

# CHAPTER L9 - LOCAL GOVERNMENT STAFF PENSIONS BOARD LAW

## ARRANGEMENT OF SECTIONS

### SECTION

1. Short title.
2. Interpretation.
3. Establishment of the Local Government Staff Pensions Board.
4. Composition of the Boards.
5. Proceedings.
6. Functions of the Board.
7. Payments of allowances to members of the Board.
8. Secretary to the Board.
9. Co-option of members.
10. Annual reports.
11. Loans.
12. Execution of documents.
13. Signification and execution of powers of Board.
14. Standing orders.

## LOCAL GOVERNMENT STAFF PENSIONS BOARD LAW

A Law to establish a pensions board for employees of local governments in the State.

[KWS 7 of 1989, No. 4 of 2006.]

[Date of commencement: *1st June*, 1989]

1. **Short title**

This Law may be cited as the Local Government Staff Pensions Board Law.

[No. 4 of 2006.]

## **2. Interpretation**

In this Law, unless the context otherwise requires—

"**Commissioner**" means the Commissioner for the time being assigned with the responsibility of Supervising the Board;

"**Governor**" means the Governor of the State;

"**Member**" means a Member of the Board;

"**the Board**" means the Local Government Staff Pensions Board established under section 3 of this Law; and

"**the State**" means the Kwara State of Nigeria.

## **3. Establishment of the Local Government Staff Pensions Board**

(1) There is hereby established a board to be known as the Local Government Staff Pensions Board (hereinafter referred to as "the Board").

(2) The Board shall be a body corporate with perpetual succession and a common seal and shall have power to sue and be sued in its corporate name and to acquire, hold and dispose of movable and immovable property for the purpose of its functions under the Law.

[No. 4 of 2006.]

## **4. Composition of the Boards**

(1) The Board shall comprise of a Chairman, who shall be the Local Government Service Commission Chairman, and the following members namely:

(a) the Permanent Secretary, Ministry of Local Government or his representative not below Grade Level 14;

(b) the Permanent Secretary of Ministry of Finance and Economic

Development or his representative not below Grade Level 14;

- (c) the Permanent Secretary, Establishment and Training Division, or his representative not below Grade Level 14;
- (d) a representative of the Nigeria Union of Local Government Employees;
- (e) two other members to be appointed by the Governor at his discretion.

[No. 4 of 2006.]

- (2) The Chairman and all members shall be appointed by the Governor.

## **5. Proceedings**

No act or other proceedings of the Board shall be invalidated by reason of any vacancy among its members or by reason of any defect in the appointment of a member.

## **6. Functions of the Board**

The functions and powers of the Board shall include—

- (a) the establishment of a Pension Fund for Local Government Staff;
- (b) making arrangement for the collection of contribution to the Pension Fund, accounting for and payment of benefits therefrom;
- (c) receiving all funds which may from time to time be appropriated by the Governor for the purpose of this Law and to apply such funds in accordance with the terms and conditions which may be attached to the grant thereof and in accordance with the provisions of this Law;
- (d) receiving all other monies which may be obtained by or given to the Board or derived from any other source and to apply such monies exclusively in furtherance of the purposes of this Law and in accordance with any terms and conditions upon which such monies may be obtained, given or derived;

- (e) approving the rules and procedure for dealing with applications for payments from the fund;
- (f) approving applications for grant of retirement benefits after certification by the State Auditor-General;
- (g) reviewing the cash position of the fund and directing investments as may be necessary in order to maximise the yield of the fund subject to approval of the Commissioner;
- (h) authorising loan to or from the fund;
- (i) authorising any administrative expenses considered necessary for the efficient administration of the funds on the basis of approved estimates by the State Government;
- (j) ensuring that the payment of contributions into the fund by Local Governments is made by way of deductions at source;
- (k) ensuring that the liability of the fund shall be limited to retiring benefits of members of the unified Local Government service such that the awards and payments under the Pension Fund shall be in accordance with Pensions Act and conditions consistent with the existing national policy on pensions and gratuities;
- (l) ensuring that special and early attention is paid to record keeping and check-off system;
- (m) fixing of effective database in respect of serving and retired local government staff;
- (n) submission of annual report and annual financial statement.

[No. 4 of 2006.]

## **7. Payments of allowances to members of the Board**

The Board may pay to any member (not being an ex officio) such allowances as the Commissioner may determine.

#### **8. Secretary to the Board**

(1) There shall be a Secretary to the Board who shall be an officer deployed from the State Civil Service and who shall have such qualifications and experience as are appropriate for a person required to perform the functions of his office by virtue of this Law.

(2) The Secretary shall perform such functions as may from time to time be assigned to him by the Board.

(3) The Board may have such other officers deployed to it to assist the Secretary in the exercise of his functions under this Law.

#### **9. Co-option of members**

Where upon any special occasion, the Board desires to obtain the advice of any person on any matter, the Board may co-opt such a person to be a member for such meetings as may be required and such person shall, while so co-opted, have all the rights and privileges of a member save that he shall not be entitled to vote upon any question.

#### **10. Annual reports**

The Board shall not later than 28th February of any year following, submit to the Commissioner an annual report of its operations and activities including the audited statement of account for the preceding year ending 31st December.

#### **11. Loans**

The Board shall in the exercise of its power to grant loan be subject to the directive, procedure, terms and conditions as may be determined by the Commissioner.

#### **12. Execution of documents**

(1) Any contract or instrument which if entered into or executed by a person not

being a body corporate would not be required to be under seal may be entered into or executed on behalf of the Board by any staff of the Board who is so authorised.

(2) The affixing of the seal of the Board shall be authenticated by the signature of the Chairman or in his absence, the Secretary, or some other person authorised generally or specifically by the Board to act for the purpose.

(3) Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall until the contrary is proved, be deemed to be so executed.

### **13. Signification and execution of powers of Board**

Anything required to be done by the Board under this Law, in relation to its powers and duties, may be signified under the hand of the Chairman or in his absence, the Secretary.

### **14. Standing orders**

The Board may make standing orders for the purpose of regulating its own proceedings.

## **CHAPTER L9**

### **LOCAL GOVERNMENT STAFF PENSIONS BOARD LAW**

#### **SUBSIDIARY LEGISLATION**

---

*No Subsidiary Legislation*

---

