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S.I. No. 24 of 2019

NATIONAL ASSEMBLY SERVICE STAFF REGULATIONS, 2019

In exercise of the powers conferred by Section 19 of the National Assembly Service Act 2014, the following Conditions of Service are hereby made by the National Assembly Service Commission.

[21st Day of May, 2019]

Commence-
ment.

CHAPTER ONE—INTRODUCTION

01001. These Conditions of Service may be cited as the National Assembly Service Staff Regulations 2019 effective from 21st May, 2019. The financial implications shall come into effect with the implementation of the 2019 budget.

Title and
Effective Date.

01002. These Regulations apply to all the staff of the National Assembly Service except where they conflict with specific terms approved and written into contracts of employment or letters of appointment. They apply also to the Chairman and members of the National Assembly Service Commission only to the extent that they are not inconsistent with the provisions of the National Assembly Service Act 2014, in so far as their conditions of service are concerned.

Application.

01003. Except where otherwise indicated by the context or the special definitions for particular chapters, the following words and terms are used with the following meanings wherever they occur in these Regulations :

General
Definitions.

"Basic Salary" includes any contract addition given to Contract Officers but excludes, for all staff, any inducement addition or other form of allowances.

"The Bulletin" means the National Assembly Service Bulletin as published by the National Assembly Service Commission.

"Child" means a child of an officer who is under 18 years entirely dependent on the officer and—

(a) is the officer's biological offspring ; or
(b) the officer's step-child being the biological offspring of the Spouse of the officer ; or

(c) a child adopted by the Officer in accordance with any statutory Provision. [A child is not the dependent of a female officer unless the father of the child is deceased or she is divorced from him and she has been awarded legal custody of the child without a maintenance order or she is a single parent].

"Classified Correspondence" means correspondence which has been graded Restricted, Confidential, Secret or Top Secret.

"Clerk" means the Clerk to the National Assembly.

"Commission" means the National Assembly Service Commission.

"Consolidated Salary" means the salary and emoluments of an officer in a salary super scale office i.e above Grade Level 17.

"*Established Post*" means a post provided for under the personal emoluments of the estimates of the National Assembly Service.

Family includes husband, wife/wives, child/children, dependent relatives and a servant of an officer.

"*Head of Department*" means the Deputy Clerk to the National Assembly, the Clerk of Senate, the Clerk of House of Representatives, Secretaries and Directors heading Departments of the National Assembly or National Assembly Service Commission.

"*Gazette*" means the Federal Republic of Nigeria Official Gazette.

"*Junior Officer*:" means an officer employed in a pensionable post on Grade Levels 01-06.

"*Monthly rated*" means employment on monthly rates of pay.

"*National Assembly Service*" covers employment in the National Assembly and the National Assembly Service Commission.

"*Officer*" when used without qualification means an officer employed in an established post, on pensionable, non-pension or contract terms.

"*Public Service*" means service in any pensionable capacity which ranks as such for the purpose of the Pensions Act 2014.

"*Senior Officer*" means an officer employed in a Pensionable post on Grade Levels 07 and above.

"*The Service*" means the National Assembly Service.

"*Staff*" means persons employed by the National Assembly Service Commission.

"*Wife*" means the spouse of an officer married to him under the Marriage Act or Customary Law or Islamic Law.

"*Head of Department*" means the Deputy Clerk to the National Assembly, the Clerk of Senate, the Clerk of House of Representatives, Secretaries and Directors heading Directorates and Departments of the National Assembly or National Assembly Service Commission, respectively.

"*Secretary*" means Secretary to the Commission or to the Directorates.

"*Pensionable Service*" means service as defined by the Pension Act 2014 (as amended).

"*Public Service*" means service as defined by the Constitution of the Federal Republic of Nigeria 1999 (as amended).

Special Definitions

01004. The special meanings with which various words and terms are used for the purpose of particular chapters and sections in these Regulations are defined at the beginning of such chapters or sections.

Application of Regulations to Female Officers.

01005. Notwithstanding that throughout these Regulations the terms "officer" and "staff" are referred to in the masculine gender, the provisions of these Regulations apply equally to female officers.

