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The following is published as supplement to this *Gazette* :

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**TRAFFICKING IN PERSONS (PROHIBITION)  
ENFORCEMENT AND ADMINISTRATION ACT, 2015**



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SCHEDULE

**TRAFFICKING IN PERSONS (PROHIBITION)  
ENFORCEMENT AND ADMINISTRATION ACT, 2015**

**ACT No. 4**

AN ACT FOR AN ACT TO REPEAL THE TRAFFICKING IN PERSONS (PROHIBITION)  
LAW ENFORCEMENT AND ADMINISTRATION ACT, 2003 AS AMENDED AND TO  
ENACT THE TRAFFICKING IN PERSONS (PROHIBITION), ENFORCEMENT AND  
ADMINISTRATION ACT TO PROVIDE MEASURES AGAINST TRAFFICKING ;  
AND FOR RELATED MATTERS.

[26th Day of March, 2015]

Commence-  
ment.

ENACTED by the National Assembly of the Federal Republic of Nigeria—

PART I—OBJECTIVES

1. The Objectives of this Act are to—

Objectives.

(a) provide an effective and comprehensive Legal and Institutional framework for the prohibition, prevention, detection, prosecution and punishment of human trafficking and related offences in Nigeria ;

(b) protect victims of Human Trafficking ; and

(c) promote and facilitate National and International co-operation in order to meet the Objectives set out in paragraphs (a) and (b) of this Section.

PART II—ESTABLISHMENT OF THE NATIONAL AGENCY FOR THE  
PROHIBITION OF TRAFFICKING IN PERSONS

2.—(1) There is established the National Agency for the Prohibition of Trafficking in Persons (in this Act referred to as “the Agency”).

Establishment  
of the  
National  
Agency for  
the  
Prohibition  
of  
Trafficking  
in Persons.

(2) The Agency shall be a Body Corporate—

(a) with perpetual succession and a common seal ;

(b) which may sue or be sued in its corporate name ; and

(c) which may acquire, hold, purchase, mortgage and deal howsoever with property, movable or immovable, real or personal.

3.—(1) There is established for the Agency, a part time Governing Board (in this Act referred to as “the Board”).

Establishment  
and  
Composition  
of the  
Governing  
Board.

(2) The Board shall consist of—

(a) a Chairman who shall be a person with knowledge and experience in matters related to counter-trafficking in persons ;

(b) two representatives of Civil Society-based Organizations involved in matters relating to trafficking in persons ;

(c) a representative each of the following Institutions or Agencies who shall be within the Directorate Cadre—

- (i) Federal Ministry of Justice ;
- (ii) Federal Ministry of Women Affairs ;
- (iii) Federal Ministry of Labour and Productivity ;
- (iv) Nigeria Police Force ;
- (v) National Intelligence Agency ;
- (vi) Nigeria Immigration Service ; and
- (vii) National Planning Commission ;

(d) the Director-General and Chief Executive Officer of the Agency who shall be the Secretary to the Board.

(3) The Chairman and other Members of the Board shall be appointed by the President on the recommendation of the Minister.

First  
Schedule.

(4) The provisions of the First Schedule to this Act shall have effect with respect to the proceedings of the Board and other matters mentioned therein.

Tenure of  
Office of the  
Chairman  
and members  
of the Board.

4.—(1) The Chairman and Members of the Board shall hold Office for a term of four years and may be eligible for re-appointment for another term of four years and no more.

(2) The Office of the Chairman or a Member of the Board shall become vacant where—

- (a) his term of Office expires ;
- (b) he resigns his Office by a notice in writing under his hand addressed to the President ;
- (c) he dies ;
- (d) the Board by resolution declares the seat vacant because he—
  - (i) has been absent from the Board meetings for four consecutive times without the permission of the Board ;
  - (ii) becomes a person of unsound mind or incapable of carrying out his duties ;
  - (iii) has been declared bankrupt or he makes compromise with his creditors ;
  - (iv) is incapacitated by physical or mental illness ;
  - (v) has been convicted of a felony or any offence involving dishonesty ;

(vi) is guilty of gross misconduct relating to his duties ; or

(e) in the case of an ex-officio member, he ceases to hold the Office on the basis of which he became a member of the Board.

