appointment for one further term of 4 years.
- (4) The *Amotekun* Corps Commander may be removed from office by the Governor subject to the resolution of two-thirds majority of the members of the House of Assembly on the ground of-
 - (a) abuse of office or willful violation of the fundamental human right of any person as contained in chapter 4 of the Constitution of the Federal Republic 1999 (as amended)
 - (b) misconduct or misbehavior that he has conducted himself in a manner which brings or is likely to bring the Amotekun Corps into hatred, ridicule, contempt, disrepute or that he has dishonestly done any act or omission which is prejudicial or inimical to the security of the State; or
 - (c) physical or mental incapacity.

**The legal Adviser
and other Staff of
the Agency.**

16. (1). There shall be a Legal Adviser for the Agency who shall also be the Secretary to the Board.
- (2) The Legal Adviser shall be a State Counsel not below Grade Level 13 and shall be responsible to the Corps Commander for the discharge of his duties.
- (3) The Legal Adviser shall be responsible for the following matters-
 - (a) issuing legal advice; and
 - (b) generally performing all other duties affecting the Agency as may be assigned by the Corps Commander.
- (4) The Agency may, subject to the approval of the Governor engage such other staff as may be necessary for the proper execution of its functions under this Law and pay to such persons so employed such remuneration and allowances as may be determined by the Board, subject to the extant policies of the

Government.

- (5) If the Agency thinks it expedient that any vacancy in the staff of the Agency should be filled by a person holding office in the Civil Service Commission to that effect and thereafter the Agency may, by arrangement with the Civil Service cause such vacancy to be filled by way of secondment, transfer or assignment.
- (6) Where any Civil Servant is seconded, transferred or assigned under subsection (5) of this section, he shall be informed of the terms and conditions of the secondment, transfer or assignment and any right, pension or otherwise which is accruable to him shall still accrue to him.
- (7) A person seconded by virtue of subsection (5) of this section, may elect subject to the approval of the Agency to be transferred to the service of the Agency, any previous service in the civil Service concerned shall count as service for the purpose of pensions subsequently payable by the Agency.

Zones of the Agency. 17. (1) The Agency shall comprise zones as may be created by Regulation under this Law.

- (2) There shall be Deputy Corps Commanders in charge of the Operations Unit and Monitoring Unit of each zone of the Agency who shall be responsible for the coordination of the activities of the zones of the Agency under the general command of the Corps Commander and such other Deputy Corps Commanders as may be created by Regulation.

PART III ESTABLISHMENT OF OYO STATE *AMOTEKUN* CORPS

- Establishment of the Oyo State *Amotekun* Corps.
18. (1) There is established for the Agency a body to be known as the Oyo State *Amotekun* Corps (referred to in this Law as the “*Amotekun* Corps”)
 - (2) The *Amotekun* Corps shall be responsible for carrying out the functions of the Agency as set out under the provisions of this Law .
 - (3) The *Amotekun* Corps Commander shall be the head of the *Amotekun* Corps.

Powers of the
Amotekun
Corps.

19. (1) The Amotekun Corps shall, subject to the approval of the Inspector General of Police have the power to use firearms in accordance with the Firearms Act or other relevant laws that regulate the use of firearms and shall also have power to use offensive weapons that are not prohibited by the Firearms Act.
- (2) The Amotekun Corps shall also have power to-
- (a) collaborate with similar security agencies, particularly in Ogun, Lagos, Ondo, Osun and Ekiti States in the enforcement of the provisions of this Law; and
 - (b) share intelligence, equipment and resources with similar security agencies, particularly in Ogun, Lagos, Ondo, Osun and Ekiti States.

Identification
of the *Amotekun* Corps.

20. (1) Every member of the Amotekun Corps shall be allocated an identification number.
- (2) An identification tag bearing the name and identification number of an Amotekun Corps member shall be issued by the Agency and when on duty, the tag must be worn at all times by the Amotekun Corps member.
- (3) An identification card issued under this section shall be valid for 1 year only from the date of issuance subject to annual renewal upon satisfactory conduct.
- (4) A member of the Amotekun Corps shall be in uniform whenever on duty except when on special or surveillance duty.

Register of the
Amotekun Corps.

21. (1) On fulfillment of the criteria for membership of the Amotekun Corps provided under this Law the Agency shall capture the biometric information of all intending personnel for the Amotekun Corps.
- (2) The Agency shall maintain a register of the Amotekun Corps containing the names, addresses, thumb impressions, photographs and other biometric information of all the personnel of the Amotekun Corps.
- (3) The identification number issued to every Amotekun Corps member shall be prefixed against his name in the register for personnel.

Investigation Unit
of the Agency.