01006. Nothing in these Regulations shall be construed as limiting the powers of the Commission to amend or revoke any of the provisions at any time.

CHAPTER TWO—APPOINTMENTS AND LEAVING THE SERVICE

SECTION I—GENERAL

- Section 1 — General
- Section 2 — Recruitment
- Section 3 — Appointment and Probation
- Section 4 — Appointment on Contract
- Section 5 — Non-Pensionable Short Term Appointments
- Section 6 — Transfers and Secondment
- Section 7 — Promotions
- Section 8 — Leaving the Service

02101. All appointments of staff into the National Assembly Service shall be made by the Commission either—

Authority
for
Appointments.

- (a) by letter written by the Commission ; or
- (b) by formal agreement between the officer and the Commission.

02102. An officer's incremental date shall be the first day of the month in which he takes up the appointment or is promoted thereto.

Incremental
Date.

02103. Seniority as between persons selected for appointment from outside the Service shall be determined by the date of assumption of duty. Where, however, two or more persons selected from outside the Service arrive on the same date, seniority among them shall be determined by the date of the letter from the Commission confirming the selection or, in the case of a contract officer, by the date of his agreement. Seniority in any Department shall be determined by the date of an officer's appointment to the particular class or grade in which he is serving.

Seniority.

02104. All Heads of Directorates and Departments are to keep up to date records of staff under their supervision and ensure copies are forwarded to the Commission through the Clerk, National Assembly or the Secretary, National Assembly Service Commission.

Personal
Records.

02105. Staff who gets married or divorced shall notify the Commission through the Clerk, National Assembly or the Secretary, National Assembly Service Commission so that such change of status is recorded in the staff records by both National Assembly Management and the Commission in writing.

Notification
of change of
status.

02201. Direct appointments to the Service may be made in any of the following categories—

Types of
Appointments.

- (a) on permanent and pensionable basis ; or
- (b) on contract ; or
- (c) on non-pensionable short-term basis.

Probation.

02202. All first appointment to pensionable posts shall be on probation. An officer confirmed in a lower pensionable post will not however be regarded as on probation in a higher post to which he is promoted nor will an officer seconded or transferred as a confirmed officer from pensionable post elsewhere.

SECTION 2—RECRUITMENT

Eligibility
for
Appointment.

02203. (i)(a) Possess a certificate signed by the Chairman or Secretary of his Local Government Area indicating his State of Origin and Local Government Area.

(b) be not less than 18 years and not more than 50 years of age ;

(c) possess such minimum qualifications as are specified in the approved Schemes of Services ;

(d) be certified by a Government Medical Officer as medically fit ;

(e) possess a testimonial of good conduct from his last employer or if not previously employed from the last school or institution attend ;

(f) state whether or not he has been convicted of a criminal offence ;

(g) state all employment he was engaged in and, if he had left any employment, why he did so or if he is still in any employment whether or not he is under any obligation to remain in it ;

(h) state whether or not he is free from financial embarrassment ; and

(i) possess, where applicable, a valid National Youth Service Corps discharge or exemption certificate.

(ii) where an applicant has accepted an offer or a position that is lower than that for which he initially applied, he shall not after assumption of duty, petition/appeal for upgrade or review on any account.

Prior
Conviction
or Dismissal
from Public
Service.

02204. No candidate shall be appointed to any post in the Service if he has been convicted of a criminal offence; or has previously been employed in any Public Service and been dismissed or called upon to resign or retire there from in the public interest.

Procedure
for
Appointment.

02205. All applicants for appointment shall complete the appropriate Application for Employment Form on the basis of which their antecedents will be carefully scrutinized before they are invited for appointment.

(i) If in the light of the information supplied the candidate is considered eligible and suitable, he shall be made an offer of an appointment and will be required to signify his acceptance of the offer within two months from the date thereof.

(ii) Immediately he assumes duty, he shall be issued with Assumption/Resumption of Duty Certificate which shall be forwarded to the Commission.

(iii) Every staff shall be required to undertake medical examination on his assumption of duty.

