

# A BILL

## FOR

AN ACT TO AMEND THE NIGERIAN COMMUNICATIONS COMMISSION ACT 2003 TO EMPOWER THE POLICE AND SECURITY AGENCIES TO TRACK, INTERCEPT, MONITOR CONVERSATIONS AND TEXT MESSAGES INVOLVING SUSPECTED TERRORISTS, KIDNAPPERS AND FOR RELATED MATTERS

*Sponsored by Hon. Nnamdi Ezechi*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1           1. The Nigerian Communications Commission Act, (herein Amendment of  
2 referred to as "the Act" is amended as set out hereunder. the Principal Act

3           64A. POWERS OF THE POLICE TO TRACK, INTERCEPT, MONITOR  
4 AND RECORD TERRORIST AND KIDNAPPER SUSPECTS  
5 Immediately after section 64, insert a new section 64A thereof as follows-

6           (1) Without prejudice to other provisions of this Act, the police, in  
7 the course of investigating a crime of terrorism, kidnapping or in a bid to  
8 stall a proposed plan to commit an act of terrorism, kidnapping shall have  
9 powers to seek and obtain an order of the court that will enable the police  
10 direct any licensee or communication service provider operating in Nigeria  
11 to track, intercept, monitor or/and record any voice conversation or text  
12 message involving any person suspected to be involved in terrorism,  
13 kidnapping either by way of direct commission, aiding, abetting,  
14 sponsoring, or laundering money for terrorists or kidnappers.

15           (2) The powers of the police prescribed in sub-section 1 above may  
16 be exercised by the police either by:

17           (a) requesting in writing that a licensee or communication service  
18 provider should within a stated period forward to the police recorded voice  
19 conversation or text message involving a suspect(s) named in the order

1 referred to in sub-section 1 herein for a specified period;

2 (b) or in conjunction with the licensee track, intercept, monitor and  
3 record any voice conversation involving the suspect(s) named in the order  
4 referred to in sub- section 1 herein.

5 (3) The police shall within 30 days after obtaining the order from the  
6 court, and before taking further steps in respect of its findings, deliver reports to  
7 the judge on its findings; the Judge shall consider the report and extend the  
8 order to enable the police continue and conclude its investigation on the matter  
9 if in the judge's opinion, there are good grounds to believe that the activities of  
10 the suspects relate to terrorism, kidnapping otherwise, he shall vacate the order.

11 (4) The report referred to in sub section 3 of this section shall include  
12 any recorded conversation and print-out of relevant text messages gathered  
13 during the investigation.

14 (5) The provision of this section shall be in force for a period of one  
15 year subject to further legislative action by National Assembly.

Citation

16 2. This Bill may be cited as the Nigerian Communications  
17 Commission (Amendment) Bill, 2023.

#### EXPLANATORY NOTES

This Bill seeks to amend the Communications Commission Act 2003 to empower the police and security agencies to track, intercept, monitor and record conversations and text messages involving suspected terrorists or kidnappers.