

**FEDERAL GOVERNMENT STAFF HOUSING BOARD
DECREE 1974**



Decree No. 6

[17th May 1972]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) There is hereby established a body to be known as the Federal Government Staff Housing Board (hereinafter referred to as “the Board”).

Establish-
ment of the
Federal
Government
Staff
Housing
Board.

(2) The Board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its own name.

2. It shall be the duty of the Board, within the limit of its resources and in accordance with regulations made by the Board under section 11 of this Decree, to grant advances to persons eligible to receive them under this Decree for the purpose of—

Duty of
the Board.

(a) building a residential house in Nigeria for use of the applicant or of his family ; or

(b) purchasing a parcel of land in Nigeria on which such residential house is to be built ; or

(c) purchasing a residential house in Nigeria for the use of the applicant or his family ; or

(d) improving or extending a residential house in Nigeria for use by the applicant or his family being a house owned by the applicant and to which he has a valid and good title acceptable to the Board,

and for such other matters in connection with any one or more of the foregoing as the Board may deem fit in the circumstances.

3.—(1) The Board shall consist of a Chairman who shall be the Permanent Secretary, Federal Ministry of Establishments, or his deputy, and the following other members, that is—

Composition
of the Board.

(a) the Chief Federal Lands Officer or his representative,

(b) the Chief Architect, Federal Ministry of Works and Housing or his representative,

(c) the Deputy Accountant-General of the Federation or his representative,

(d) a Legal Adviser nominated by the Solicitor-General of the Federation,

- (e) a representative of the Federal Industrial Whitley Council,
 - (f) a representative of the Association of Senior Civil Servants of Nigeria, and
 - (g) a representative of the Nigerian Civil Service Union.
- (2) The Federal Executive Council may by Order published in the *Gazette*, increase or reduce the membership of the Board.

Proceedings
of the Board.

4.—(1) Subject to the provisions of this Decree, the Board may regulate its own proceedings and meetings shall be convened by the Chairman as and when required.

(2) The Chairman shall preside over every meeting of the Board.

(3) Four members of the Board, including the Chairman, shall form a quorum.

Secretary
and other
officers and
servants of
the Board.

5.—(1) There shall be appointed by the Board as Secretary a member of the public service of the Federation who shall be the chief executive officer of the Board and who shall have such qualifications and experience as are appropriate for a person required to perform the functions of his office by virtue of this Decree.

(2) The Board may appoint other persons who shall also be members of the public service of the Federation to be officers and servants of the Board as the Board may determine to assist the Secretary in the exercise of his functions.

(3) The remuneration and tenure of office of the Secretary and other officers and servants of the Board shall be determined by the Board after consultation with the Commissioner.

Power of
Commissioner to give
directions
to the Board
and to obtain
information.

6.—(1) The Commissioner may give to the Board directions of a general character or relating generally to particular matters (but not relating to any individual or case) with regard to the exercise by the Board of its functions under this Decree, and it shall be the duty of the Board to comply with such directions.

(2) The Commissioner may by notice in writing, either generally or otherwise, require the Board or any of its officers or servants to furnish information with respect to the activities of the Board.

Persons
eligible to
receive
advances.

7.—(1) Subject to subsection (2) below, a person shall be eligible to receive an advance from the Board under this Decree if—

- (a) he is a member of the public service of the Federation, and
- (b) he holds a pensionable office in such service or is a contributor to a provident fund, and

(c) he has been confirmed in the service, and

(d) he is not more than 50 years old.

(2) In any case where a person has previously obtained a housing loan from public funds such a person shall be eligible to receive an advance from the Board if—

(a) he is in every other respect eligible for a loan under this Decree, and

(b) the loan being applied for would be expended on the residential house in respect of which a loan was previously granted from public funds, and

(c) the amount of the loan to be granted shall not be more than the difference between the present cost or value of the house (whichever is greater) and that person's current entitlement under this Decree.

(3) In this section, "public service of the Federation" means public service within the meaning of the Constitution of the Federation and includes service in the Nigerian Army, the Nigerian Navy and the Nigerian Air Force.

1963 No. 20.

8.—(1) The funds of the Board shall consist of—

(a) the funds vested in the Board under section 10 of this Decree ;

(b) such funds as may from time to time be provided by the Federal Military Government ; and

(c) such other sums as may be collected or received by the Board in the execution of its functions under this Decree.

Funds of the Board.

(2) Disbursements from the fund shall be made in accordance with rules made under section 23 of the Finance (Control and Management) Act 1958 and, without prejudice to the foregoing, rule (17) of the Public Funds of the Federation (Disbursement) Rules 1959 shall continue in force and have effect as if made under this subsection.

1958 No. 33.

L.N. 49 of 1959.

9. The Board shall keep proper accounts of its payments, receipts, assets and liabilities and shall submit the same once every year for auditing by the Auditor-General of the Federation.

Accounts and audit.

10. All assets, liabilities, rights and obligations vested in the Board established under a scheme known as the African Staff Housing Scheme or vested in any person or authority (including the Government of the Federation) in respect of or in connection with the said scheme (not being assets, liabilities, rights or obligations of a person on account of an advance received under the said scheme) shall as from the commencement of this Decree vest in the Board established by this Decree and—

Vesting of assets, etc. in respect of the African Staff Housing Scheme.

(i) all pending applications under that scheme,

(ii) all advances granted, and

(iii) anything whatsoever done,

under or in connection with the said Scheme shall be deemed to have been made, granted or done under this Decree.

11. The Board may, with the approval of the Commissioner, make regulations generally for the purposes of this Decree ; and without prejudice to the generality of the foregoing the regulations may—

Regulations.

(a) provide for the making of applications for advances,

(b) prescribe the amount of advance available in any particular case and the conditions applicable to the grant of such advance,

(c) specify the nature of title to land acceptable to the Board,

(d) prescribe the manner of repayment of advances granted.

12.—(1) Any contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be under seal may be entered into or executed on behalf of the Board by any person generally or specifically authorised by it for the purpose.

Execution of documents by or on behalf of the Board, etc.

(2) The fixing of the seal of the Board shall be authenticated by the signature of the Chairman or some other member authorised generally or specifically by the Board to act for that purpose.

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

Interpreta-
tion.

13. In this Decree unless the context otherwise requires—

“the Board” means the Federal Government Staff Housing Board established by section 1 of this Decree;

“the Commissioner” means the Federal Commissioner for Establishments;

“the Secretary” means the Secretary appointed pursuant to section 5 of this Decree.

Citation and
commene-
ment.

14. This Decree may be cited as the Federal Government Staff Housing Board Decree 1974 and shall be deemed to have come into operation on 17th May 1972.

MADE at Lagos this 20th day of February 1974.

GENERAL Y. GOWON,
*Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria*

EXPLANATORY NOTE

(This note does not form part of the above Decree but is intended to explain its purport)

The Decree sets up the Federal Government Staff Housing Board to administer a housing loan scheme for Federal public officers. Every loan granted by the Board would be applied by the officer concerned either for the improvement or acquisition of a residential building for the use of the officer and his family or for buying a plot of land for the purpose of putting up such a building.

The scheme set up under the Decree replaces the former one known as the African Staff Housing Scheme.