02206. It is the duty of every Head of Department to ensure that new staff in his Department sign an oath of secrecy on the appropriate Secrecy Oath Form and that the oath so signed is carefully preserved.

Oath of
Secrecy.

SECTION 3—APPOINTMENT ON PROBATION

02301. Officers on probation will be required to serve for two years before being confirmed in the service. This period may, however, be reduced to a period not less than six months by deduction of any previous period of Public Service rendered satisfactorily in posts of cognate status involving similar duties. The period of probation shall not exceed two years unless an extension is approved by the Commission. Such extension may result in his increment being withheld if the Commission so decides.

Period of
Probation.

02302. Within his probationary period an officer is required to pass the prescribed examination appropriate to his appointment.

Compulsory
Examinations.

(a) For senior officers on Grade Level 07 and above, the prescribed examination are those on—

- (i) the Nigerian Legal System,
- (ii) Financial Regulations,
- (iii) National Assembly Service Staff Regulations,
- (iv) Parliamentary Practice & Procedure and such other examinations as may be specified in individual offer of appointment or required by the Commission.

(b) For junior officers on Grade Levels 01-06, the prescribed examination is the Promotion/Confirmation Examination held once a year.

(c) For technical staff, the examinations are those prescribed in the Schemes of Service applicable to the particular cadre.

02303. To be eligible for confirmation in permanent establishment, an officer appointed on probation is required to pass the prescribed examination, if any during his probationary period to the satisfactions of the Commission. Recommendations of Head of Department regarding the confirmation of all staff holding senior posts shall be made in the Progress Reports prescribed in Chapter 5.

Confirmation
after
Probationary
Period.

SECTION 4—APPOINTMENT ON CONTRACT

02401. A contract appointment is a non-pensionable appointment for a specific period and recorded in a formal document of agreement.

Definition.

02402. The conditions of service of a contract officer shall be strictly as provided for in his contract agreement and the privileges, emoluments or allowances of officers in the Service shall not apply unless they are specifically and expressly so stated in the Contract itself. Any question of the interpretation of a contract as affecting the conditions of service of a contract officer should be referred to the Commission for determination.

Conditions
of Service.

Termination
during
currency of
contract.

02403.—(a) An appointment on contract may be terminated by the Commission at any time in accordance with the terms specified in the contract itself.

(b) Any recommendation for the termination of the appointment of a contract officer shall be made to the Commission, accompanied by a full statement of the consideration that has prompted it. On receipt of the recommendation, the Commission will decide whether the appointment shall be terminated forthwith in accordance with the terms of the contract or whether the officer shall be offered further opportunity to submit any formal representation if he so wishes, before a final decision is taken.

(c) The termination of his contract by the officer himself shall be subject to the terms of his contract and any question concerning the waiving of any of the penalties under a contract agreement shall be referred to the Commission for determination.

Re-
engagement
of a contract
officer.

02404.—(a) An officer serving on contract, who desires re-engagement shall so inform the Commission in writing (through his Head of Department) not less than four months before the expiration notification it shall be assumed that an officer serving on contract does not desire re-engagement.

(b) On receipt of such notification expressing a contract officer's wish to be re-engaged, his head of Department shall forward a recommendation to the Commission enclosing an up-to-date confidential report on the contract officer. In reply, the Head of Department will receive formal authority to inform the officer without delay whether or not he will be re-engaged.

Continuity
of service.

02405. Provided re-engagement is completed by the signature of a new contract before the end of vacation/leave granted under an expiring contract, service under the new contract will be treated as continuous with service under the former contract.

Incremental
Date.

02406. When an officer on contract is re-engaged without a break in service he will retain the incremental date enjoyed under his former contract.

SECTION 5—NON-PENSIONABLE SHORT TERM APPOINTMENT

Definition.

02501. A non-pensionable short-term appointment is the appointment of a political appointee in the National Assembly on the conditions set out in his letter of appointment and in accordance with such Regulations that may be made from time to time to govern the employment of political appointees.

Authority
to Appoint.

02502. A Presiding Officer, a member of the Senate, a Member of the House of Representatives or a party Leader in the National Assembly may select and appoint such political appointees as may be approved for his office from time to time.