(3) Notwithstanding the provisions of subsection (2) of this Section, the President may remove a member from the Board if he is satisfied that it is not in the interest of the Agency or Public for the person appointed to continue in Office.

(4) Where a vacancy occurs in the membership of the Board, the President shall appoint a successor to hold office for the remainder of the Term of Office of his predecessor and the successor shall represent the same interest as that member whose exit created the vacancy.

5. The functions of the Agency shall be to—

Functions of  
the Agency.

(a) enforce and administer the provisions of this Act ;

(b) co-ordinate and enforce all other Laws on Trafficking in Persons and related offences ;

(c) adopt effective measures for the prevention and eradication of trafficking in persons and related offences ;

(d) establish co-ordinated preventive, regulatory and investigatory machinery geared towards the eradication of trafficking in persons ;

(e) investigate all cases of trafficking in persons including forced labour, child labour, forced prostitution, exploitative labour and other forms of exploitation, slavery and slavery-like activities, bonded labour, removal of organs, illegal smuggling of migrants, sale and purchase of persons ;

(f) encourage and facilitate the availability and participation of persons who voluntarily, consent to assist in investigations or proceedings relating to trafficking in persons and related offences ;

(g) enhance the effectiveness of Law Enforcement agents and other partners in the suppression of trafficking in persons ;

(h) create public enlightenment and awareness through seminars, workshops, publications, radio and television programmes and other means aimed at educating the public on the dangers of trafficking in persons ;

(i) establish and maintain communications to facilitate rapid exchange of information concerning offences under this Act ;

(j) conduct research and strengthen effective legal means of international co-operation in suppressing trafficking in persons ;

(k) implement all bilateral and multilateral treaties and conventions on trafficking in persons adopted by Nigeria ;

(l) strengthen co-operation and conduct joint operations with relevant Law Enforcement and Security Agencies, International Authorities and other relevant partners in the Eradication of Trafficking in Persons ;

(m) co-ordinate, supervise and control—

(i) the protection, assistance and rehabilitation of trafficked persons ; and

(ii) all functions and activities relating to investigation and prosecution of all offences connected with or relating to trafficking in persons ;

(n) adopt measures to identify, trace, freeze, confiscate or seize proceeds, property, funds or other assets derived from trafficking in persons or related offences ;

(o) conduct research on factors responsible for internal and external trafficking in persons and initiate programmes and strategies aimed at the prevention and elimination of the problem ;

(p) facilitate rapid exchange of scientific and technical information concerning or relating to trafficking in persons ;

(q) collaborate with Government Bodies both within and outside Nigeria whose functions are similar to those of the Agency in the area of the—

(i) movement of proceeds or properties derived from trafficking in persons and other related offences ;

(ii) identities, location and activities of persons suspected of being involved in trafficking in persons and other related offences ; and

(iii) exchange of personnel and other experts ;

(r) establish and maintain a system for monitoring trans-border activities relating to trafficking in persons in order to identify suspicious movements and persons involved ;

(s) deal with matters connected with the extradition and deportation of persons involved in trafficking in persons and other mutual legal assistance between Nigeria and any other Country in Trafficking in Persons, subject to the supervision of the Minister ;

(t) initiate, develop and improve special training programmes for personnel of the Agency and relevant Law Enforcement Agents charged with the responsibility of detecting offences created under this Act ; and

(u) carry out such other activities as are necessary for the efficient discharge of the functions conferred on it under this Act.

Powers of  
the Agency.

**6.** The Agency shall have the power to—

(a) investigate whether any person, body or entity has committed an offence under this Act or the offence of trafficking under any other law ;

(b) enter into any premises, property or conveyance for the purpose of conducting searches in furtherance of its functions under this Act or under any other law ;

(c) arrest, detain and prosecute offenders under this Act or any other law on trafficking in persons in Nigeria ;

(d) trace, seize, detain or retain the custody, for the purpose of investigation and prosecution, of any property which the Agency reasonably believes to have been involved in or used in the commission of offences under this Act or any other law ;

(e) seal up premises upon reasonable suspicion of such premises being involved with or used in connection with offences under this Act ; and

(f) seek and receive information from any person, authority, corporation or company without hindrance in respect of the enforcement of any of the provisions of this Act.

