



NEIGHBOURHOOD ASSOCIATION AND WATCH GROUP LAW 2006



ENUGU STATE OF NIGERIA

2007 NO. 1

A Law to Establish, Regulate and Operate Neighbourhood Title Associations and Watch Groups in Enugu State and for other connected matters.

BE IT ENACTED by the Enugu State House of Assembly as Enactment follows:

1. This Law may be cited as the Neighbourhood Association and Watch Group Law 2006 and shall come into force on the 30th day of March, 2006. Citation and Commencement

2. In this Law unless the context otherwise requires: Interpretation

“Abuse of Power” means any act or circumstance in which a member of a Neighbourhood Association or Watch Group takes undue advantage of his position under this law to oppress, abuse, defraud, victimize, intimidate, molest or unleash inhuman treatment to a resident, Neighbourhood member or to a member of the public in the course of discharging his duties. It includes any act, by any organ established under this law, intended to injure, insult, trespass upon the dignity of any person of manifest feelings of inferiority or violate the, legal right of any person within or outside the neighbourhood.

“Board” means the State Neighbourhood Association Board established in section 3 of this law for the supervision of the Operations of all the Neighbourhood Associations and Watch Groups in the State.

“Code of conduct” means Rules and Regulations guiding the operations and functions of the Neighbourhood and Watch Groups or Associations in the State.

“Commissioner” means the Commissioner or other Officer of Government in-charge of the Ministry.

“Confession” means statement of admission of guilt made voluntarily by a person accused of committing a crime or intending to commit crime.

“Department” means the department in the Ministry coordinating the activities of the Neighbourhood Association and Watch groups in the State.

“Ethic” means any social, moral or cultural behaviour acceptable by the society as of right. It also includes the moral duty, obligations and all the rules governing the conduct of the members of the Neighbourhood Watch Groups.

“Government” means the Government of the State.

“Governor” means the Governor of the State.

“Ministry” means the Ministry or Department of Government responsible for matters relating to Human Development and Poverty Reduction in the State.

“Neighbourhood” means a defined area occupied by a group of people sharing common characteristics and interest, who organized themselves for safety and welfare of the area. It includes institutions and autonomous communities organized for the purpose of Neighbourhood activities.

“Neighbourhood Watch” means the act of crime prevention, detection and security initiatives for the safety of life and property within the neighbourhood.

“Neighbourhood Watch Group” means the body established by section 13 of this law for the purposes of Neighbourhood Watch.

“Officers” means officers mentioned in sections 12 and 15 of this law.

“Security” means any measure taken for the protection of life and property against external aggression or internal subversion within the neighbourhood.

“State” means Enugu State of Nigeria.

“Resident” means a person living within the neighbourhood.

“Safety” means measures taken or intended to protect real and perceived threats to life and property in the neighbourhoods.

“Urban Neighbourhood Association” means the body responsible for the supervision of the component units of the neighbourhood association in, section 15 of this Law.

PART 1

ESTABLISHMENT, FUNCTIONS AND POWERS OF ENUGU STATE NEIGHBOURHOOD ASSOCIATION BOARD.

Establishment of
State
Neighbourhood
Association
Board

3. There is hereby established for the State a body known to be as “Neighbourhood Association Board” Which shall be responsible for the supervision of the operations of all the Neighbourhood Watch Groups and Associations in the State.

4. The membership of the Board shall comprise the following:

Membership

- (a) the Chairman;
- (b) one traditional ruler representing each of the three senatorial zones in the State,
- (c) a member representing the State Ministry of Justice,
- (d) a representative of the Commissioner of Police;
- (e) a member representing the news media;
- (f) a representative of the academia;
- (g) one representative of the civil society from each of the three (3) Senatorial Zones in the State' and
- (h) a representative of the Ministry who shall be the secretary to the board.