For the purpose of this Regulation, a Presiding Officer means the President of the Senate, the Speaker of the House of Representatives, the Deputy President of the Senate or the Deputy Speaker of the House of Representatives.

02503. A political appointee shall hold office at the pleasure of the officer he serves and shall cease to hold office when the officer he serves ceases to hold office.

Tenure of office.

02504. The conditions of service, including the fringe benefits, of a political appointee shall be as set out in his letter of appointment.

Conditions of Service of a Political Appointee.

SECTION 6—TRANSFERS AND SECONDMENT

02601. Transfer is the permanent release of an officer from one Public Service to another ('inter-service transfer') or from one class to another within the same Service ('inter-departmental transfer'). Secondment means the temporary release of an officer for a specific period to the service of another Public Service or international organization of which Nigeria is a member.

Definition.

02602.—(a) If the Commission thinks it expedient that any vacancy in the National Assembly Service should be filled by a person holding office in the Civil Service of the Federal or of a State, it shall notify the appropriate Civil Service Commission to that effect and thereafter the Commission may, by arrangement with the Civil Service Commission concerned, cause such vacancy to be filled by way of secondment or transfer.

Inter-service Transfer and Secondment.

(b) Where any member of a Civil Service is seconded under (a) above, he shall be notified of the terms and conditions of the secondment; and the secondment shall be without prejudice to any pension rights which, but for the secondment, would still accrue to him.

(c) A person seconded pursuant to (a) above may elect, subject to the approval of the Commission, to be transferred to the service of the National Assembly Service, in which case any previous service in the Civil Service concerned shall count as service for the purpose of pensions subsequently payable to the Commission.

(d) Secondment of an officer to the service of another Government or Approved Body at his own request shall be for a maximum of two years, during which period he will be required to elect to be permanently released to the service to which he had been seconded or revert to his former post. He will be entitled to notional increment during the period of his secondment and may be granted notional promotion by the Commission on his desecndment in order to restore his seniority as a result of the promotion of others during his absence.

(e) If it is in the public interest to second a staff from the National Assembly Service to the Service of another Public Service or approved Body, the period of secondment shall not be limited and the staff shall continue to hold his substantive post and be entitled to increment and promotion. He will be treated as having been posted on special duty.

(f) Secondment within the same Service is not permitted.

Inter-
Departmental
Transfer :
Senior Posts.

02603.—(a) Transfers from one senior post to another or from one class to another within the Service require the prior approval of the Commission and the officer must have served for a minimum period of 6 months in his original department. An application for such transfer must be submitted through the applicant's Head of Department to the Commission and must state the applicant's reasons for desiring the transfer and his qualifications for the work he wishes to undertake. Such application should be forwarded to the Commission by the head of Department together with a statement as to :-

(i) how the applicant has performed his duties ;

(ii) whether the applicant is considered to be well qualified for the post he desires ;

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

(b) Transfers from one junior post to another or from one Department to another within the Service shall be arranged, at the mutual discretion of the Heads of Departments concerned, with the Commission formally being advised of the transfer.

Inter-
Departmental
Transfer :
Junior Posts.

02701. Promotions shall be made strictly on the basis of competitive merit by selection from amongst all eligible candidates who fall within the field of selection for any promotion exercise.

SECTION 7—PROMOTION

Criteria for
Promotion.

02702. (a) In assessing the merits of officers, a clear distinction shall be made between their records of performance or efficiency in lower grades and their potentials (*i.e.* ability and competence) to perform efficiently the duties and responsibilities of the higher post

(b) Seniority and previous records of performance will be taken into account in choosing between candidates with equal potentials for promotion. In all cases, however, a general satisfactory record of conduct shall also be considered.

(c) The Junior and Senior Staff Committees of National Assembly Service Commission shall be responsible for the consideration of all Junior and Senior Staff for promotion in the Service respectively.

(d) The Commission shall determine the composition of these Committees.

02703. Before each promotion exercise, the Commission shall compile a list of eligible candidates to be considered along with the list of approved establishment (Prepared on the basis of job requirements and such criteria for the posts).

