



LAGOS STATE GOVERNMENT

# **PUBLIC SERVICE RULES**

REVISED TO 1st JANUARY, 2015



## FOREWORD

It seems trite to contend that there is nothing that fairly mirrors the image, perception and indeed the effectiveness of any Government like the image, perception and effectiveness of its Public Service. I have heard people refer to the word "bureaucracy" as if it was itself a bad thing. Checking up on the meaning of the word confirms what I already knew. It refers to a body of rules, procedures and processes by which things are done.

In my opinion this is a good thing. A large workforce like the Lagos State Public Service, inclusive of its Local Government employees, numerous Parastatals and Commissions comprising over one hundred thousand people, employed to relate with members of the public, provide services and solve problems, require *Rules of Engagement*. Without clear processes, rules and procedures, their conduct within and with members of the public would be simply chaotic. The "bureaucracy", the rules, processes and procedures for the conduct of Public Service are contained in the "Public Service Rules" and this is a good thing.

What needs to be borne in mind is that society is evolving daily, people are changing, their needs are changing, technology is also having a huge impact in how things are being done. It is when the *rules* do not catch up with these changes that difficulties may arise and "bureaucracy" may become counter-productive.

Since the return of democratic governance in 1999, a lot of reforms have taken place in Lagos State, making the Lagos State Public Service the pack leader in developmental initiatives. Unfortunately, the existing Civil Service Rules was last reviewed in 1982. Between then and now, reforms in Pension Administration, application of technology, adoption of Oracle software and business processes, unique Identity Numbers for Public Officers, extension of Maternity Leave for female officers from 3 months to 6 months with full pay, and the introduction of Paternity Leave for male officers have taken place. Service Charters and Mission Statements have now become part of the operational ethos of Ministries, Departments and Agencies of the Lagos State Government.

I have had cause to utilize Executive Orders or cause the issuance of Circulars to bring these developments in conformity with the existing Rules. In the circumstances, the necessity to revise the existing Rules becomes compelling. The new Public Service Rules is the outcome of the initiative to bring our bureaucracy in conformity with changing local and global trends.

The change of nomenclature from "Civil Service Rules" to "Public" Service Rules is an attempt to make the rules applicable to Parastatals, Commissions and other Agencies of Government that have hitherto not been considered part of the main Civil Service; because Ministries, Departments and Agencies of Government are inter-connected and inter-dependent, it is important

that they all operate by a uniform set of processes and procedures in Human Resource Management.

The road to these new Rules is somewhat long. It started with the tenure of Yakub Abiodun Balogun as Head of Service, continued during the tenures of Adesegun Ogunlewe and Josephine Oluseyi Williams as Heads of Service and we reach a glorious completion during the tenure of Folashade Jaji as Head of Service. I am grateful to all of them, the Office of Establishments and Training (the custodian), their staff, members of various Committees who contributed selflessly to the evolution of these new Rules and the State Executive Council members who debated and passed the motion for adoption and implementation.

I can only now commend the new Rules to the entire Public Servants in the hope that they will improve the service delivery capacity of the Lagos State Public Service.

*(Sgd)*

**Babatunde Raji Fashola (SAN)**

*Governor of Lagos State,*

*Governor's Office,*

*Ikeja.*

## **PREAMBLE**

This document is the product of intensive review of the rules and regulations guiding career management in the State Public Service. Without any iota of doubt, several reform programmes have been undertaken in the Lagos State Public Service since the advent of civilian rule in May 1999 and it is only logical that they be adequately accommodated in the new Public Service Rules.

2. Lagos State Public Servants are therefore enjoined to fully acquaint themselves with these Rules, which should be applied alongside corresponding Executive Orders, Instruments, Gazettes, Circulars and Notices as we are duty bound to operate in accordance with all Laws and Procedures guiding Public Service Management, Public Finance Management as well as Policies and Strategies in the State to ensure due diligence through transparency, accountability and probity in the conduct of Government business.

3. Accordingly, our attention is being drawn to the following guidelines, which should be taken into account while going through these Rules:

(i) **Method of Numbering**

Each Rule has been accorded a six-digit number. The first two indicate the Chapter; the next two, the Section; and the last two, the Rule Number. (e.g. 130201 is the First Rule in the second Section of the thirteenth Chapter or Rule One, Section Two of Chapter Thirteen.)

(ii) **Arrangement of Chapters, Sections and Rules**

There are eighteen Chapters arranged as listed in the Table of Contents

(iii) **Amendments**

Amendments to these Rules shall be effected through Circulars, which will be issued from time to time.

(iv) **Review of the Public Service Rules**

This treatise shall be reviewed periodically to update the provisions of the Rules.

4. This Public Service Rules should be widely circulated and made available to all categories of Public Servants in Lagos State as they are required to familiarize themselves with its contents.

*(Sgd)*

**‘Shade Jaji (Mrs.)**

Head of Service,

Office of the Head of Service,

The Secretariat,

Alausa, Ikeja.

*(iii)*

**TABLE OF CONTENTS**

Foreword..	..	..	..	..	..	..	..	i-ii
Preamble	..	..	..	..	..	..	..	iii
Index ..	..	..	..	..	..	..	..	vi-xxiv
<b>Chapter</b>	<b>Subject</b>							<b>Page</b>
1.	Introduction	..	..	..	..	..	..	1
2.	Appointments and Exit from the Service	..	..	..	..	..	..	7
3.	Acting Appointments ..	..	..	..	..	..	..	34
4.	Discipline ..	..	..	..	..	..	..	36
5.	Salaries and Increments	..	..	..	..	..	..	67
6.	Staff Performance Evaluation	..	..	..	..	..	..	70
7.	Prescribed Examinations for Confirmation/Promotion..	..	..	..	..	..	..	76
8.	Medical / Dental Treatment and Procedures ..	..	..	..	..	..	..	81
9.	Compensation, Insurance Scheme and Personal Effects .	..	..	..	..	..	..	95

---

10.	Grievances and Petitions / Appeals	..	..	..	..	..	99
11.	Occupation of Government Quarters	..	..	..	..	..	103
12.	Leave	...	..	..	..	..	108
13.	Free Transport Facilities within Government	...	..	..	..	..	120
14.	Duty and Courses of Instruction within and outside Nigeria	..	..	..	..	..	127
15.	Allowances	..	..	..	..	..	133
16.	Innovations/Inventions and Awards Committee	..	..	..	..	..	144
17.	Reward for Outstanding Work.	..	..	..	..	..	147
18.	Application of the <i>Public Service Rules</i> to Lagos State Government Parastatal Organisations	..	...	..	..	..	148

## **INDEX**

### **CHAPTER 1**

#### **INTRODUCTION**

Application	010101
Special Definitions	010102
Application of Public Service Rules to Female Civil /Public Servants.	010105
Public Service Rules to form part of inventory items	010107

### **CHAPTER 2**

#### **APPOINTMENTS AND EXIT FROM SERVICE**

##### **Section I - General**

Appointment to Senior Posts	020102
Appointment to Junior Posts	020103
Authority for Appointment	020104
Incremental date	020105
Seniority	020106
Unpaid staff prohibited	020107
Personal Records	020108
Date of birth	020108

##### **Section 2 – Recruitment**

Definition	020201
Types of Appointment	020202
Trainee or pupil	020203
Probation	020204
Eligibility for Appointment	020205
Prior approval in certain cases.	020206
Procedure for appointment	020207
Personal Particulars	020208
Change of name owing to marriage	020208
Oath of Secrecy	020209
Secret society: prohibition of membership	020210
Contravention	020211

##### **Section 3 – Rules for Appointment on Probation**

Period of probation	020301
Compulsory examination	020302
Confirmation or termination at the end of probationary period	020303



**Section 4 – Rules for Appointment on Contract**

Definition	020401
Rules for Appointment on Contract	020402
Duration of Contract Appointment-	020403
Termination during current contract	020404
Re-engagement: Responsibility of Contract Officer	020405
Re-engagement: Responsibility of Permanent Secretary/ Head of Extra Ministerial Department/Agency	020406
Earlier notification of non-re-engagement	020407
Continuity of contract service	020408
Deferred leave	020409
Incremental date	020410
Appointment of retired officers on contract	020411
Promotion	020412

**Section 5 – Secondment, Transfers, Conversion and Advancement**

Definitions	020501
Procedure	020501
Emoluments during Secondment	020501
Conditions to be met for transfer	020502
Posting of Officers outside their professional cadres prohibited	020502
Conversion on Senior posts	020503
Conversion on Junior posts	020503
Requirements for Conversion to the Administrative Officer cadre	020504
Salary on Advancement	020506

**Section 6 – Promotion**

Eligibility	020601
Procedure	020601
From Junior to Senior Post	020603
Effective Date	020604
Notional promotion	020606
Promotion of a Contract Officer	020607

**Section 7 – Exit from the Service**

Termination of appointment during probationary period	020701
---	--------

Relinquishment of Appointment during probationary period	020702
Termination	020703
Resignation	020704
Leaving the Service during a leave year	020705
Pregnancy not a condition for exit	020705
Leaving the Service on grounds of failing an examination or abolition of office or re-organization	020706
Compulsory pension Contribution	020707
Processing of terminal benefits: guidelines	020708
Statutory Retirement	020709
Ways of leaving the Service	020710
Attendance at mandatory pre-retirement seminar	020712

#### **Section 8 – Certificate of Service**

Authority	020801
Forms	020802
Purpose	020803
Timing	020804

#### **Schedule (of engagement)**

Duties
Emoluments
Ill-health
Dismissal
Termination of Engagement
Liability to make good damage
Further employment
Gratuity
Leave

#### **APPENDIX 3**

#### **CONTRACT AGREEMENT FOR A NON - NIGERIAN MARRIED TO A NIGERIAN CITIZEN**

#### **CHAPTER 3**

#### **ACTING APPOINTMENT**

#### **Section 1 – Introduction**

When made	030101
-----------	--------

Not made unless necessary	030102
Not a form of trial promotion	030103
Procedure	030104
Date of Commencement	030105
Date of Cessation	030106
Effect of Casual or Special Leave	030107
Acting Allowance	030108

**CHAPTER 4****DISCIPLINE****Section 1 – Introduction**

Officers to acquaint themselves with disciplinary rules in force	040101
Authority and delegation	040102
Delegated powers	040105
Postponement of disciplinary proceedings during Maternity Leave	040107

**Section 2 – Obligations of Civil/Public Servants**

Civil Servant to appear before Commission	040201
Relevant documents to be made available to the Commission	040202
Failure to comply with requirements by Commission, a breach of discipline	040203

**Section – 3 General Inefficiency**

Definition	040301
Drawing attention to shortcomings	040302
Removal for general inefficiency	040303
Removal of temporary staff for inefficiency	040304
Withholding of Increment: delegated powers	040305
Withholding of Increment: non-delegated powers	040305
Notification of defects	040306
Effective date of termination for inefficiency	040307

**Section 4 – Misconduct**

Definition	040401
Issuing query	040402
Recommendations of Tribunals of Inquiry	040403
Reporting misconduct	040404
Disciplinary procedure for misconduct and serious misconduct	040405
Notification in writing	040406

Engaging in business after office hours	040407
Working for institutions or Government Agencies during office hours	040408
Fines	040409
Powers of surcharge	040410
Money Lending	040411
Mode of dressing	040412
Unofficial testimonials	040413

**Section 5 – Serious Misconduct**

Definition	040501
Procedure	040504
Interdiction	040505
Responsibility of interdicted officer	040506
Suspension	040507
Dismissal and its Effects	040508
Effective date of dismissal	040509
Officer to report criminal charge and its outcome	040510
Effects of criminal proceedings	040512
Suspension of convicted officers	040513
Absence without leave	040514
Serious financial embarrassment	040515
Oath of Secrecy	040516
Unauthorized disclosure of official information	040517
Abstraction or copying of official documents	040518
Secret personal records	040519
Removal of public records	040520
Removal of historical documents	040521
Publication and public utterances	040522
Political activities	040523
Resignation before seeking elective office	040524
Investments	040525
Prohibition of private practice	040526
Mineral discoveries	040527
Seeking influence of prominent persons	040528
Posting and residence	040529
Paid appointment during leave	040530
Private agency	040531

Statement on appointment	040532
Borrowing money	040533
Presents in recognition of service	040534
Gifts from traditional rulers	040534
Prohibition of bribery and corruption	040535

#### **Section 6 – Conduct Prejudicial to the Security of the State**

Conduct prejudicial to State Security	040601
---------------------------------------	--------

#### **Section 7 – Retirement in Public Interest**

Retirement in Public interest	040701
-------------------------------	--------

### **APPENDIX 4**

#### **Official Secrets Act, Cap. 335**

Commencement	
Protection of Official Information, etc.	
Protection of Defence Establishment e.t.c.	
Restrictions of photography, etc during periods of emergency- Cap. 62	
Control of mail forwarding agencies etc.	
Power to require information as to offences under this Act.	
Search warrants	
Penalties and legal proceedings	
Supplementary provisions as to offence	
Interpretation etc.	
Short title, extent and repeal.	
Cap. 144 of the 1958 Edition	
Limitation of repeal made by Cap. 144 of 1958 Laws of Nigeria, 1962, No. 39	

### **CHAPTER 5**

#### **SALARIES AND INCREMENTS**

##### **Section 1 – Salaries**

Payment of Salaries	050101
Salary on appointment	050102
Salary on transfer from other Government	050103
Salary on promotion within incremental scales	050104

**Section 2 – Increment Rules**

Definition	050201
Increments not as of right	050202
Incremental Date	050203
Grounds for withholding or deferring	050204
Deferred Increment	050205
Withheld Increment	050206
Withheld or deferred increment not restorable	050207
Suspending of Increments	050208

**CHAPTER 6****STAFF PERFORMANCE EVALUATION****Section 1 – General**

Reporting Officer	060101
Performance Appraisal Reports to be detailed and candid	060103
Communication of reports to officers - Letter Day	060104
What to do by Head of Department not familiar with officer reported upon	060105

**Section 2 – Progress Reports on Officers**

Progress Report on Officer on Probation/ Initial Contract	060201
Timing	060202
In Special Cases	060203
Reports on Officers on training courses	060204
Procedure	060205
Secondment to Ministry/Extra-Ministerial Department/ Agency	060206
Secondment to corporation, or State-owned companies	060207

**Section 3 - Rendition of Staff Performance****Appraisal Reports on Officers**

Purpose	060301
Period	060302
Action by officers	060303
Open Reporting System	060305
Department routine	060306

Action by Permanent Secretary/ Head of Extra-Ministerial Department	060307
---	--------

**CHAPTER 7****PRESCRIBED EXAMINATIONS FOR CONFIRMATION/PROMOTION****Section 1 - General**

Textbooks allowed	070101
Examination Committee	070102
Failure to pass examination	070103
Refusal to take confirmation examination	070104
Time of holding Confirmation Examination	070105

**Section 2 – Combined Confirmation/Promotion Examination  
for clerical officers and Clerical Assistants****Section 3 – Compulsory Examination For Administrative Officers**

General	070301
Exemption	070302
General	070303

**Section 4 – Compulsory Examination For Executive Officers (All Cadres)**

Officers who are required to pass	070401
Syllabuses of examination	070402
Examination Fees	070403

**CHAPTER 8****MEDICAL/DENTAL TREATMENT AND PROCEDURES****Section 1 – General**

Definitions	080101
Medical documents to be treated as confidential	080102
Medical examination on appointment	080103
Special medical tests	080104
Medical tests for Officer on Leave of Absence	080105
Procedure	080106

Leave to visit medical specialist/ dentist	080107
<b>Section 2 – Facilities for Medical Treatment</b>	
State Government Medical Facilities	080201
Officer bears expenses	080202
Expenses Refundable in Special Circumstances	080203
<b>TREATMENT ON BOARD SHIP/AIRCRAFT AND ABROAD</b>	
Officers embarked as invalids	080204
Officers falling seriously ill on voyage to or from Nigeria	080205
Medical expenses during overseas leave or on duty	080206
Medical treatment overseas.	080207
<b>PROCEDURE FOR MEDICAL CHECK-UP</b>	
<b>ANNUAL MEDICAL CHECK-UP FOR PUBLIC SERVANT</b>	
Annual Medical Check-up	080210
<b>Section 3 - Absence From duty on Account of Illness</b>	
Types of Medical Certificates	080301
How obtained	080302
Responsibilities of officers: duty to notify address	080303
Duty to report to Employer when sick	080304
Duty to seek and comply with medical advice	080305
Duty to appear before a Medical Board and to comply with recommendations	080306
Who is responsible?	080307
Recording of addresses	080307
Enquiries about absentees	080307
Reporting of staff member's sickness	080307
Instructions to Officer reporting sick	080307
Constitution of Medical Board	080307
<b>RESPONSIBILITIES OF MEDICAL OFFICERS</b>	
When patient attends in person	080308
When Department reports patient unable to attend	080309



When a patient sends private practitioner's report	080310
Reports to Ministries/ Extra- Ministerial Department	080311
<b>SICK LEAVE</b>	
Officer who does not cover his Absence from duty with proper authority	080312
Power to grant an extension of leave to an Officer who is ill	080313
Aggregate sick leave for Officers	080314
Invaliding	080315
Payment to hospitalised officer	080316
<b>Section 4 – Matters relating to Injuries</b>	
Application	080401
Action by injured officer	080402
Action by medical officer	080403
Action by Department	080404
<b>Section 5 – Benefits and Repatriation of Corpses</b>	
Death of Nigerian Officer/ spouse overseas.	080501
<b>CHAPTER 9</b>	
<b>COMPENSATION, INSURANCE SCHEME AND PERSONAL EFFECTS</b>	
<b>Section 1 – Compensation for loss of Private Property</b>	
Personal effects	090101
Motor Vehicles	090102
<b>Section 2 – Passenger Flight Insurance</b>	
Insurance at government's expense	090201
Responsibility for insurance	090202
Stop-over facilities.	090203
Marine Insurance on motor vehicles.	090204
<b>Section 3 – Packing of Personal Effects</b>	
Application	090301
Facilities provided	090302

**Section 4 – Group Life/Group Personal Accident Insurance  
(Welfare Package)**

Definition / Scope of Cover	090401
Insurer	090402
Consideration	090403

**CHAPTER 10  
GRIEVANCES AND PETITIONS/APPEALS****Section 1 - General**

Whistle blowing /Grievance definition	100101
Procedure	100103
Petition to Head of Government	100104

**Section 2 - Petition**

Application	100202
External influence	100203
Identity of petitioner	100204
Petition submitted on behalf of an illiterate	100205
Routing of petition	100206
Number of copies	100207
Disqualification	100208
Delay in petition to be explained	100208
Conclusion of petition	100209

**CHAPTER 11  
OCCUPATION OF GOVERNMENT QUARTERS****Section 1 - General : Occupation of Staff Quarters**

Certain postings necessitate occupation of specific quarters	110101
No compulsion to occupy Government quarters	110102
Government Housing Scheme participants not to be given preference	110103
Condition attached to occupation of State Government quarters: Payment of rent	110104
Subletting prohibited	110105

---

Care of Quarters	110106
Alterations to structure and fixtures prohibited	110107
Removal of furniture prohibited	110108
Notice of vacation	110109
Taking over and handing over	110110
Responsibility for deficiency and damage	110111
Responsibility for payment of utility bills	110112
Responsibility for notifying Electricity and Water Authorities	110113
Vacation of quarters on resignation, transfer, retirement or	
Dismissal	110114
Ejection from Quarters	110114
 <b>Section 2 - Officers holding Senior Posts</b>	
Retention of Government quarters during vacation leave	110201
Rate of Rents	110204
 <b>Section 3 - Officers holding Junior Posts</b>	
Application	110301
Junior Officers not entitled to Government quarters	110302
Retention of Government quarters during vacation leave	110303
Compulsory occupant exempted	110304
Period of rent	110305
 <b>CHAPTER 12 LEAVE</b>	
 <b>Section 1 - Definitions</b>	
Leave	120101
Leave Address	120102
Earned Leave	120103
Leave- Earning Service	120104
Date of resumption	120105
Leave year	120106
Tour	120107
Types of leave	120201
Annual Leave	120202
Annual vacation leave is compulsory	120203
Authority for leave	120204
Dismissal	120205

---

Leave to be on working days only	120206
Casual/Sick Maternity Leave inclusive of Saturdays, Sundays and Public Holidays	120207
Entitlement to leave allowance.	120208
Annual Leave entitlement	120209
Qualifying period for Annual leave	120209
Annual Leave Roster	120210
Approval for vacation	120210
Leave of Permanent Secretaries/ Heads of Extra- Ministerial Departments	120211
Leave without pay to be reported to the Treasury and Audit	120212
Leave for Temporary Staff	120213
Normal grant of annual leave	120214
Approval to spend Annual leave abroad	120215
Leave address	120216
Date of Resumption from Vacation Leave	120217
Curtailment of Leave	120218
Procedure on return from leave	120219
Conditions of leave for new entrants	120220
Officers entitled to pro-rata leave	120221
Deferred leave	120222
Deferment of leave: during exigencies	120223
Count against deferred leave	120224
Special leave for courses of study	120225
Duty during leave	120226
Extension of Leave Ground of Public policy	120227
Urgent Private Affairs	120228
Application for Extension	120229
Leave for Cultural and sporting events	120230
Casual leave	120231
Qualifying period for casual leave	120232
Sick Leave	120233
Maternity Leave	120234
Twenty-Four week Maternity Leave	120235
Twelve-week Adoption Leave	120235
Time-off for Nursing Mothers	120236
Paternity Leave	120237

Leave for Examination	120238
Sabbatical Leave	120239
Study Leave	120240
Types of Study Leave	120241
Study Leave with Pay	120244
Conditions for Study Leave without pay	120245
Leave for Religious purposes	120246
Leave on compassionate grounds	120247
Leave of Absence	120248
Types of leave	120249
Leave of Absence to Join spouse on course of instruction abroad	120250
Leave of Absence to Joint spouse on grounds of public policy	120251
Leave of Absence for Technical Aid Corps Programmes	120252
Leave of Absence for Non-elective Political appointment	120253
Leave of Absence for Spouses of President, Vice President, Governor and Deputy Governor	120254
Leave on retirement	120255
Leave on Permanent invalidation	120256
Leave to attend important trade union conference/ business	120257
Overstaying Leave	120258

**CHAPTER 13 FREE TRANSPORT FACILITIES WITHIN GOVERNMENT****Section 1 - Economy in use of Transport**

Necessity for Journey	130101
Choice of route	130102

**AUTHORITY FOR USE OF TRANSPORT**

How Given	131103
Must be specific and not exceed approved rates	130104
Free transport facilities not transferable	130105
Transport of Orderlies or Personal Assistants	130106
Precaution with use of Waterways	130107

**Section 2 - Free Transport Facilities Available**

General	130201
---------	--------

**TYPES OF JOURNEYS**

Duty Journeys	130202
Journeys to new station	130203
Free transport facilities available for duty journeys	130204
Transport of motor vehicle and auto cycle for repair	130205
Free transport for motor vehicle and motor/auto- cycle	130206

**Section 3 – Miscellaneous rules regarding Free Transport Facilities**

Extra Equipment	130301
Official Documents e.t.c. by Air	130302
Use of Government transport from house to airport, motor parks, etc.	130303

**Section 4 - Standard guidelines for engaging newly-recruited officers with rare skill from overaeas miscellaneous rules for transport facilities at governments**

Eligibility	130401
-------------	--------

**CHAPTER 14****DUTY AND COURSES OF INSTRUCTION WITHIN AND OUTSIDE NIGERIA****Section 1 - General**

Application	140101
Definitions	140101
Interruption of training courses	140102
Bond Agreement	140103

**PROCEDURE**

Obtaining Approval	140104
Briefing of officer	140105
Special duty visit: Effect on Leave	140106

**Section 2 - Duty Visits Outside Nigeria**

Passages	140201
Estacode Supplementation Allowance	140202
Travelling Days	140203

Discharging duties during Vacation Leave, away from normal place of residence	140204
Refund of daily travelling expenses abroad	140205
<b>Section 3 - Courses of Instruction Outside Nigeria</b>	
Conditions	140301
Passage	140302
Courses with special rates	140304
Overseas employment during training courses	140305
<b>EXTERNALLY – ASSISTED COURSES</b>	
Nomination	140306
Conditions	140307
Certain courses to be granted as leave without pay	140308
<b>Section 4 - In-service Training and Local Courses of Instruction</b>	
Definition	140401
In-Service Training	140403
Definition	140404
Local Course Allowance	140405
Mandatory Pre-Retirement Workshop for retiring officers	140406
<b>PART-TIME COURSE OF STUDIES</b>	
Part-time Studies - Approval	140407
<b>CHAPTER 15 ALLOWANCES</b>	
<b>Section 1 - General</b>	
Definition	150101
Types of Allowances	150102
Allowances Subject to Periodic Review	150103
Rent Subsidy - Officers not eligible	150104
Non- Accident Bonus	150105
Keeping of Record of all Accidents	150106
Forfeiture of bonus	150107
When payable	150108
Domestic servants of officers	150109
Allowance of domestic servants	150110

---

Allowance Secretarial Staff	150111
Shift Duty Allowance for non-health professionals	150112
Hotel Accommodation Allowance for newly-appointed, newly-posted officers	150113
Duty Tour Allowance	150114
Entitlement on Duty Visit Outside Nigeria	150118
Estacode Allowance	150119
Estacode Supplementation Allowance	150120
Travelling Days	150121
Local Course Allowance	150123
Book/Project Allowance	150124
Overtime Definition	150126
Authority for Overtime and Entitled Officers	150127
Treatment of officers not qualified for overtime payment	150128
Work-free days	150129
Effect on acting appointment	150130
Limitation of total monthly overtime	150131
Payment for time worked on work-free days	150132
Uniform Allowance	150134
Acting Allowance: When payable	150135
Rates of Acting Allowance	150136
Effect of Acting Appointment on allowance	150137
The effect on certain special remuneration	150138
Officer receiving personal allowances	150139
Contract Officers and re-engaged pensioners	150140
Consolidated Salary	150141
Resettlement Allowance	150142
Resettlement Allowance not an Emolument	150142
Resettlement Allowance: Rate of payment	150143
Definition of Transfer	150144
Not payable if transfer is at officer's request	150145
Part-Time Teaching Allowance:	150146
Full-Time Teaching Allowance	150147
House Master/Mistress Allowance	150148
Science/Mathematics Teaching Allowance	150149
Laboratory Attendants Allowance	150150



**Section 2 - Transport Allowance**

Definition	150201
------------	--------

**Section 3 - Kilometre Allowance Rules**

Limited to official runnings	150301
House to office journeys excluded	150302
Not payable when other transport used	150303
Motor Cycle: Rate of Allowance	150304
Motor Vehicle: Rate of Allowance	150305
Claims for Allowance	150306

**CHAPTER 16****INNOVATIONS/INVENTIONS AND AWARDS COMMITTEE****Section 1 - General**

Appointment	160101
Functions	160102
Procedure	160103
Provisional protection of inventions	160104

**CONTROLLING RIGHT IN PATENTS**

Government's opinion	160105
Rates applicable when the officer is allowed controlling rights	160106
Rates applicable when the officer is not allowed controlling rights	160107

**AWARDS AND SHARE OF COMMERCIAL PROCEEDS**

Determination	160108
Modification	160109
Secrecy	160110

**CHAPTER 17****REWARD FOR OUTSTANDING WORK**

Definition	170001
Basis of awards	170002
Frequency of awards	170003
Nature of awards	170004
Procedure for selection	170005

---

Unique acts	170006
Certificate of merit	170007

**CHAPTER 18****APPLICATION OF THE PUBLIC SERVICE RULES TO LAGOS STATE  
GOVERNMENT PARASTATAL ORGANISATIONS****Section 1 - General**

Definition	180101
Classification	180102
Existing Rules/Conditions of Service	180103

**Section 2 - Boards/Council Matters**

Functions of Boards/Councils	180201
Privileges of Members of Board	180202

**Section 3 - Appointment and Promotions**

Authority for Appointment	180301
Appointment	180302
Authority of approve Promotion	180303

**Section- 4 - Exit From the Service**

Exit from the Service	180401
-----------------------	--------

**Section 5 - Discipline**

Authority to Discipline	180501
General Application	180502
Application to the paramilitary	180503

**Section 6 - Petition and Appeals**

Petition to Head of Government	180601
--------------------------------	--------

## CHAPTER 1

### INTRODUCTION

**010101:** It shall be the duty of every officer to acquaint himself with the Public Service Rules, other regulations and extant circulars. These Rules apply to all officers except where they conflict with specific terms approved by the State Government and written into the contract of employment or letters of appointment. In so far as the holders of the offices of:

**Application**

The Governor;  
The Deputy Governor;  
Rt. Hon. Speaker;  
Chief Judge of Lagos State;  
Hon. Members of the State House of Assembly;  
Hon. High Court Judges;  
The Auditor-General for Lagos State;  
The Auditor-General for Local Governments;  
The Chairmen and Members of the following Executive Bodies, namely:

The State Civil Service Commission;  
The State Judicial Service Commission;  
The State House of Assembly Service Commission;  
The State Teaching Service Commission;  
The State Audit Service Commission;  
The State Lagos State Independent Electoral Commission;  
The State Health Service Commission;  
The State Local Government Service Commission;

and any other similar organs that derive their appointments from the Constitution of the Federal Republic of Nigeria or the Laws of Lagos State are concerned, these rules apply only to the extent that they are not inconsistent with the provisions of the Constitution of the Federal Republic of Nigeria or the Laws of Lagos State in so far as their Conditions of Service and any other law applicable to these officers are concerned.

**010102:** The special meanings, with which various words and terms are used for the purpose of particular chapters and sections in these Public Service Rules, are quoted at the beginning of such chapters or sections.

**Special  
Definitions**

**010103:** Except where otherwise indicated by the context or in special definitions for particular Chapters, the following words and terms are used with the following meanings wherever they occur in this *Public Service Rules*:

**Basic Salary** - a base pay excluding any inducement addition or other forms of allowances.

**Emolument** is the total remuneration package as conveyed in an officer's letter of appointment.

**Child (of a Public Servant)** means a child who:

- (a) is under the age of 18 years; and
- (b) (i) is the officer's biological offspring; or  
(ii) the officer's step-child being the biological offspring of a spouse of the officer; or  
(iii) a child adopted by the officer in accordance with any statutory provision; and
- (c) is entirely dependent on the officer.

**Civil Service** is a body or organ which enjoys continuity of existence and is usually referred to as Government's central bureaucracy. Essentially, it covers Ministries and Extra-Ministerial Departments.

**Public Service** is a body or organ which enjoys continuity of existence. It is made up of the Civil Service, the Teaching Service, the Health Service, the Local Government Service, the Judiciary, Parastatal Organisations, Government-Owned Companies and Tertiary Institutions.

**Ministry** - a Government organization established for the formulation and execution of Government policies and programmes. The political head of the Ministry is the Commissioner while the Permanent Secretary who is a career officer, is the administrative head and Accounting Officer.

**Department/Directorate** - the largest structure of a Ministry or Extra-Ministerial Department responsible for specific activities. It is headed by a Director who is accountable to the Permanent Secretary.

**Extra-Ministerial Department** - a Department established by a

constitutional provision. It is a State Executive body having the same status as a Ministry. Its head reports directly to the Governor. Examples of extra-ministerial bodies include the State Civil Service Commission, Lagos State Independent Electoral Commission, the State Judicial Service Commission, Office of the State Auditor General etc.

**Classified Correspondence** means correspondence graded as **Restricted, Confidential, Strictly Confidential, Secret** or **Top Secret**.