7.—(1) The Board shall—

(a) formulate and provide general policy guidelines for the discharge of the functions of the Agency ;

(b) monitor and ensure the implementation of the policies and programmes of the Agency ; and

(c) carry out such other functions as are necessary or expedient to ensure the efficient performance of the functions of the Agency under this Act.

(2) The Board shall have power to—

(a) approve rules and regulations relating to the appointment, promotion and disciplinary measures for the employees of the Agency ;

(b) fix the remuneration, allowances and benefits of the employees of the Agency subject to the approval of the Salaries and Wages Commission ; and

(c) regulate its proceedings and make standing orders with respect to the holding of its meetings, notices to be given, the keeping of minutes of its proceedings and such other matters as the Board may, from time to time, determine.

8.—(1) There shall be for the Agency, a Director-General who shall be from the Directorate Cadre in the Public Service of the Federation or its equivalent in any law enforcement service and shall be appointed by the President on the recommendation of the Minister.

Functions  
and Powers  
of the Board.

Appointment  
and tenure of  
the Director-  
General.

(2) The Director-General shall—

- (a) be the chief executive and accounting officer of the Agency ;
- (b) be responsible for the day-to-day administration of the Agency ;
- (c) keep the books and records of the Agency ; and
- (d) be the Secretary to the Board.

(3) The Director-General shall hold office for a term of four years in the first instance and may be eligible for re-appointment for another term of four years and no more.

Other staff  
of the  
Agency.

9.—(1) The Agency may, from time to time, appoint such other staff as it may deem necessary, to assist the Agency in the performance of its functions under this Act.

(2) The staff of the Agency appointed under subsection (1) of this section shall be appointed on such terms and conditions of service as the Agency may determine in accordance with the approved government policy.

(3) The staff of the agency shall be public officers as defined in the Constitution of the Federal Republic of Nigeria.

(4) The Agency may, subject to the provisions of Section 9(2) of this Act and the approval of other relevant agencies, make staff regulations relating generally to the conditions of service of its employees providing for—

- (a) the appointment, promotion and staff discipline ;
- (b) appeals by employees against disciplinary measures ; and
- (c) such other matters to ensure the efficient performance of the functions of the Agency under this Act.

(5) Staff regulations and conditions of service made under subsection (4) of this section shall not have effect until it is published in the *Gazette* and website of the Agency.

(6) Until the staff regulations and conditions of service under subsection (4) of this section are made, any instrument relating to the conditions of service applicable to the Civil Service of the Federation shall be applicable to the Agency with such modifications as may be considered necessary by the Agency from time to time.

Service in  
the Agency  
to be  
pensionable.

10.—(1) Service in the Agency shall be public service for the purpose of the Pension Reform Act and accordingly, officers and other staff of the Agency shall, in respect of their service in the Agency, be entitled to such pension and retirement benefits as are prescribed in the Pension Reform Act.

(2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of pension and retirement benefits in respect of that office.

(3) For the purpose of the application of the provisions of the Pension Reform Act, any power exercisable by a Minister or other authority of the Government of the Federation (not being the power to make regulations under section 76 of this Act) are hereby vested in and shall be exercisable by the Board.

11.—(1) For the effective conduct of the functions of the Agency, there shall be established for the Agency the following Special Departments—

Establishment  
of Special  
Departments.

- (a) Investigation and Monitoring Department ;
- (b) Legal and Prosecution Department ;
- (c) Public Enlightenment Department ;
- (d) Counselling and Rehabilitation Department ;
- (e) Research and Programme Development Department ;
- (f) Training and Manpower Development Department ; and
- (g) such other Departments as the Agency may establish with the approval of the Board from time to time.

(2) Notwithstanding the provisions of subsection (1) of this section, the Agency shall have powers to —

- (a) set up units, technical committees, working groups and task forces to assist the Agency in the performance of its duties and functions under this Act ; and
- (b) make changes to its structure with the approval of the Board.

(3) There shall be appointed for each of the Special Departments a Principal Officer who shall be known by such designation as the Agency may determine.

12.—(1) The Investigation and Monitoring Department shall—

- (a) be responsible for the prevention and detection of offences under this Act ;
- (b) collaborate with the Nigeria Immigration Service and other relevant law enforcement agencies in charge of entry and exit for the purpose of detecting offences under this Act ;

Duties of the  
Special  
Departments.