5. (1) The Board shall be responsible for the following functions:

Functions of
the Board

- (a) Formulation of policies in relation to the safety and the security of life and property within the association and Neighbourhoods;
- (b) provide guidelines for leadership, central operation, discipline of a member of Neighbourhood Association and Watch Group;
- (c) initiation of any relevant development project that may facilitate the safety and security of life and property in the neighbourhoods in the State,
- (d) ensure the registration of any neighbourhood Association and Watch Groups in the State with the State Police Command, and the Ministry.
- (e) Establishment of an officer for lodging of complaints by associations and Watch Groups.
- (f) Monitoring the activities of all the Associations and Watch Groups in-the State;
- (g) Liaise with the State Government to Sensitize the neighbourhood on government policies and programmes relating to their security and welfare,
- (h) Sensitize neighbourhood on healthy waste management and good environmental sanitation practices.
- (i) To organize workshops and seminars for the associations and watch groups for the efficient discharge of their duties
- (j) Perform other functions as may from time to time be assigned to it by the Commissioner, for the optimal well being and welfare of the residents of the neighbourhood.

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| Powers of the Board | 6. | For effective discharge of its statutory duties under this law, the Board shall in consultation with the Ministry have the powers to do any of the followings:
(1) Acceptance of gifts, donations, grants and presentations from voluntary organizations, individuals and residents of the neighbourhood.
(2) With the approval of the Commissioner, charge levies and dues.
(3) Reject gifts, donations, grants and presentations where the conditions attached by the donors thereof are:
(a) inconsistent with the provisions of this law, or
(b) not in the best interest of the neighbourhood;
(c) Politically motivated.
(4) Control, co-ordinate and supervise the activities of the established neighbourhood watch groups and associations.
(5) The Board shall have the power to cause the accounts of the Neighbourhood Associations and Watch Groups to be audited. |
| Appointment of Members | 7. | (1) The Chairman and other members of the Board shall be appointed by the Governor on the recommendations of the Commissioner.
(2) The members shall elect the Vice-Chairman from among themselves. |
| Tenure | 8. | A member of the Board shall be in the office for a term of 4 years and shall be eligible for reappointment for another term of 4 years only. |

PART II

ESTABLISHMENT AND FUNCTIONS OF URBAN NEIGHBOURHOOD ASSOCIATION

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| Establishment of Urban Neighbourhood Association | 9. | There shall be established for every Urban City in the State Urban Neighbourhood Association which shall be referred to as "Association"
(2) The Urban Neighbourhood Association shall consist of all residents of the urban association but payment of levies and dues shall be limited to tax paying members of the association. |
| Composition of the Association | 10. | (1) For the purpose of Section 9 of this Law, each Urban City in the State shall be divided into Associations.
(2) Each Association shall consist of the following units with the accompanying responsibilities:
(i) development units, responsible for repair of roads, culverts and other utility services: |

- (ii) Neighbourhood Watch Group responsible for safety and security of life and property;
- (iii) environmental/sanitation unit, which shall be created in conjunction with ESWAMA/Ministry of Environment and Solid Minerals which shall be responsible for keeping the environment clean;
- 11** (1) The Association shall perform the following functions:
- (a) Identification of neighbourhood projects within its Jurisdiction for execution by the development units
- (b) Promotion of the welfare of the neighbourhood under it.
- (c) Implementation of the policy decisions of the Board.
- (d) Establishment of offices where complaints by the neighbourhood can be received.
- (e) Monitoring and supervision of the activities of all the Component units of the Association.
- (f) Provide the link between the Board and the component units.
- 12.** (1) The officers of the association shall comprise the followings:
- (a) Chairman
- (b) Vice-chairman
- (c) Secretary
- (d) Assistant Secretary
- (e) Financial Secretary
- (f) Treasurer
- (g) Mobilization officer
- (h) Security Officer
- (i) Project Manager
- (j) Environmental Sanitation Officer
- (2) The officers of the Association shall be elected by members at a general meeting duly constituted.

Function of
the
Association

Officers of the
Association

PART III

ESTABLISHMENT AND FUNCTIONS OF

NEIGHBOURHOOD WATCH GROUPS

- 13.** There shall be established for every autonomous community in the State at least one Neighbourhood Watch Group which shall be referred to as "Watch Group".