**Established Post** means a post provided for under the Personal Emoluments Sub-Head of the Estimates.

**Gazette** means the Lagos State Official Gazette.

**Administrative and Professional Cadres** mean officers in the State Public Service holding the posts of:

- Director (XXX), G.L. 17
- Deputy Director (XXX), G.L. 16
- Assistant Director (XXX), G.L. 15
- Chief XXX Officer, G.L. 14
- Assistant Chief XXX Officer, G.L. 13
- Principal XXX Officer, G.L. 12
- Senior XXX Officer, G.L. 10
- XXX Officer I, G.L. 09
- XXX Officer II, G.L. 08

and such other posts as may be declared by the authority responsible for Establishments Matters in the State to be posts in the Cadres.

**Contract Appointment** means an engagement of a person to an established office for a tour of two years renewable only once or as stipulated in the terms and conditions of his contract.

**Commission** includes the Lagos State Civil Service Commission and other Boards and Agencies.

**Centrally Deployed Cadre** means the Administrative Officer Cadre, Executive Officer Cadres, Secretarial Cadres, Accountant Cadre,

Procurement Officer Cadre, Engineer Cadre, Architect Cadre, Surveyor Cadre, Information Officer Cadre, State Counsel Cadre, Medical/Dental Officer Cadres, Veterinary /Agricultural Officer Cadres, Internal Auditor Cadre, the Cadres of Statisticians, Auditors, Stores or any other that may be approved by any authority having responsibility for Establishments Matters in the State.

**Civil Servant** means any person or any officer holding or acting in any office in the State Civil Service and over whom the Civil Service Commission or any other similar body can exercise its powers as well as those whose Conditions of Service are covered by the *Public Service Rules*. All Civil Servants are Public Servants but not all Public Servants are Civil Servants. For example, Officers of the Lagos Water Corporation and Lagos State Agricultural Development Authority are Public Servants and not Civil Servants.

**Executive Officer Cadre** comprises Officers holding the posts of:

- Chief Executive Officer (XXX), G.L. 14
- Assistant Chief Executive Officer (XXX), G.L. 13
- Principal Executive Officer I (XXX), G.L. 12
- Principal Executive Officer II (XXX), G.L. 10
- Senior Executive Officer (XXX), G.L. 09
- Higher Executive Officer (XXX), G.L. 08
- Executive Officer (XXX), G.L. 07
- Assistant Executive Officer (XXX), G.L. 06

It also includes officers holding corresponding “Executive” posts, e.g. Executive Officer (Accounts, Information, Audit e.t.c) posts.

**Permanent Secretary/Head of Extra-Ministerial Department/Agency** means Accounting Officer of Ministry/Department/Agency (MDA).

**Officer**, when used without qualification, means a member of staff in an established post, appointed either on permanent, temporary or contract basis.

**Expatriate Officer** means a non-Nigerian member of staff.

**Senior Posts** are posts graded on Salary Grade Level 07 and above and other

posts attracting fixed salaries of equivalent salary grade levels in Ministries or Extra-Ministerial Departments/Agencies.

**Senior Officer** means a member of staff in an established post, appointed on Salary Grade Level 07 and above.

**Junior Officer** refers to a member of staff in an established post, appointed on GL. 06 and below.

**Member of staff** means a person employed by any of the agencies of the Civil/Public Service of Lagos State.

**Staff** is the totality of all the persons employed by the Lagos State Government.

**Temporary Officer** means a member of staff employed temporarily in an established post. Appointment should be limited to Medical Interns and Personal Aides of the Honourable Members of the State House of Assembly.

**Trainee** means a person appointed to a training post in any grade; it includes a pupil.

**Monthly-Rated** means employment on monthly rates of pay.

**Wife/Husband** (of an officer) means a spouse married under the Marriage Act, Islamic or Customary Law.

**Nigerian married officer** includes a non-Nigerian married to a Nigerian provided he has formally acquired Nigerian citizenship.

**Private Medical Practitioner** includes traditional medical practitioner.

**010104:** - Nothing in this *Public Service Rules* shall be construed as limiting the powers of the State Government to amend or revoke any of its provisions at any time, provided it is not inimical to the well-being of the Public Service.

**010105:** - Notwithstanding that throughout the Public Service Rules, the terms **Officer, Member of staff** and **Civil/Public Servant** are often referred to in the masculine gender, the provisions of the Public Service Rules apply equally to female Public Servants except that:

**Application of Public Service Rules to Female Civil /Public Servants.**

- (a) provisions about wives of Civil/Public Servants do not normally apply to the husbands of female Civil/Public Servants unless where the former are incapacitated by illness or old-age, or are unemployed;
- (b) a child is not normally entirely dependent on a female Civil/Public Servant unless the father of the child is dead or she is divorced from him and has been awarded legal custody of the child without a Maintenance Order.

**010106:** Where the condition of service of a public servant is inadequate or does not provide for a particular issue, the employer shall have recourse to the Public Service Rules.

**010107:** A copy of the Public Service Rules shall form part of the inventory items in each office of the Service to be handed over by a departing Officer to his successor.

**Public Service Rules to form part of inventory items**



## CHAPTER 2

### APPOINTMENTS AND EXIT FROM THE SERVICE

- SECTION 1 - GENERAL
- SECTION 2 - RECRUITMENT
- SECTION 3 - RULES FOR APPOINTMENT ON PROBATION
- SECTION 4 - RULES FOR APPOINTMENT ON CONTRACT
- SECTION 5 - SECONDMENT, TRANSFERS, CONVERSION AND ADVANCEMENT
- SECTION 6 - PROMOTIONS
- SECTION 7 - EXIT FROM THE SERVICE
- SECTION 8 - CERTIFICATE OF SERVICE

#### GENERAL PRINCIPLES

The State Government shall be committed to promoting the inclusion and fair treatment of all people who share the values, aspirations and work ethics of the State Civil/Public Service.

All recruitment activities must follow prescribed Guidelines and shall be targeted to attract the right people to work in the Civil/Public Service, according to requirements defined by the Ministries/Departments/Agencies and based on merit, gender equality and social inclusion.

Security clearance must be done for all new entrants.

All appointments are subject to the provisions of the Lagos State Pension Reform Law 2007, except otherwise stated.

#### SECTION 1 - GENERAL

**020101:** Appointments to Civil/Public offices in the State Civil/Public Service are made as follows:

- (a) by letter written under the direction of the State Civil Service Commission and other Agencies so empowered; or
- (b) by formal agreement between the officer and the State Government or its appointed agents. Subject to Rules 020205, 020206 and 020207, Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies are authorized to appoint eligible candidates to posts in respect of which the powers of appointment have been delegated to them.
- (c) Conditions of service shall be governed by the Public Service Rules, circulars and other relevant documents.

**020102:** (i) Appointment to posts graded G.L. 07 - G.L. 10 or equivalent shall be made by the State Civil Service Commission and any other similar body so empowered.

**Appointment  
to Senior  
Posts**

(ii) Appointment to posts graded G.L.12 - G.L. 14 or equivalent shall be made by the State Civil Service Commission and any other similar body. Such appointment shall be made into available vacancies after due advertisement as the need arises. Applications must comply strictly with the terms of the advertisement.

(iii) The State Civil Service Commission and any other similar body shall make appointment to the posts graded G.L. 15 -G.L. 17 or equivalent with inputs of the Head of Service, as applicable. Appointment to these posts shall be in response to advertised vacancies.

(iv) There shall be an annual competitive Civil/Public Service Entry Examination for posts graded G.L. 07 - 10 or equivalent for new entrants and serving officers wishing to transfer from other scheduled services. This examination shall be conducted by the State Civil Service Commission or any other such body in conjunction with the Office of the Head of Service, the Lagos State Public Service Staff Development Centre, the National Judicial Institute and other recognized bodies.

(v) To qualify for this examination, candidates must possess an Honours Degree or a Higher National Diploma in relevant disciplines as provided for in the *Schemes of Service*. Final recommendation shall be made by the line Ministries/Extra-Ministerial Departments in accordance with their requirements.

**020103:** (i) Each Ministry/Extra-Ministerial Department/Agency shall recruit *on merit* Junior Staff on Salary Grade Levels 01 - 06 or equivalent subject to the Workforce Plan and approved dispensation to recruit.

Appoint-  
ment  
to Junior  
Posts

(ii) Each Ministry/Extra-Ministerial Department / Agency shall fill vacancies with applicants who possess the qualifications prescribed in the approved *Schemes of Service*.

(iii) Each Ministry/Extra-Ministerial Department/Agency shall work out the actual establishments or requirements. The Junior Staff Committee shall conduct interviews and appoint officers into various Junior Cadres.

(iv) Such recruitments shall reflect the geographical spread within the State.

(v) The procedure for appointment shall be the same as in appointment to Senior Posts.

**020104:** Appointments to all posts in the State Civil/Public Service other than those of Permanent Secretaries are vested in the State Civil Service Commission and any other such body which has, however, authorized Permanent Secretaries/Heads of Extra-Ministerial Departments to appoint eligible candidates to posts in respect of which the powers of appointment have been delegated to them.

Authority  
for  
Appointment

**020105:** An officer's incremental date shall be 1st January or 1st July after the first anniversary of his appointment date, subject to good conduct and performance. (See Rule 050203).

Incremental  
date

**020106:** Except where otherwise provided, seniority as between persons selected for appointment from outside the Civil/Public Service shall be determined by the date of assumption of duty certified by an authorized officer as reflected in the Assumption of Duty Certificate.

Seniority

**020107:** The employment of unpaid staff is prohibited.

Unpaid  
staff  
prohibited

**020108:** (i) Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies shall keep an up-to-date record of every officer under their control. Staff Record of Service LS/ESTAB Form No. 1 shall be used

Personal  
Records

and one copy each must be sent to the Central Staff Records Registry in the Office of Establishments and Training, Office of the Accountant General, and the Lagos State Pensions Commission within one month of appointment. The Form shall be completed in ink.

(ii) Date of birth recorded on appointment by an officer shall not be changed throughout the career of the officer. Any contravention to this Rule shall be regarded as an act of serious misconduct.

Date of  
birth

## SECTION 2 - RECRUITMENT

**020201: Recruitment** means the filling of vacancies by the appointment of persons not already in the Civil/Public Service of Lagos State according to the manpower requirements of the Ministries/Departments/Agencies. It, however, excludes the transfer of officers from other Civil and Public Services in the Federation to the State Civil/Public Service.

Definition

**020202:** Direct appointment to the Lagos State Civil/Public Service may be in any of the following categories:

Types of  
Appoint-  
ment

- (a) As trainee or pupil;
- (b) On probation;
- (c) On Contract for a specified period;
- (d) In Acting Capacity;
- (e) On Temporary basis (Reference to definition in Rule 010103); and
- (f) On Part-Time basis.

**020203:** (a) Where a candidate for employment requires additional professional experience before he can be regarded as fully qualified for appointment to a specified post, he may be appointed as a trainee or pupil for a normal period of service of two years on the post. This period may, however, be reduced in special circumstances. On completion of the "trainee period", the pupil may be appointed to the full grade on probation and will not be eligible for confirmation in the Service until he has fulfilled the conditions laid down in Rule 020302, where applicable.

Trainee or  
pupil

(b) A confirmed officer who is advanced to the training grade for the purpose of acquiring the necessary experience to qualify him for substantive promotion to a senior post will be treated as if he had been seconded thereto and the period of such secondment will not normally exceed the period laid

down for training except with the special advice of the Agency responsible for Establishments Matters.

**020204:** Except where the State Civil Service Commission or any other such body decides otherwise, all first appointments to the pensionable establishment in posts other than the trainee post (see Rule 020203) shall be on probation. An officer confirmed in a lower post shall not however be regarded as on probation in a higher post to which he is promoted, nor shall an officer seconded or transferred as confirmed officer from pensionable service elsewhere.

Probation

**020205:** To be eligible for appointment to the State Civil/Public Service, every applicant must:

Eligibility  
for  
Appoint-  
ment

- (a) not be less than 18 years of age and not more than 55 years of age except for contract / part-time appointment;
- (b) possess such minimum requisite qualifications as may be specified for the post applied for and as amended from time to time;
- (c) be certified by a State Government Medical Officer as medically fit for Government Service;
- (d) possess a testimonial of good conduct from his last employer or, if not previously employed, from the last school or college he attended;
- (e) possess requisite qualifications as provided for in the *Schemes of Service*; and
- (f) No officer shall be appointed into the Civil Service without authorisation for appointment from the Office of the Head of Service and without an approved dispensation to recruit in the case of Parastatal Organisations.

**020206:** (a) No candidate shall be appointed to any post in the State Civil/Public Service without the prior specific approval of the State Civil Service Commission or any other relevant body if:

Prior  
approval  
in certain  
cases.

- (i) the candidate has been convicted of a criminal offence; or
- (ii) he has previously been employed in Government Service

and has been dismissed or called upon to resign or retire therefrom. Such approval must always be obtained irrespective of any delegation of the powers of the Commission.

(b) In view of Rule 020206 (a) above, every applicant for employment by Government must state:

- (i) whether he has been convicted of a criminal offence;
- (ii) all employment he had engaged in; and
  - (a) if he has left any employment, why he did so; or
  - (b) if he is still in any employment and whether he is under any obligation to remain in it;
- (iii) whether he is free from financial embarrassment.

**020207:**(a) Management and Senior Posts: All applicants for Management and Senior posts are required by the State Civil Service Commission or any other such body to complete Forms LSCS I and LSCS II as a result of which antecedents are carefully scrutinized before they are invited for an interview for appointment.

Procedure  
for appoint-  
ment

(b) Junior Posts: It is the duty of Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies to enquire carefully into the antecedents of all candidates they consider for appointment to a junior post and to ensure that every selected candidate is eligible under Rule 020205 for appointment. The following procedure shall be followed by the selected candidate:-

- (i) the candidate shall submit an application letter ;
- (ii) the candidate shall be interviewed if found suitable, and any false statement made in his application shall be regarded as sufficient ground for non-employment or, if such falsehood is detected after engagement, for termination of employment without notice;
- (iii) if in the light of the information so supplied, the candidate is still considered eligible and suitable, he shall be made an offer of appointment;

- (iv) if the candidate accepts the offer, he shall write a letter of acceptance.

**020208 (a):** Immediately he assumes duty, a new member of staff shall be required to enter his personal particulars in the Lagos State Establishments Form No 1 (Record of Service), a copy of which shall be attached to the appropriate documents forwarded to the State Agency responsible for Establishments Matters and the Pension Fund Administrator/Lagos State Pensions Commission and other relevant Offices/Departments.

Personal  
Particulars

(b) A female Civil/Public Servant who marries while in the State Civil/Public Service, owing to her change of name, must immediately notify her Permanent Secretary /Head of Extra-Ministerial Department of her marriage (whether under the Marriage Act, according to Islamic Law or Customary Law).

Change of  
name owing  
to marriage

**020209:** It is the duty of every Permanent Secretary/Head of Extra-Ministerial Department/Agency to ensure that all officers and temporary staff in his Ministry/Extra - Ministerial Department/Agency sign an Oath of Secrecy Form 1 and that the oath so signed is carefully preserved.

Oath of  
Secrecy

**020210:** No Civil/Public Servant shall become a member of any secret society and any officer who is a member of such society shall immediately renounce his membership by making a statutory declaration to that effect, or resign his appointment, or retire from Service.

Secret  
society:  
prohibition  
of  
membership

**020211:** Contravention of Rule 020210 shall be regarded as an act of serious misconduct and shall attract appropriate disciplinary action which may include dismissal from the Service.

Contravention

### SECTION 3 — RULES FOR APPOINTMENT ON PROBATION

**020301:** Officers on probation shall be required to serve for two years before being confirmed in the Service. This period may, however, be reduced to not less than six months by deduction of any previous period of Civil/Public Service rendered satisfactorily in posts of cognate status involving similar duties. The period of probation shall not exceed two years unless the State

Period of  
probation

Civil Service Commission or any other such body approves an extension. Such an extension may result in the incremental penalty referred to in Rule 050206 if the Commission or the relevant body so decides.

**020302:** Within his probationary period, an officer is required to pass the prescribed examination appropriate to his appointment:

Compulsory examination.

- (a) for officers holding senior posts, the prescribed examinations are those described in Chapter 7 and such other examinations as may be specified in individual offer of appointment;
- (b) for Clerical Grade Officers, the prescribed examination is the Combined Promotion/Confirmation Examination held once a year;
- (c) for officers in the Technical Grades, the examination is as prescribed in the *Schemes of Service* applicable to the particular post.

**020303:** To be eligible for confirmation in the permanent establishment, an officer appointed on probation is required to have favourable security clearance, pass the prescribed examination, if any, during his probationary period and to complete his probationary period to the satisfaction of the authority empowered to appoint him. At the end of the period of probation, the officer shall, unless his probationary appointment is terminated or extended, be confirmed in his appointment. Recommendations of Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies regarding the confirmation of all officers holding senior posts shall be made in the Progress Report prescribed in Chapter 6 of these Rules.

Confirmation or termination at the end of probationary period.

**020304:** The probationary period shall last a maximum of 2 years. Extension to the two-year probation period may be granted only where officers have failed their confirmation examinations and are studying for a retake. After three consecutive attempts at the confirmation examinations, officers must either be confirmed, upon successful completion or have their employment terminated. For avoidance of doubt, an officer would be confirmed in his appointment after passing the prescribed examination during the



probationary period on the second anniversary of his appointment and his maturity date for advancement/promotion would thus be calculated from his date of appointment.

However, if an officer fails to pass the prescribed exams during the probationary period, he would be confirmed in his appointment on the date he passes the exams and not on the second anniversary of his appointment. The officer's notional date would consequently be calculated from the date he passed the exams to observe his maturity date for advancement/promotion. This condition would also apply to an officer whose probationary period is extended, on the recommendation of the appropriate authority, due to unsatisfactory performance. He would be confirmed in his appointment on the end date of the extended probationary period.

**020305:** If within his probationary period, it is established to the satisfaction of the authority empowered to appoint an officer that he is not qualified for efficient service, his appointment may be terminated by that authority at anytime subject to the appropriate rules governing termination of appointment.

#### SECTION 4 - RULES FOR APPOINTMENT ON CONTRACT

**020401: Contract Appointment** means an engagement of a person to an established office for a tour of two years renewable only once or as stipulated in the terms and conditions of his contract. It should be offered only where a specific need has been identified that is not met by the existing Civil/Public Servant population. The contract appointment must be recorded in a formal agreement.

Definition

**020402:** (a) The Conditions of Service of a Contract Officer are those provided for in his contract and the privileges, emoluments or allowances described in these Rules do not apply to him unless they are specifically so stated in the contract itself. Any question on the interpretation of a contract affecting a Contract Officer's Conditions of Service should be referred to the State Agency responsible for Establishments Matters.

Rules for  
Appoint-  
ment  
on Contract

(b) (i) Contract appointments may be offered to expatriates only when suitable Nigerians are not available.

- (ii) Nigerians may be appointed on contract terms if:
- (a) they are pensioners;
  - (b) they are 55 years of age or over at the time they are being appointed;
  - (c) they specifically request to be employed on contract terms and it is deemed in the best interest of the Service;
  - (d) the candidate possesses specialized competencies or skills such as required, and provided such posts are duly advertised in at least two national newspapers and the State Government website.
- (iii) For non-Nigerians, the provisions of the *Public Service Rules* regarding contract appointment shall apply in all cases, except for those married to Nigerians.
- (iv) Non-Nigerian officers married to Nigerian spouses should remain on contract until granted Nigerian citizenship before being considered for permanent appointment.

**020403:** The duration of a contract appointment to an established office is a tour of two years renewable only once.

**Duration  
of contract  
appoint-  
ment-**

**020404:** (a) Termination of Contract by the State Government - An appointment on contract may be terminated by the State Government at any time in accordance with the terms specified in the contract itself. A full statement of consideration, which has prompted it, shall accompany a recommendation to the State Civil Service Commission or any other similar body for the termination of appointment of a contract officer. On the recommendation, the Civil Service Commission or any other similar body shall decide in its discretion whether the appointment shall be terminated immediately in accordance with the terms of the contract or whether the officer should be offered an opportunity to submit any formal representations if he so wishes before a final decision is taken.

**Termination  
during  
current  
contract.**

(b) Termination of Contract by the officer - The termination of a contract appointment by the holder is subject to the terms of his contract and any question concerning the waiving of any of the penalties under a contract

of agreement shall be referred to the State Agency in charge of Establishments Matters.

**020405:** An officer serving on contract, who desires re-engagement, shall inform the Government in writing through his Permanent Secretary/Head of Extra Ministerial Department/Agency not less than four months before he is due to leave. In the absence of such notification, the contract is deemed terminated at the expiration of the tour.

Re-engagement:  
Responsibility  
of Contract  
Officer

**020406:** On receipt of such notification expressing an officer's wish to be re-engaged, the Permanent Secretary/Head of Extra-Ministerial Department/Agency shall obtain the consent of the State Agency responsible for Establishments Matters to the re-engagement before forwarding his recommendation to the State Civil Service Commission or any other similar body, enclosing an up-to-date Progress Report on the officer following Rule 060201(unless such a report has been forwarded within the previous two months). In return, he shall receive any of the following: -

Re-engagement:  
Responsibility  
of Permanent  
Secretary/  
Head of  
Extra-  
Ministerial  
Department/Agency

(a) authority to inform the officer that arrangements will be made to offer him re-engagement during the course of his leave, and the details of the terms proposed. The Permanent Secretary/Head of Extra-Ministerial/Department/Agency shall inform the officer accordingly without delay;

(b) the original and duplicate of the re-engagement contract duly signed on behalf of Government. In this case the Permanent Secretary/Head of Extra-Ministerial Department/Agency shall obtain the officer's witnessed signature to both copies, deliver the duplicate to the officer, and return the original to the Agency responsible for Establishments Matters;

**020407:** As soon as it is clear to a Permanent Secretary/Head of Extra-Ministerial Department/Agency that he shall not be able to recommend the re-engagement of an officer serving on contract, he shall seek the approval of the State Civil Service Commission or any other such body to inform the officer that he will not be re-engaged and, on receipt of such an approval, shall inform the officer without delay.

Earlier  
notification  
of non-re-  
engagement

- 020408:** Provided re-engagement is completed by the signing of a new contract before the end of vacation leave granted under an expiring contract, service under the contract shall be treated as continuous. **Continuity of contract service**
- 20409:** If a re-engaged contract officer is required to return to duty under his new contract before the expiration of the leave due under the former contract, the leave forgone shall be treated as deferred leave to be enjoyed under the conditions of the new contract. **Deferred leave**
- 020410:** When an officer on contract is re-engaged in his former office without a break in service and on the same salary scale, he shall retain the incremental date enjoyed under his former contract. In other cases of re-engagement without break in service, the incremental date of a re-engaged contract officer shall be fixed in accordance with such rules as may be applicable in the circumstance on the basis that the commencement date of the new contract is the date on which he resumes duty thereunder. **Incremental date**
- 020411:** Retired officers may only be re-engaged into career posts on grade levels immediately below that on which they retired. **Appointment of retired officers on contract**
- 020412:** Reference should be made to Rule 020607 Promotion

## SECTION 5 - SECONDMENT, TRANSFERS, CONVERSION AND ADVANCEMENT

- 020501: (a) *Secondment*** means the temporary release of an officer to the service of another Government-approved body or any recognized international organization for a specified period. Secondment should be used to fill identified skills gap. **Definitions**
- (b) *Transfer*** is the permanent release of an officer from one scheduled service to another. Transfers should be used, where possible, as part of the recruitment process to fill the needs identified by Ministries/Extra-Ministerial Departments/Agencies.
- (c) *Conversion*** is the movement of an officer from one cadre to another cadre on presentation of prerequisite additional qualification.
- (d) *Advancement*** is the upward movement of an officer within the cadre based on additional qualification or cognate experience as provided in the *Schemes of Service* for such cadre.



qualifications, experience and career progression are in accordance with the *Schemes of Service* of the grade;

- (b) provided the contemplated transfer would in no way jeopardize the promotion prospects of serving officers;
  - (c) where the Ministry is satisfied that there are vacancies not only in the relevant grade but also in the applicant's discipline or specialty;
  - (d) if he has served in his current grade for the stipulated minimum number of years prescribed for promotion to an advertised post.
- (iii) posting of officers within the Ministry to positions outside their professional cadres is prohibited.

Posting of  
Officers outside  
their professional  
cadres  
prohibited

#### Conversion:

**020503:** (a) *Senior Posts - Conversion* from one senior post to another or from one cadre to another within the State Public Service requires the approval of the State Civil Service Commission or any other such body. An officer must have served for a minimum period of 2 years in his original cadre before seeking conversion to another cadre except where otherwise stated. An application for such conversion must be submitted to the Permanent Secretary/Head of Ministerial Department/Agency of the applicant and must state the applicant's reasons for desiring a conversion and qualifications for the post he desires. The conversion requires the prior recommendation of the appropriate Personnel Management Board or any other such body. The recommendation of the Personnel Management Board shall be forwarded to the State Civil Service Commission or any other such body by the Permanent Secretary/Head of Extra-Ministerial Department/Agency together with a statement as to:

Conversion on  
Senior posts

- (i) how the applicant has performed his duties;
- (ii) whether the applicant is considered to be well-qualified for the post he desires; and

(iii) recommendations as to the grant or refusal of the application.

(b) *Junior Posts - Conversion* from one cadre to another within the State Public Service requires the prior recommendation of the appropriate Personnel Management Board or any other such body and an officer must have served for a minimum period of 2 years in his original cadre before seeking conversion to another cadre except where otherwise stated. An application for such conversion must be submitted to the Permanent Secretary/Head of Ministerial Department/Agency of the applicant and must state the applicant's reasons for desiring a conversion and qualifications for the post he desires. Such an application shall be forwarded to the Permanent Secretary/Head of Extra-Ministerial Department/Agency together with a statement as to:

Conversion on  
Junior posts

- (i) how the applicant has performed his duties;
- (ii) whether the applicant is considered to be well-qualified for the post he desires; and
- (iii) recommendations as to the grant or refusal of the application.

The conversion of officers on junior posts requires the recommendation of the appropriate Personnel Management Board or any other such body and the ratification of Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies.

**020504:** To be eligible for conversion into the Administrative Officer cadre, an officer must have:

Requirements  
for  
Conversion  
to the  
Administrative  
Officer cadre

- a) obtained the full minimum educational qualification for direct appointment to the cadre; and
- b) been successful at the prescribed selection process.

**020505:** To be eligible for advancement from the post of Assistant Secretarial Officer III to the post of Assistant Secretarial Officer II, an officer must have:

- (a) obtained the full minimum educational qualifications for direct appointment to the Assistant Secretarial Officer cadre as prescribed in the Schemes of Service.

**020506:** The salary and incremental date at which an Assistant Secretarial Officer III enters the salary scale of Assistant Secretarial Officer II on

Salary on  
Advancement



advancement is governed by Rules 050104 and 050202.

## SECTION 6 - PROMOTION

**020601.-** (a) Except where powers of appointment or promotion have been delegated to Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies, no promotion shall become effective unless approved by the State Civil Service Commission or any other such body.

(b) All Officers who are eligible for promotion shall be considered except those under disciplinary action. The minimum number of years that an officer must spend in a post before being considered eligible for promotion shall be as follows:

**Eligibility**

<b>Grade Level of Staff</b>	<b>Number of years in post</b>
01- 06	Minimum of 2 years
07- 14	Minimum of 3 years
15- 17	Minimum of 4 years

(c) Promotions shall be made strictly on the basis of available vacancy and competitive merit from amongst all eligible candidates. In assessing the merit of officers:

- (i) a clear distinction shall be made between their records of performance or efficiency in lower grades and their potentials for promotion, i.e. ability and competence to perform efficiently the duties and responsibilities of the higher post;
- (ii) seniority and previous record of performance shall be taken into account in choosing between candidates with equal potentials for promotion; and
- (iii) in all cases, a written examination and general satisfactory records of conduct shall also be considered.

(d) The responsibilities for the promotion of officers in accordance with the prevailing procedures shall be as follows:

**Procedure**

- (i) G.L. 01-06 by the Ministry/Extra-Ministerial Department/ Agency, with the concurrence of the authority in charge of Establishments Matters.



- (ii) G.L.07-12 by the Ministry/Extra-Ministerial Department/Agency or the relevant pool, subject to confirmation by the State Civil Service Commission or any other such body.
- (iii) G.L. 13-17 by the State Civil Service Commission or any such body on recommendation from the Ministry/Extra-Ministerial Department/Agency or the relevant pool routed through the Office of the Head of Service.

**020602:** Before each promotion exercise, the responsible authority shall compile a list of all eligible candidates to be considered, the list being prepared on the basis of current performance and future job requirements, or set of criteria previously established for the post by the Agency responsible for Establishments Matters (e.g. officer's qualifications/experience, age, training, etc). The authority shall ensure that:

- (i) The promotional posts of deserving officers in the State Public Service shall not be jeopardized by the appointment of persons not already in the Civil/Public Service.
- (ii) No officer shall be debarred from promotion on the sole ground of lacking formal educational qualifications other than that required for his grade and mode of entry into the service; provided also that no officer may be promoted to a post, which requires its holder to have formal professional/technical qualifications, which he does not possess.
- (iii) Only in very exceptional cases where available candidates within the State Civil/Public Service are not considered suitable for promotion to any vacant post may the latter be advertised publicly to interested persons outside the Service. In such cases, and, similarly, when officers in other Public Services in the Federation are being recruited/transferred on promotion to the State Public Service, it should be ensured that they meet specific job requirements for the promotion posts. In any event, officers being transferred into the State Civil/Public Service from other states and agencies should be placed on the post they would normally have been had they joined the State Public Service in the first instance.

- (iv) At the end of each promotion exercise, within six months of the announcement of the promotion, an officer who was not successful at the exercise shall be allowed a right of appeal for the reconsideration of his case.

**020603:** A meeting of the appropriate Committee shall be convened to interview and consider officers holding junior appointments in the Ministry/Extra Ministerial Department/Agency who may be recommended to the State Civil Service Commission or any other such body for promotion.

**From Junior  
to Senior  
Post**

**020604:** The effective date of all promotions shall normally be 1st of January or 1st of July or as may be determined by the State Civil Service Commission.

**Effective  
Date**

**020605:** The Permanent Secretary/Head of Extra-Ministerial Department/Agency is authorised to fill his departmental vacancies in posts on GL. 06 and below on the recommendation of the Junior Staff Committee.

**020606:** (a) Notional promotion may be granted to restore an officer's seniority, vis-à-vis his colleagues, if during his absence from duty on any of the following grounds, he was not considered for promotion, provided that on return to duty the officer is considered suitable for such a promotion:

**Notional  
promotion**

- (i) where an officer is on approved study course or leave of absence on grounds of public policy;
- (ii) where an officer is on secondment to another Government Agency or approved body;
- (iii) where an officer is granted study leave without pay for less than two years, however this would be on the basis of performance.

(b) When an officer is granted notional promotion, he shall not be entitled to the salary of the higher post until he actually assumes duty in the post, but the effective date of notional promotion shall be used in determining the point at which the officer enters the new salary scale, his future incremental date and seniority in the grade.

**020607:** Under normal circumstances, no contract officer shall be considered for promotion. He could, however, be considered for an enhanced appointment during the re-negotiation of his contract.

Promotion  
of a  
Contract  
Officer

## SECTION 7 - EXIT FROM THE SERVICE

**020701:** If within his probationary period, it is established to the satisfaction of the authority empowered to appoint an officer that he is not qualified for efficient service, his appointment may be terminated by that authority at any time without any further compensation than free transport to the place from which he was engaged, and such free transport shall be granted only if his conduct has been good. Provided the termination is not due to misconduct on the officer's part, it shall be effected by means of a month's notice and, subject to the same proviso, if the officer is eligible for vacation leave in respect of his service to date, such leave may be granted together with (if the officer so desires) normal vacation leave transport grant in lieu of the free transport mentioned above. Such leave, if any, shall be so arranged as to take place within the period of notice and, if possible, to expire on the same day as the notice. The position regarding the refund of the cost of any training given the officer is governed by the bond relating to such training.