- 22.(1) There shall be an Investigation Unit within the Agency to be entrusted with the internal supervision of the workings and operations of the Agency to ensure its probity and accountability;
- (2) The Investigations Unit shall be responsible for checking processes and internal procedures as well as investigating any complaint against *Amotekun* Corps officers made by members of the public or the Corps.
- (3) Upon receipt of a complaint, the Investigations Unit shall, as soon as possible, inform the Independent *Amotekun* Corps Complaints Committee.
- (4) The Investigations Unit shall, as soon as practicable, after concluding an investigation on a complaint, transmit a report and recommendations thereof to the Independent *Amotekun* Corps Complaints Committee and forward a copy of the report and recommendations to the Corps Commander.

Establishment,
Composition and
Powers
of Independent
Amotekun
Complaints Committee.

23. (1) There is established an independent *Amotekun* Corps Complaints Committee (referred to in this Law as the "Complaints Committee") made up of 3 part time members from the 3 Senatorial districts, one of whom shall be a female.
- (2) The Chairman and members of the Complaints Committee shall be appointed by the Governor acting on the advice of the Attorney-General subject to approval of the House of Assembly.
- (3) The members shall hold office for a period of 3 years and may be re-appointed for one further term of 3 years.
- (4) The Chairman of the Complaints Committee shall be a retired Judge or Magistrate and no person shall be qualified to be appointed as, or remain, a member of the Complaints Committee if he is a public officer, or a member, officer or servant of any corporate body established by law, or a serving Judge or Magistrate or a member of the House of Assembly or a member of a Local Government Council.

- (5) If any vacancy occurs in the membership of the Complaints Committee on account of death, resignation or for any other cause, the Governor shall, as soon as practicable, appoint another person to fill the vacancy and the person so appointed, shall remain in office for the remainder of the term of office of his predecessor:
Provided that, the Complaints Committee shall continue to act notwithstanding any such vacancy.
- (6) A member of the Complaints Committee may be removed from office by the Governor acting on the advice of the Attorney-General subject to the Resolution of the House of Assembly on the ground of inability to discharge the functions of his office, whether arising from infirmity of mind or body, misconduct or any other cause.
- (7) The Complaints Committee shall be supported by a Legal Adviser and any necessary Administrative Staff.
- (8) The Complaints Committee shall have the power to-
- (a) summon witnesses who shall be heard on oath; and
 - (b) administer an oath to any witness and to any person concerned in the investigation of a complaint and require them to give evidence.
- (9) Summonses for attendance of witnesses may be in such form as may be prescribed by the Complaints Committee.
- (10) A summon may be served either personally or with leave of the Complaints Committee by substituted means.
- (11) Any person summoned as aforesaid who-
- (a) refuses or without sufficient cause fails to attend at the time and place mentioned in the summons; or
 - (b) refuses, without sufficient cause, to answer or to answer fully and satisfactorily, to the best of his

knowledge and belief, all questions put to him by or with the concurrence of the Complaints Committee; or

- (c) refuses or fails, without sufficient cause, to produce any document he was required to produce by or with the concurrence of the Complaints Committee,

shall be liable on conviction to imprisonment not exceeding 1 month or a fine not exceeding ₦50,000.00 or to both: Provided that, without prejudice to the generality of the provisions of subsection (8)(b) of this section, no person giving evidence before the Complaints Committee may be compelled to answer any question which tends to expose him to any criminal prosecution, and every such person shall, in respect of any evidence given by him before the Complaints Committee, be entitled to the same privileges to which a witness giving evidence before a Court of Law is entitled.

- (12) No proceedings shall be commenced in respect of any offence against subsection (11) of this section.

Functions
of the
Complaints
Committee.

24. The functions of the Complaints Committee are to-

- (a) expeditiously inquire into and report on any matter regarding the conduct of the Amotekun Corps or any of its members either on its own motion, on any matter referred by the Attorney-General, or on any complaint and request which the Complaints Committee may receive;
- (b) inquire and report on any complaint made to the Complaints Committee by any Amotekun Corps officer against treatment deemed prejudicial or discriminatory, or which may be the cause of undue distress;
- (c) request, if necessary, at any stage, the collaboration or assistance of the Investigations Unit;
- (d) monitor relations between the Amotekun Corps and the public;
- (e) perform any other function that may be assigned to it by regulation, or by any specific written instructions from the Attorney-General;
- (f) recommend, in its decisions, any such action deemed fit and

send its recommendations to the Attorney-General in respect of every complaint and request received;

(g) refer its findings to the Attorney-General and the Commissioner of Police where it resolves that the matter may involve criminal proceedings; and

(h) submit an annual report to the Attorney-General by the end of March of the following year.

Appearance
before the
Committee.

25.(1) The Corps Commander, any Amotekun Corps officer or any civilian employee may be requested to appear before the Complaints Committee to answer questions and provide information that may be relevant to the Complaints Committee in the execution of its duties.

(2) The Complainant may also be asked to appear before the Complaints Committee to give further information.

(3) It shall not be lawful for the Complaints Committee to demand the production of any document connected with a criminal investigation or to demand to be given information on any such criminal investigation.