Establishment
of
Neighbourhood
Watch Group

- Functions of
Watch Group
14. (1) The watch group shall work in partnership with the Divisional Police Officer in the area they are registered, justice of the peace, town union and other stake holders to perform the following functions:
- (a) To prevent crime through:
 - (i) improving security through joint patrols/vigilance with the police;
 - (ii) reducing opportunities for crime by increasing crime prevention awareness campaigns;
 - (iii) development of neighbourhood crime prevention programmes;
 - (iv) assisting the Police in identifying and finding solutions to prevalent crimes,
 - (b) To assist the police in detecting crime through:
 - (i) promoting effective communication with the police;
 - (ii) prompt reporting of suspicious and criminal activity to the police;
 - (iii) providing information/intelligence to the police on suspicious persons and prevalent crimes;
 - (iv) alerting the community about types of crimes prevalent and especially emerging crimes.
 - (c) To reduce the fear of crime through:
 - (i) providing accurate information about crime risks;
 - (ii) promoting a sense of security and community spirit Particularly amongst the more vulnerable;
 - (iii) encouragement of mutual assistance and concern amongst neighbourhood members.
- Membership of
the Watch Group
15. The Watch Group shall consist of all the people living within the neighbourhood.
- Officers of the
Watch Group
16. The officers of the Watch Group shall comprise the following:
- (a) Chairman
 - (b) Vice-Chairman
 - (c) Secretary
 - (d) Assistant Secretary
 - (e) Treasurer
 - (f) Financial Secretary
 - (g) Security Officer
- Functions of
Officers
17. The officers shall perform the following functions
- (i) The Chairman shall preside over all the meetings of the Association/Watch Group
 - (ii) The Vice-Chairman shall perform the functions of the Chairman in his absence.

- (iii) the Secretary shall keep the records of the meeting;
 - (iv) the Assistant Secretary shall perform the functions of the Secretary in his absence;
 - (v) the Treasurer shall keep all monies of the Association and Watch Group;
 - (vi) the Financial Secretary shall keep record of all monies received and expended;
 - (vii) Mobilization Officer in the case of section 12 shall be responsible for all publications;
 - (viii) the Security Officer shall be in-charge of the Watch Group in the neighbourhood;
 - (ix) the project Manager in the case of section 12 shall be responsible for the construction and maintenance of projects in the neighbourhood;
 - (x) Environmental Sanitation Officer in the case of section 12 shall be responsible for the environmental sanitation of the neighborhood and shall be reporting to ESWAMA periodically.
18. Officers of the Watch Group shall be appointed through an election conducted by members of the Watch Group. Appointment by election
19. There shall be established a Department for the Board Association and Watch Group in the Ministry. Establishment of Department for Association, Board and Watch Group
20. Officers selected under Section 18 shall hold office for a term of three years and shall be eligible for re-election for another three years only. Tenure of Officers
21. The department shall be responsible for the following functions:
- (1) Co-ordination and supervision of the activities of the Association, Board and watch Group.
 - (2) Providing the link between the Association, Board and the State Executive.
 - (3) procurement of grants, subventions for the Board
 - (4) Presentation of memos on behalf of the Board to the State Executive Council.
 - (5) Issuing identity cards to all members of the Board, Association and Watch Group.
 - (6) Identification of appropriate uniform for all Watch Groups in the State.
 - (7) Registration and maintenance of data-bank of all registered Watch Groups and Associations.
- Functions of the Department

PART IV MEETING

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| Meetings | 22. | <p>(1) All the business of the bodies to which this part applies shall be through meetings to be held at its headquarters or any other places and at such time as their respective chairmen may appoint; provided that in any one year the body shall meet at least four times.</p> <p>(2) All meetings of the bodies shall be summoned by their Secretaries at the direction of the Chairmen.</p> <p>(3) Without prejudice to the provisions of sub-section (2) of this section wherever any four members of each body sign a written request addressed to the Chairman to call a meeting of the body, the Chairman shall direct the Secretary to summon a meeting for the purpose specified in the request.</p> <p>(4) The minutes of the meetings of the bodies shall be prepared and kept by their Secretaries.</p> <p>(5) The Chairman shall preside at all meetings of the body</p> <p>(6) In the absence of the Chairman and the Vice Chairman, the members present shall among their members elect one person to preside at the meeting.</p> <p>(7) The person so elected to preside shall for that meeting only have all the powers and privileges of the Chairman.</p> <p>(8) Where the body desires to obtain the advise of any person on any matter, it may co-opt such person as a member for such meeting or meetings as may be deemed necessary by the body concerned.</p> <p>(9) The person so co-opted shall have all the rights and privileges of a member except the right to vote upon any question or to count for a quorum.</p> |
| Quorum | 23. | <p>The Chairman and four other members shall form a quorum at any meeting of the body; provided that where the Chairman -is absent five other members shall form a quorum.</p> |
| Validity of Proceedings | 24. | <p>(1) The proceedings of the body shall not be invalidated by</p> <ul style="list-style-type: none">(a) any vacancy in its membership or;(b) any defect in the appointment of any member, or(c) by any reason only that the person not entitled to take part in the proceedings took part in such meeting. |
| Questions How Decided | 25. | <p>(1) Any question put before the body at a meeting shall be decided.</p> |