Termination  
of appoint-  
ment  
during  
probationary  
period

**020702:** If an officer relinquishes his appointment within the period of his probationary service, he may be required to refund any expenditure by Government in transporting him, his family, domestic staff and baggage to or from the place or places at which he has been employed and he shall not be eligible for any facilities from Government towards transport from the station at which he is then serving. The position regarding the refund of the cost of any training given the officer is governed by the bond relating to such training.

Relinquish-  
ment  
of Appoint-  
ment during  
probationary  
period

**020703:** The appointment of an officer on probation who fails to secure confirmation in the established post at the expiration of his probationary period, including such extension as prescribed under Rule 020301, may be terminated in the manner specified in Rule 020701 by the State Civil Service Commission or any other such body.

Termination

**020704:** (a) An officer who resigns shall be liable to:

- (i) forfeit all claims to vacation leave and any vacation leave or passage privileges granted will be ex-gratia;

Resignation

- (ii) refund to the Government in full any sum of money which he may be owing to Government or which, under the provisions of other Rules or agreements entered into with Government, is refundable to Government for his not discharging the obligations set out in such an agreement; provided that any or all of such refunds may be waived at the discretion of the Government.

**020705:** (a) An officer who leaves the Service other than by resignation or dismissal shall be eligible for proportionate leave in accordance with Rule 130221. If he has enjoyed more leave during the leave year than he is eligible to receive under that Rule, he will be required to refund salary at the rate at which it was paid for the number of working days' leave enjoyed in excess of what he was eligible to receive, the days in respect of which salary is refunded and is being treated as leave without pay for pension purposes. This provision shall be waived in the case of an officer who has died in the Service.

Leaving the Service during a leave year

(b) No female Civil/Public Servant shall be required to resign her appointment or retire by reason of pregnancy alone, but if her condition, interferes with the performance of her duties, she may, at the discretion of the Management, based on medical advice, be given lighter duties.

Pregnancy not a condition for exit

(c) A female Public Servant shall not be required to resign or retire on or after marriage.

**020706:** (i) Officers who fail the promotion examination on three (3) consecutive attempts on the same grade and whose on-the-job performance has been assessed to be below average shall be required to leave the Service.

Leaving the Service on grounds of failing an examination or abolition of office or re-organisation

(ii) An officer whose service is no longer required in the event of abolition of office, re-organisation, redundancy or adverse security report shall be required to leave the Service and treated in accordance with extant laws.

**020707:** All officers shall participate in the Contributory Pension Scheme as provided for in the Lagos State Pension Reform Law (2007) and relevant circulars.

Compulsory Pension Contribution

**020708:** To ensure prompt processing of terminal benefits, Ministries and Extra-Ministerial Departments/Agencies shall:-

Processing of terminal benefits: guidelines

- (i) ensure that the Record of Service of each officer is up-to-date;

- (ii) forward in the month of January every year the names of officers due to retire during the year to the Agency responsible for such matters;
- (iii) ensure that a pension form is given to each retiring officer in good time to enable him complete and submit to the Personnel Management Department of his Ministry/Department/Agency at least six months before he is due to proceed on retirement;
- (iv) ensure that the completed pension form, together with an up-to-date certified Record of Service, a statement of the officer's indebtedness to Government and other prescribed documents are forwarded to the Pensions Office at least three months before the officer is due to retire.

- 020709:** (i) The statutory retirement age for all grades in the Service shall be 60 years or 35 years of pensionable service, whichever is earlier.
- (ii) No officer shall be allowed to remain in the Service after attaining the retirement age of 60 years or 35 years of pensionable service, whichever is earlier.
- (iii) The relevant Human Resources Information Management Unit shall report the names and dates of officers due for statutory retirement while taking further necessary and approved action.
- (iv) The provision is without prejudice to prevailing requirements for Judicial Officers and Academic Staff of Universities and other Tertiary Institutions.

**Statutory  
Retirement**

**020710:** There are **four** ways in which an officer in any of the established grades and in regular appointment may leave the State Civil/Public Service apart from dismissal, termination, abolition of office, incapacitation, invalidation and death. They are:

**Ways of  
leaving  
the  
Service**

- (i) **Resignation:** Where an officer has not served for 5 years, but he decides to leave the State Civil/Public Service, he shall be required to give one month's notice of his intention to leave or pay one month's salary in lieu of notice;

(ii) **Withdrawal:** Where an officer who has served for five years but less than ten years decides to leave the State Civil/Public Service, he is deemed to have withdrawn from the Service. Withdrawal involves one month's notice or payment of one month's salary in lieu of notice;

(iii) **Retirement:** Where an officer has served for ten years or more and he decides to leave the State Civil/Public Service, he is deemed to have retired; the period of notice required is six months or payment of three months' salary in lieu of notice;

(iv) **Redundancy:** where an officer's service is no longer required by reason of redundancy, that is, where the need for a specific job diminishes or ceases completely, that officer shall be required to leave the Service. Officers confirmed as redundant shall be paid three months' salary in lieu of notice and would receive a redundancy payment in line with the statutory requirements.

**020711:** If an office in the permanent establishment, which is one of a number of similar public offices, is abolished but one more such office remains, the Permanent Secretary/Head of Extra-Ministerial Department/Agency shall make recommendations to the Commission or the Governor, giving his reasons as to which substantive holder of such office shall be re-deployed.

**020712:** Officers are required to give six months' notice before the effective date of retirement from Service. Within the six-month period, the officers should benefit from the mandatory one-month pre-retirement workshop/seminar. Retiring officers are expected to take necessary measures to put their records straight so as to facilitate the speedy processing of their terminal benefits.

Attendance at  
Mandatory  
pre-retirement  
seminar

## SECTION 8 - CERTIFICATE OF SERVICE

**020801:** All officers are eligible to receive on leaving the Service, a Certificate of Service.

Authority

**020802:** The Certificate of Service shall be rendered in triplicate on the approved form as follows:

Forms

For Heads of Service and Permanent Secretaries  
For Officers on G.L. 07 and above  
For Officers on G.L. 06 and below

**020803:** The main purpose of a Certificate of Service is for use as a reference covering the holder's Civil/Public Service career when seeking other employment. Accordingly, a Permanent Secretary/Head of Extra Ministerial Department/Agency should, when completing a Certificate, give information which, if he was a prospective employer, he might fairly expect to obtain from the person who has previously employed the holder.

**Purpose**

**020804:** Certificates of Service issued to officers holding senior posts on G.L. 07 and above, require the counter-signature of the Permanent Secretary of the retiring officer, the Permanent Secretary, State Civil Service Commission or any other such body; those to be issued to officers holding junior posts G.L. 06 and below, require the counter-signature of the Permanent Secretary of the retiring officer and the Permanent Secretary, in the Office in charge of Establishment Matters.

**Timing**

**020805:** Action to complete the issue of a Certificate of Service should be taken in time for the Certificate to be handed to the recipient before he proceeds on pre-retirement leave. If it is necessary to include in the Certificate of Service of any officer, an adverse comment on his work or conduct, the Certificate of Service must be completed and handed to him in time to permit him to make, before leaving the Service, any representations on the subject that he may desire to put forward for Government's consideration.

**SCHEDULE**

1. (i) The term of the engagement of an officer commences from the date of assumption of duty.  
  
(ii) The term of the engagement shall be deemed to be completed on the date on which any leave granted to the person engaged in respect of such tour of service expires.
2. (i) The duties of the person engaged shall include the usual duties of the office to which he is appointed and any other duties which the Government may call upon him to perform. **Duties**  
  
(ii) The person engaged shall reside in such place and occupy himself in such manner as the Government, through its duly authorized officers, shall direct, and he will not, either directly or indirectly be engaged in or concerned with any other service or business whatsoever or receive commission or profits of any kind, but will devote the whole of his time and attention to the Service of the Government. He will conform with the Public Service Regulations of the Government.
3. (i) The term "Emoluments" wherever it appears in this Schedule (except in clause 4) shall be deemed to include contract addition where this is payable under the Agreement. **Emoluments**  
  
(ii) Increments or emoluments, if any, shall be calculated as from the first day or the month in which the person engaged takes up his appointment.  
  
(iii) Increments of emoluments shall not be granted unless the efficiency, conduct and diligence of the person engaged during the year immediately preceding have been satisfactory. An increment shall not be withheld except on the decision/recommendation to that effect by the Permanent Secretary/Head of Extra-Ministerial Department/Agency.



(iv) The salary of the person engaged may be liable to deduction under Clause 8.

4. When travelling on duty away from duty post, the person engaged shall be subject to such regulations, with regard to the provisions of transport and travelling allowance, as the Government may decide.

5. (i) If the person engaged is compelled by reason of ill-health (not caused by his own negligence) to resign his appointment, or if at any time it shall be certified by a duly qualified Medical Officer employed by the Government that he is incapable by reason of any infirmity of mind or body of rendering further efficient service, Government shall pay such salary as may be due up to the date of such resignation or the date on which a certificate in that respect was issued.

**Ill-health**

(ii) A Certificate of Medical Fitness duly signed by a qualified Medical Officer employed by the Government, shall be conclusive evidence on the question whether or not the person engaged was compelled to resign his appointment by reason of ill-health within the meaning of this clause.

6. If the person engaged shall at any time neglect or refuse or from any cause (except ill-health not caused by his own negligence) become unable to perform any of his duties or to comply with any order, or shall disclose any information in respect of the affairs of the Government to any unauthorized person, or shall in any manner misconduct himself, Government may dismiss him and on such dismissal all rights and advantages reserved to him by this Agreement shall cease other than his own contribution.

**Dismissal**

7. (i) Government may at any time terminate the engagement of the person engaged by giving three months' notice in writing or by paying one month's salary in lieu of notice.

**Termination  
of  
Engagement**

(ii) The person engaged may, at any time after the expiration of three months of service, terminate his engagement by giving to Government three months' notice in writing, or by paying to Government one month's salary in lieu of notice.

- |   |   |
|---|---|
| <p>8. In the event of any pecuniary damage arising from the person engaged disregarding or failing to comply with any order, standing order or departmental instruction, or from any neglect of duty whatsoever on his part, he may be liable to a deduction from his salary to make good the damage or any part thereof, the amount of which shall be fixed by his Permanent Secretary/Head of Extra-Ministerial Department/Agency on the recommendation of an appropriate Personnel Management Board.</p> | <p><b>Liability to make good damage</b></p> |
| <p>9. Four months before the date of expiration of agreement, the person engaged shall give a written notice to Government stating his desire to remain in its employment and Government shall decide whether to offer him further employment on contract. If Government decides in favour, his re- engagement shall be on such terms and for such a period as may be mutually agreed.</p>  | <p><b>Further employment</b></p>            |
| <p>10. The person engaged will be eligible for a gratuity on the satisfactory completion of a tour of service at the rate of 15% of his basic salary, provided that he is not in receipt of, nor eligible for, any other terminal benefits.</p>   | <p><b>Gratuity</b></p>                      |
| <p>11. While leave of absence is not a legal right included in the contract, the person engaged, after a tour of service, or if declared invalid before completing the tour, or his engagement is terminated by reason of ill- health in accordance with the provisions of clause 5 hereto, leave may be granted under the rules in force from time to time, applicable to Nigerian officers of a similar grade level so far as exigencies of the Civil/Public Service permit.</p>                          | <p><b>Leave</b></p>                         |

### APPENDIX 3

#### CONTRACT AGREEMENT FOR A NON-NIGERIAN MARRIED TO A NIGERIAN CITIZEN

This Agreement made the.....day of.....20.....BETWEEN the Lagos State Government, represented by Permanent Secretary, Civil Service Commission, The Secretariat, Obafemi Awolowo Way, Ikeja (hereinafter referred to as "employer"), of the one part and ..... (hereinafter referred to as "the person engaged") of the other part.

**WHEREBY IT IS AGREED AS FOLLOWS:**

1. The person engaged undertakes that she will diligently and faithfully perform the duties of ..... for the term of her engagement, and will act in all respects in accordance with the instructions and directives given to her by the Government through the Permanent Secretary/Head of Extra-Ministerial Department/Agency or any other duly authorised officer.
2. The basic salary of the person engaged is at the rate of .....Naira (₦.....) a year, rising by annual increment to.....Naira (₦.....) a year on Grade Level ..... (10%/15% contract addition). The person engaged shall, however, commence to draw her basic salary at the rate of .....Naira (₦.....) a year.
3. This Agreement is subject to the conditions set out in the Schedule at the end of Chapter 2. The Schedule shall be read and construed as part of this Agreement.
4. Nothing in this Agreement shall impose any liability on the Permanent Secretary in his personal capacity.
5. This Agreement shall be interpreted in accordance with the Laws of Nigeria.

Signed by:.....

On behalf of the Lagos State Government

in the presence of .....

Occupation: .....

Signed by:.....

in the presence of .....

Signature: .....

Address of Witness: .....

.....

Occupation: .....

**CHAPTER 3****ACTING APPOINTMENTS****SECTION 1 - INTRODUCTION**

**030101:** When it is necessary that a particular duty post of status not lower than an Executive Officer GL 07 should continue to be filled at a time when no officer of corresponding substantive rank is available for posting thereto, some other officer may, with the approval of the State Civil Service Commission, be formally appointed, by notice in the Gazette, to act in the duty post and assume either fully or in part, the duties and responsibilities of such post.

**When made**

**030102:** The mere fact that the substantive holder of a duty post will be absent for a short period (e.g. on casual leave or on sick leave) does not in itself justify an acting appointment; there may, however, be circumstances (such as compliance with statutory provisions) which necessitate the making of an acting appointment for a relatively brief period. The decision whether an acting appointment is necessary or desirable in any particular case shall rest with the State Civil Service Commission.

**Not made unless necessary**

**030103:** Acting appointments are not intended as a means of testing the suitability of officers for promotion; they will normally be made only in order to fill posts that are temporarily vacant and their duration should be limited accordingly.

**Not a form of trial promotion**

**030104:** Recommendations for acting appointments must be forwarded to the State Civil Service Commission and must include a certificate to the effect that the acting officer will assume the full duties and responsibilities of the post in question. Approved acting appointments shall be gazetted by the State Civil Service Commission but it will, on no account, be back-dated to a period in excess of six months of the date of receipt of the recommendation by the Commission.

**Procedure**

**030105:** The date on which an acting appointment commences shall be indicated in the gazette notice authorising the appointment. Normally, the gazetted date of commencement will be that on which the acting officer takes

**Date of Commencement**

over the duties and responsibilities of the post, except that if he takes over from the substantive holder the gazetted date of commencement shall not be earlier than that on which the latter, after handing over:

- (a) leaves the station or the post;
- (b) takes over substantively or himself commences to act in another post in the same station; or
- (c) commences vacation leave in the same station, whichever is applicable according to circumstances.

**030106:** The date on which an acting appointment ceases shall be indicated in the gazette notice reverting the officer's appointment. Normally, the gazetted date of cessation shall be that on which the acting officer relinquishes the duties and responsibilities of the post, except that if he hands over to the substantive holder, the gazetted date of cessation will not normally be later than the date on which the latter, before taking over:

Date of  
Cessation

- (a) arrives in the station,
- (b) ceases to hold substantively, or to act in, another post in the same station,
- (c) ceases vacation leave in the same station, whichever is applicable according to circumstances.

Ministries shall be required to notify the State Civil Service Commission when officers revert from acting appointments by completion of Form No. Gen. 15A which shall be forwarded not less than two weeks before cessation of the acting appointment.

**030107:-** An acting officer will not be regarded as relinquishing the duties and responsibilities of his acting appointment by proceeding on casual or special leave within the country, provided he spends such leave in Nigeria and provided it is not necessary during any such leave to appoint another officer to act in the duty post in question.

Effect of  
Casual or  
Special Leave

**030108:** - Reference is made to Rules 150135-150141.

Acting  
Allowance.

## CHAPTER 4

### DISCIPLINE

- SECTION 1 - INTRODUCTION
- SECTION 2 - GENERAL INEFFICIENCY
- SECTION 3 - MISCONDUCT
- SECTION 4 - SERIOUS MISCONDUCT
- SECTION 5 - CONDUCT PREJUDICIAL TO THE SECURITY OF THE STATE
- SECTION 6 - RETIREMENT IN PUBLIC INTEREST

#### GENERAL PRINCIPLES

All **disciplinary** procedures shall be completed within **2 months**, except in exceptional circumstances or where they involve criminal cases. Suspension should last, not more than 3 months without pay. Disciplinary action should be directed not only towards sanctions but to improved performance. Interdiction shall not last more than 2 months except in peculiar cases. Erring Officers found culpable on the completion of disciplinary actions shall be required to tender a letter of undertaking to be of good conduct.

#### SECTION 1 - INTRODUCTION

**040101:** This chapter should be read in conjunction with the *Guidelines for Appointments, Promotions and Discipline* published by the State Civil Service Commission or any other similar publication. It shall be the duty of every officer to acquaint himself with the disciplinary rules and any other regulations in force.

Officers to  
acquaint  
themselves with  
disciplinary  
rules in force

**040102:** “Disciplinary Proceedings” means the procedure initiated by or at the instance or with the approval of the State Civil Service Commission or any other such body against a Civil/Public Servant in accordance with any disciplinary provisions in order to establish whether:

Authority  
and  
delegation

- (a) his conduct in the matter has been, in any respect blameworthy; or
- (b) it is in the interest of the Ministry/Department/Agency where he is employed and generally in the interest of the Civil/Public Service as a whole that he should be sanctioned.

**040103:** Disciplinary proceedings in accordance with this chapter are initiated due to an officer's misconduct or general inefficiency.

**040104:** Disciplinary Authority means the authority in whom power to dismiss and exercise disciplinary control over a Public Servant is for the time being vested by the provisions of Section 6 (1) of Lagos State Civil Service Commission Law, 1979, or by any delegation of the said power in accordance with the provisions of Section 12 of the said law and any other such legislation.

**040105:** The power to dismiss and to exercise disciplinary control over officers in the State Public Service is vested in the State Civil Service Commission or any other such body. This power may be delegated to any member of the Commission or any officer in the State Public Service.

Delegated  
powers

**040106:** The State Civil Service Commission or any other such body has delegated full disciplinary powers to Permanent Secretaries and Heads of Extra-Ministerial Departments/Agencies in respect of officers on Salary G.L.01 - G.L.06. Recommendations for officers on G.L. 07-G.L.12 should be forwarded directly to the Commission for ratification, while Personnel Management Board proceedings for G.L.13 and above appointed by the State Civil Service Commission should be endorsed by the Head of Service to the Commission.

**040107:** Any disciplinary proceedings against a female officer, which might otherwise have been taken during the period of her maternity leave, shall be postponed until her maternity leave has expired. Such postponements, however, shall not in any way prejudice the proceedings against her.

Postpone-  
ment of  
discipli-  
nary  
proceedings  
during  
Maternity Leave

## SECTION 2-OBLIGATIONS OF CIVIL/PUBLIC SERVANTS

**040201:** The State Civil Service Commission or any other such body may require any Civil/Public Servant to attend and give evidence before it concerning any matter in respect of any powers that are vested in it, and to produce any official document relating to any such matter. Provided that any official document which is the property of the Executive Council shall be so produced only with the permission of the Secretary to the State Government.

Civil Servant  
to appear  
before  
Commission

**040202:** Any Civil/Public Servant who submits any matter for the consideration of the Commission or any other such body shall ensure that all relevant documents are made available to the Commission or any other such body.

Relevant documents to be made available to the Commission

**040203:** Any Civil/Public Servant who, without reasonable excuse, fails to appear before a Commission or any other such body when requested to do so, or who fails to comply with any request lawfully and properly made by the Commission or any other such body, shall be guilty of a breach of discipline for which disciplinary proceedings may be instituted against him.

Failure to comply with requirements by Commission, a breach of discipline

### SECTION 3 - GENERAL INEFFICIENCY

**040301:** **General inefficiency** consists of a series of omissions or inability to discharge duties to the required standard, the cumulative effect of which shows that the officer is not capable of efficiently discharging the duties of the office he holds.

Definition

**040302:** It shall be the duty of every superior officer, as soon as he observes any fault or shortcoming in the work of an officer subordinate to him, to bring it to the officer's notice during a counselling/mentoring/coaching session and to place it on record that this has been done, with a view to improving the officer's usefulness and efficiency in the Service.

Drawing attention to shortcomings

**040303:** Before proceedings for the removal of an officer for general inefficiency may commence, he must have been:

Removal for general inefficiency

- (i) warned on three or more occasions previously in writing (see Rule 040304) or suffered loss or deferment of his last increment; and
- (ii) given ample opportunity for improvement (within a timeline of one year).

**040304:** Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies are authorized, subject to the provisions of the Labour Act (Cap.198) and of individual letters of consideration for appointment, to terminate the employment of a temporary member of staff who must have been informed of the grounds on which it is proposed to terminate his appointment and has been given an opportunity to make

Removal of temporary staff for inefficiency



representations as to why he should not be terminated. Similarly, prior to the termination of his service for inefficiency, such an officer must have been warned of his failings and be given an opportunity to improve or to offer a satisfactory explanation of his failure to perform his duties efficiently.

**040305:** (a) Immediately a Permanent Secretary/Head of Extra-Ministerial Department/Agency, in the exercise of his delegated powers, decides to withhold or defer the increment of an officer he shall so inform him in writing, stating the reason(s) and, in the case of deferment, the period of deferment.

Withholding  
of increment:  
delegated  
powers

(b) Where the powers are not delegated, and the Permanent Secretary/Head of Extra-Ministerial Department/Agency considers that the increment of an officer should be withheld or deferred, he shall report the circumstances and his recommendations as to the withholding or period of deferment to the State Civil Service Commission or any other such body for a decision. If the decision is that the increment should be withheld or deferred, the State Civil Service Commission or any other such body shall so inform the Permanent Secretary/Head of Extra-Ministerial Department/Agency who will thereupon inform the officer in writing, stating the reason(s) and, in the case of deferment, the period of deferment. If the Civil Service Commission or any other such body decides that the increment should be granted, the Permanent Secretary/Head of Extra-Ministerial Department/Agency shall take action in accordance with Rule 040306.

Withholding  
of increment:  
non-delegated  
powers

(c) In all cases of withholding or deferment of increment, the Permanent Secretary/Head of Extra-Ministerial Department/Agency shall inform the Accountant-General of the State and the State Auditor-General.

**040306:** Immediately on deciding to grant an increment despite some defects in the service of an officer, the Permanent Secretary/Head of Extra-Ministerial Department/Agency shall bring the defect to the notice of the officer.

Notification  
of defects

**040307:** In all cases of termination for inefficiency, notice of termination shall be given. The period of notice shall be one calendar month unless some other period is appropriate in the light of a particular officer's terms of service. If it is decided that the officer shall leave the Service immediately, he

Effective  
date of  
termination  
for  
inefficiency

shall be paid salary equivalent to the period of the notice. The period of notice shall include any leave to which the officer is entitled. If the leave is longer than the period of notice, the officer shall be sent on leave and the period of notice absorbed by the leave.

## SECTION 4 - MISCONDUCT

**040401: Misconduct** is defined as a specific act of wrongdoing or improper behaviour which can be investigated and proved. It can also lead to termination or retirement. It includes:

Definition

A wilful act or omission or general misconduct to the scandal of the public or to the prejudice of discipline and proper administration of the Government, e.g. dishonesty, drunkenness, false claims against Government, foul language, insubordination, negligence, falsification or suppression of records, failure to keep records, sleeping on duty, loitering, unruly behaviour, dereliction of duty, habitual lateness to work, refusal to proceed on transfer or to accept posting, refusal to carry out lawful instruction(s) from superior officers, malingering, discourteous behaviour to the public, engaging in trade or business without authority, improper dressing while on duty, hawking merchandise or engaging in any other form of trade within office premises during office hours, deliberate delay in treating official documents, immoral behaviour, failure to appear for promotion exercise without reasonable cause, fighting while on duty etc.

**040402:** As soon as a superior officer becomes dissatisfied with the behaviour of any officer subordinate to him, it shall be his duty to inform the officer in writing giving details of unsatisfactory behaviour and directing him to submit within a specific period, such written representations as he may wish to make to exculpate himself from disciplinary action. After considering such written representations as the officer may make within the specified time, the superior officer shall decide whether:

Issuing query

- (a) the officer has exculpated himself; in which case, he shall be so informed in writing and no further action shall be necessary; or
- (b) the officer has not exculpated himself but it is decided that he should

not be punished in which case an appropriate formal letter of advice shall be issued to him which he shall be required to acknowledge receipt of in writing; or

- (c) the officer has not exculpated himself and deserves some punishment, in which case Rule 040404 shall apply.

**040403:** Where a Tribunal of Inquiry/Personnel Management Board/Administrative Panel set up by the Government makes recommendations of a disciplinary nature on an officer, the State Civil Service Commission or any other such body shall not act on such recommendations until it has called upon the affected officer to reply to the allegations made against him by the Tribunal of Inquiry/Personnel Management Board/Administrative Panel. If the officer refuses or neglects to reply to the allegations within a reasonable time or not at all, the Commission or its Agent or any other such body shall proceed to accept and enforce the recommendations of the Tribunal of Inquiry/Personnel Management Board/Administrative Panel, and take such disciplinary action against the officer as it shall deem appropriate.

Recommendations  
of Tribunals  
of Inquiry

**040404:** (a) It shall be the duty of every officer to report any case of misconduct that comes to his notice to an officer superior to the officer involved.

Reporting  
misconduct

(b) When an officer's misconduct is brought to the notice of his superior officer, it shall be the duty of that superior officer to forward a written report to the Permanent Secretary/Head of Extra-Ministerial Department/Agency without delay. If he considers it necessary that the officer should be interdicted, such a recommendation shall be made in the report.

(c) On receiving the report, the Permanent Secretary/Head of Extra-Ministerial Department/Agency shall take action in accordance with Rule 040506 as appropriate and, if necessary, shall interdict the officer.

(d) At the appropriate point in the investigation, the officer may be suspended in accordance with Rule 040505.

**040405:** If it is represented to the State Civil Service Commission or any other such body that an officer has been guilty of misconduct and the Commission does not consider the alleged misconduct serious enough to

Disciplinary  
procedure  
for  
misconduct  
and serious  
misconduct

2. If you desire to submit any representations as to why disciplinary action, which might include....., should not be taken against you, they should be submitted to me through:..... within .....of receipt by you of this letter. Failure to submit any representations within this time limit will be taken to mean that you do not wish to make any, and appropriate disciplinary action will be taken against you.

3. Acknowledge receipt of this letter in the copy attached.

Signed: .....

Designation: .....

Date: .....

for: Perm. Sec./Head of Extra-Ministerial Department/Agency.

4. I acknowledge receipt of the original of this letter No..... dated the ..... 20.....

Signed: .....

Designation and Rank:.....

.....

\*Delete whichever is inappropriate.

(iii) If the officer submits his representations and the State Civil Service Commission or any other such body is not satisfied that he has exculpated himself, and considers that the officer should be dismissed, it shall take such action accordingly. Should the Officer however fail to furnish any representations within the time fixed, the Commission or any other such body may take such action against the officer as it deems appropriate;

(iv) If, upon considering the representations of the officer, the Commission or any other such body is of the opinion that the officer does not deserve to be dismissed from the Service but deserves some other punishment, it shall impose on the officer such punishment as it considers appropriate;

warrant proceedings under Rule 040406 with a view to dismissal, it may cause an investigation to be made into the matter in such a manner as it considers proper and the officer shall be entitled to know the whole case made against him, and shall have adequate opportunity of making his/her defence. If, as a result, the Commission or any other such body decides that the allegation is proved, it may inflict any other punishment upon the officer, such as reduction in rank, withholding or deferment of increment or otherwise.

**040406:** Unless the method of dismissal is otherwise provided for in these Rules, an officer in the State Public Service may be dismissed by the State Civil Service Commission or any other such body only in accordance with these Rules:

(i) the officer shall be notified in writing of the grounds on which he is proposed to be disciplined. The query should be precise and to the point and must relate the circumstances of the offence, the rule(s) and regulation(s) which the officer has broken and the likely penalty. In serious cases which are likely to result in dismissal, the officer should be given access to any such document(s) or report (s) likely to be used against him and he should be asked to state in his defence that he has been given access to such document(s).

Notification  
in writing

The officer shall be called upon to state in writing, within the period specified in the query, any grounds upon which he relies to exculpate himself.

(ii) The query, or preliminary letter, shall be in the format shown below:

#### PRELIMINARY LETTER

To.....

Designation and Rank.....

\*I wish to draw your attention to the fact that/ \*It has been brought to my notice that your \*work/conduct is unsatisfactory in the following respect(s):

.....  
.....

(v) Where necessary, the Commission or any other such body may set up a Board of Inquiry which shall consist of not less than three persons, one of whom shall be appointed Chairman by the Commission or any other such body with due regard to the status of the officer involved in the disciplinary case and to the nature of the complaint which is the subject of inquiry. The Head of the officer's department shall not be a member of the Board;

(vi) The officer shall be informed that, on a specified day, the subject of his dismissal shall be brought before the Board and he shall be required to appear before it to defend himself and shall be entitled to call witnesses. His failure to appear shall not invalidate the proceedings of the Board;

(vii) Where witnesses are called by the Board to give evidence before it, the officer shall be entitled to put questions to the witnesses and no documentary evidence shall be used against the officer unless he has previously been supplied with a copy or given access to it;

(viii) If, during the course of the inquiry, further grounds of dismissal are disclosed and the State Civil Service Commission or any other such body thinks it fit to proceed against the officer upon such grounds, the officer shall, by the direction of the Commission or any other such body, be furnished with a written statement of it and the same steps shall be taken as prescribed above in respect of the original grounds;

(ix) The Board, having inquired into the matter, shall make a report to the Commission or other such body. If the Commission or any other such body considers that the report should be amplified in any respect or that further inquiry is desirable, it may refer the matter back to the Board for further inquiry or report. However, the Commission or any other such body shall not itself hear witnesses;

(x) If, upon considering the report of the Board together with the evidence and all material documents relating to the case, the Commission or any other such body is of the opinion that the officer should be dismissed, such an action shall immediately be taken;

(xi) If the Commission or any other such body does not approve the

officer's dismissal and does not consider that any penalty should be imposed, the officer shall be reinstated immediately and be entitled to the full amount of salary denied him if interdicted;

(xii) If, upon considering the report of the Board, the Commission or any other such body is of the opinion that the officer does not deserve to be dismissed but that the proceedings disclosed grounds necessitating his retirement, the Commission or any other such body shall, without further proceedings direct accordingly.

(xiii) All disciplinary procedures must commence and be completed within a period of 60 days except where criminal cases are involved or in exceptional circumstance.

**040407:** An officer who is paid other than on hourly basis is prohibited from engaging in any other occupation for reward unless he has previously obtained the permission of the Permanent Secretary in charge of Establishments matters which shall only be given if such an engagement is not likely to interfere with the efficient performance of his duties.

Engaging  
in business  
after office  
hours

**040408:** No officer may render professional assistance to institutions or Government Agencies during working hours or accept remuneration for it, except with the written permission of the Permanent Secretary/Head of Extra-Ministerial Department/Agency which will not usually be granted unless it is in the State's interest that it should not be withheld. The amount of the remuneration must be paid into the Treasury on deposit until the orders of Government as to the share, if any, which may be received by the officer is made known.

Working for  
institutions or  
Government  
Agencies  
during office  
hours

**040409:** No fine shall be imposed on any officer as punishment for an offence committed in the course of his duties.

Fines

**040410:** (a) If at any time the State revenue sustains a loss by reason of the neglect or fault of any officer, he shall be liable to be surcharged with the amount and any sum due to him from Government may be withheld in satisfaction of such a surcharge.

Powers of  
surcharge

(b) Officers defined as workers in Section 2 of Labour Act (Cap.198) may be surcharged if the circumstances warrant such an action, but all papers relevant to the case must be submitted, in accordance with the Act, to the authority of the State in charge of Establishments matters for approval of the surcharge.