(4) A complaint shall not be entertained unless it is made not later than 12 months from the day on which the complainant first had knowledge of the matters complained about:
Provided that, the Complaints Committee may conduct an inquiry in respect of a complaint not made within that period if it considers that there are special circumstances which make it proper to do so.

Remuneration
of the
Complaints
Committee.

26 The Chairman and members of the Complaints Committee shall be paid such remuneration and allowances as the Governor may determine from time to time.

Exemption from
Liability.

27. No member of the Complaints Committee shall be liable for any act done in good faith in the exercise of the powers conferred on the Complaints Committee by this Law.

Appeal against
decision of the
the Complaints
Committee.

28.(1) An Appeal against the decision of the Complaints Committee shall lie as of right to the High Court of the State provided that such Appeal shall be made within 45 days after written notification of the ruling of the Complaints Committee.

(2) the decision of the High court of the State shall be final.

Record of Arrest.

29. A written record shall be made of any intervention involving the arrest of a person and shall include-

- (a) the grounds on which the arrest was made;
- (b) the name of the Amotekun corps member who effected the arrest;
- (c) the name of the person arrested;
- (d) the date and time of the arrest;
- (e) the location of the Police station or post the person arrested was handed over to;
- (f) the name, rank and signature of the Officer within the Police station or post to whom the person arrested was handed over to;
- (g) the date and time the person arrested was handed over to the Police; and
- (h) any other information pertaining to the arrest.

PART IV

FINANCIAL PROVISIONS

Funds of the Agency.

30.The funds and resources of the Agency shall consist of-

- (a) subventions from the State;
- (b) gifts and donations from individuals and corporate bodies;
- (c) grant from Security Trust Fund; and
- (d) any other money or property which may in any way become payable to or vested in the Agency.

Gifts, donations,
grants and
endowments.

31. The Agency may accept money, grants, gifts, endowments, donations and testamentary dispositions or other property in aid of its objectives on the condition that such are not inconsistent with its functions, policies and objectives.

Audit

32. The Agency shall prepare at the end of each financial year, statements of its accounts which shall be audited by the Auditor-General of the State.

Annual Report
and Estimates.

33. (1) The Agency shall, in accordance with the State Administrative Guidelines and within such periods as may be indicated, prepare and submit to the Governor through the Political Aide to the Governor on Security a report of its activities and operations with a certified copy of the audited accounts of the Agency and the Auditor's report on same.

(2) The Agency shall in addition and not later than 3 months of the submission of the report and certified copy of its audited account provided for in subsection (1) of this section cause copies of same to be laid before the House of Assembly;

(3) The Agency shall through the Corps Commander prepare and submit to the Ministry charged with the responsibility for Budget and Planning, for the Governor's approval, its annual estimates of revenue and expenditure for the period commencing on the 1st day of January and ending on the 31st day of December of each year in accordance with extant directives on budget preparation.

PART V

Miscellaneous Provisions

- Exclusion from Liability. 34. Any member of the Board, staff of the Agency or member of the Amotekun Corps is hereby excluded from liability and shall not be sued in his personal capacity for any lawful act done in the course of duty.
- Pre-Action Notice . 35. A suit shall not commence against the Agency unless 30 days written notice of intention to commence an action is issued to the Agency and it must include the particulars of the intending Claimant, details of the complaint and reliefs sought.
- Obstruction of Amotekun Corps member in the performance of his Duty. 36. Any person who wilfully hinders, delays, obstructs or assaults a member of the Amotekun Corps in the course of the exercise of his lawful duties under this Law is guilty of an offence and liable on conviction to imprisonment for a term of 1 month or to fine not exceeding N50,000.00 or to both such fine and imprisonment.
- Application of the Pensions Law. 37(1) The Pensions Law, 2007 shall, in its application to any office under this Law, have effect as if the office were in the Civil Service of the State.
(2) Nothing in this section shall prevent the appointment of a person to any office on terms, which preclude the grant of a pension or gratuity in respect of service in that office.
- Use of the Agency not for Political purposes. 38. The Agency shall not engage in any political or unlawful duty or function or any other activity not related to the objectives of the Agency.
- Power to make Regulations. 39. (1) The Board may make regulations generally for carrying into effect the provisions of this Law, including-
(a) criteria for the recruitment or enlistment of persons into

Amotekun Corps;

(b) appointment of prominent indigenes of the State as Corps ambassadors; and

(c) any necessary regulations to guide the operations of the Agency and ensure the maintenance of discipline among its officers and operatives.

(2) Any regulation made to this Law shall be subject to the approval of the House of Assembly.

(3) Until such regulations are made, extant regulations applicable in the Civil Service of the State shall continue to apply to the officers and operatives of the Agency.

This printed impression has been carefully compared by me with the Law which has been passed by the Oyo State House of Assembly and found by me to be a true and correct printed copy of the Law.

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Ms. Felicia Foluke Oyediran
Clerk of the State
House of Assembly

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Rt. Hon. Edward Adebo Ogundoyin
Speaker of the State
House of Assembly