- by a majority of the vote of the members present and voting.
- (2) In the event of members being equally divided on any question, the Chairman may exercise a casting vote.
26. The bodies to which this part is applicable includes the Board, the Neighbourhood Associations and the Watch Groups.
- Application of this Part

PART V
FUNDING OF THE BOARD, ASSOCIATION AND WATCH GROUPS

27. Source of Funds of the Board, Associations and Watch Groups are as set out in schedule I.
- Source of Funds
28. (1) Any money received on behalf of the Board Association and Watch Group shall be formally and properly documented in accordance with the principles of accounting Procedure.
- (2) The Board shall maintain a bank account with a minimum of three co-signatories with the withdrawal mandate of at least two signatories which must include the Chairman.
- (3) The Board, Association and Watch Group shall maintain the highest level of accountability in financial transactions by ensuring that any fund collected and expended shall be used for the purposes for which they are meant.
- (4) The Board may, to the extent affordable, based on the principle of equity, motivate and reward members of the Watch Groups for services rendered.
- (5) The funds of the Board, Association and Watch Group shall be used for:
- (a) *development;*
- (b) *welfare;*
- (c) *safety and security of the neighbourhood.*
- (6) Any levy or due chargeable by the Board, Association and Watch Group shall receive the prior written approval from the Commissioner.
- (7) The Watch Group may reject gifts, donations, grants and presentations which are:
- (i) inconsistent with the spirit and provisions of this law;
- (ii) not in the best interest of the neighbourhood.
- (8) Notwithstanding the provisions of this Section, the Commissioner may on the recommendations of the Town Union concerned approve the levies, dues and fines for use by the watch group.
- Accountability

PART VI USE OF FORCE BY WATCH GROUPS AND CODE OF CONDUCT

- Use of Force
29. (1) A member of the Watch Group shall in appropriate cases use reasonable force in the discharge of his duties.
- (2) A member of the Watch Group shall use force under the following Conditions:
in self-defense or to prevent the commission of a crime, to arrest or prevent the escape of a person presenting danger and risk to public order and security within the neighbourhood.
- (3) The force used shall be proportionately commensurate with the circumstances leading to the use of such force.
- Code of Conduct for Watch Group
30. Members of every Watch Group shall observe and comply with the code of conduct and guideline set out in schedule II.

PART VII USE OF PERSONAL KITS AND EQUIPMENT BY WATCH GROUP

31. (1) Every member of the Watch Group may use and keep any of the following equipment and kits set out in schedule III
- (2) The kits and equipment shall be used only for the purpose designated by the Board.
- (3) The Watch Group may from time to time procure for use any other kit and equipment as it may deem necessary for the discharge of its functions; provided that the procurement shall receive the prior approval of the Commissioner and Police.
- Transition Provision
32. At the commencement of this Law, any watch Group operating within any community as a Watch Group shall be registered with the Ministry and the Police in accordance with the provisions of this law.
- Conditions of Service of Members
33. The conditions of service and remunerations of the members of the Board shall be as indicated in the instrument of their appointments.