**040411:** An officer shall not lend money on interest, whether on mortgage or otherwise, or guarantee or stand as surety for money lent on interest, to any other person. Nothing in this rule shall be deemed to prevent members of registered co-operative societies or approved benefit societies from standing as sureties for loans made by the societies, nor shall it be deemed to prevent any officer from placing money in a deposit account in any bank or standing surety for money lent by Government to another officer.

Money  
Lending

**040412:** No officer shall appear in the office or anywhere in his official capacity dressed in a manner considered inappropriate or immodest.

Mode of  
dressing

**040413:** In order to prevent the irregular use by non-officials, of letters of recommendations or certificates of character, officers are prohibited from giving, in their official capacities, letters or certificates on official stationery.

Unofficial  
testimonials

## SECTION 5 - SERIOUS MISCONDUCT

**040501:** *Serious misconduct* is defined as a specific act of very serious wrongdoing and improper behaviour, which is inimical to the image of the Service and can be investigated and, if proven, may lead to dismissal.

Definition

**040502:** Serious acts of misconduct include:

- (i) Falsification of records;
- (ii) Suppression of records;
- (iii) Withholding of files;
- (iv) Conviction on a criminal charge (other than a minor traffic or sanitary offence or the like);
- (v) Absence from duty without leave;



- (vi) False claims against Government Officials;
- (vii) Engaging in partisan political activities;
- (viii) Bankruptcy/Serious financial embarrassment;
- (ix) Unauthorized disclosure of official information etc.;
- (x) Bribery;
- (xi) Corruption;
- (xii) Embezzlement;
- (xiii) Misappropriation;
- (xiv) Violation of oath of secrecy;
- (xv) Action prejudicial to the security of the State;
- (xvi) Advance fee fraud (Criminal Code 419);
- (xvii) Holding more than one full-time paid job;
- (xviii) Nepotism or any other form of preferential treatment;
- (xix) Divided loyalty;
- (xx) Sabotage;
- (xxi) Wilful damage to public property;
- (xxii) Sexual harassment;
- (xxiii) Fighting while on duty;
- (xxiv) Membership of cult(s)
- (xxv) Failure to appear for promotion exercise without reasonable cause

- (xxvi) Insubordination;
- (xxvii) Malicious and false whistleblowing;
- (xxviii) Battery;
- (xxix) Assault; and
- (xxx) Any other serious act unbecoming of a Public Officer.

**040503:** The following are the prescribed sanctions which may be applied in accordance with the rules in this Chapter:

- i. Dismissal
- ii. Reduction in rank
- iii. Reduction in salary
- iv. Withholding /Deferment of increment
- v. Surcharge
- vi. Reprimand
- vii. Suspension
- viii. Termination of Appointment
- ix. Compulsory retirement
- x. Suspension of increment

**040504:** Disciplinary procedure for serious misconduct shall be in accordance with Rules 040402 - 040406.

**Procedure**

**040505:** - (i) When a serious case that may lead to dismissal has been instituted against an officer, the Permanent Secretary/Head of Extra-Ministerial Department/Agency may interdict him on not less than half of his monthly salary pending the determination of the case.

**Interdiction**

(ii) Recommendations to the Commission or any other such body for interdiction shall be made only if it is against the State's interest that the officer should continue to perform any of the duties of his rank. When the charge against him is such that the continued performance of his present duties is against the State's interest or prejudicial to the investigation of the charge against him, consideration shall be given to placing him on alternative duties. Interdiction shall only be resorted to when this is not possible.

(iii) When an officer is interdicted, he shall cease to report for duty and shall receive such proportion of his emoluments, being not less than one half, as the Commission or any other such body may determine. The letter informing

an officer of his interdiction shall also indicate the proportion of emoluments he is to receive while on interdiction.

(iv) If proceedings under Rule 040505 (i) reveal that he is not guilty of the charge made against him, the officer shall immediately be reinstated and shall receive the full amount of the emoluments denied him while he was interdicted.

(v) If he is found guilty but is not dismissed, he may be refunded such portion of the emoluments denied him as the Commission or any other such body may determine.

**040506:** (a) An officer who is under interdiction shall notify his Permanent Secretary/Head of Extra-Ministerial Department/Agency of his intention to leave his station. He shall however not leave the country without the specific approval of the State Civil Service Commission or any other such body.

Responsi-  
bility of  
interdicted  
officer

(b) The officer shall be responsible for informing his Ministry/Extra-Ministerial Department/Agency of the address to which instructions to him can be delivered.

(c) Should he fail to comply with the instructions delivered to him at such an address within seven days of such delivery, he shall be regarded as absent from duty without leave.

**040507:** Suspension is a sanction that involves temporary stay-off duty with loss of corresponding benefits. It shall not be used as a synonym for interdiction. Suspension shall apply where a *prima facie* case, the nature of which is serious, has been established against an officer.

Suspension

**040508:** (a) The ultimate penalty for serious misconduct is dismissal. An officer who is dismissed forfeits all claims to terminal benefits, leave or transport grant subject to the provisions of the *Lagos State Pension Reform Law 2007*.

Dismissal  
and its  
effects

**040509:** When an officer is dismissed, no notice or salary in lieu of notice shall be given to him and his dismissal shall take effect from the date on which he is notified. This date shall be notified by the Permanent Secretary/Head of Extra-Ministerial Department/Agency concerned to the State Civil Service Commission or any other such body, to the office in charge of Establishments Matters and to the State Treasury Office as soon as

Effective  
date of  
dismissal

possible. Where the officer concerned seeks to evade this official notification, the effective date shall be:

- (a) that on which he is served with the notification, even though he may refuse to acknowledge receipt; or
- (b) the date on which the notification is delivered by a messenger to his recorded address, even though the officer concerned does not himself acknowledge receipt of such delivery; or
- (c) the date on which the notification is sent by post to his last known or normal address in accordance with the definition of "Service by Post" in Section 24 of the Interpretation Law (Cap. 14), Laws of Lagos State 2003.

**040510:** An officer must promptly report to his Permanent Secretary/Head of Extra-Ministerial Department/Agency whenever he is charged with a criminal offence and the outcome of the charge.

Officer to  
report  
criminal  
charge and  
its outcome

**040511:** If an officer is convicted of a criminal charge, the Commission or any other such body shall consider the proceedings of the court and if it is of the opinion that the officer should be dismissed or subjected to some lesser penalty on account of the offence for which he has been convicted, the officer may thereupon be dismissed or otherwise punished without any of the procedures prescribed in Rule 040406 being followed.

**040512:** (a) Nothing shall prevent disciplinary action being taken or continued against an officer whether or not -

Effects of  
criminal  
proceedings

(i) criminal proceedings have been instituted with respect to such a person in any court of law in Nigeria or elsewhere or are about to be instituted or are contemplated; or

(ii) the grounds upon which any criminal charges are based, or are to be based, are substantially the same as those upon which the disciplinary proceedings were or are to be instituted.

(b) An officer acquitted of a criminal offence shall not be penalized for any charge of which he has been acquitted, but nothing in this rule shall prevent

his being dismissed or otherwise punished on any other charge arising out of his conduct in the matter, provided that such a charge does not raise substantially the same issues as those of which he has been acquitted. If the Commission or other such body deems it fit, the usual procedure may be followed for the purpose.

**040513:** An officer convicted of a criminal offence (other than a minor traffic or sanitary offence and the like) shall be suspended with effect from the date of conviction, pending consideration of his case by the Commission or any other such body.

Suspension  
of  
convicted  
officers

**040514:** Any officer who absents himself from duty without leave or travels out of Nigeria without permission from the Office of the Head of Service renders himself liable to be dismissed from the Service and the onus shall rest on him to show that the circumstances do not justify the imposition of the full penalty.

Absence  
without  
leave

**040515:** (1) For the purpose of these rules, the expression “**serious financial embarrassment**” means the state of an officer's indebtedness which, having regard to the amount of debts incurred by him, has actually caused serious financial hardship to him. Without prejudice to the general meaning of the said expression, an officer shall be deemed to be in serious financial embarrassment where:

Serious  
financial  
embarrass-  
ment

- (a) the aggregate of his unsecured debts and liabilities at any given time exceeds the sum of three times his monthly emoluments.
- (b) he is a judgement debtor, and the judgement debt remains unsettled, or
- (c) he is adjudged a bankrupt or an insolvent wage earner, and he remains an undischarged bankrupt or as the case may be, for as long as any judgement against him in favour of the official assignee remains unsatisfied.

(2) Serious financial embarrassment, whatever be the cause, shall be regarded as necessarily impairing the performance of an officer on his job.

(3) If such embarrassment is caused by imprudence or other reprehensible cause, the officer concerned shall be liable to immediate dismissal and the

onus shall rest on him to show that the circumstances do not justify the imposition of the full penalty.

(4) It shall be the duty of the Registrars of the Supreme Court of Nigeria, the Federal Court of Appeal, the Revenue Court, the Federal and State High Courts, the Magistrate Courts as well as Commissioners for Stamp Duties and Registrars of Bills of Sales to report to the appropriate Permanent Secretary/Head of Extra-Ministerial Department/Agency that an officer has become a judgement debtor or has acknowledged any debt in writing as the case may be, wherever it shall come to the knowledge of any of them.

(5) Where the fact that an officer has become a judgement debtor or a party to accommodation bills or promissory notes is brought to the notice of his Permanent Secretary/Head of Extra-Ministerial Department/Agency, the latter shall call upon him to submit a statutory declaration in the prescribed **Form Gen. 74**, disclosing all his liabilities.

(6) Alternatively, a Permanent Secretary/Head of Extra-Ministerial Department/Agency may take such action as appears to him necessary when an officer becomes financially embarrassed, and if he considers it undesirable that an officer should be retained in the Public Service, he shall initiate the appropriate disciplinary proceedings.

(7) As long as an officer is in serious financial embarrassment, he shall be disqualified from promotion or acting in a higher appointment.

**040516:** It shall be the duty of every Permanent Secretary/Head of Extra-Ministerial Department/Agency to ensure that all officers, employees and temporary staff in his Ministry/Extra-Ministerial Department/Agency who have access to classified or restricted papers have signed the Oath of Secrecy, in the appropriate form before they are granted such an access and that the declarations so signed are safely preserved.

Oath of  
Secrecy

**040517:** Every officer is subject to the Official Secrets Act, (Cap. 335) (reproduced as Appendix 4 at the end of this Chapter) and is prohibited from disclosing to any person, except in accordance with official routine or with the special permission of Government, any article, note, document or information entrusted to him in confidence by any person holding office in the Lagos State Government or which he has obtained in the course of his

Unauthorised  
disclosure of  
official  
information

official duties. Similarly, every officer shall exercise due care and diligence to prevent the knowledge of any such article, note, document or information from being communicated to any person against the interest of the Government.

**040518:** Every officer is prohibited from abstracting or copying official minutes, records or other documents except in accordance with official routine or with special permission of the Permanent Secretary/Head of Extra-Ministerial Department/Agency.

Abstraction  
or  
copying of  
official  
documents

**040519:** Officers shall not, as a general rule, have access to official and secret records relating personally to themselves.

Secret  
personal  
records

**040520:** No officer may, on leaving the Public Service, take with him any public record without the written permission of the Permanent Secretary responsible for Establishments Matters.

Removal of  
public  
records

**040521:** Historical manuscripts or other documents of public interest which may be discovered by any officer in the course of his official duties may not be appropriated to his own use, but their existence must be reported to the Government in order that steps may be taken for their examination and preservation.

Removal of  
historical  
documents

**040522:** (i) Except in pursuance of his official duties, no officer shall, without the express permission of his Permanent Secretary/Head of Extra-Ministerial Department/Agency, whether on duty or on leave of absence:

Publication  
and public  
utterances

(a) act as the editor or, take part directly or indirectly in the management of, or in any way make financial contribution to any newspaper, magazine or journal except the following:

- (i) departmental or staff magazine;
- (ii) professional journal;
- (iii) publication of voluntary organizations;

(b) contribute to, whether anonymously or otherwise, or publish in any newspaper, magazine or periodical, or otherwise publish, cause to be published in any manner anything which may reasonably be regarded as of a political or administrative nature;

(c) speak in public or make a broadcast on any matter which may reasonably be regarded as of a political or administrative nature;

(d) allow himself to be interviewed or express any opinion for publication on any question of a political or administrative nature or on matters affecting the administration, public policy, defence or military resources of the State within the Federation.

(ii) (a) in considering whether or not permission for the proposed publication is to be granted, the Permanent Secretary/Head of Extra-Ministerial Department/Agency shall have regard to the interest of the Government and the public, and may, if he considers it necessary, seek the opinion of other appropriate Permanent Secretaries /Heads of Extra-Ministerial Departments/Agency.

(b) On the submission to the Permanent Secretary/Head of Extra-Ministerial Department/Agency of a brief outline of the scope of the proposed publication and the method of the treatment to be applied thereto, the Permanent Secretary/Head of Extra-Ministerial Department/Agency may give a provisional permission for the proposed publication, provided that no final permission shall be granted unless a full and complete manuscript has been submitted to the Permanent Secretary/Head of Extra-Ministerial Department/Agency, and he is satisfied that the proposed publication is not against the interest of the Government or the public.

(iii) Nothing in this Rule shall be deemed to prevent an officer from publishing in his own name, by writing, speech or broadcast matters relating to a subject of general interest which does not contain a criticism of any officer, Commissioner, official and Commissioner's statements or actions, or which can be regarded as of a political or administrative nature; provided that in so publishing any matter compiled with Government sanction from official records, he gives prominence to a disclaimer of Government responsibility for its accuracy.

**040523:** No officer shall, without express permission of the Government, whether on duty or leave of absence:

**Political  
activities**

(a) hold any office, paid or unpaid, permanent or temporary, in any political organisation;



- (b) offer himself or nominate anyone else as a candidate for any elective public office including membership of a Local Government Council or State or National Assembly;
- (c) indicate publicly his support of or opposition to any party, candidate or policy;
- (d) engage in canvassing in support of political candidates.
- (e) Nothing in this Rule shall be deemed to prevent an officer from voting at an election.

**040524:** Resignation is necessary before seeking elective public office. However, any officer wishing to engage in partisan political activities or seek elective public office shall resign his appointment forthwith.

Resignation  
before  
seeking  
elective  
office

**040525:** (a) Public officers are not prohibited from holding shares in both public and private companies operating in Nigeria or abroad except that they must not be directors in private companies, and may only be directors in public companies if nominated by Government.

Investments

(b) A public officer, whenever required to do so by his Permanent Secretary/Head of Extra-Ministerial Department/Agency, shall disclose within three working days, in confidence, full information about any investment held by him or his immediate family whether held in their own names or in the names of other persons or otherwise. Where an officer is called upon to divest himself of investments which are likely to lead to public scandal or are likely to be construed as an indication that the officer has abused his public position for his private advantage, and he fails to comply within six months, the matter shall be reported to the Commission or any other such body for necessary action.

**040526:** In accordance with the provisions of Regulated and other Professions Private Practice Prohibition Act (Cap. 390) Part II, no officer shall engage in private practice. However, exception shall be granted to Medical Practitioners and Law lecturers in the Universities.

Prohibition  
of private  
practice

<b>040527:</b> It is the duty of every officer to report to Government any discovery of what he considers to be valuable minerals. Officers are prohibited from giving any information on such valuable discoveries to any syndicate, company or individual and deriving benefit from it. Upon the report of such discovery, it shall be within the discretion of the Government to make the report public or to withhold it.	Mineral discoveries
<b>040528:</b> No officer shall seek the influence of prominent persons or any other person for ensuring the due consideration of his claims on matters connected with discipline or with a view to obtaining consideration for appointment, transfer, promotion or posting.	Seeking influence of prominent persons
<b>040529:</b> Every officer shall discharge any duties assigned to him by Government and accept liability for being stationed wherever his presence is considered to be most useful.	Posting and residence
<b>040530:</b> An officer on leave of absence shall not accept any paid employment without previously obtaining the express approval of the Agency in charge of Establishments Matters.	Paid appointment during leave of absence
<b>040531:</b> No officer shall undertake any private agency in any matter connected with the exercise of his public duties.	Private agency
<b>040532:</b> Concealment of any of the facts which an applicant for Government employment is required to make in compliance with Rules 020206 and 020207 or any false statement in that regard or in any application for employment shall be regarded as sufficient grounds for non-employment or for subsequent termination of appointment without notice if the falsehood is detected after engagement.	Statement on appointment
<b>040533:</b> No officer may borrow money either as principal or as surety from anyone or in any manner place himself under a financial obligation to any person whether in the Public Service of the Federation or a State or otherwise, such being a person: <ul style="list-style-type: none"> <li>(a) who is directly or indirectly subject to his official authority;</li> <li>(b) who resides, possesses land or carries on business within the local limits of his official authority;</li> <li>(c) with whom the officer has or is likely to have official dealings; or</li> <li>(d) who is a registered money-lender.</li> </ul>	Borrowing money

For the purpose of this rule, the word a "person" shall include a body or Persons, corporate or non-corporate.

(2) An officer may, however, borrow from banks, insurance companies, co-operative societies or incur debts through acquiring goods by means of a hire-purchase agreement provided that:

(a) the banks, insurance companies or co-operative societies, from which the officer borrows or the person with whom he signs a hire-purchase agreement, are not directly or indirectly subject to his official authority and do not have such official dealings with the officer that may lead to public scandal or be construed as an abuse of his public position for his private advantage; and

(b) the aggregate of his debts does not or is not likely to cause him serious financial embarrassment as defined under Rule 040515.

(3) Subject to paragraph (2) above, an officer may incur the following debts, provided that the aggregate of his debts is not likely to cause him serious financial embarrassment:

- (a) sums borrowed on the security of land charged or mortgaged, where the said sums do not exceed the value of the said land;
- (b) overdrafts allowed by banks;
- (c) sums borrowed from insurance companies on security of policies;
- (d) sums borrowed from the Government or co-operative societies; or
- (e) sums due on goods acquired by means of hire-purchase agreement.

**040534:** (a) No officer or his family shall accept gifts or presentations, whether in the form of money or otherwise, from any person in recognition or anticipation of service rendered or to be rendered by virtue of his official position. These rules shall not be regarded as applying to small personal gifts such as may be exchanged between colleagues and friends. If an officer is in doubt as to the propriety of receiving and retaining a gift, he may consult his Permanent Secretary/Head of Extra-Ministerial Department/Agency.

Presents in  
recognition  
of service

(b) Gifts from traditional rulers, chiefs and other persons, which cannot be refused without giving offence, shall be handed over to the Government. When presents are received on behalf of the Government in ceremonial intercourse, they shall be handed over to the Government and any presents given in return shall be at Government's expense.

Gifts from  
traditional  
rulers

**040535:** In order to improve Civil/Public Service management and enhance accountability and transparency, no officer shall receive any bribe or engage in corrupt practices.

Prohibition  
of bribery  
and  
corruption

## SECTION 6 — CONDUCT PREJUDICIAL TO THE SECURITY OF THE STATE

**040601:** Where it is considered that the conduct of an officer is prejudicial to the security of the State and where a Committee comprising representatives of the State Ministry of Justice, Office in charge of Establishments Matters, Public Service Office and the Department in charge of Special Services is satisfied that an officer has committed misconduct involving the security of the State or prejudicial to it, the procedure prescribed in Rule 040406 need not be followed by the State Civil Service Commission or any other such body in taking any disciplinary action it may deem fit and the punishment for such misconduct shall be aggravated.

Conduct  
prejudicial  
to State  
Security

## SECTION 7 — RETIREMENT IN PUBLIC INTEREST

**040701:** Notwithstanding the provisions of this Chapter, if the State Civil Service Commission or any other such body considers that it is desirable in the Public interest that an officer should be required to retire from the Service on grounds which cannot suitably be dealt with in accordance with the procedures laid down in Rule 040406, it shall call for a full report from the Permanent Secretary/Head of Extra-Ministerial Department/Agency in which the officer has served; and if, after considering that report and giving the officer an opportunity of submitting a reply to the complaints by reason of which his retirement is contemplated, the Commission or any other such body is satisfied, having regard to the conditions of service, the usefulness of the officer thereto and all other circumstances of the case, that it is desirable

Retirement  
in Public  
Interest

in the Public interest to do so, it shall retire the officer and the officer's service shall accordingly terminate on such date as the Commission or any other such body may specify. In every such case, the question of terminal benefits will be dealt with under the Lagos State Pension Reform Law, 2007.

**040702:** Subject to the rules regarding terminal benefits, any officer may be compulsorily retired for purposes of facilitating improvement in the organisation or reorganization of the officer's Department, Ministry or Agency so that greater efficiency or economy may be effected.

**APPENDIX 4**  
**OFFICIAL SECRETS ACT, CAP. 335**  
**ARRANGEMENT OF SECTIONS**

**See Rule 040516**

- SECTION 1 - PROTECTION OF OFFICIAL INFORMATION, E.T.C.
- SECTION 2 - PROTECTION OF DEFENCE ESTABLISHMENT E.T.C.
- SECTION 3 - RESTRICTIONS OF PHOTOGRAPHY, ETC. DURING PERIODS OF EMERGENCY
- SECTION 4 - CONTROL OF MAIL -FORWARDING AGENCIES, ETC.
- SECTION 5 - POWER TO REQUIRE INFORMATION AS TO OFFENCES UNDER THIS ACT
- SECTION 6 - SEARCH WARRANTS
- SECTION 7 - PENALTIES AND LEGAL PROCEEDINGS
- SECTION 8 - SUPPLEMENTARY PROVISIONS AS TO OFFENCES
- SECTION 9 - INTERPRETATION, ETC.
- SECTION 10 - SHORT TITLE, EXTENT AND REPEAL

**An act to make further provisions for securing Public Safety; and for purposes connected therewith.**

1962. No. 29

[13th September, 1962]

BE IT ENACTED by the Legislature of the Federation in this present Parliament assembled and by the authority of the same as follows:

**Commence-  
ment**

1. -(1) subject to subsection (3) of this Section, a person who -
  - (a) transmits any classified matter to a person to whom he is not authorised on behalf of the government to transmit it; or
  - (b) obtains, reproduces or retains any classified matter which he is not authorised on behalf of the government to obtain, reproduce or retain, as the case may be, shall be guilty of an offence.

**Protection of  
Official  
Information,  
etc.**

- (2) A public officer who fails to comply with any instructions given to him on behalf of the government as to the safeguarding of any classified matter which by virtue of his office is obtained by him or under his control shall be guilty of an offence.

(3) On proceedings for an offence under subsection (1) of this section relating to any classified matter, it shall be a defence to prove that:-

- (a) when the accused transmitted, obtained, reproduced or retained the matter, as the case may be, he/she did not know and could not reasonably have been expected to believe that it was a classified matter; and
- (b) when he knew or could reasonably have been expected to believe that the matter was a classified matter, he forthwith placed his knowledge of the case at the disposal of the Nigeria Police Force.

2. -(1) A person who, for any purpose prejudicial to the security of Nigeria
- (a) enters or is in the vicinity of or inspects a protected place; or
  - (b) photographs, sketches or in any other manner whatsoever makes a record of the description of anything situated in a protected place; or
  - (c) obstructs, misleads or otherwise interferes with a person engaged in guarding a protected place; or
  - (d) obtains, reproduces or retains any photograph, sketch, plan, model or document relating to, or to anything situated in, a protected place shall be guilty of an offence.

Protection  
of Defence  
Establishment,  
etc

(2) A person charged with an offence under the foregoing subsection shall, unless the contrary is proved, be deemed to have acted for a purpose prejudicial to the security of Nigeria, if from his character or general conduct and from all the circumstances of the case, it appears that he acted for such a purpose; but nothing in this subsection shall be construed as precluding the giving in evidence of matters tending to show that the accused acted for such a purpose.

3. - (1) The President may, during any period of emergency within the meaning of Section 65 of the Constitution of the Federal Republic of Nigeria, by order provide that during the continuance of that period that no person shall, without permission in writing given by the President, photograph, sketch, or in any other manner whatsoever make a record of the description of such things designed or adapted for use for defence purposes as may be specified by the order.

Restrictions  
of  
photo-  
graphy, etc  
during  
periods of  
emergency-  
Cap. 62

(2) A person who contravenes the provisions of an order under this section shall be guilty of an offence.

4. -(1) The Minister may make regulations:

- (a) for controlling the manner in which any person conducts any organization for receiving letters, telegrams, packages or other matters for delivery or forwarding to any other person; and,
- (b) without prejudice to the generality of the foregoing paragraph, providing for the furnishing of information and the keeping of records by persons having or ceasing to have the conduct of such an organization.

Control of  
mail-  
forwarding  
agencies etc.

(2) Regulations under this section may contain such incidental and supplementary provisions as the Minister considers expedient for the purposes of the regulations, including in particular provisions imposing penalties (not exceeding imprisonment for a term of three months or a fine of one hundred naira or both) for any failure to comply with the regulations; and the regulations may make different provisions for different circumstances.

(3) Regulations under this section shall not come into force until they are approved by a resolution of each House of the National Assembly.

5. -(1) Where an officer of the Nigeria Police Force not below the rank of Assistant Commissioner suspects that an offence under Section 1, 2 or 3 of this Act has been committed and that a particular person is likely to be able to furnish information with respect to the suspected offence, he may, after obtaining the consent in writing of the Minister for the issue of a warrant under this subsection in respect of that person, issue a warrant to any superior police officer of that force authorizing him -

Power to  
require  
information  
as to offences  
under  
this Act.

- (a) to require that person to furnish to the superior officer all information in that person's possession relating to the suspected offence; and
- (b) in any case, where it appears necessary to the superior officer so to do, to afford that person adequate facilities for attending at a time and place specified by the officer and to require that person so to attend for the purpose of furnishing the information aforesaid.

(2) where it appears to an officer proposing to issue a warrant under the foregoing subsection that the delay likely to be involved in obtaining the consent mentioned in that subsection would seriously prejudice the security



of Nigeria, he may issue the warrant without obtaining that consent but shall, on so doing, forthwith report his action to the Minister.

(3) If any person -

- (a) fails to comply with a requisition under Subsection(i) of this section; or
- (b) in pursuance of such a requisition, furnishes any information which he believes to be, or recklessly furnishes any information which is false in a material particular, he shall be guilty of an offence.

**6.** -(1) Where an officer of the Nigeria Police Force not below the rank of Assistant Commissioner has reasonable cause to believe that an offence under Section 1, 2 or 3 of this Act has been committed and that matter relating to the offence is likely to be found on particular premises, he may issue a warrant to any superior police officer of that force authorizing him, and such other police officers as may accompany him, to enter and search the premises and to seize and remove any matter found on the premises which the superior police officer considers is evidence of an offence under any of those sections.

**Search  
warrants**

(2) A police officer may use force as may be reasonably necessary for the purpose of executing a warrant issued under this section.

**7.** -(1) A person who commits an offence under Section 1, 2 or 3 of this Act shall be liable:-

**Penalties and  
legal  
proceedings**

- (a) on conviction and indictment, to imprisonment for a term not exceeding fourteen years;
- (b) on summary conviction, to imprisonment for a term not exceeding two years or a fine of an amount not exceeding two hundred naira or to both such imprisonment and fine.

(2) A person who commits an offence under Section 5 of this Act shall be liable on summary conviction to imprisonment for a term not exceeding three months or a fine of an amount not exceeding one hundred naira, or to both such imprisonment and fine.

(3) No proceedings in respect of an offence under Section 1, 2 or 3 of this Act shall begin except with the consent of the Attorney-General of the Federation or a State or on the instructions or authority of the Director of

Public Prosecutions of the State; and the instrument by which permission is signified for the beginning of any such proceedings shall state whether the proceedings shall be a summary or an indictment.

(4) Nothing in the last foregoing subsection shall be construed as preventing the detention of any person with a view to taking proceedings against him.

**8. -**(1) Without prejudice to any other provisions relating to the matters mentioned in the following paragraphs or cognate matters, a person who :-

**Supple-  
mentary  
provisions  
as to offence**

- (a) attempts to commit an offence under this Act or regulations made thereunder; or
- (b) aids, abets, counsels, incites, procures or commands the commission of such an offence; or
- (c) becomes an accessory before or after the fact to such an offence; or
- (d) conceals or procures the concealment of such an offence which he knows has been committed, shall be liable to being proceeded against and punished as a principal offender; and references in this Act to such an offence, or to an offence under any provision of this Act, shall include references to an offence in pursuance of this subsection.

(2) Where it is alleged that an offence under this Act or regulations made thereunder has been committed outside Nigeria by a citizen of Nigeria, proceedings in respect of the offence may be brought in any court in Nigeria which would have had jurisdiction in the matter if the offence had been committed in the part of Nigeria for which the court acts.

(3) Without prejudice to any other power of arrest, a police officer may arrest without warrant any person whom he finds committing an offence under Section 1, 2, or 3 of this Act, or whom he reasonably suspects of having committed such an offence.

**9. -** (1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say-

**Interpre-  
tation  
etc.**

**"classified matter"** means any information or thing which, under any system of security classification from time to time in use by or by any branch of the government, is not to be disclosed to the public and of which the disclosure to the public would be prejudicial to the security of Nigeria;

**"government"** means the Government of the Federation;

**"minister"** means the Minister of the Government responsible for security and public safety; **"protected place"** means -

- (a) any naval, military or air-force establishment in Nigeria, any other place in Nigeria used for or in connection with the production, storage or testing, by or on behalf of the government, or equipment designed or adapted for use for defence purposes, and any other building, structure or work in Nigeria used by government for defence purposes; and
- (b) any area in Nigeria or elsewhere for the time being designated by an order made by the Minister as being an area from which the public should be excluded in the interest of the security of Nigeria, and includes a part of a protected place within the meaning of paragraphs (a) and (b) of this definition;

**"public officer"** means a person who exercises or formerly exercised, for the purposes of the government, the functions of any office or employment under the State.

(2) For the purposes of this Act, classified matter remains classified matter notwithstanding that it is properly transmitted to, or obtained from, or otherwise dealt with by, a person acting on behalf of the Government of a State.

**10. - (1)** This Act may be cited as the Official Secrets Act.

(2) This Act shall apply throughout the Federation and shall apply to citizens of Nigeria elsewhere than in Nigeria.

(3) The Official Secrets Act is hereby repealed; however, that Section 5 of the Official Secrets Act, 1920 (which provides for the control of mail-forwarding agencies) shall not cease to have effect in its

Short title,  
extent and  
repeal.

Cap. 144  
of the  
1958  
Edition

application to Nigeria until the first regulations made in pursuance of Section 4 of this Act come into force.

(4) Sub-section (3) of this Section shall not be construed as repealing the Official Secrets Act (hereinafter referred to as "the former legislation") in so far as, apart from the sub-section, the former legislation has effect as part of the law of a State and is not inconsistent with or made redundant by the Act; and the former legislation shall have effect accordingly.

(5) Nothing in this Section shall affect any power of the Legislature of a State to make laws with respect to public safety which are not inconsistent with the provisions of the Act and, in particular, to make laws repealing the former legislation in so far as it has an effect as part of the law of the State.

Limitation  
of repeal  
made by  
Cap. 144 of  
1958  
Laws of  
Nigeria,  
1962,  
No. 39

**CHAPTER 5****SALARIES AND INCREMENTS****SECTION 1 - SALARIES****SECTION 2 - INCREMENT RULES****SECTION 1 - SALARIES**

**050101:** The *Financial Regulations* contains guidance on the payment of salaries and wages.

**Payment  
of Salaries**

**050102:** On first appointment, salary shall, as a general rule, be paid as from the date of assumption of duty.

**Salary on  
appointment**

**050103:** On transfer from another Government to the State Civil/Public Service, a member of staff shall be eligible for the salary attached to his new office with effect from the day he assumes duty.

**Salary on  
transfer  
from  
other  
Government**

**050104:** The following rules shall apply where an officer is promoted in the ordinary course within the State Public Service to an office carrying salary on an incremental scale:

**Salary on  
promotion  
within  
incremental  
scales**

(i) If the officer is promoted to a salary Grade Level that does not overlap his old Salary Grade Level, he will be placed at the minimum point of his new Salary Grade Level.

(ii) If his salary in the former post is higher than the minimum point of the new Salary Grade Level, he will be placed on the next point, higher than his former salary after taking into consideration the increment he would have earned if he had not been promoted.

**SECTION 2 - INCREMENT RULES**

**050201:** **Increment** is a predetermined amount added to the annual emolument of an officer every calendar year.

**Definition**

**050202:** An officer on an incremental Grade Level shall normally be granted an increment unless he is on interdiction/suspension or has a disciplinary action pending against him or on account of poor performance.

Increments  
not as of right

**050203:** Subject to good conduct and performance, an officer's incremental date shall be 1st January or 1st July after the first anniversary of his appointment/advancement/conversion/upgrading date. For promotion, incremental date shall be 1st January or 1st July.

Incremental  
Date

### DEFERRING AND WITHHOLDING OF INCREMENTS.

**050204:** The grant of an increment may be deferred or withheld in accordance with the provisions of the Chapter on Discipline. In deciding which penalty to impose or recommend, a Permanent Secretary/Head of Extra-Ministerial Department shall take into account the gravity of the shortcoming and the quality of the officer's previous service, bearing in mind that to withhold an increment is a more serious penalty than to defer it.

Grounds for  
withholding  
or deferring

**050205:** An officer's increment is deferred when the decision as to whether or not it shall be granted is postponed for a specific period. The period must be fixed at the time the increment is deferred and must not be less than three months nor more than six months; if less than six months in the first instance, it may, if necessary, be increased to six months by an additional specific deferment. If a deferred increment is eventually granted, it does not become effective until the day following the expiration of the specific period of deferment, but the recipient retains his original incremental date for subsequent increments. If a deferred increment is not granted at or before the expiration of six months from the date it was originally due, it must be withheld.

Deferred  
Increment

**050206:** An officer's increment is withheld when it is decided not to grant it and he shall cease to be eligible until his next incremental date. The withholding of an increment thus results in the salary of the officer in question remaining for the rest of his incremental service one increment behind what it would have been had the increment not been withheld.

Withheld  
Increment

**050207:** An increment deferred or withheld cannot be restored with a retrospective effect in consequence of improved service during a later increment-earning period.

Withheld or  
deferred  
increment  
not restorable

**050208:** An Officer who is required to fulfill any of the following conditions-

- (a) securing confirmation of appointment
- (b) passing of a prescribed examination or test may, if the conditions are not fulfilled within the specific time, cease to be eligible to receive any increment until the date on which he does fulfil the conditions in question.

**Suspending of  
Increments**

## CHAPTER 6

### STAFF PERFORMANCE EVALUATION

- SECTION 1 - GENERAL
- SECTION 2 - PROGRESS REPORTS ON OFFICERS
- SECTION 3 - RENDITION OF STAFF PERFORMANCE APPRAISAL REPORTS

#### SECTION 1 - GENERAL

**060101:** It is required that both the reporting officer and the officer being reported on, at the beginning of the reporting period must agree on performance goals derivable from the overall work plan of the Ministry/Department/Agency for the reporting period.

**Reporting  
Officer**

**060102:** (a) A reporting officer must not only be at least one substantive grade above the officer being reported on, but also be the immediate superior officer under whom the officer being reported on directly works. Where an officer has served in more than one Department before his report is rendered, the reporting officer shall be the immediate superior officer under whom he worked for the substantial part of the normal period a report shall cover. It is necessary that a Countersigning Officer should assess every report before countersigning.

(b) The reporting period for officers on GL07 - GL12 is bi-annual i.e. June and December of the reporting year.

(c) The reporting period for officers on GL 01 - GL 06 is annual i.e. January - December of the reporting year.

- (i) Officers' bi-annual Reports should be completed within a month after the reporting period, that is, 31st of July of the Reporting Year and 31st January of the succeeding year.



- (ii) Officers' Annual Reports should be completed within the first quarter of the succeeding year, that is, 31st of March;
- (iii) Officers reporting bi-annually must serve a minimum of three months in the Agency within the reporting period;
- (iv) Officers reporting annually must serve a minimum of six months in the Agency within the reporting period;
- (v) Any violation of the conditions stated in (i) - (iv) above shows that the officer is not eligible for appraisal and the period shall not count as eligibility period for promotion.

**060103:** It is essential, for the general efficiency of the Service, that Performance Appraisal Reports on officers shall be detailed and candid. Reporting officers must realise that their own capabilities are discernible from reports rendered on their officers, bearing in mind the responsibilities of the Offices held.

Performance  
Appraisal  
Reports  
to be  
detailed  
and  
candid

**060104:** On the date designated Letter Day, any adverse comment on an officer's work or conduct included in a report shall be conveyed to him in writing by the Permanent Secretary/Head of Extra-Ministerial Department/Agency in clear terms and with the intent of encouraging him to improve his conduct and performance as appropriate. The fact that this action has been taken shall be stated in the report itself. Similarly, exceptional conduct and performance in the period under review shall be recognized and acknowledged.

Communi-  
cation of  
reports  
to officers-  
Letter Day

**060105:** In cases where a Head of Department is not very familiar with the performance and conduct of an officer who is adversely reported on, he shall investigate the circumstances leading to the bad report before recording his own views, but where this is not possible, he shall indicate his inability to comment on the report.

What to do  
by Head of  
Department  
not familiar  
with officer  
reported  
upon.

## SECTION 2 - PROGRESS REPORTS ON OFFICERS

**060201:** (a) Progress reports must be rendered on all newly employed officers regardless of Grade Level.

(b) Progress reports are meant to assess the conduct and performance of an officer on probation or contract, for confirmation.

Progress  
report  
on officer  
on probation/  
initial  
contract

However, where the conduct and performance are below required standard, he should be informed appropriately and given ample opportunity to improve.

**060202:** The Reporting Officer who shall be the immediate supervisor is responsible for rendering progress reports at intervals of six months with effect from the date of first appointment. The final Progress Report shall be rendered at the expiration of an officer's probationary period or a contract tour.

Timing

**060203:** If, for any reason, an officer's probationary period is due to expire at a time when he will be on leave, the final progress report should be rendered not later than two months before he proceeds on such leave, in order that a decision as to the confirmation, deferment of confirmation or termination of his appointment may be taken and communicated to him before his departure. In the case of an officer on contract, if adverse opinion of his suitability has been formed before progress report shall be rendered not later than two months before he proceeds, in order that Government's decision as to whether he should be allowed to return for a further tour may be taken and communicated to him before he departs and the officer may have the opportunity of deciding before he departs, whether in the light of the adverse opinion already formed, it is in his own interest to return.

In special cases

**060204:** Where an officer has, during a period or part of a period in respect of which a Performance Evaluation Report is to be rendered, been absent from his Department for the purpose of training, the Head of Department shall obtain such reports from the authorities in charge of such training as will serve as an alternative to, and in lieu of, the normal Performance Evaluation Report.

Reports on Officers on training courses.

**060205: Permanent Secretaries/ Heads of** Extra-Ministerial Department/Agencies should address progress reports to the Permanent Secretary, Civil Service Commission or the Permanent Secretary, Public Service Office, as appropriate under personal and confidential cover. The final Progress Report rendered after 21 months' service shall include a definite recommendation as to whether the officer's appointment should be confirmed or terminated or whether his contract should be renewed.

Procedure

## REPORTS ON SECONDED OFFICER

**060206:** When an officer is seconded to another Ministry/Extra-Ministerial Department/Agency, the Permanent Secretary/Head of Extra-Ministerial Department/Agency to which he is seconded is responsible for furnishing the reports on the officer as required by this chapter. In cases where adverse comments are made on the performance and conduct of officers, such officers shall be informed in writing immediately.

Secondment  
to  
Ministry/  
Extra-Ministerial  
Department/  
Agency

**060207:** Arrangements shall be made with Corporations or State-owned Companies to which officers are seconded to furnish the reports on the officers so seconded as required by this chapter, as though such bodies were Government Departments/Agencies. It shall be the responsibility of the Permanent Secretary/Head of Extra-Ministerial Department/Agency from which an officer has been seconded to request the Corporation or State-owned company concerned, two months before the due date, to furnish the required report on appropriate annual Report Forms, which shall be supplied to the establishment for this purpose.

Secondment  
to corpora-  
tion, or  
State-  
owned  
companies

## SECTION 3 - RENDITION OF STAFF PERFORMANCE APPRAISAL REPORTS ON OFFICERS

**060301:** The purpose of the Staff Performance Evaluation Form is to provide a continuous process of reviewing, measuring and feedback on an officer's performance and capabilities from which his suitability for promotion, training and other potentials may be assessed by the State Civil Service Commission and other authorised Establishment bodies. In the case of promotion / appointment to a higher responsibility, the Commission should consider the cognate and relevance of the officer's previous experience to determine the eligibility and suitability for such post, without prejudice to seniority and length of service.

Purpose

**060302:** Staff Performance Appraisal Reports should be rendered on all officers at the end of each reporting period.

Period

**060303:** Every officer on whom a Staff Performance Appraisal Report is rendered shall, within thirty days to the end of the Reporting Period, complete and sign the relevant pages of the appropriate number of copies of the Form and forward them, unfolded, through departmental channels to the

Action by  
officers

Permanent Secretary/Head of Extra-Ministerial Department/Agency. Officers who will be on leave on the due date should take this action before proceeding on leave (see Appendix to this Chapter).

**060304:** It is essential for all officers to know that the performance appraisal shall be based on open reporting system. Each officer is therefore expected to provide correct information in the Staff Performance Evaluation Report. The officer being appraised and the Head of Department are to agree on the duties to be performed, set and agree on performance objectives to be met and evaluate and assess the actual performance against the performance objectives set, so that the report may be used for the purpose explained in Rule 060301 without reference to any other document.

**060305:** The attention of all officers is invited to the need to provide detailed information in their response to the questions on the relevant sections of the Staff Performance Appraisal Report forms, so that the reports may be used for the object explained in Rule 060301 without reference to any other document.

Open  
Reporting  
System

**060306:** Every Permanent Secretary/Head of Extra-Ministerial Department/Agency shall make such departmental arrangements as he considers necessary to ensure that, thirty days before the due date, an officer serving in his Ministry/Extra-Ministerial Department/Agency, on whom a Report is required, takes the action indicated in the preceding Rule and that the forms thus completed by individual officers are forwarded to the appropriate Reporting Officers who shall complete the appropriate sections of the report which shall then be forwarded to the Permanent Secretary/Head of Extra-Ministerial Department/Agency.

Department  
routine

**060307:** Not later than fourteen days after the due date, the Permanent Secretary/Head of Extra-Ministerial Department/Agency will receive from Reporting Officers reports duly completed by them, add his own reports, comments and endorsements, if any, to all copies of each report and forward them in sufficient time to reach their respective destinations within thirty days of the due date.

Action by  
Permanent  
Secretary/  
Head of  
Extra-  
Ministerial  
Department

## APPENDIX 6

### SUMMARY

The reports required on officers at various stages of their service together with the number of copies of such reports and their destinations are summarized in the following table:

OFFICER			TYPE	NO.	DATE OF SUBMISSION		DESTINATION
ALL STAFF ON GL 01-12							
A	1	On probation/on contract with less than two years' service	SPADEV.GEN.06	1	On completing 6,12,18 and 21 months' service.	Permanent Secretary, Civil Service Commission (GL 07-12) Permanent Secretary, Office of Establishments & Training (GL. 01-06)	
B	1	Confirmed in Senior Post	SPADEV.GEN.06	1	End of each calendar year	Permanent Secretary, Civil Service Commission	
	2	On contract with two years' service	SPADEV.GEN.06				
C	1	Confirmed in Junior Post	SPADEV.GEN.06	2	End of each calendar Year	Permanent Secretary, Office of Establishment and Training	
ADMINISTRATIVE OFFICER, EXECUTIVE OFFICER AND SECRETARIAL OFFICER CADRES							
D	1	On probation in senior posts	SPADEV.GEN.06	2	On completing 6, 12, 18 and 21 months' service	Permanent Secretary, Public Service Office and other relevant agencies	
	2	On contract with less than two years' service					
E	1	Officer holding senior post who has been confirmed.	SPADEV.GEN.06	2	End of each calendar year	Permanent Secretary, Public Service Office	
	2	On contract with over two years' service					
F	1	All other staff Members	SPADEV.GEN.06	2	End of each calendar year	Permanent Secretary, Public Service Office	
G	1	Officer on transfer of service/ secondment	SPADEV.GEN.06	2	End of each calendar year	Permanent Secretary, Public Service Office, Civil Service Commission	
H	2	Inter-cadre Transfer	SPADEV.GEN.06	2	End of each calendar year	”	

ALL OTHER OFFICERS ON GRADE LEVEL 13 AND ABOVE.						
I	1	On Contract appointment	SPADEV Form	2	Once in a calendar year (July and Dec.)	Permanent Secretary, Civil Service Commission
J	1	On Transfer or Secondment	SPADEV Form	2	Once in a calendar year (July and Dec.)	Permanent Secretary, Civil Service Commission
K	1	Other staff members	SPADEV Form	2	End of a calendar year.	Permanent Secretary, Civil Service Commission.

**CHAPTER 7****PRESCRIBED EXAMINATIONS FOR  
CONFIRMATION/PROMOTION**

- SECTION 1 - GENERAL
- SECTION 2 - COMBINED CONFIRMATION/PROMOTION  
EXAMINATIONS FOR CLERICAL OFFICERS AND  
ASSISTANTS
- SECTION 3 - COMPULSORY EXAMINATIONS FOR  
ADMINISTRATIVE OFFICERS
- SECTION 4 - COMPULSORY EXAMINATIONS FOR  
EXECUTIVE OFFICERS

**SECTION 1  
GENERAL**

**070101:** The purpose of the examinations specified in this chapter is to test the candidates' ability to apply the rules and principles contained in the Books, Acts, Laws etc. which form the subjects of the examinations. Accordingly, candidates will be allowed to refer, during the examinations, to the relevant books, Acts, Laws etc. in question but not books of model answers or prepared questions.

Textbooks  
allowed

**070102:** There shall be an Examination Committee appointed by the Head of Service of the State consisting of Agencies responsible for Establishments Matters, Management Services, Ministries of Justice, Finance and Education, which shall be responsible for the general policy; while the Lagos State Examination Board shall conduct and supervise the examinations.

Examination  
Committee

**070103:** Any officer who does not pass the examinations specified in this chapter as compulsory for him within the time-limit stated in the relevant Rules, will have his probationary appointment terminated or his confirmation deferred, whichever is appropriate to the circumstance, and he shall not be considered for promotion.

Failure  
to pass  
examinations

**070104:** An officer who refuses to take the confirmation examination after four years of first appointment shall be required to resign from the Service.

**070105:** Confirmation examination shall be held once a year.

Refusal to  
take  
confirmation  
examination

Time of  
holding  
Confirmation  
Examination

## **SECTION 2 - COMBINED CONFIRMATION/PROMOTION EXAMINATION FOR CLERICAL OFFICERS AND CLERICAL ASSISTANTS.**

**070201** - The tests will be held at least once a year. Details of the subjects to be taken at each level are as follows:

I. Clerical Officers G.L. 04 with WASC or GCE O/L or NECO who have spent at least one year in the Service:

- (i) Use of English
- (ii) General Paper
- (iii) Public Service Rules
- (iv) Financial Regulations
- (v) Office Procedures or Special Papers

II. Clerical Assistants G.L. 03 (with JSSCE or S.75 or SSCE attempted) or those who have passed the Sub-Clerical/Sub-Technician Examinations and have spent at least two years on the post):

- (I) Use of English
- (ii) General Paper
- (iii) Public Service Rules
- (iv) Financial Regulations
- (v) Office Routine or Special Papers
- (vi) Elementary Mathematics

B. The pass marks shall be as follows:

I. Clerical Officer II G.L. 04: **Confirmation/Promotion level:**

50% Average with at least 50% score in English and 40% score in each of the other subjects.

II. Clerical Assistant: **Promotion Level:**

60% Average with at least 50% score in English and 40% score in each of the other subjects. All Clerical Assistants on G.L. 03 who have served for not less than two years on the

grade shall take and score a minimum of 50% pass mark to be deemed eligible for promotion to Clerical Officer II GL 04.

### **SECTION 3 - COMPULSORY EXAMINATION FOR ADMINISTRATIVE OFFICERS**

**070301:** Administrative Officers are required to pass the examinations prescribed in Rule 070303 within two years from the date of: **General**

- (a) Direct appointment to the State Civil/Public Service, Grade Level notwithstanding;
- (b) Transfer from other scheduled services; and
- (c) Conversion from other cadres to the Administrative Officer cadre.

**070302:** An Administrative Officer who possesses legal qualification obtained from a Nigerian University or has been called to the Nigerian Bar shall be exempted from taking Group A of the prescribed examinations. **Exemption**

**070303:** The following are the prescribed examinations for Administrative Officers except otherwise reviewed: **General**

#### **GROUP A: LAW EXAMINATION**

This examination consists of two papers on the following subjects:

1. (a) Nigerian Legal system;
- (b) Ministerial Government Procedure based on:
  - (i) Lagos (Administrative and Executive Functions) Act No. 1 of 1958
  - (ii) Ministers' Statutory Powers and Duties (Miscellaneous Provisions) Act, Cap. 228, Acts of the Federation of Nigeria, 1990
  - (iii) Legislative Houses (Powers and Privileges) Act. Cap. 208 Laws of the Federation of Nigeria, 1990
  - (iv) Transfer of Functions (Lagos) Order L. N. 257 of 1959
  - (v) Transfer of Functions (Federation) Order L. N. 258 of 1959
  - (vi) Chapter VI, Part I, Section A of the Constitution of the Federal Republic of Nigeria, 1999.
  - (vii) The Pensions Reforms Laws 2007.



2. The main provisions of the following legislation:
- (a) The Constitution of the Federal Republic of Nigeria, 1999;
  - (b) The following chapters of the Laws of the Federal Republic of Nigeria, 1999 and the subsidiary legislation made thereunder:

Chapter	Title of Act
447	Commissions and Tribunals of Inquiry Act
513	Illiterates' Protection
192	Interpretation Act
331	Notaries Public Act
333	Oaths Act 1963
335	Official Secrets Act 1962
Vol. IBV Cap 766 503 Vol. IV 1979 Constitution	Laws of Lagos State Civil Service Commission Fundamental Human Rights
VIII Part I of 1999 Constitution	Federal Capital Territory

**GROUP B: EXAMINATION IN OFFICIAL PUBLICATIONS**

This examination consists of two papers:

- (i) Public Service Rules
- (ii) Financial Regulations

**SECTION 4 - COMPULSORY EXAMINATIONS FOR EXECUTIVE OFFICERS (ALL CADRES)**

**070401:** Executive Officers (all cadres) are required to pass the examinations prescribed in Rule 070402 within two years from the date of:

Officers  
who are  
required  
to pass

- (a) Direct appointment to the State Civil/Public Service, Grade Level notwithstanding;
- (b) Transfer from other scheduled services; and
- (c) Conversion from other cadres to the Executive Officer cadre.

**070402:** The following are the prescribed examinations for Executive Officers (all cadres) except otherwise reviewed:

Syllabuses of  
examinations

- (i) Public Service Rules
- (ii) Financial Regulations

**070403:** Fees shall be paid to examiners and invigilators at rates which may be determined from time to time by the State Government.

Examination  
Fees

## CHAPTER 8

### MEDICAL / DENTAL TREATMENT AND PROCEDURES

- SECTION 1 - GENERAL  
SECTION 2 - FACILITIES FOR MEDICAL TREATMENT  
SECTION 3 - ABSENCE FROM DUTY ON ACCOUNT OF ILLNESS  
SECTION 4 - MATTER RELATING TO INJURIES  
SECTION 5 - DEATH BENEFITS AND REPATRIATION OF CORPSES

#### SECTION 1 - GENERAL

**080101: Hospital** - means a Government Hospital or any health facility run by a Government Agency.

Definitions

**Medical Officer** - means a Government Medical Officer or a Medical Officer in a hospital run by a Government Agency.

**Private Practitioner** - means any other Registered Medical or Dental Practitioner.

**080102:** The medical certificates, reports of medical boards, dental treatment records, reports of private practitioners and confidential health reports mentioned in this Chapter will be treated as strictly confidential. No copies of such reports shall be released except to another Service of Government to which an officer has been transferred.

Medical documents to be treated as confidential

**080103:** Every person appointed shall be required to present himself for examination by a Government Medical Practitioner with a view to ascertaining that he is sound in health and fit to perform his duties without prejudice to government policy on the right of individual as it pertains to specific duties from time to time. Unless otherwise provided in the offer of appointment, the fee for such an examination shall be paid by the State Government. If the candidate is not finally passed as medically fit for service, his appointment shall be terminated.

Medical examination on appointment

**080104:** The Permanent Secretary/Head of Extra-Ministerial Department/Agency may at any time direct or if the officer so requests, call on an officer to appear for examination by an approved or Government Medical Practitioner, or before a duly constituted Medical Board with a view to ascertaining that the officer is capable of performing the duties.

Special  
medical  
tests

**080105:** An officer on leave of absence on medical grounds may be required, or at his own request, be permitted by the State Government or its accredited representative, to present himself for examination by an approved Medical Practitioner, with a view to obtaining a report as to the officer's medical fitness to return to his duties or be redeployed appropriately.

Medical tests  
for officer on  
leave of absence

**080106:** In the case of examinations under either of the two preceding Rules (080104 and 080105):

Procedure

- (a) any fee in respect of the examination shall, in the absence of any special regulation or arrangement to the contrary, be paid by the State Government;
- (b) the person(s) appointed to conduct the examination shall have discretion to call a Specialist into consultation and any fee due to the Specialist for assistance in rendering a report to the Government shall be paid from public funds;
- (c) the report of the examination shall be furnished to the Government and may be communicated to the officer concerned at the discretion of the Medical Officer; and
- (d) the officer shall be informed at the earliest possible date of the decision reached by the Government after consideration of the report; and if the officer is dissatisfied with the decision, he shall make representations to this effect and Government at its discretion shall decide whether any further medical evidence shall be called for.

**080107:** An officer may be granted leave by his Permanent Secretary/Head of Extra-Ministerial Department/Agency for the purpose of visiting a Medical Specialist/Dentist, but only if it is certified by the Government

Leave to  
visit  
medical  
specialist/  
dentist

Medical Officer that he is unable to deal with the case himself and that it will definitely affect the health of the officer if consultation is postponed. If no Medical Certificate is given, it will be open to an officer to apply for casual leave under Rule 130231.

## SECTION 2 - FACILITIES FOR MEDICAL TREATMENT

**080201:** The Government medical facilities providing certain free services to all officers, spouses and four (4) dependants who are under 18 years of age and the scale of charges for other Government medical facilities are specified in current Hospital Fees Regulations and amendments.

State  
Government  
Medical  
facilities

**080202:** A member of staff who prefers to be treated by a private practitioner instead of availing himself of Government medical facilities must himself bear all expenses incurred through such treatment.

Officer  
bears  
expenses

**080203:** (a) When, owing to the state of his health, a staff member or a member of his family is compelled, in the absence of a Medical Officer, to avail himself of the services of a Private Practitioner, he will be responsible in the first instance for the fees payable. If, however, the circumstances are recognized by the Permanent Secretary, Ministry of Health, as requiring such service, he may authorize a refund to the officer at such rates as he considers fair and reasonable.

Expenses  
refundable  
in Special  
Circumstances

(b) When an officer or a member of his family gets a prescription from the Pharmacy or a Medical Investigation (Laboratory and Radiology) Officer in a Government Hospital/Clinic, which he is unable to obtain from a Government Hospital, he shall, on application to the Permanent Secretary, Ministry of Health, be reimbursed the cost of purchasing the drugs and Services on production of receipt issued to that effect.

## RE-IMBURSEMENTS OF MEDICAL EXPENSES

(i) All requests for re-imbursements of Medical Expenses shall be processed using the following guidelines:

### A. GENERAL

- i. An individual is to present application for re-imbursement through the Heads of respective MDAs addressed to the Honourable

- Commissioner or the Permanent Secretary, Ministry of Health;
- ii. Application should be accompanied by photocopy of staff identity card of applicant;
  - iii. Application letters should be submitted along with copies of all relevant documents including evidence of payment;
  - iv. Re-imbursement shall only be for applicant, spouse and not more than four children below 18 years of age, as at the last birth date;
  - v. All applications should be addressed to Lagos State Ministry of Health for consideration and recommendation;
  - vi. Recommendation amounts within the approval limits of the Honourable Commissioner and Permanent Secretary, Ministry of Health will be processed at that level while others will be forwarded to the Honourable Commissioner, Ministry of Economic Planning and Budget (MEPB) or His Excellency, the Governor as the case may be.

**B. RE-IMBURSEMENT FOR DRUGS AND LABORATORY TESTS**

Application for re-imbursement of Medical Expenses on Drugs and Laboratory investigations not available at Government Hospitals must be accompanied by the following documents:

- i. Photocopy of doctor's prescription, clearly bearing the name and signature of a qualified Doctor from the State's Health Facility;
- ii. Drug prescriptions from private hospitals must be countersigned by a Doctor in the Lagos State Civil Service; and
- iii. Copies of receipts and other documents as evidence of purchase/payment.

**C. USE OF PRIVATE FACILITIES**

- i. In emergency situations that warrant use of Private Facilities, the applicants must ensure that he is transferred to a State Hospital within 24 hours of admission;
- ii. Medical bills from private hospitals in non-emergency situations will NOT be considered;
- iii. All original receipts must be produced on request by the Ministry of Health;
- iv. Any receipts more than ₦10,000 (Ten Thousand Naira) must be

accompanied by a valid Medical Report countersigned by a Doctor in a Lagos Public Health Facility;

- v. Any receipt more than ₦100,000 (One Hundred Thousand Naira) would be reviewed by the State's Medical Board.

#### **D. OVERSEAS MEDICAL TREATMENT**

In addition, application for re-imbursement of overseas treatment expenses must be accompanied by the following documents:

- i. Evidence of prior application for Government medical assistance for overseas medical treatment as endorsed by the Honourable Commissioner for Health and approved by His Excellency, the Governor;
- ii. Medical Report stating Diagnosis and Recommendation for overseas treatment, bearing Name and Signature and Managing Consultant in Nigeria which must be from a Public Health Facility;
- iii. Medical Report and Treatment Summary from Overseas Hospital;
- iv. Receipts and other documents as evidence of payment;
- v. All cases must be reviewed by the State Medical Board irrespective of the amount involved, while application without prior Government approval to proceed on overseas treatment will not be considered.

#### **TREATMENT ON BOARD SHIP/AIRCRAFT AND ABROAD**

**080204:** If an officer is embarked, by Government or its accredited representative, in a ship/aircraft as an invalid and placed in the charge of the medical escort, the latter's fees for medical attendance on the officer during the journey will be payable by Government.

**Officers  
embarked  
as  
invalids**

**080205:** Government will consider claims for the refund of medical expenses incurred by officers and their families during voyages duly authorized by the Government in cases of serious illness occurring *en route* and provided that the illness is not attributable to the officer's or his family's negligence. Claims for petty bills incurred on board ships/aircraft will not, however, be entertained.

**Officers  
falling  
seriously  
ill on voyage  
to or from  
Nigeria**

**080206:** The Ministry of Health or any other similar body may authorise a refund of medical expenses (including charges for maintenance) incurred by an officer while overseas on leave or on duty provided that:

**Medical  
expenses  
during  
overseas  
leave or  
on duty**

- (a) the illness was not due to the officer's negligence;
- (b) the illness was attributable to conditions or the climate overseas;
- (c) the officer sought to avail himself of the services of the local National Health Service (where applicable) and could not obtain the requisite attention within a reasonable time;
- (d) the officer informed the nearest accredited representative of the Government at the earliest date possible that he was unable to obtain the requisite attention through the local Health Service; and
- (e) the officer showed reasonable diligence, expedition and economy in seeking and obtaining medical attention.

**080207:-** (a) Approval for journeys outside Nigeria for medical treatment will only be given by the Governor following the assessment and recommendation of a constituted Medical Board and shall be confined to serious cases where a patient's life is in danger or where the examination is necessary for diagnosis of difficult cases or to ensure that a patient is fully recovered and able to undertake his duties. Where the officer is treated as an out-patient, he shall be entitled to Estacode Allowance at the appropriate rate.

Medical  
treatment  
overseas.

(b) An officer's spouse and children who are very ill and cannot be cared for locally because of lack of expertise or equipment can enjoy medical treatment overseas at Government expense.

(c) Every application for medical treatment abroad must be supported by a report from a properly constituted Medical Board. It must be submitted to the Permanent Secretary, Ministry of Health by the sponsoring Ministry, Department or Agency. The Permanent Secretary shall then make his recommendations to the Governor. The Permanent Secretary (Health) conveys approval to the applicant, with copies to the Ministry of Finance, who then seeks the permission to travel abroad from the Head of Service.

**080208:-**(i) Approval for Public Servants / Public Office Holders to receive periodic medical check-up at Government's expense locally and abroad shall be given by the Governor:



- (ii) Conditions for spouses accompanying ailing officers: Permission may be granted an officer's spouse to accompany him at Government's expense where the ailing officer is considered to be in a 'life or death' condition, in consequence of which immediate medical treatment or hospitalization abroad is recommended. In such a case, the commitment of the State Government shall be limited to the provision of return air passage for the two of them, together with the payment of Estacode rate in respect of only one spouse, it being assumed that if the patient is hospitalized, his spouse will remain in a hotel, or that if the officer remains as an out-patient, the two of them will utilize the same hotel accommodation. Even then this privilege (by which a spouse is permitted to accompany the officer) shall not be automatic, it being a necessary requirement that a specific approval from the competent authority must be obtained prior to the journey abroad.
- (iii) The duration of medical treatment abroad at Government expenses shall not exceed fourteen days which can be extended only by the specific approving Authority.

#### **PROCEDURE FOR MEDICAL CHECK-UP**

- 080209:-(i)** The Governor's approval in respect of officers in (080208) above shall be conveyed to the officers in writing by the Head of Service with copies to the Ministries of Health and Finance and the appropriate Nigerian Mission.
- (ii) Officers in (080208) above shall submit their applications through their Permanent Secretaries to the Head of Service for the Director of Medical Services and the Permanent Secretary, Ministry of Health to countersign the Certificate of Recommendation issued by a local consultant which should be attached to the application.

#### **ANNUAL MEDICAL CHECK-UP FOR PUBLIC SERVANTS**

- 080210:-(i)** In order to ensure better health service delivery and total well-being of staff aimed at stemming the various incidences of untimely death arising from often curable ailments, it is a matter

**Annual  
Medical  
check up**

of compulsion for all Public Servants to visit any designated State Government Hospital for medical check-up once a year. For administrative purposes, this generally is scheduled to fall within the month of the officer's birthday.

- (ii) If, as a result of such a check-up, it is recommended that a further medical consultation and/or treatment be undertaken/given abroad, permission to do so may be granted by the Governor.
- (g) The cost of the annual medical check-up is borne by the Government.

### **SECTION 3 - ABSENCE FROM DUTY ON ACCOUNT OF ILLNESS**

**080301:** The following types of Medical Certificates are issued in connection with the sickness of Staff:

**Types of  
Medical  
Certificates**

- (i) Excuse Duty Certificate, Form No. Med. 166;
- (ii) Light Duty Certificate, Form No. Med. 167;
- (iii) Medical Certificate of Treatment;
- (iv) Certificates issued by hospitals run by a State Government Agency.

**080302:** An officer seeking one of these certificates shall do so either:

**How  
obtained**

- (i) by presenting himself to the appropriate Medical Officer for examination, in which case he will, unless admitted to hospital as an in-patient, be given an appropriate certificate by the Medical Officer who examines him; or
- (ii) by forwarding to the Medical Officer at his station, a detailed report on his sickness given by the Private Medical Practitioner/ Traditional Medical Practitioner who is attending to him and arranging for the collection from such a Medical Officer of whichever certificate the latter decides to issue to him in the light of the report (see Rules 080301, 080314).