PART VIII OFFENCES AND PENALTIES

34. Any person who operates or sponsors the operation of unregistered Watch Group or Association is guilty of an offence and shall on conviction be liable to imprisonment for a period of not less than three years or a fine of N50,000.00. Operation of Unregistered Watch Group
35. Any person who violates the code of conduct of the Watch Group as provided in Schedule II of this Law is guilty of an offence and shall be liable to a fine of N25,000.00 or imprisonment for two years. Violation of Code of Conduct
36. Any person who obstructs or interferes with the members of the Board, Association or Watch Group in the discharge of their duties is guilty of an offence and shall be liable to a fine of N20,000.00 or imprisonment for one year. Obstructions
37. No provision of this Law Shall be construed to exempt any member of the Board, Association or Watch Group from liability for any offence committed by such member. No Exception from Prosecution

PART IX COMPLAINTS

38. Any member of the public or resident of the neighbourhood may lodge a complaint with the Board against the activities of any member of the Watch Group whose conduct is prejudicial to the interest of the neighbourhood. Complaints
39. The Commissioner shall have the powers to make regulations for the operation of this Law. Regulation

SCHEDULE 1 THE SOURCE OF FUNDS

The Board, Association and the Watch Group can raise funds through:

- (a) Gifts;
- (b) Donations from voluntary organization, corporate institutions, etc.
- (c) Grants and presentation from:
 - (i) Government agencies
 - (ii) Individuals:
 - (iii) Residents of the neighbourhood
 - (a) levies, dues fines and subventions from Government:
 - (b) Organized fund raising activities.

SCHEDULE II CODE OF CONDUCT OF NEIGHBOURHOOD WATCH GROUP

The code of conduct to be observed are set out below;

1. *Alertness:* For efficient and effective discharge of his duties of crime prevention, control and maintenance of peace, safety and security of neighbourhood, any suspicious movement or incident which is likely to jeopardize the safety and security of the neighbourhood shall be reported to the police immediately.

2. *Non-Intoxication:* A member of Neighbourhood Watch Group on duty, shall not take alcohol, hard drugs or any other mind alerting drugs capable of influencing his behaviour or impairing his judgment, vision or movement.

3. *Approachability:* A member of Neighbourhood Watch Group shall be accessible, courteous, approachable and friendly to residents of the Neighbourhood who need his service and assistance.

4. *Professionalism:* A member of Neighbourhood Watch Group shall always conduct himself in a manner that portrays confidence, competence and professionalism.

5. *Integrity:*

(1) A member of the Neighbourhood Watch Group shall conduct himself in a manner that is free of corrupt practices;

(2) He shall be seen to be fair, trust worthy and accountable in the discharge of this duties without discrimination on the basis of ethnicity, religion, language, gender, political opinion and circumstance of birth or other status.

6. *Non Violence:*

(1) A member of the Neighbourhood Watch Group shall not use force in the discharge of this duty unless when it is absolutely necessary, provided that such force when used shall be in proportion to the lawful objectives.

(2) It is unlawful for any Neighbourhood Watch Group member to use any form of torture, brutality and use of violence of any form in the discharge of his duties in the course of obtaining confessional statements from a suspect.

7. Identification: A member of a watch group shall be identified by a name tag, uniform, identification card or any other apparatus as approved by the Ministry.
8. Confidentiality:
- (a) The following society information shall be kept confidential for security purposes:
 - (i) operational strategies:
 - (ii) vital information obtained in the course of investigations
 - (iii) identity of informants
 - (a) The information shall only be disclosed to Police or other person authorized by the court to have access to such information.
9. Punctuality: Punctuality shall be highly observed by members.

SCHEDULE III
USE OF PERSONAL KITS AND EQUIPMENT

- (a) A photographic identification card or tag.
- (b) A Uniformed operational dress.
- (c) A rain coat
- (d) A torch light.
- (e) A whistle.
- (f) An electronic wireless communication device or radio (if authorized)
- (g) A patrol vehicle
- (h) Long baton.

This printed impression has been carefully compared by me with the Bill which has been passed by the House of Assembly of Enugu State of Nigeria, and is found by me to be a true and correctly printed copy of the said Bill.

ABEL CHUKWU
Speaker of the House of Assembly

HERBERT E. UDEH
Clerk of the House of Assembly

ASSENTED to this.....day of..... 2006

CHIMAROKÉ NNAMANI, M.D
Governor of Enugu State



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