**080303:** Every officer is responsible for keeping his Agency informed in writing the address at which it shall be possible to find him or ascertain his whereabouts in the event of his being prevented by illness from reporting for duty.

**Responsibilities  
of officers:  
duty to  
notify address**

**080304.-** (a) An officer, not being on leave of absence or an in-patient in a Government Hospital, who is prevented by illness from performing his duties at his place of work, must either report the fact immediately to his Agency or, within 48 hours, cause to be delivered to his Agency, an Excuse Duty Certificate, signed by the appropriate Medical Officer.

**Duty to  
report to  
Employer  
when sick**

(b) on reporting sick to his Agency, an officer shall either:

- (i) receive instructions to seek medical advice immediately, in which case, he must cause one or other of the Medical Certificates listed in Rule 080301 delivered to his Agency within 48 hours; or
- (ii) be authorised by a reporting officer to absent himself from duty without a Medical Certificate for a specified period; in a place where a Medical Officer is available, such a specified period shall not exceed two days; in a place where no Medical Officer is available the specified period shall be at the discretion of the reporting officer.

(c) Unless absence from duty through illness is covered either by admission to a Government Hospital or by departmental authority as explained above or an Excuse Duty Certificate, it shall be treated as absence without leave. (See Rule 040514)

(d) An officer who has failed to comply with this Rule shall render himself liable to be treated as having been absent without leave.

**080305:** An officer stationed at a place where a Medical Officer is available must, when he has been prevented by illness for two days from performing his duties, seek medical advice. An officer may seek such advice either from the Medical Officer, or if he prefers, from a private Medical Practitioner/Traditional Medicine Practitioner. An officer stationed at a place where no Medical Officer is available shall, when so instructed by his Agency, comply with any official arrangements made to provide him with medical advice and shall comply with the advice so obtained.

**Duty to  
seek and  
comply with  
medical  
advice**

**080306:** If, for any reason, it is decided that an officer should be examined by a Medical Board, he shall present himself for examination at the place and time instructed, and shall afterwards comply with recommendations of the Board, which shall supersede any medical advice already given to him by a Medical Officer or Private Practitioner. Refusal to appear before a duly constituted Medical Board shall be treated as misconduct.

**Duty to appear before a Medical Board and to comply with recommendations.**

### **RESPONSIBILITIES OF MINISTRIES/ EXTRA-MINISTERIAL DEPARTMENTS**

**080307:** Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies shall arrange for the responsibilities described below to be allocated to appropriate officers:

**Who is responsible?**

- (i) In each Agency, an up-to-date record shall be maintained of the residential addresses of all officers. (see Rule 080303).
- (ii) If an officer's absence from duty is not explained by him within 48 hours, enquiries shall be made at his recorded address to ascertain the cause of absence.
- (iii) Whenever an officer becomes so ill that he is physically unable to present himself for medical examination, the circumstances and his whereabouts shall be reported by his Agency to the nearest Government Hospital.
- (iv)(a) When an officer reports that he is prevented by illness from performing his duties, he shall (unless Rule 080307(iii) applies) be instructed or authorised as explained in Rule 080304; and
- (b) Be provided with a note requesting the Medical Officer to examine and treat him.
- (v) When it is desirable to constitute a Medical Board, it is the responsibility of the Permanent Secretary/Head of Extra-Ministerial Department/ Agency to initiate action in this regard.

**Recording of addresses.**

**Enquiries about absentees**

**Reporting of staff member's sickness**

**Instructions to Officer reporting sick**

**Constitution of Medical Board**

## RESPONSIBILITIES OF MEDICAL OFFICERS

**080308:** When an officer presents himself to a Medical Officer for examination, the latter shall examine and treat him and either give him the appropriate certificate listed in Rule 080301 or, if he admits him to hospital as an in-patient, inform his Agency.

When a  
patient  
attends in  
person

**080309:** When a Ministry/Extra-Ministerial Department/Agency reports to a Medical Officer that an officer of the Ministry/Extra-Ministerial Department/Agency is so ill that he is physically unable to present himself for medical examination, the Medical Officer shall, as appropriate, either arrange for the officer to be brought to hospital for examination and treatment or visit the officer to examine and treat him. If the examination results in the officer's admission to a Government hospital as an in-patient, the Medical Officer shall so inform the officer's Agency; otherwise, he shall give the officer whichever of the certificates listed in Rule 080301 he considers appropriate.

When  
Department  
reports  
patient  
unable to  
attend

**080310:** When an officer forwards to a Medical Officer a report on his sickness by the Private Practitioner attending to him, the Medical Officer shall, after such consultation with the Private Practitioner as he may deem necessary, issue any of the certificates listed in Rule 080301 he considers appropriate. The period of excuse duty or light duty entered on the first certificate he issues shall not exceed three days unless the State Government Medical Officer has himself examined the patient in which case the period may be for up to seven days and not more than a total of thirty-one days' sick leave may be allowed on such certificates. As an in-patient, an officer shall be off-duty for a maximum of thirty-one days.

When a  
patient  
sends  
private  
practitioner's  
report

**080311:** On any of the occasions listed in this Rule, the Medical Officer shall report the circumstances to the officer's Agency:

Reports  
to Ministries/  
Extra-  
Ministerial  
Departments

- (i) When an officer is admitted to and when he is discharged from Government hospital;
- (ii) When an officer refuses to carry out, or in the opinion of the Medical Officer, is neglecting to carry out the Medical advice he has been given;

- (iii) When in the opinion of the Medical Officer an officer is feigning ill-health.

### SICK LEAVE

**080312:** An officer not being on leave of absence who is absent from duty on the grounds of ill-health, provided such absence is covered by proper authority, shall be regarded as being absent on sick leave.

**Officer who does not cover his absence from duty with the proper authority**

**080313:** An officer on vacation leave who is prevented from resuming duty at the expiration of his authorized leave by reason of ill-health certified by a State Government Medical Officer may be granted an extension of leave.

**Power to grant an extension of leave to an officer who is ill**

**080314:** (i) The maximum aggregate sick leave which can be allowed an officer, who is not hospitalized, during any period of twelve months shall be six weeks. Where such an officer has been absent from duty on the grounds of ill-health for an aggregate period in excess of six weeks within 12 calendar months, the officer shall be made to appear before a Medical Board with a view to ascertain whether he shall be invalidated from the Service. Any period of absence on the grounds of ill-health in excess of the prescribed aggregate period shall be without pay.

**Aggregate sick leave for officers**

(ii) An Officer who is incapacitated as a result of injury sustained in the course of his official duties shall be entitled to draw full salary until he is discharged from sick leave or permanently invalidated.

**080315:** An officer who is recommended by a Medical Board or a Medical Officer to be permanently invalidated will immediately commence vacation leave prior to retirement in accordance with Rule 120256.

**Invaliding**

**080316:** Sick leave for a period of up to three months in the first instance may be granted on the certificate issued by a Government Medical Officer to an officer who is hospitalised. If at the end of the period, the officer is still hospitalised, his Permanent Secretary/Head of Extra-Ministerial Department/Agency shall make an arrangement for him to be examined by a Medical Board in order to ascertain whether he should be invalidated from the Service or allowed further paid sick leave.

**Payment to hospitalised officer**

**SECTION 4 - MATTERS RELATING TO INJURIES**

**080401:** This section does not apply to any person who is a workman to whom the provisions of the Employee's Compensation Act 2010, apply. **Application**

**080402:** When an officer sustains an injury as a result of an accident encountered in the course of performing his duty, he must immediately inform the nearest Medical Officer unless he is unable, by reason of his/her injury, to do so. **Action by injured officer**

**080403:** When a Medical Officer receives information of injury to an officer whether the information is received from the injured person or from any other source, he shall as soon as possible report details of such an injury to the appropriate Permanent Secretary/Head of Extra-Ministerial Department/Agency. **Action by medical officer**

**080404:** When a Permanent Secretary/Head of Extra-Ministerial Department/Agency is informed of an injury sustained by an officer as a result of an accident in the course of his duty which might lead to a claim under the Pensions Act or otherwise, he shall call for a report by a Medical Officer if no such report has already been received. On receipt of the medical report, the Permanent Secretary /Head of Extra-Ministerial Department/Agency shall enquire into the circumstances of the accident, and if satisfied that the injury was not incurred in the actual discharge of duty, he shall so report to the Agency responsible for Establishments matters, sending a copy of his report to the injured person's Ministry/Agency/Department. If, however, after his injury the Permanent Secretary/Head of Extra-Ministerial Department/Agency has any doubt on these points, he shall, as soon as possible, convene a Personnel Management Board meeting to consider the matter and report its findings on the following questions: **Action by Department**

- (a) Did the accident occur in the actual discharge of duty?
- (b) Was the accident due to any fault of the injured person?
- (c) Was the accident specifically attributable to the nature of the duty being discharged?

The Board's report shall be forwarded to the Agency responsible for Establishments matters. In the case of fatal injury, the Permanent Secretary/Head of Extra-Ministerial Department/Agency shall convene a Board in the same way unless the information provided by the coroner's inquest is clearly sufficient for the purpose of deciding whether a special award should be made.

**SECTION 5 - DEATH BENEFITS AND REPATRIATION  
OF CORPSES**

**080501:** The Government shall repatriate, at the request of the family of the deceased, the corpse of a Nigerian Officer who dies abroad while on official duty or course of instruction, or the corpse of the wife of the official who was duly authorised to accompany him on the duty or course of instruction. Government's responsibility shall be limited to the following:

**Death of  
Nigerian  
Officer/  
spouse  
overseas**

- (i) Preparation of the body (embalment);
- (ii) Purchase of a reasonably priced coffin or casket, including inner zinc and wooden coffin as stipulated by Airline Regulations;
- (iii) Transportation of the corpse to the officer's hometown at a reasonable cost; and
- (iv) Payment of the cost of a half-page publication to the immediate family of the deceased for the publication of an obituary.



**CHAPTER 9****COMPENSATION, INSURANCE SCHEME AND PERSONAL EFFECTS**

SECTION 1 - COMPENSATION FOR LOSS OF PRIVATE PROPERTY

SECTION 2 - PASSENGER FLIGHT INSURANCE

SECTION 3 - PACKING OF PERSONAL EFFECTS

SECTION 4 - PERSONAL ACCIDENT INSURANCE POLICY

**SECTION 1 COMPENSATION FOR LOSS OF PRIVATE PROPERTY**

**090101.-** (a) Officers will not in general be entitled to compensation from Public Funds for loss of property in circumstances arising out of their service, and their attention is drawn to the possibility of insuring their property against any type of loss or damage. Cases of loss arising through special circumstances will be considered on their merits; but even if compensation is approved ex-gratia by the Government, it will, as a rule be given only in respect of articles actually or conventionally necessary at the place of the loss when it occurred, and the amount of the grant will, as a rule, be limited to two-thirds of the current value of such articles and on production of a police report and sworn affidavit from the court.

Personal effects

(b) Claims for compensation may be withheld altogether if the loss or damage was due to negligence for which the officer was responsible or which could reasonably have been covered by insurance.

(c) If it is necessary to insure Government furniture as well as personal effects of an officer occupying a government-rented building, it will be necessary for such an officer to pay into Government revenue account, his share of the insurance premium paid on his behalf during the period of his occupation of such a building in order that he may have his share of claim from the Insurance Company in the event of any loss or damage to his property in such a building.

**090102.** - (a) If the motor vehicle of an officer, while being used for official duties is damaged as the direct result of civil disturbance, Government shall accept responsibility for such damage. For the purpose of this Rule, "official duties" will be deemed to include journeys between house and office.

Motor  
vehicles

(b) If an officer's private vehicle, while being used for official duties is damaged beyond repair as a result of an accident, the government shall accept responsibility to the extent of the difference between the indemnity covered by the insurance and the cost of replacing the vehicle.

## SECTION 2 - PASSENGER FLIGHT INSURANCE

**090201:** The following persons, when travelling by air, land or sea at the State Government's expense will be eligible for free insurance cover to be provided by the Department responsible for insurance of the member of staff concerned as follows:

Insurance  
at  
govern-  
ment's  
expense

Traveller	Capital Benefit
Member of staff	₦2,000,000
Spouse of member of staff	₦1,000,000
Child of member of staff	₦1,000,000
Non-Official	₦1,000,000
Youth Corper	₦1,000,000

**090202:** A passenger travelling to and from any destination inside or outside Nigeria with the authority of Government is entitled to free insurance cover for the capital benefits, prescribed in Rule 090201, which will be automatic and will not require the completion of any formalities by the passenger. If the passenger wishes to arrange an excess of the capital benefits provided by Government, he must do so privately and at his own expense.

Responsibility  
for insurance

**090203:** The free cover referred to in Rule 090202 above is provided for a period of normal-time travel only, though this is automatically extended when the passenger is delayed due to no fault of his. Where a traveller takes advantage of "stop-over" facilities and does not reach his destination during the normal travel time, the insurance cover lapses at the first place of stop-over. All officers to whom Rule 090202 applies and who make stop-overs en route to or from a country outside Nigeria should, therefore, make their

Stop-over  
facilities.

own arrangements for insurance from the place of stopover onwards. Refunds of the extra premium incurred will only be made in respect of the capital benefits prescribed in Rule 090201.

**090204:** An officer who is obliged for a purpose connected with his duties to transport his motor vehicle by sea between Nigerian ports is eligible to be refunded the cost of insuring the vehicle against marine risks during the journey.

**Marine Insurance on motor vehicles.**

### SECTION 3 - PACKING OF PERSONAL EFFECTS

**090301:** The following Rules apply to officers transferred to duties outside the State and Nigeria and who have not been able to make their own arrangements for the forwarding of their personal effects.

**Application**

**090302:** An officer who is covered under Rule 090301 above shall be responsible to freight his personal effect through a reputable shipping agent at Government expense.

**Facilities provided**

### SECTION 4: GROUP LIFE / GROUP PERSONAL ACCIDENT INSURANCE (WELFARE PACKAGE)

**090401:** This policy of insurance provides cover for all categories of workers in the State Public Service who die or were involved in accident while in Service irrespective of cadre or Grade Level.

**Definition / Scope of Cover**

**090402:** The Insurer shall be a Consortium of credible Underwriters as provided in the schedule by the Insurance Department of Ministry of Finance. The Consortium shall be led by a member of the group as may be determined from time to time.

**Insurer**

**090403:** The premium payable shall be at a competitive rate agreed between the Co-insurers and the Insurance Department of Ministry of Finance and based on recommendations of the Consortium of Brokers in line with the approved rates as provided by the Insurance Act.

**Consideration**

---

**090404:** The compensation shall comprise four elements:

- ? (a) **Medical Expenses (ME):** This takes care of medical bill with a limit per occurrence (subject to review as determined from time to time by the agreement on the policy)
- ? (b) **Total and Temporary Disability (TTD):** This covers basic, housing and transport elements of staff salary for the period of incapacitation and inability to carry out official assignments. This component belongs to the State Government and serves as compensation for salary paid to the officer while he is unable to attend to his official duties due to injuries sustained from the accident.
- ? (c) **Permanent Disability (PD):** The compensation payable for permanent disability shall be the same amount as for death benefit. This is the cumulative of personal emolument of the staff for 42 months.
- ? (d) **Death Benefit:** This is compensation payable to the next of kin of a deceased officer through his Retirement Saving Account (RSA) on the completion of claim form and presentation of other relevant claim substantiating documents. It is the cumulative of 42 months personal emolument of the staff.

**090405:** Personal emolument shall be deemed to be the aggregate of the officer's Basic Salary, Rent and Transport Allowances at the time of occurrence of the incidence.

**090406:** (a) The State Government shall be responsible for all risk insurance covered for all workers and the payment of occupational hazard allowance in accordance with the Pension Reform Law, Employees' Compensation Act and other Allied Legislation.

## CHAPTER 10 - GRIEVANCES AND PETITIONS / APPEALS

### SECTION 1 - GENERAL

### SECTION 2 - PETITION RULES

#### GENERAL PRINCIPLES

Government makes every effort to ensure that all members of staff in its employment are treated with consideration and fairness under the best possible conditions. However, procedures have been established whereby concerns, grievances or dissatisfaction are addressed. A grievance procedure as contained in the Civil / Public Service Rules shall be adhered to.

### SECTION 1 - GENERAL

**100101:** All officers have the opportunity to raise concerns should they have a reasonable suspicion that unlawful conduct, malpractice or criminal negligence is occurring, has occurred or is likely to occur.

Whistleblowing/  
Grievance;  
definitions

(a): A whistleblower raises concern to higher authority about alleged misconduct occurring in his office or the Service. He is not expected to suffer a detriment or any form of retribution as a consequence of the action if allegations are upheld. These suspicions should be investigated by the relevant PMB. However, officers with no reasonable grounds for making malicious claims of misconduct, malpractice or otherwise shall be subject to appropriate disciplinary actions in accordance with the provisions of the relevant Rules in Chapter 4.

(b): A grievance is an adverse situation inimical to the interest of an officer. It includes but not limited to the following: injustice, wrong, disservice, hurt, injury e.t.c. Such matters will be formally investigated by the relevant Personnel Management Board.

**100102:** If an officer is not satisfied with a decision made which affects him directly or indirectly, or the outcome of a grievance or a whistleblowing matter raised, a representation shall be made to the Permanent Secretary/Head of Extra-Ministerial Department/Agency, if the representation is unsuccessful, a formal written appeal can be made.

**100103:** Every officer who has any representation of a public or private nature to make to the State Government should address it to: **Procedure**

(a) The Chairman, State Civil Service Commission or any other such body, in respect of matters relating to appointments (including acting appointments), promotion, transfer, discipline, whistle-blowing and grievances; or

(b) The Head of Service or similar authority on matters relating to other conditions of service, e.g. leave, passages, allowances, pensions, gratuities, etc.

**100104:** (a) Any officer in the State Public Service may address the Head of Government, by transmitting such a communication unsealed and in triplicate to any of the channels mentioned in the preceding Rule requesting that the petition be forwarded promptly to the Head of Government. The rule requiring transmission of communications to the Head of Government through the appropriate channel is based on the strongest grounds of public convenience, in order that all communications shall be duly verified as well as reported on before they reach the Head of Government.

**Petition to  
Head of  
Government**

(b) Any petition which does not follow the laid down channels shall be returned to the writer.

## SECTION 2 - PETITION

**100201:** (i) For the purpose of this section, a "**petition**" is a formal appeal to the ultimate authority, that is, to the Head of Government, for special consideration of a matter affecting an officer personally.

(ii) Without prejudice to their constitutional rights, officers should as much as possible exhaust all avenues provided in the Public Service Rules and Circulars for redress before proceeding to courts.

**100202:** Petitions by an officer (or by an ex-officer) on matters relating to his conditions of employment as an officer or his condition as a pensioner of Government must be submitted in accordance with the rules set out in this section.

**Application**

**100203:** An officer must not attempt to bring political or other external influence to support his individual claims. If he is dissatisfied, his proper course is to make representation to his immediate Superior Officer or Permanent Secretary/Head of Extra-Ministerial Department/Agency. If his representation is not successful, it is open to him to submit a formal petition to the appropriate authority under Rule 100103.

**External  
influence**

**100204:** A petition must bear the full name, Oracle Employee Number, signature and address of the petitioner. When written by a person other than the petitioner, the signature and address of the writer must be included.

**Identity  
of petitioner**

**100205:** When a person submits a petition on behalf of an illiterate, the petition should contain a statement that he has been asked to write on behalf of the illiterate.

**Petition sub-  
mitted on  
behalf  
of an  
illiterate**

**100206:** A petition must be submitted through the proper departmental channels, namely through the petitioner's immediate superior officer and the Permanent Secretary/Head of Extra Ministerial Department/Agency, who will forward the petition with his comments and recommendations to the Chairman, Civil Service Commission or any other such body or the Head of Service in accordance with administrative instructions in force at the time. It is in the petitioner's interest that the above-mentioned rule concerning the routing of a petition should be strictly observed in order that the petition will be duly verified and reported on before it reaches the final destination.

**Routing of  
petition**

**100207:** A petition addressed to any of the channels mentioned in the preceding Rule must be submitted in triplicate, and an advance copy shall be sent direct to the appropriate authority. In either case, one copy will be retained by the Permanent Secretary/Head of Extra-Ministerial Department/Agency.

**Number of  
copies**

**100208:** A petition will not be entertained if it:

**Disqualification**

- (i) does not comply with Rule 100204;
- (ii) deals with a case in which legal action is pending in a Court of Law;
- (iii) is illegible or meaningless;

- (iv) is anonymous;
- (v) is worded in abusive, improper or foul language; or
- (vi) merely repeats the substance of a previous petition without introducing new relevant matter.

(b). A petition submitted more than six months after the date of the decision complained of, will also not be entertained, unless such delay is supported by valid reasons as determined by the appropriate authority.

**Delay in  
petition to  
be explained**

**100209:** A petition should conclude by stating concisely the nature of the redress sought, and a petition which exceeds two pages of foolscap in length must also include a summary of the reasons adduced in support of the redress sought.

**Conclusion  
of petition**



**CHAPTER 11****OCCUPATION OF GOVERNMENT QUARTERS****SECTION 1 - GENERAL****SECTION 2 - OFFICERS HOLDING SENIOR POSTS****SECTION 3 - OFFICERS HOLDING JUNIOR POSTS****SECTION 1 - GENERAL  
OCCUPATION OF STAFF QUARTERS**

**110101:** If an officer's duties necessitate his being available at any hour of the day or night, he may be required to live in specified Government Quarters in the vicinity of his place of work.

Certain  
postings  
necessitate  
occupation of  
specified  
quarters

**110102:** Except as provided in the preceding Rule, no officer shall be compelled to occupy Government quarters if he prefers to make some other arrangements for his accommodation.

No compulsion  
to occupy  
Government  
quarters

**110103:** An officer whose place of work is within 20 km of a house in respect of which he has been granted assistance under any State Government Housing Scheme will not be given preference in the allocation of Government quarters. This Rule does not apply to officers who occupy quarters by virtue of Rule 110101.

Government  
Housing Scheme  
participants  
not to be given  
preference

**110104:** It shall be a condition on which an officer is provided with Government quarters that he pays rent thereof by deduction from his salary at the prevailing rates as specified in Rule 110204. However, the applicable rent subsidy will be used in calculating their retirement benefits.

Condition  
attached to  
occupation  
of State  
Government  
quarters:  
Payment  
of rent

**110105:** It shall be a condition on which an officer is provided with Government quarters that he does not sublet any part thereof or use the quarters to take in a lodger or paying guest. An officer who fails to comply with this Rule is guilty of serious misconduct.

Subletting  
prohibited

**110106:** An officer provided with Government quarters is responsible for maintaining in good order all articles of Government furniture included therein, and for the cleanliness of the quarters including the compound and domestic servants' quarters, which he shall inspect from time to time.

Care of  
quarters

**110107:** An officer provided with Government quarters is prohibited from altering the structure or fixtures. If any alteration is desired, application must be made to the appropriate authority responsible for the quarters, which will arrange for the alteration if approved. Fixtures must not be removed without the approval of the appropriate authority. The officer to whom the quarters has been allocated shall be held responsible for any contravention of this Rule.

Alterations  
to  
structure  
and  
fixtures  
prohibited

**110108:** Government furniture in Government quarters belongs to the quarters to which it has been issued and no articles of furniture may be interchanged between quarters (or between quarters and offices) without the prior approval of the Office controlling the quarters.

Removal  
of  
furniture  
prohibited

**110109:** An officer provided with Government quarters must give at least forty-eight hours' notice to the Office controlling the quarters of his intention to vacate the premises.

Notice  
of  
vacation

**110110:** (a) Government quarters must be taken over from and handed over to the authorised representative of the Office controlling the quarters. An incoming occupant must acknowledge receipt of the quarters and all articles of Government furniture in it by signing the furniture inventory and key register.

Taking  
over  
and  
handing  
over

(b) An outgoing occupant shall hand over the keys of the quarters he is vacating to the authorised representative of the Office controlling the quarters and remains responsible for the quarters and all articles of the State Government furniture in it until he obtains the signature of such an authorised representative to the furniture inventory and key register in acknowledgment of their surrender.

**110111:** Unless an officer, at the time he takes over Government quarters, indemnifies himself by reporting any deficiency or damage to the Office controlling the quarters, it will be assumed that he received the quarters and all articles of furniture in it in good condition, and will be liable for the cost of repairs discovered at the time he hands over the quarters.

Responsibility  
for  
deficiency  
and  
damage

**110112:** Unless exempted by special conditions of service, an officer provided with Government quarters is required to pay all electricity and water charges raised in respect of the period during which he retains the use. Accounts for these charges shall be settled promptly.

Responsibility  
for payment of  
utility bills

**110113:** On taking over Government quarters, an officer must immediately notify the fact to the authority (or authorities) locally responsible for making electricity and water charges. At least forty-eight hours before surrendering the quarters, he must notify the same authority (or authorities) of his intention to surrender them; otherwise, he will be responsible for any charges accruing up to such time as the meters are read.

Responsibility  
for notifying  
Electricity  
and Water  
Authorities

**110114:** (i) No officer shall continue to occupy Government quarters after the date on which his resignation takes effect or beyond three months from the date on which he starts his retirement or from the date he finally leaves the Service from any other cause. Any extension beyond 3 months will be on the written approval of the Head of Service. An officer shall cease to occupy Government quarters within one month of the date of his dismissal.

Vacation of  
quarters on  
resignation,  
transfer,  
retirement  
or dismissal

(ii) An officer shall not continue to occupy quarters in one station beyond the date when he takes up occupation of quarters in another station, except with permission in writing by his Permanent Secretary/Head of Extra-Ministerial Department/Agency. In the event of the officer's death, his spouse shall not continue to occupy the quarters beyond three months after his death except with the permission of the Head of Service on the recommendation of his Permanent Secretary/Head of Extra-Ministerial Department/Agency in writing.

(iii) If occupation of quarters continues beyond the period specified in this Rule, the occupant shall be ejected.

Ejection  
from  
quarters

**SECTION 2 - OFFICERS HOLDING SENIOR POSTS**

**110201:** An officer is entitled to retain the use of Government quarters during his vacation leave, unless he is expected to resume duty at a different station. The officer is however expected to vacate his quarters within one month of starting his leave, when alternative accommodation is provided at his duty post.

**Retention of  
Government  
quarters  
during  
vacation  
leave**

- 110202:-**
- (i) The following officers are entitled to Government quarters:
    - (a) All senior officers on G.L. 07 and above.
    - (b) An officer appointed to duties which require him to be on "Call Duty" night and day.
  - (ii) Rent Allowance shall be paid to all officers except those occupying Government quarters.

**110203:** In order to assist officers on posting, transfer or assumption of duty on appointment at their new stations, when Government quarters cannot be provided, such officers shall be eligible for payment of an allowance for the first 28 days in lieu of hotel accommodation at the following rates subject to periodic review:

Permanent Secretary	"	₦30,000 per day
Officers on G.L. 16-17	"	₦25,000 per day
Officers on G.L. 14-15	"	₦15,000 per day
Officers on G.L. 12-13	"	₦10,000 per day
Officers on G.L. 09-10	"	₦ 7,500 per day
Officers on G.L. 07-08	"	₦ 5,000 per day

**110204:** Officers provided with Government quarters are required to pay rent at the prevailing rates.

**Rate of  
rents**

**SECTION 3 - OFFICERS HOLDING JUNIOR POSTS**

<b>110301:</b> In this section the term 'officer' refers to an officer holding a junior post.	Application
<b>110302:</b> As a general rule, junior officers on G.L 01-06 are not entitled to Government quarters. However, a junior officer may be allocated Government quarters at the discretion of the Head of Service.	Junior Officers not entitled to Government quarters
<b>110303:</b> The officer shall be entitled to retain the use of Government quarters during his vacation leave unless he is expected to resume duty at a different station, and the officer is then expected to vacate his quarters within one month of starting his leave.	Retention of Government quarters during vacation leave
<b>110304:</b> No rent is payable by an officer, who, by the nature of his job, is compelled to occupy specific Government quarters.	Compulsory occupant exempted
<b>110305:</b> Except as provided in the preceding Rule, rent is payable from the date on which an officer takes over Government quarters to the date immediately preceding that on which he officially hands over his quarters to the authorised representative of the Office controlling the quarters, both dates inclusive.	Period of rent

## CHAPTER 12

### LEAVE

#### SECTION 1 – DEFINITIONS

#### SECTION 2 – TYPES OF LEAVE

##### SECTION 1 - DEFINITIONS

<b>120101: Leave</b> is the authorized absence of an officer from duty for specific period as provided for in this Chapter.	Leave
<b>120102: Leave Address</b> is a place where an officer could be reached during his leave period.	Leave Address
<b>120103: Earned Leave</b> is the leave due to an officer in a year for the service rendered to Government.	Earned Leave
<b>120104: Leave-Earning Service</b> is a qualifying period of duty before officers could be granted leave.	Leave-Earning Service
<b>120105: Date of Resumption of Duty</b> is the date following the date of expiration of the leave.	Date of resumption
<b>120106: Leave Year</b> is the period between 1st January and 31st December of the same year.	Leave year
<b>120107: A Tour</b> is the period of service between the date of assumption or resumption of duty and the end of the tour, both days inclusive.	Tour

##### SECTION 2 - TYPES OF LEAVE

<b>120201:</b> The types of leave in the State Public Service are as follows:	Types of Leave
(a) Annual Leave;	
(b) Proportionate Leave (Pro-rata Leave);	
(c) Deferred Leave;	
(d) Casual Leave;	

- (e) Sick Leave;
- (f) Maternity Leave;
- (g) Paternity Leave;
- (h) Examination Leave;
- (i) Study Leave with Pay;
- (j) Study Leave without Pay;
- (k) Leave on Compassionate Ground;
- (l) Pre-retirement Leave;
- (m) Leave of Absence;
- (n) Leave on Grounds of Urgent Private Affairs;
- (o) Leave for Cultural and Sporting Activities;
- (p) Leave to Take Part in Trade Union Activities;
- (q) Sabbatical Leave;
- (r) Adoption Leave;

**120202: Annual Leave** is the absence of an officer from duty for a period specified in Rule 120209 as may be authorized by a superior officer.

**Annual  
Leave**

**120203:** Annual vacation leave is compulsory. No officer shall be required or allowed to take working leave, whereby the officer reports for duty during his approved leave period. All officers must, therefore, take their vacation leave within the calendar year in which such leave is due.

**Annual  
vacation  
leave is  
compulsory**

**120204:** Permanent Secretaries/Heads of Extra-Ministerial Departments are authorised to approve such leave as is permissible under this Chapter to officers under their control.

**Authority  
for  
leave**

**120205:** Officers who are dismissed shall not be entitled to any form of leave.

**Dismissal**

**120206:** Annual vacation leave shall be based on working days only.

**Leave  
to be on  
working  
days only**

**120207:** The period of any leave such as casual leave, sick leave, maternity leave, etc granted under these Rules shall be inclusive of Saturdays, Sundays and Public Holidays occurring therein.

Casual/Sick/Maternity Leave inclusive of Saturdays, Sundays and Public Holidays.

**120208:** An officer, whether serving at a station away from his home place or serving at his home place when granted annual leave shall be provided with leave allowance at the prevailing rates.

Entitlement to leave allowance.

**120209:** (i) Annual Leave shall be granted to an officer in accordance with his Grade Level as follows:-

Annual Leave entitlement

- (a) GL 08 and above - 30 working days
- (b) GL 04 - 07 - 21 working days
- (c) GL 03 and below - 14 working days

(ii) An officer shall qualify for Annual Leave not less than six months after the previous leave within a leave-earning service year.

Qualifying period for Annual leave

**120210:** (a) It is the responsibility of the Head of the Department of Administration/Personnel to prepare the Annual Leave Roster for all officers in that Ministry/Extra-Ministerial Department/Agency in consultation with the Permanent Secretary/Head of Extra-Ministerial Department/Agency. Such a leave roster should be prepared during the first quarter of the leave year. The Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies will then notify all officers when it will be convenient for the officers to proceed on annual leave. Such a notification should be made before the end of April of any leave year except in the case of an officer joining the Service during the course of the leave year, in which case Rule 120220 shall apply;

Annual Leave Roster

(b) It is the responsibility of every Permanent Secretary/Head of Extra-Ministerial Department/Agency to approve the Leave Roster for the coming year within the first quarter of the leave year.

Approval for vacation

**120211:** Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies shall give prior notice to the Head of Service of the date on which they propose to go on leave.

Leave of Permanent Secretaries/Heads of Extra-Ministerial Departments

**120212:** When an officer is granted leave without pay, his Permanent Secretary/Head of Extra-Ministerial Department/Agency shall report the fact to the State Auditor-General and the State Accountant-General, where appropriate, quoting the name, Oracle Number, rank and station of the officer and full details of the leave granted.

Leave without pay to be reported to the Treasury and Audit



<b>120213:</b> Temporary staff may be granted vacation leave, sick leave, leave to take examinations, casual leave and leave to take part in sporting competitions in accordance with the relevant rules in this chapter.	Leave for Temporary Staff
<b>120214:</b> Annual leave shall be granted at any time during the leave year. Normally, the full leave shall be taken at one time but it may be taken in instalments. Any leave not taken within the calendar year concerned shall be forfeited. No officer is allowed to accumulate leave.	Normal grant of annual leave
<b>120215:</b> An officer who desires to spend his annual leave abroad shall, through his Permanent Secretary/Head of Extra-Ministerial Department/Agency, obtain approval from the Head of Service prior to the journey.	Approval to spend Annual leave abroad
<b>120216:</b> An officer spending his leave within or outside Nigeria must furnish the Permanent Secretary/Head of Extra-Ministerial Department/Agency with his intended destination or leave address before proceeding on leave.	Leave address
<b>120217:</b> An officer is required to resume duty after vacation leave on the date following the expiration of his authorized leave.	Date of Resumption from vacation leave
<b>120218:</b> An officer may be required to return to duty before the expiration of his authorized leave by the Permanent Secretary/Head of Extra-Ministerial Department/Agency. Any portion of his leave so curtailed shall be taken immediately and not later than ninety (90) days of completion of the assignment.	Curtailment of Leave
<b>120219:</b> On return from annual leave, every officer must complete and submit a Resumption of Duty Certificate endorsed by his Head of Department to his Permanent Secretary/Head of Extra-Ministerial Department/Agency.	Procedure on return from leave
<b>120220:</b> An officer who joins the Lagos State Civil/Public Service during the course of the Leave Year will not normally be granted an annual leave but a proportionate leave. The proportionate leave allowance shall be based on the number of earned leave days.	Conditions of leave for new entrants
<b>120221: Proportionate leave</b> (Pro-rata) is a vacation granted to a new or retiring officer in proportion to the number of days he has put into the Service. Any period of service under 30 days is not reckonable.	Officers entitled to pro-rata leave

The calculation of proportionate leave shall be done in accordance with the table below:

Proportionate  
leave

**TABLE 1: Calculation of Proportionate Leave**  
(See Rule 12220)

	Proportionate Leave for Graded Officers The computation is based on working days		
	GL. 08 & Above (30 working Days)	GL. 04-07 (21 working Days)	GL. 03 & Below (14 working Days)
12 months	30	21	14
11 months	28	19	13
10 months	25	18	12
9 months	23	16	11
8 months	20	14	9
7 months	18	13	8
6 months	15	11	7
5 months	12	9	6
4 months	10	8	5
3 months	7	6	4
2 months	5	4	3
1 month	3	2	1

(a) Officers who attend courses of instruction/training over a period of six months shall be entitled to Proportionate Leave for the period they put in service.

(b) An officer who is retiring within the period of Leave-Earning Service shall be entitled to Proportionate Leave.

**120222: Deferred Leave** is that which an officer is granted in exceptional circumstances by the Permanent Secretary or Head of Extra-Ministerial Department/Agency to carry forward to the next leave year because of exigency of duty. It could be part of annual leave not fully spent.

Deferred  
leave

**120223:** (a) Any vacation leave not spent in accordance with Rule 120203 shall be deemed forfeited. However, due to the exigencies of Service, officers such as those approved to attend national or state assignments may be considered for deferment of leave.

Deferment  
of leave:  
during  
exigencies

(b) (i) Any leave approved for deferment in accordance with (a) above shall be spent by the following leave year.

(ii) Authorised deferred leave shall be commuted to cash only where an officer has been made to retire prematurely and cannot spend all his deferred leave before his retirement. No serving officer shall be allowed to commute to cash at the time of retirement any deferred leave.

**120224:** Any extension of leave shall be deducted from any vacation, annual or deferred leave due to the officer at the time the extension is granted.

Count against  
deferred  
leave.

**120225:** An Officer may be granted by the Government special leave without salary for the purpose of undertaking a course of study which is considered likely to enhance his value to the State Government. Such leave will be subject to such conditions as may be specified at the time it is granted. If the Government has awarded to the recipient, a scholarship, a bursary, a training course or study leave, in respect of the relevant course of study, leave granted under this Rule shall be treated, for the purpose of calculating retiring benefits, as having been granted on the ground of public policy.

Special  
leave for  
courses of  
study.

**120226:** If an officer is required, in the course of his vacation leave, to undertake any duty, such period of duty shall not count as part of the officer's leave entitlement.

Duty  
during  
leave

<b>120227:</b> Extensions of leave shall be granted by the State Government or its accredited representative on the ground of public policy. Unless otherwise directed, such extensions shall be on full salary.	Extension of Leave on ground of Public policy
<b>120228:</b> An officer on vacation leave may, in exceptional circumstances, be granted an extension of leave on the grounds of urgent private affairs on full salary up to the expiration of all his deferred leave and thereafter without salary.	Urgent private affairs
<b>120229:</b> An officer on vacation leave who wishes to apply for an extension should address his application to his Permanent Secretary/Head of Extra-Ministerial Department/Agency.	Application for extension
<b>120230:</b> An officer shall be granted leave by his Permanent Secretary/Head of Extra-Ministerial Department/Agency for the purpose of taking part in any Cultural/Sporting event and such leave shall be determined as follows: (a) number of days required for the actual activity; (b) number of days required for travelling to and from the place arranged for the event; (c) any number of days in excess of (a) and (b) mentioned above, which are certified as necessary by the appropriate Cultural/Sports Council shall be allowed. An officer granted leave under this Rule shall not be eligible for transport at Government's expense.	Leave for cultural and sporting events.
<b>120231: Casual Leave</b> is the absence of an officer from duty for a short period not exceeding an aggregate of five (5) working days within a leave year as may be authorized by the Permanent Secretary/Head of Extra-Ministerial Department/Agency. The casual leave shall only be granted after an officer has exhausted his annual leave. Casual leave is deductible in advance or arrears of earned leave.	Casual leave
<b>120232:</b> A maximum of five (5) working days' casual leave shall be granted in any leave year. Casual leave in excess of five (5) days in any leave year may be granted by the Permanent Secretary/Head of Extra-Ministerial Department/Agency.	Qualifying period for casual leave.
<b>120233: Sick Leave</b> is the absence of an officer from duty on account of ill-health as authorized by a Medical Officer.	Sick Leave.

**120234: Maternity Leave** is the authorised absence from duty of a serving female officer granted by the Permanent Secretary/Head of Extra-Ministerial Department/Agency on account of pregnancy based on the expected date of delivery.

**Maternity Leave.**

(b): **Adoption Leave** is the authorised absence from duty of a serving female officer granted by the Permanent Secretary/Head of Extra-Ministerial Department/Agency on account of adoption based on date of release of child.

**Adoption Leave**

**120235: (a)** A female officer who is pregnant is entitled to **24 (Twenty Four) weeks'** maternity leave with full pay in the case of her first two deliveries. The said leave shall commence at least two weeks before the expected date of delivery. Any third and subsequent deliveries by any employee shall attract 12 (Twelve) weeks Maternity Leave for the female officer. A medical certificate showing the expected date of confinement must be presented not less than two months before that date. The annual leave for that year will, however, be regarded as part of the maternity leave. Where this annual leave has already been enjoyed before the grant of maternity leave, that part of the maternity leave equivalent to the annual leave will be without pay.

**Twenty Four-week Maternity Leave.**

(b) A female officer who adopts is entitled to 12 (Twelve) weeks' Adoption Leave at a stretch beginning from date of release of baby with full pay. Evidence showing the release of the baby must be presented before grant of leave. The annual leave for that year will, however, be regarded as part of the adoption leave. Where this annual leave has already been enjoyed before the grant of adoption leave, that part of the adoption leave equivalent to the annual leave will be without pay.

**Twelve-week Adoption Leave.**

**120236:** A female officer who is nursing a child shall be granted two hours off-duty every day. This concession shall be granted up to a maximum period of six months from the date she resumes duty from maternity leave.

**Time-off for Nursing Mothers**

**120237: Paternity leave** is the authorised absence from duty of a serving male officer to whom a new baby (or babies in case of multiple births) is born or adopted up to a maximum of 10 (Ten) consecutive days in relation to and at the time of his spouse's first two deliveries. A male officer shall not be entitled to Paternity Leave in respect of the third and subsequent children. Approval is subject to presentation of child's birth certificate or letter of release, as applicable.

**Paternity Leave.**

**120238:(a)** The period of leave allowed for the purpose of taking an examination shall be limited to the shortest period to allow the officer reach the appointed place, sit the examination and return to his station.

Leave for  
examination.

**(b)**-An officer may be allowed special leave on full pay to take an examination he is required by the conditions of his appointment to pass, provided his Head of Department certifies:

- (i) that he is industrious and efficient in the performance of his duties;
- (ii) that his general value to the Department justifies the concession; and
- (iii) that the passing of the examination is likely to enhance his value to the State Civil Service subject always to the limit specified in Rule 120238(a).

**120239: Sabbatical Leave** is the absence of an officer on GL. 15 or equivalent and above from duty, for the purpose of research either within or outside Nigeria. The officer on sabbatical leave shall be qualified to undertake properly organized study in areas relevant to the interest of the Service or national development for a period of twelve months once in five years.

Sabbatical  
Leave

**(a)** An officer who wishes to proceed on Sabbatical Leave must have a strong performance and conduct record;

**(b)** An applicant who wishes to serve the sabbatical period in the State Civil/Public Service, would be considered on the relevance of his field of research and his honorarium would be based on his qualification and cognate experience; and

**(c)** An officer who wishes to proceed on Sabbatical Leave shall be entitled to his salary and allowances.

**120240: Study Leave** is the leave granted to a confirmed serving officer to undertake an approved course of study within or outside the country.

Study Leave

**120241:** There are **two types of study leave:**

- (a) Study leave with pay;**
- (b) Study leave without pay.**

Types of  
Study Leave

**120242:** An officer may be granted study leave based on the following:

- (i)** evidence of letter of admission;
- (ii)** evidence of duration of the course;

Study Leave  
with pay

- (iii) that the course is necessary to enhance the performance of the officer and to add value to the Service; and
- (iv) that the course is relevant to the officer's profession.

However, every recommendation shall emanate from the respective Ministry/Department/Agency's Personnel Management Board meeting for the consideration of the Centralised Personnel Management Board in the office in charge of Establishments and Training Matters which approval shall be ratified by the State Civil Service Commission or any other similar body.

**120243:** Study leave with pay for a full-time programme shall be granted to an officer with normal emoluments only on grounds of public policy. The duration of study leave with pay shall not exceed two years. If, however, an officer fails to complete his course within the stipulated period, the period of extension shall not be more than one year. The period of extension shall also attract pension and right of emoluments.

**120244:** Full-time programmes at the instance of the officer shall attract study leave without pay.

Study  
leave  
without  
pay.

**120245:** The conditions for approval of study leave without pay are as follows:

Conditions  
for study  
leave  
without  
pay.

- (a) officers on study leave without pay are not entitled to emoluments and allowances;
- (b) the duration of study leave without pay shall not be more than four years in the first instance, after which the officer can apply for one year extension if the need arises;
- (c) the period of study shall not be regarded as a break in service.

**120246:** Officers going on religious pilgrimages other than Officials assigned to cover such activities shall use part of their annual leave for such purposes.

Leave for  
religious  
purposes.

**120247:** An officer may be allowed special leave from duty on full pay on compassionate grounds for a period up to two weeks within a year for burial of his parent or member of his nuclear family.

Leave on  
compassionate  
grounds.

**120248: Leave of Absence** is absence from duty authorized on grounds of public policy. All such leave shall be approved without pay by the Civil Service Commission or any other such body on the recommendation of the Head of Service.

Leave of absence

**120249:** The various types of leave of absence are:

Types of Leave of absence

- (a) Leave of absence to join spouse on course of instruction of not less than 9 months duration abroad;
- (b) Special Leave of absence to join spouse on grounds of Health/Public Policy;
- (c) Leave of absence on grounds of Public Policy for Technical Aid Programme;
- (d) Leave of absence to take-up non-elective political appointment;
- (e) Leave of absence on ground of public policy for an official whose spouse is a President, Vice President, Governor, Deputy Governor, Chairman or Vice Chairman.

**120250:** An officer who is also a public servant shall be permitted to join his spouse proceeding abroad on a course of instruction at government expense. The officer is eligible for free passage at Government's expense where the course of instruction is not less than 9 (nine) months.

Leave of absence to join spouse on course of instruction abroad.

**120251:** On grounds of public policy, the spouse of a serving officer may be granted leave without pay for a period not exceeding five years to enable him join his spouse on posting abroad on the following conditions:

Leave of absence to join spouse on grounds of public policy.

- (a) that the officer's spouse be disallowed from taking up gainful employment;
- (b) that such leave shall not be regarded as a break in service;
- (c) where such a spouse acquires additional qualifications, which will enhance their usefulness to the Service, they shall be considered for advancement in consonance with the prevailing regulations;
- (d) the period a spouse can be on leave of absence shall be four years in the first instance and subject to an extension of not more than one year.

**120252:** Where a Civil/Public Servant is selected for the Technical Aid Corps Programme by the Ministry of Foreign Affairs, in order to preserve the terminal benefits of the officer so selected and ensure the continuity of his service, such an officer shall be granted leave of absence on grounds of Public Policy.

Leave of absence for Technical Aid Corps Programmes.



<b>120253:</b> Civil/Public Servants who accept non-elective political appointments are required to apply to the Head of Service for leave of absence on grounds of Public Policy, if they intend to return to the Service at the end of the assignment.	Leave of absence for non-elective political appointment.
<b>120254:</b> Spouses of the President, Vice President, Governor, Deputy Governor, Chairman and Vice Chairman who are Civil/Public Servants are required to apply to the Head of Service for leave of absence on grounds of Public Policy to join their spouses during their tenure of office.	Leave of absence for Spouses of President, Vice President, Governor and Deputy Governor.
<b>120255:</b> An officer who retires in circumstances in which he is eligible for retiring benefits before he has completed the full leave year may be granted a proportion of his vacation leave prior to retirement. (See Rule 120220)	Leave on retirement
<p><b>120256:</b> When a Medical Board recommends that an officer is medically unfit to continue in Service and for that reason be disengaged, he will forthwith commence vacation leave prior to retirement. The length of leave granted will be either:</p> <ul style="list-style-type: none"> <li>(a) his deferred leave granted on special circumstances, plus the proportion of his annual leave calculated in accordance with Rule 120220; or</li> <li>(b) two months; whichever is of greater length. The leave will commence on the day which the Medical Board declares him unfit to continue in Service and retirement will take effect from its expiration.</li> </ul>	Leave on permanent invalidation
<b>120257:</b> Provided that it will not interfere unduly with the work of his Ministry/Extra-Ministerial Department/Agency, an officer who is an official of a registered trade union may be granted leave and, if necessary, a special extension of such leave to attend an important trade union conference/business. The period of leave shall be clearly stated in the letter of approval.	Leave to attend important trade union conference/business
<b>120258:</b> An officer who, without an acceptable excuse, fails to resume duty on the approved date after vacation leave will be regarded as absent without leave and without pay. The period of absence shall not be set against any future leave. No officer may extend his vacation leave beyond the date specified in his leave advice without the consent of his Permanent Secretary/Head of Extra-Ministerial Department/Agency.	Overstaying leave

## CHAPTER 13

### FREE TRANSPORT FACILITIES WITHIN GOVERNMENT

- SECTION 1 - ECONOMY IN USE OF TRANSPORT  
 SECTION 2 - FREE TRANSPORT FACILITIES AVAILABLE  
 SECTION 3 - MISCELLANEOUS RULES REGARDING FREE TRANSPORT FACILITIES  
 SECTION 4 - STANDARD GUIDELINES FOR ENGAGING NEWLY-RECRUITED OFFICERS WITH RARE SKILLS FROM OVERSEAS - MISCELLANEOUS RULES TRANSPORT FACILITIES AT GOVERNMENT'S EXPENSE

#### SECTION 1 - ECONOMY IN USE OF TRANSPORT

**130101:** The necessity for any journey at Government's expense shall be fully established before the use of transport at Government's expense is authorised.

Necessity  
for  
Journey

**130102:** (a) The type of transport and route authorised for a journey at Government's expense shall be determined by the cost, the cheapest route in all cases being utilised (as stated in Chapter 15).

Choice  
of route

(b) Air transport may only be used on journeys which justify its use.

#### AUTHORITY FOR USE OF TRANSPORT

**130103:** Authority for the use of transport facilities at Government's expense shall be given in writing by Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies or their authorised representatives in accordance with the provisions of the *Financial Regulations*.

How given

**130104:** The free transport facility authorised must not exceed that for which provision is made in this Civil/Public Service Rules. If an officer wishes to avail himself of transport facilities in excess of those provided by the Civil/Public Service Rules or facilities not provided by the Rules, he must pay for such facilities himself in advance. The Permanent

Must be  
specific and  
not exceed  
approved  
rates

Secretary/Head of Extra-Ministerial Department/Agency shall ensure that the free transport facilities authorised do not exceed the maximum allowed by these Rules and also do not exceed those actually required for the journey in question. In particular, when the facilities include free fares for children, the age of each child concerned must be ascertained and specified.

**130105:** An officer must:

- (a) use the free transport facilities for the purpose identified;
- (b) refund any cash payment received in advance but not used for the identified purpose; and
- (c) not claim payment in arrears for the facility he did not enjoy as identified.

Free transport facilities not transferable.

A violation of any of the foregoing is an act of serious misconduct and shall be treated as such.

**130106:** No member of staff may travel at Government's expense in the capacity of Orderly or Personal Assistant to another officer unless the employment of an Orderly/Personal Assistant has been authorised by the Office in charge of Establishments Matters.

Transport of Orderlies or Personal Assistants

**130107:** Waterways transportation at Government's expense may only be used when no cheaper or quicker means of transport is available. However, necessary precautions must be taken when using such means of transportation i.e. use of life jacket.

Precaution with use of waterways

## SECTION 2 - FREE TRANSPORT FACILITIES AVAILABLE

**130201:** Subject to Rules 130101 and 130102, the free transport facilities for which officers (including temporary staff) are eligible are in respect of all journeys in Nigeria. Such journeys would entail the following:

General

- (a) the family passenger fare allowance is for one spouse and four children;
- (b) the baggage allowance includes and is not additional to the tariff baggage allowance of a passenger ticket holder;
- (c) the baggage allowance for a spouse, child or servant only applies when the spouse, child or servant actually travels.

### TYPES OF JOURNEYS

**130202:** For the purpose of the transport facilities specified in Rule 130204, the following types of journeys shall be regarded as being on duty:

**Duty  
Journeys**

- (a) all journeys undertaken in the course of an officer's duty on specific instructions from his Permanent Secretary/Head of Extra-Ministerial Department/Agency or his local representative;
- (b) journeys to consult a Medical Officer; that is, journeys to and from the nearest Government Medical Officer when an officer is stationed or on leave at a place without medical facilities and his local superior officer certifies that, in his opinion, the officer should consult a doctor;
- ;
- (c) journeys to obtain hospital treatment; that is, journeys to and from hospital when a Government Medical Officer certifies that it is necessary for the officer to leave his station and proceed to the hospital in question for medical treatment;
- (d) health trips; (i.e. journeys by an officer recommended by a Medical Board to leave his station for a change of scene or climate);
- (f) journeys undertaken by a spouse and children of an officer to obtain dental or hospital treatment and to consult a dental or a medical officer as in (b), (c) and (d) above;

**130203:** For the purpose of these Rules, journeys to new stations shall be deemed to include:

**Journeys to  
new station**

- (a) journeys undertaken when assuming duty on first appointment (i.e. journeys to station from place of engagement or Nigerian home place);
- (b) journeys undertaken when proceeding on transfer (i.e. journeys from old station to new station);

- (c) journeys undertaken when proceeding on retirement (in circumstances which render the officer eligible for retirement benefits) or for the purpose of repatriating the family, officer and personal effects of deceased officer; that is journeys from station to place of original engagement (if so desired) or cheaper point Nigerian destination of final leave, whichever is appropriate, provided such concession is utilised within six months of the date of retirement or death of the officer.

**130204:** For journeys specified in Rule 130202, the following free transport facilities are available.

Free transport facilities available for duty journeys.

- (a) *For journeys by Air:* Air tickets for the officer, one spouse and four children by the following classes of travel;
  - (i) business class for Permanent Secretaries, Commissioners and above and their spouses;
  - (ii) economy class for all others and their spouses;
  - (iii) economy class for four children when travelling with the officer.
- (b) *For journeys by other modes of transportation:* Officers are entitled to either tickets or cash in lieu of tickets at rates specified from time to time in the appropriate Establishments Circulars.

**130205:** An officer serving at a station where adequate motor repair facilities are not available, for whom a motor vehicle is necessary for the proper performance of the duties of his office, may be allowed, on the authority of his Permanent Secretary/Head of Extra-Ministerial Department, free transport for his motor vehicle or part thereof to and from the nearest place where such facilities exist, for the purpose of effecting necessary repairs. Normally, this Rule shall not apply to motor vehicles requiring ordinary maintenance or servicing, but an exception to the rule may be made at the discretion of the Permanent Secretary/Head of Extra-Ministerial Department in cases where it is necessary for a vehicle to receive essential large-scale servicing (for example, in the case of a new vehicle after the first 1000 kilometres).

Transport of motor vehicle and autocycle for repair

**130206:** Subject to the principles laid down in Rule 130102, free transport by train or boat for an officer's own motor vehicle may be granted by a Permanent Secretary/Head of Extra-Ministerial Department when an officer is assuming duty or is travelling on transfer, or on tour, or duty. Free transportation of his motor vehicle may be allowed by the Government if the Permanent Secretary/Head of Extra-Ministerial Department is satisfied that:

Free transport for motor vehicle and motor/autocycle

- (a) the vehicle is necessary for the duty, and
- (b) the transportation of the vehicle is connected with the most economical means of transporting the officer while performing the duty (for example, when it costs Government less to transport the vehicle to those places in the officer's itinerary where he can use it for his own transportation than to hire a vehicle at such places for this purpose).

### **SECTION 3: - MISCELLANEOUS RULES REGARDING FREE TRANSPORT FACILITIES**

**130301:** When an Officer requires to take with him loads which are necessary for the efficient performance of his duties (e.g. office equipment, Survey instruments, tents, etc.), he may do so at the discretion of his Permanent Secretary/Head of Extra-Ministerial Department/Agency.

Extra equipment

**130302:** When it is necessary for the efficient performance of his duties, an officer travelling on duty by air may take with him at Government's expense, official documents, papers and office necessities up to a maximum of 10 kilograms in addition to the traffic baggage allowance included in his passenger ticket.

Official documents e.t.c. by air

**130303:** When proceeding on transfer, an officer may be provided with free Government transport in his station between his house and airport, sea-port or motor park and vice versa on his arrival at his new station. Where Government transport cannot be provided, the officer may be reimbursed at rates approved by the appropriate authorities.

Use of Government transport from house to airport, motor parks, etc.

**SECTION 4: - STANDARD GUIDELINES FOR ENGAGING  
NEWLY-RECRUITED OFFICERS WITH RARE SKILLS FROM  
OVERSEAS-MISCELLANEOUS RULES FOR TRANSPORT  
FACILITIES AT GOVERNMENT'S EXPENSE**

**130401:** a. All free passages from overseas shall be by the normal sea or air route. This is the journey undertaken when assuming duty on first appointment i.e. journey from address overseas to station i.e. place of assignment;

b. Free passage by the normal sea or air route shall be provided by the State Government for the spouse and children of a newly - recruited officer, who accompanies him to, or joins him in Nigeria, with the permission of the State Government;

**Booking of Passages**

a. All free passages from overseas shall be by the normal sea or air route. This is the journey undertaken when assuming duty on first appointment i.e. journey from address overseas to station i.e. place of assignment;

b. Free passage by the normal sea or air route shall be provided by the State Government for the spouse and children of a newly - recruited officer, who accompanies him to, or joins him in Nigeria, with the permission of the State Government;

c. A newly - recruited officer from overseas is eligible for sea or air passage as laid down in the Public Service Rules or extant circulars for self, spouse and not more than four children between the overseas address and Nigeria. The extant circulars as to the class of travel would apply.

**Eligibility**

d. A newly - recruited officer who brings his/her spouse and children to Nigeria shall be paid/reimbursed by the State Government the cost of their passage to Nigeria by normal sea or air route.

e. Where Government transport from airport to house cannot be provided, the officer may be reimbursed at rates approved by the appropriate authorities;

f. Officers travelling by sea shall be entitled to a maximum of 40-foot container plus shipment of personal car at Government expense;

g. Officers travelling by air, with his heavy baggage forwarded by sea,, will be entitled also to a maximum of 40-foot container plus shipment of personal car at Government expense. Clearing charges at the port of arrival would be borne by the Government, with insurance and/or custom duty.

h. Where the air freighting of an officer's personal effect is preferable to the officer than the ocean shipment, the air freighting of the officer's personal effects upon application by the officer shall be approved, subject to a maximum of 3,000 kg (married) or 2,500 kg (single) with insurance and/or custom duty.



## CHAPTER 14

### DUTY AND COURSES OF INSTRUCTION WITHIN AND OUTSIDE NIGERIA

- SECTION 1 - GENERAL  
 SECTION 2 - DUTY VISITS OUTSIDE NIGERIA  
 SECTION 3 - COURSES OF INSTRUCTION OUTSIDE NIGERIA  
 SECTION 4 - LOCAL COURSES OF INSTRUCTION

#### SECTION 1 - GENERAL

**140101(a):** This chapter applies to occasions on which officers are required, with prior approval of Government to:

**Application**

- (i) undertake a special duty abroad;
- (ii) discharge official duties during vacation leave abroad;
- (iii) be on a delegation or visit to an organisation abroad for a short period;
- (iv) undertake courses of instruction abroad, including attachment to an organisation.

In such circumstances, an officer shall be eligible for appropriate Estacode Allowance at the prevailing rates.

**(b):** For the purpose of this chapter, the following terms are used with the following meanings:

**Duty Visit-** is an official tour outside Nigeria on a delegation or visit to an organisation for a short period during which the officer is eligible for the rate of allowances set out in Rule 140201.

**Definitions**

**Course of Instruction-** This includes any attachment to an organisation within or outside Nigeria for a specific period. In such an event, the officer is regarded as being on a course of instruction and he is eligible for the rates of allowance set out in Rules 140201 and 140404 as applicable.

**140102:** Any Civil/Public Servant who is about to undertake a course of training of not more than six months' duration shall be called upon to enter into an agreement to refund the whole or part of the cost of the course in the event of voluntary interruption of the course.

**Interruption of training courses**

**140103 (a):** All officers who go for In-service Training at the State Government expense lasting more than three months shall be bonded at the discretion of the Head of Service to serve the State Government according to the following schedules:

**Bond Agreement**

<i><b>Duration of Course</b></i>	<i><b>Number of Years to be bonded</b></i>
(i) Three Academic Years or more	Five Years
(ii) Two Academic Years	Three Years
(iii) One Academic Year	Two Years
(iv) Over Three months but less than one Academic Year	One Year
(v) Three months and below	No bond

(b) Before an officer proceeds on In-Service Training, he shall sign the necessary Bond Agreement Forms with the existing regulations.

(c) Refusal to sign the Bond Agreement Form on the part of the officer shall be regarded as misconduct which shall result in the sponsorship/Study Leave being withdrawn and/or the officer facing necessary disciplinary action.

### **PROCEDURE**

**140104 (i)** Overseas Duty Tour by all Civil/Public Servants/Public Office Holders and Estacode Allowance payable shall be subject to the approval of the Governor or by the appropriate authority.

**Obtaining approval**

- (ii) Before an officer undertakes an official visit abroad, prior approval of the Head of Service shall be obtained. The application for permission shall specify:-
- (a) details of the visit, duty or course proposed;
  - (b) why the visit, duty or course is considered warranted in the public interest;
  - (c) the approximate date(s) on which it is proposed the officer shall arrive in and depart from the country in which the duty or course is to be undertaken;
  - (d) the officer's address at his destination while away;
  - (e) the probable duration of the duty or course;
  - (f) the total estimated cost including all travelling expenses, and fees (if any).

**140105:** An officer required to undertake duties or a course of instruction outside Nigeria must be furnished by his Permanent Secretary/Head of Extra-Ministerial Department/Agency with detailed instructions regarding such duties or course and be informed in advance and in writing of the allowances and travelling facilities for which he will be eligible at Government's expense.

Briefing  
of officer

**140106:** Where an officer is required during his vacation leave to undertake any duty, the period of duty will be leave-earning, not leave-consuming. A period of duty outside Nigeria during an officer's tour will be regarded as part of his tour. (See also Rules 120103 and 120226)

Special  
duty visit:  
Effect on  
Leave

**140107:** The normal effect on the amount of leave due to an officer on his attending a course of instruction during his vacation leave is specified in Rule 120103.

## SECTION 2 - DUTY VISITS OUTSIDE NIGERIA

**140201:** An officer on duty visit outside Nigeria shall be granted the following at the prevailing rates in the extant circular.

Passages

- (a) **Passages:** Air passage for himself only; but where the duration of an officer's duties is not less than 9 months, his wife may accompany him at public expense.
- (b) **Transport:** Reimbursement of actual expenditure or transport essential to the business of the visit; and
- (c) **Duty/Estacode Allowance.**

**140202:** Where the cost of accommodation or hotel expenses of an officer travelling abroad is met by the host government or institution, such an officer shall be entitled to Estacode Supplementation Allowance as at the prevailing rate.

Estacode  
Supple-  
mentation  
Allowance

**140203:** For journeys outside Nigeria, the following travelling days shall apply:

Travelling  
Days

- (a) For African countries - 2 days (to and fro)
- (b) For European countries - 2 days (to and fro)
- (c) Asian and American countries - 4 days (to and fro)

**140204:** An officer who, with the prior approval of Government, discharges official duties during his vacation leave outside Nigeria and who is obliged to take accommodation away from his normal place of residence or home, shall be treated as proceeding to such a destination on duty visit and shall be eligible for duty allowance abroad as indicated in Rule 140201 so long as no accommodation is provided at the State Government's expense at such a destination.

Discharging  
duties  
during  
Vacation  
Leave,  
away from  
normal  
place of  
residence

**140205:** An officer for whom accommodation is provided who, with the prior approval of the State Government, discharges official duties during his vacation leave outside Nigeria is eligible for a refund of daily travelling expenses necessarily incurred in the discharge of such duties plus a daily subsistence allowance at the appropriate rate.

Refund of  
daily  
travelling  
expenses  
abroad

### SECTION 3 - COURSES OF INSTRUCTION OUTSIDE NIGERIA

**140301:** An officer who is sponsored to attend a course of instruction is eligible for the benefits set out in this section provided that he has signed an agreement (Bond) to refund to the State Government all expenses connected therewith if he:

Conditions

- (a) does not obtain a certificate of satisfactory attendance at the course, or
- (b) does not return to Nigeria, or
- (c) undertakes any other course of instruction without the specific approval of the State Government, or
- (d) resigns from the State Civil / Public Service before the period stipulated by the Bond Agreement.

**140302:** A senior officer sent overseas on a course of instruction will be eligible for free air passage for himself only; but where the duration of the course of instruction is not less than nine months, his spouse may accompany him at Government expense.

Passage

**140303:** Special rates of allowances etc. are prescribed from time to time for certain courses of instruction, and they apply to all officers attending the courses in question (See Rule 140101).

**140304:** Officers who with the prior approval of Government attend courses of instruction (other than one to which Rule 140303 applies) are entitled to be paid the difference between their normal Estacode allowance

Courses  
with  
special  
rates

and the allowance/facilities offered by the donor country where the latter is lower than the official Estacode.

**140305:** An officer undergoing a training course overseas who receives a salary from an employer in the overseas country shall not be eligible for any salary or allowance from the State Government except as may be specifically approved by the Permanent Secretary, Agency responsible for Establishments Matters.

Overseas  
employ-  
ment  
during  
training  
courses.

### EXTERNALLY -ASSISTED COURSES

**140306:** Where training facilities under a foreign Government's technical assistance scheme is required, all application forms for the nomination of candidates will be forwarded to the National Planning Commission for processing.

Nomination

**140307:** Officers attending courses of instruction under a technical assistance scheme will continue to receive their salaries and all other conditions of service will be in accordance with specified arrangement in addition to entitlements as applicable in Rule 140202.

Conditions

**140308:** Where an officer is permitted on the recommendation of his Permanent Secretary/Head of Extra-Ministerial Department/Agency to take a course of instruction at the officer's own request, special conditions may be imposed. These conditions shall be decided by the Ministry responsible for Establishments Matters and may include the grant of leave without pay and the withdrawal of all or any of the allowances or other privileges prescribed in this chapter. In such cases, it is the responsibility of the Permanent Secretary/Head of Extra-Ministerial Department/Agency to inform the officer in writing, before his departure, of the conditions which have been decided.

Certain  
courses  
to be  
granted  
as leave  
without  
pay

### SECTION 4 - IN-SERVICE TRAINING AND LOCAL COURSES OF INSTRUCTION

**140401: In-Service Training** - courses of instruction initiated at the instance of the Government.

Definition

**140402:** An officer may be nominated for In-Service Training provided that his Permanent Secretary/Head of Extra-Ministerial Department/Agency certifies the following:

- (i) evidence of letter of admission;
- (ii) evidence of duration of the course;
- (iii) that the course is necessary to enhance the performance of the officer and to add value to the Service;
- (iv) that the course is relevant to the officer's profession.

**140403:** Officers shall be granted In-Service Training for a period not exceeding two years with normal emoluments, allowances and course fees.

**In-Service  
Training**

**140404: Local Course of Instruction** is a course which an officer takes locally in Nigeria but outside his own station.

**Definition**

**140405:** An officer attending a local course of instruction (In-Service Training) at any Lagos State Training Centre, University, Public Service Training Institutions or other approved Institutions, is eligible for Local Course Allowance (LCA) at the prevailing rates in the extant circular.

**Local  
Course  
Allowance**

**140406:** Officers are required to give six months' notice to retire from Service before the effective date of retirement. At the commencement of the three months, officers shall be sponsored on the mandatory pre-retirement workshop/seminar.

**Mandatory  
Pre-Retirement  
Workshop  
for  
retiring officers**

## **PART-TIME COURSE OF STUDIES**

**140407:** Officers shall be granted approval to undertake part-time studies which may be relevant to the officers' schedule of duties and to the Service generally. Such programme which may include staff vacation programmes shall be within 200 kilometre radius of Lagos.

**Part-Time  
Studies-  
Approval**

## CHAPTER 15 ALLOWANCES

## SECTION 1 - GENERAL

## SECTION 2 - TRANSPORT ALLOWANCE

## SECTION 3 - KILOMETRE ALLOWANCE RULES

## SECTION 1-GENERAL

**150101:** An **allowance** is a monetary benefit other than salary granted to an officer for a specific purpose. **Definition**

**150102:** The following allowances are payable to officers in the Lagos State Civil/Public Service: **Types of Allowances**

(a) **Statutory Allowances**

Rent Subsidy

Meal Subsidy

Utility Allowance

Transport Allowance

Furniture Allowance

Leave Grant

Entertainment Allowance-See Rules 150109 and 150110

Domestic Staff Allowance-See Rules 150109 and 150110

(b) **Job-Related Allowances**

Book Allowance

Call Duty Allowance

Shift Allowance

Specialist Allowance

Teachers' Job-Specific Allowance

Teaching Allowance

Health Professional Non-Clinical Allowance

Clinical Allowance

Hazard Allowance

(c) **General Allowances**

Overtime Allowance

Miscellaneous Allowances

Hotel Accommodation Allowance

Duty Tour Allowance

Estacode Allowance  
 Estacode Supplementation Allowance  
 Local Course Allowance  
 Book/Project Allowance  
 Responsibility Allowance  
 Uniform Allowance  
 Acting Allowance  
 Resettlement Allowance

**150103:** All allowances provided for in this Chapter shall be subject to periodic review by the Committee on the Development of Pay Policy, Review and Salary Determination System in the Lagos State Public Service through the issuance of appropriate circulars.

**Allowances  
 subject to  
 periodic  
 review**

**150104:** Officers who live in Government quarters or who are provided with residential accommodation at Government's expense are not entitled to rent subsidy. However, the applicable rent subsidy will be used in calculating their terminal benefits.

**Rent  
 subsidy-  
 Officers not  
 eligible**

**150105:** Non- Accident Bonus shall be paid to Motor Drivers, Driver / Mechanics and Plant Operators not involved in any accident during a period of one year at the rate of ₦10,000 per annum.

**Non-  
 Accident  
 Bonus**

**150106:** Officers in charge of Transport shall keep a full record of all accidents in which drivers are involved whether or not they are at fault.

**Keeping of  
 record of all  
 accidents**

**150107:** Drivers who are at fault will forfeit the bonus.

**Forfeiture  
 of bouns**

**150108:** The bonus is payable only in December on the strength of a Non-Accident Bonus Certificate to be issued by the officer in charge of Transport and approved by the Permanent Secretary/Head of Extra Ministerial Department/Agency.

**When  
 payable**

**150109:** (a) Permanent Secretaries and above are entitled to four Domestic Servants as follows:

**Domestic  
 servants  
 of officers**

- (i) Two Day /Night Watchmen
- (ii) A Gardener
- (iii) A Cook/Steward



(b) Officers on G.L.16 and 17 are entitled to two domestic servants as follows:

- (i) A Night Watchman
- (ii) A Gardener

(c) Officers on G. L. 15 are entitled to one domestic servant.

**150110:** The allowances of domestic staff in Rule 150109 (a)-(c) shall be paid along with the salaries of the entitled officers.

Allowances  
of  
domestic  
servants

**150111:** An allowance shall be paid to Secretarial Staff as specified in 150125(a)-(c).

Allowances  
for  
Secretarial  
Staff

**150112:** Officers who perform shift duties and are not health professionals shall be paid shift duty allowance at the rate of 6% of their consolidated monthly salaries.

Shift Duty  
Allowance for  
non-health  
professionals

**150113:** Officers on posting, transfer or on assumption of duty on new appointment at their new station, different from their city/town of domicile, shall be entitled to transport fare for self, spouse and a maximum of four children. In addition, they shall be eligible for hotel accommodation for the first 28 days or an allowance for the first 28 days, in lieu of hotel accommodation, at the following rates:

Hotel  
Accommo-  
dation  
Allowance  
for newly  
appointed,  
newly posted  
officers.

- (a) Permanent Secretary - ₦20,000.00 per night
- (b) Officers on GL 15 - 17 - ₦13,000.00 per night
- (c) Officers on GL07-14 - ₦9,000.00 per night
- (d) Officers on GL 06 and Below - ₦3,000.00 per night

**150114: Duty Tour Allowance** is granted to enable officers pay for lodging and feeding expenses during official tours. The allowance shall be paid at the prevailing rate in the extant circular. This is not an emolument or an addition to an officer's salary. However, if it is shown to the satisfaction of the Government that an officer has endangered his health by failing to provide himself with adequate boarding/lodging, he shall be liable to face disciplinary action.

Duty  
Tour  
Allowance

**150115:-** (a) All officer are entitled to airfare depending on the exigencies and with the approval of the Accounting Officer.

(b) Transport Allowance shall be paid to all officers when travelling to towns and cities where air transport services do not exist at rates specified in the extant circular.

(c) For the purpose of local running, officers shall be paid Incidental Allowance in addition to their Duty Tour Allowance at the prevailing rates.

**150116:-** Nothing in this Public Service Rules shall necessarily give any officer a right to Duty Tour Allowance and the provisions of this chapter may at any time be revoked, altered, added to or amended at the discretion of the Government.

**Duty Tour Allowance;  
Not a right**

**150117:-** The payment of the Duty Tour Allowance should be made only in respect of official tours duly approved by the appropriate authorities in each case.

**Entitle-  
ment  
on Duty  
Visit  
Outside  
Nigeria**

**150118:** An officer on duty visit outside Nigeria shall be granted the following at the prevailing rates in the extant circular:

- (a) Passages: Air passage for himself only; but where the duration of an officer's duty is not less than 9 months, his/her spouse may accompany him/her at public's expense.
- (b) Transport: Reimbursement of actual expenditure or transport essential to the business of the visit;
- (c) Incidental Allowance : and
- (d) Estacode Allowance

**150119:** (a) Officers shall be eligible for Estacode Allowance subject to the approval of the appropriate authority.

**Estacode Allowance  
subject to  
approval**

**150120:** Where the cost of accommodation or hotel expenses of an officer travelling abroad is met by the host Government or institution, such an officer shall be entitled to Estacode Supplementation Allowance at the prevailing rate.

**Estacode  
Supplemen-  
tation  
Allowance**

**150121:** For journeys outside Nigeria, the following travelling days shall Apply:

**Travelling  
Days**

- (a) For African countries - 2 days (to and fro)
- (b) For European countries - 2 days (to and fro)
- (c) Asia and American countries - 4 days (to and fro).

**150122: Local course of instruction** is a course which an officer takes locally in Nigeria but outside his own station.

**150123:** An officer attending a local course of instruction at any Lagos State training centre, university or any other approved Public Service training institution is eligible for Local Course Allowance at the prevailing rates.

**Local Course  
Allowance**

**150124:** (a) Book/Project Allowances for officers attending various courses at the Lagos State Training Centres, Treasury Schools, Universities and other approved institutions in Nigeria shall be paid, if stipulated in the course as a requirement, at rates stated in the extant circular.

**Book/Project  
Allowance**

(b) For postgraduate courses, Project Allowance is payable once for officers on in-service training.

**150125:** The approved rates of Responsibility Allowance are as follows:

(a) Chief Secretarial Officers attached to the Governor, the Deputy Governor, the Speaker and the Deputy Speaker of the State House of Assembly, the Chief Judge of Lagos State, the Secretary to the State Government, the Head of Service and the Honourable Commissioners and Chairmen, Statutory Service Commissions at the rate of ₦25,000.00 per annum.

(b) Assistant Chief Secretarial Officers attached to the Permanent Secretaries/Chief Executives of Extra-Ministerial Offices and the Directors at the rate of ₦20,000.00 per annum; and

(c) Secretarial Officers and Assistant Secretarial Officers attached to these functionaries at the rate of ₦10,000.00 per annum.

**150126: Overtime** is time spent performing official duties outside normal hours of work. The normal working time per week for the purpose of computing overtime payment due under this chapter shall consist of five days of eight hours a day from Monday to Friday.

**Overtime  
Definition**

**150127:** Overtime allowance shall be paid to officers on G.L 01-12 who actually do overtime duly authorised and approved.

Authority for  
Overtime and  
Entitled  
Officers

**150128:** Officers on GL 13 and above who are not eligible for overtime allowance, but required to work outside their normal hours from time to time, should be permitted to work flexibly at a future date equivalent to the amount of additional time worked, as agreed with their superior officer. Overtime should be clearly scheduled and rotated where possible

Treatment  
of officers  
not qualified  
for overtime  
payment

**150129:** A '*work-free day*' means the working day on which public holiday falls.

Definition-  
Work-free  
days

**150130:** For time worked on work-free days, a double-time hourly rate shall be paid, subject to a minimum payment for four hours in respect of each day. However, overtime in excess of four hours shall attract single-time hourly rate payment.

**150131:** Where an officer eligible for overtime payments is gazetted as acting in a post which attracts overtime payments, he shall be paid for overtime on his full acting salary. If, however, the post in which the officer is acting is one which does not attract overtime payments, no overtime payments will be made; but if the officer receives no acting allowance in the post for the reason that his substantive salary is higher than the minimum of the acting post, he shall qualify for overtime payment at the rate attached to his substantive salary notwithstanding the fact that the acting post is not in itself overtime - earning.

Effect on  
acting  
appointment

**150132:** No officer qualified for overtime payment shall work overtime in excess of 45 hours in any month unless authorized in special circumstances by the Accounting Officer/Chief Executive.

Limitation  
of total  
monthly  
overtime

**150133:** Except where the salaries have been so fixed, taking into consideration the special circumstances of the duties being performed, monthly-rated established staff shall, wherever practicable, be given time-off on a working day in lieu of time worked on a work-free day or public holiday.

Payment for  
time  
worked on  
work-free  
day

**150134:** Uniform Allowance at the rates set out as follows shall be payable to officers where uniforms are not provided:

**Uniform  
Allowance**

<b>Post</b>	<b>Amount of Allowance</b>
Nursing and Midwifery Officers	= ₦25,000.00 per annum
Fire Officers	= ₦25,000.00 per annum
Law Enforcement Cadres (Traffic and Environmental Sanitation)	= ₦25,000.00 per annum
Vehicle Inspection Officers / Superintendents	= ₦25,000.00 per annum

**150135:** An officer duly gazetted as acting is eligible for acting allowance at the appropriate rate specified in Rules 150136 and 150139, whichever is applicable from the gazetted date of commencement of his acting appointment to the date immediately preceding the gazetted date of termination thereof (both dates inclusive), except for any day in excess of 14 days of continuous absence from duty on account of ill-health. No allowance shall be paid if the period of acting appointment does not extend beyond 14 days.

**Acting  
Allowance:  
When  
Payable**

**150136:** - (i) When an officer has been recommended to act in a grade immediately higher than his own, he shall be regarded as adequately performing the full duties of the higher post and shall be entitled to 100 percent allowance after he has served at least two years in his substantive grade.

**Rates of  
Acting  
Allowance**

(ii) An officer is required to serve for at least one year in his substantive rank before he is eligible to draw 50 percent acting allowance in respect of the post immediately higher than his own.

(iii) When an officer has been requested to act in a post two or more grades above his substantive rank, the maximum amount of acting allowance which he may receive shall be calculated as the difference between the salary of his substantive appointment and the salary of the post immediately superior to his own.

- (iv) An officer who is acting in a grade higher than his own but who has not served at least one year in his substantive rank shall not be entitled to any acting allowance.

**150137:** Where a gazetted acting appointment requires an officer to discharge simultaneously the duties of more than one office, the following rules shall apply:

Effect of  
Acting  
Appointment  
on allowance

(a) If the two offices are distinct and separate offices in different departments, and they do not stand to one another in any immediate relation of superiority or subordination, the rate of acting allowance payable shall be fixed at an appropriate amount not exceeding half the minimum basic salary of the post (or, if both are held on acting appointments, of the higher of the two);

(b) If the two offices stand to one another in immediate relation of superiority or subordination, no acting allowance will be payable unless one of them is higher than the acting officer's substantive post, in which event the rate of acting allowance payable shall be in accordance with Rule 150136.

**150138:** Where either the acting officer's substantive post or the post in which he is acting is associated with some special form of remuneration (i.e. other than basic salary, inducement addition, or temporary addition to rates of pay), the effect of such remuneration on the acting allowance payable shall be governed by such rules as may be specified by the Government in relation to such remuneration.

The effect  
on certain  
special  
remune-  
ration

**150139:** If an officer is in receipt of a personal allowance in addition to the normal emoluments of his substantive office, such a personal allowance will be treated as part of his substantive basic salary for the purpose of calculating acting allowance.

Officer  
receiving  
personal  
allowances

**150140:** The substantive basic salary of a contract officer or re-engaged pensioner shall, for the purpose of calculating acting allowance in accordance with Rule 020411, be taken as the officer's actual salary less contract addition.

Contract  
Officers  
and  
re-engaged  
pensioners

**150141:** In the case where an officer eligible for inducement addition in a long scale is acting in a super scale office with a consolidated basic salary, the

Consolidated  
Salary

rate of acting allowance payable will be calculated at the rate of the difference between the consolidated salary of the higher office and the basic salary plus the inducement addition associated with the lower post.

**150142:** (a) Resettlement Allowance, previously known as Disturbance Allowance, should not be paid or treated as an emolument. It shall only be paid where an officer is posted or transferred in a circumstance that is established or confirmed that his living condition has been disturbed.

**Resettlement  
Allowance**

(b) Resettlement allowance is granted in compensation for out-of-pocket expenses not covered by other regulations, but which are incurred by the officers in the course of transfer as defined in Rule 150144.

**150143:** Resettlement Allowance shall be paid at the rate of 5% of an officer's annual emolument.

**Resettlement  
Allowance:  
Rate of  
payment**

**150144:** For the purpose of this Chapter “**transfer**” includes the following:

**Definition  
of transfer**

- (i) transfer from one station to another during a tour of service;
- (ii) transfer from one station to another on return from leave;
- (iii) transfer or secondment from the Service of another Government in the Federation;
- (iv) evacuation, on the instruction of the appropriate housing authority, from a Government quarters of an officer allocated the quarters on other than a purely temporary basis, for the reason that the quarters is required for another officer: provided that the officer thus forced to leave the quarters is obliged thereby to move outside the residential area concerned. Any claim made under this sub-paragraph should be supported by a certificate from the appropriate housing authority to the effect that the move in respect of which a claim is made constitutes a move from one residential area to another at the instruction of the housing authority.

**150145:** An officer whose transfer is at his own request shall be entitled to only transport allowance, not resettlement allowance.

**Not payable  
if transfer  
is at  
officer's  
request**

**150146:** The following rates of allowances are payable to teachers who teach on part-time basis:

**Part-Time Teaching Allowance**

- (i) Part-time teacher/instructor (member of staff) = ₦500 per hour
- (ii) Part-time teacher/instructor (outside) = ₦500 per hour.

**150147:** Officers in the Professional, Administrative, Executive, Technological and allied cadres whose normal duties do not involve teaching but who are posted to full-time teaching in departments/training institutions and other recognised institutions shall be paid an allowance of ₦1,200.00 per month during the periods of such postings.

**Full-Time Teaching Allowance**

**150148:** A House Master/Mistress is eligible for a House Master/Mistress allowance at the rate of ₦2,000.00 per month.

**House Master/Mistress Allowance**

**150149:** Science/Mathematics Teachers are eligible for Science/Mathematics Teaching Allowance at the rate of ₦2,500.00 per month.

**Science Mathematics Teaching Allowance:**

**150150:** Laboratory Attendants who, in addition to their normal duties, are required to work with the evening class section of their institution shall be paid an allowance at the rate of ₦100 per day.

**Laboratory Attendants Allowance**

## SECTION 2 - TRANSPORT ALLOWANCE

**150201:** - Transport Allowance is a monthly allowance payable to all categories of staff to augment their expenses on transport.

**Definition**

## SECTION 3 - KILOMETRE ALLOWANCE RULES

**150301:-** Kilometre allowance may only be drawn in respect of distance travelled on official duty.

**Limited to official runnings**

**150302:-** Kilometre allowance may not be drawn in respect of journeys between an officer's quarters and his normal place of work except when an officer who is required by his superior officer to return to his place of work outside the normal working hours.

**House to office journeys excluded**



**150303:-** Kilometre allowance may not be drawn in respect of journeys for which the officer also utilizes other transport at Government's expense for the transport of himself, his wife, servant or baggage save:

- (a) in special cases with the prior approval of the officer's Permanent Secretary/Head of Extra-Ministerial Department;
- (b) when the officer is proceeding on transfer.

Not payable when other transport used

**150304:-** An officer who owns a motorcycle and uses it on official journeys shall be paid an allowance at the rate of ₦6.00 per kilometre. This precludes journeys from the officer's residence to his normal place of work.

Motor Cycle: Rate of Allowance

**150305:-** An officer who owns and maintains a motor vehicle and uses it for official journeys undertaken either within or outside his duty station shall be entitled to kilometre allowance at the rate of ₦10.00 per kilometre.

Motor Vehicle Rate of Allowance

**150306:-** Claims for payment of Kilometre Allowance are required to be submitted monthly. Payment vouchers for Kilometre Allowance shall be supported by certificates that no other allowance has been or will be paid in respect of that month. Claims not submitted within two months will be disallowed unless there is a valid reason for the delay.

Claims for Allowance

**CHAPTER 16****INNOVATIONS/INVENTIONS AND AWARDS COMMITTEE****SECTION 1 - GENERAL**

**160101:** There shall be constituted for the purpose of the Rules in this chapter an Awards Committee which shall consist of a Judicial or Legal Officer appointed by the Head of Government as Chairman and such other persons as the Head of Government may, from time to time, appoint by notice in the gazette.

**Appoint-  
ment**

**160102:** The functions of the Awards Committee shall be to make investigations and recommendations in connection with Rules 160108 and 160109.

**Functions**

**160103:** The Awards Committee may make rules for regulating their proceedings, but no such rules shall come into force until they will have been approved by the Head of Government. An officer shall be entitled to appear personally before an Awards Committee or be represented in such a manner as the Awards Committee may approve. All conclusions of Awards Committee shall be embodied in recommendations which shall be forwarded to the Head of Government.

**Procedure**

**160104:** An Officer who has made an invention must immediately report it under Secret Cover to Government through his Permanent Secretary/Head of Extra-Ministerial Department. He may, at his own expense, and shall, at the Government's expense if so required, lodge an application for provisional protection with the Registrar of Patents and Designs. When lodging any such application, the officer shall simultaneously send a copy to the Head of Government through his Permanent Secretary/Head of Extra-Ministerial Department. The Head of Government shall decide as expeditiously as possible, whether the invention shall be regarded as secret, and his decision shall forthwith be communicated to the officer's Permanent Secretary/Head of Extra-Ministerial Department for the information of the officer.

**Provisional  
protection  
of  
inventions**

**CONTROLLING RIGHTS IN PATENTS**

**160105:** As soon as practicable the Head of Government shall decide whether the officer shall or shall not be allowed controlling rights in the

**Government's  
opinion**

patent and his decision shall be communicated to the officer's Permanent Secretary/Head of Extra-Ministerial Department for the information of the officer. Where an invention is in all respects alien to the employment of the officer, he shall normally be granted the full rights in such invention. Pending the decision of the Head of Government as to the controlling rights, all rights in the invention shall be deemed to belong to and be held in trust for the Government.

**160106:** If the Head of Government decides that the officer shall be allowed controlling rights in the patent, the following provisions shall apply:

Rates  
applicable  
when the  
officer is  
allowed  
controlling  
rights

- (a) the officer shall be responsible for all expenditure in taking out the patent;
- (b) the Head of Government may attach to his decision such conditions as he may think fit; in particular, he may reserve to Government a right to a share of any commercial proceeds;
- (c) the official may, whether any rights are reserved under subparagraph (b) or not, apply to the Awards Committee, through his Permanent Secretary/Head of Extra-Ministerial Department, for an award in respect of his invention.

**160107:** If the Head of Government decides that an officer shall not be allowed controlling rights in the patents, the following provisions shall apply:

Rates  
applicable  
when the  
officer is  
not  
allowed  
controlling  
rights

- (a) the officer shall assign all his rights in the invention to Government;
- (b) the Government shall be responsible for all expenditure in taking out the patent;
- (c) the Head of Government shall decide whether the officer shall or shall not be allowed a share of any commercial proceeds;
- (d) the officer may, whether he is allowed a share in the commercial proceeds or not, apply to the Awards Committee through his Permanent Secretary/Head of Extra-Ministerial Department for an award in respect of his invention.

#### AWARDS AND SHARE OF COMMERCIAL PROCEEDS

**160108:** The question whether an award shall be made, the amount thereof, and the amount of the share of commercial proceeds to be reserved to the

Deter-  
mination

Government under Rule 160106 (b) or allowed to the officer under Rule 160107 (c) shall be determined by the Head of Government after investigation by the Awards Committee. In fixing the amount of any award or share of commercial proceeds:

- (a) any reasonable expense(s) to which the officer may have been put in connection with his invention shall be taken into account;
- (b) the reservation of a right of user free of royalty to the State Government shall not be taken into account, but if, and when such right shall be exercised by the Government, a material change shall, for the purpose of Rule 160109, be deemed to have taken place.

**160109:** In the event of a material change taking place in the circumstances which existed at the time when an award or allocation of commercial proceeds was made, the original decision under Rule 160108 may be modified by the Head of Government after further investigation by the Awards Committee; provided that, in any such modification of the original decision, the amount of an award which has been paid shall not be reduced. Where the inventor considers an award by the Head of Government unacceptable, he may apply to the Court to determine whether or not such an award is a fair remuneration under the Patents and Designs Act (Cap.P2/Cap.344).

**Modifica-  
tion**

**160110:** Nothing in this Chapter shall affect the duties and liabilities of any officer under the provisions of the Official Secrets Act (Cap. 03/Cap.335).

**Secrecy**

## CHAPTER 17

### REWARD FOR OUTSTANDING WORK

<b>17001:</b> <i>Reward</i> in this Section refers to Ministerial Award of gifts or Certificates to deserving Officers.	<b>Definition</b>
<b>17002:</b> The recipient of an award must have been considered as the best on the basis of outstanding performance of duties and exemplary conduct during the year.	<b>Basis of awards</b>
<b>17003:</b> Each Ministry or Extra-Ministerial Department may make such an award to deserving officers monthly/quarterly/annually.	<b>Frequency of awards</b>
<b>17004:</b> The award may be in the form of certificates, medals, gifts of cash or kind.	<b>Nature of awards</b>
<b>17005:</b> The Permanent Secretary/Head of Extra-Ministerial Department shall be assisted by a Committee in selecting deserving officers from nominations made by Heads of Departments/Divisions.	<b>Procedure for selection</b>
<b>17006:</b> Any officer who, in the course of his official duties, carries out a unique act or, in perilous circumstances, secures the safety of human life or property may also be considered for an award as the occasion warrants.	<b>Unique acts</b>
<b>17007:</b> An officer who has served continuously and meritoriously for a minimum of 15, 25 and 35 years with a good record of service shall be eligible for a certificate of merit and award in kind commensurate with his length of service.	<b>Certificate of merit</b>

## CHAPTER 18

### APPLICATION OF THE *PUBLIC SERVICE RULES* TO LAGOS STATE GOVERNMENT PARASTATAL ORGANISATIONS

- SECTION 1 - GENERAL
- SECTION 2 - BOARDS/COUNCIL MATTERS
- SECTION 3 - APPOINTMENT AND PROMOTION
- SECTION 4 - EXIT FROM THE SERVICE
- SECTION 5 - DISCIPLINE
- SECTION 6 - PETITIONS AND APPEALS

#### SECTION 1 - GENERAL

##### GENERAL PRINCIPLES

Where the Conditions of Service of a Public Servant is inadequate or does not provide for a particular issue, the employer shall have recourse to the Public Service Rules.

**180101:** A **Parastatal** is a government-owned organisation established by statute to render specified service(s) to the public. It is structured and operates according to the instrument establishing it and also comes under the policy directives of Government.

**Definition**

**180102:** Parastatals shall be classified into four categories as follows:

- (i) Regulatory Agencies;
- (ii) General Services;

**Classifica-  
tion**

- (iii) Infrastructure/Utility Agencies;
- (iv) Security Agencies.

**180103:** Parastatals are to retain and improve existing rules, procedures and practices in their establishments and ensure that there are no deviations from the general principles contained in the *Administrative Guidelines for Parastatals and Government owned Companies in Lagos State and Public Service Rules*. For example, variations in probationary periods and maturity periods for promotion only reflect organisational peculiarities and not inconsistencies with the *Public Service Rules*. However, in the absence of internal rules and regulations on any matter, the relevant provisions of the *Public Service Rules* shall apply.

Existing  
Rules/  
Conditions  
of Service

## SECTION 2 - BOARDS/COUNCIL MATTERS

**180201:** (a) Statutory Boards/Councils shall set operational and administrative policies in accordance with government policy directives and supervise the implementation of such policies. The administrative policies may include those relating to appointment, promotion and discipline of staff.

Functions  
of Boards/  
Councils

(b) A Board shall not be involved directly in the day-to-day management of a parastatal.

(c) A Commissioner exercises control of a parastatal at policy level through the Board of the parastatal only.

**180202:** Accommodation shall not be provided to any part-time member of a Board on a permanent basis. No part-time member of the Board shall be allowed to retain official vehicle for use on a permanent basis.

Privileges  
of Members  
of Board

## SECTION 3 - APPOINTMENTS AND PROMOTIONS

**180301:** All appointments to public offices, both senior and junior, in Lagos State Government parastatals shall be made on the authority of the Boards/Councils within the approved manning levels, after securing the required approved dispensation to recruit from the Governor.

Authority  
for  
Appoint-  
ment

**180302:** Appointment into all grades in parastatals shall be need-based and subject to the approval of the supervisory Boards/Councils. Such appointments shall be made through a fair and open selection process that

Appoint-  
ment

ensures merit, credibility and fair employment opportunity. Eligibility for appointment under this rule shall be in accordance with the provisions of Rule 020205, subject to the fact that reference made in Rule 020205 to the Head of Service shall not apply to parastatals.

**180303:** The Board/Council of a parastatal shall approve all promotions without prejudice to its powers to delegate.

Authority  
to approve  
Promotion

**180304:** The provisions of Rule 020601 (b) and (c) on eligibility for promotion shall apply to all parastatals, without prejudice to a parastatal's conditions of service.

#### SECTION 4 - EXIT FROM THE SERVICE

**180401:** (a) The provisions of Section 7 in Chapter 2 of the *Public Service Rules* on Exit from the Service shall apply to all parastatals, as contained in each parastatal's conditions of service.

Exit from  
the Service

(b) All such conditions of service for parastatals shall be approved by their respective Boards and ratified by the Head of Service.

#### SECTION 5 - DISCIPLINE

**180501:** The power to exercise disciplinary control over officers in parastatals is vested in the supervisory Boards/Councils in accordance with their respective conditions of service.

Authority  
to  
Discipline

**180502:** The provisions of Chapter 4 of the *Public Service Rules* shall guide all parastatals in addressing disciplinary matters provided that, where there is a reference to the Lagos State Civil Service Commission, the Head of Service or the Permanent Secretary, the Boards/Councils shall perform such functions.

General  
Application

**180503:** In the case of paramilitary services, the disciplinary procedures adopted in their respective services shall also apply.

Application  
to the  
Paramilitary

#### SECTION 6 - PETITIONS AND APPEALS

**180601:** In consonance with **Chapter 10, Section 2** of the *Public Service Rules*, an officer of a parastatal who wishes to make representations to the Head of Government shall route such representations through the proper

Petition to  
Head of  
Government



---

Departmental channels, namely: the petitioner's superior officer; the Chief Executive Officer; the Board/Council and the supervising Ministry of the organization.

*GENERAL*

## APPENDIX 'A'

## SCHEDULE OF REPLACEMENT SHEETS

Note: The sheets which are replaced should be reinserted behind this schedule.

[illegible]

## APPENDIX 'B'

*Note:* The actual amendment slips should be pasted over the blank pages behind this schedule in serial order.

153