Procedure

02704. The effective date of promotion from one grade to another shall be 1st January following the promotion exercise or such other date as determined by the Commission.

Effective Date.

02705. For the purpose of promotions, a post shall be deemed vacant on the date the substantive holder was promoted, proceeded on pre-retirement leave resigned; transferred; or died.

Vacancies for Purpose of Promotion.

02706.—(a) Notional dates of 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 in every respect for such promotion.

Notional Promotion.

(i) Where an officer is on an in-service training ;

(ii) where an officer is on secondment to another public service, within or outside Nigeria ;

(iii) where a female officer married to an Foreign Affairs officer is granted leave without pay to enable her accompany her husband on posting abroad ;

(iv) Where an officer is granted study leave with pay.

(b) When an officer is granted notional promotion he will 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.

(c) As regards Regulation 02706 (a) (iii) above, on resumption of duty such female officer cannot be granted notional promotion if she had been superseded by her colleagues during absence unless she was within the field of selection for that promotion in which the field of selection for that promotion in which she was superseded and had earned not less than two good annual confidential reports in the promotion exercise.

(d) An officer on Study Leave without pay cannot be granted notional promotion on his resumption of duty except if the qualifications acquired from eligible for a higher post, he may be advanced to that post in accordance with existing regulations.

02707. No officer required to pass a compulsory examination for confirmation will be eligible for promotion without first passing the prescribed examination.

Promotion during Probationary Period

SECTION 8—LEAVING THE SERVICE

Termination
of
appointment
during
probationary
period.

02801. If within his probationary period it is established to the satisfaction of the Commission that an officer is not qualified for efficient service, his appointment may be terminated by the Commission at any time without any further compensation than free transport to the place from which he was engaged and such free transport will be granted only if his conduct has been satisfactory. Provided the termination is not due to misconduct on the officer's part, it will be effected by means of a month's notice and subject to the same provision, if the officer is eligible for vacation leave in respect of his service to date. Such leave may be granted together with the (if the officer so desires) normal vacation leave transport grant together with 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.

Relinquishing
of
appointment
during
probationary
period.

02802. If an officer relinquishes his appointment within the period of his probationary service he may be required to refund any expenditure incurred in transporting him, his family, servant and baggage to or from the place at which he has been employed and he will not be eligible for any facilities 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 shall be governed by the bond relating to such training.

Termination.

02803. The appointment of an officer on probation who fails to secure confirmation in the pensionable establishment at the expiration of his probationary period, including such extension thereof shall be terminated in the manner specified in Regulation 02801.

Termination
for failure to
pass
Promotion
examination.

02804. The appointment of a confirmed officer, who fails to pass his promotion examination, after three consecutive attempts, shall be terminated by the Commission by means of a month's notice. Provided that if the officer is eligible for vacation in respect of his service to date, such leave may be granted together with (if the officer so desires) normal vacation leave transport grant together with 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.

Resignation.

02805. An officer who resigns will be liable to :

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

(ii) refund to the Service in full any sum of money which he may be owing or which, under the provisions of other Regulations or agreements entered into, for his not discharging the obligations set out in such agreements : provided that any or all of such refunds may be waived at the discretion of the Commission.

02806. An officer who leaves the Service other than by resignation or dismissal will be eligible for proportionate leave. However, if he has enjoyed more leave during the year than he is eligible to receive under that Regulation, 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. This provision will be waived in the case of an officer who has died in the Service.

Leaving the
Service
during a
leave year.

02807. Ex-gratia leave under Regulation 02804 may be granted to an officer who resigns his appointment only if he has served a minimum period of ten months during the leave year. Any debts due as a result of an officer who resigned after having enjoyed his leave before completing the minimum period specified under these Regulations will be treated in accordance with Regulation 02805.

Leaving the
Service by
Resignation.

02808. No female officer shall be required to resign her appointment or retire by reason of pregnancy alone, but if her condition interferes with the efficient performance of her duties, she may be posted elsewhere.

Effect to
pregnancy.

02809.—(i) The compulsory retirement age for all officers of all grades in the Service shall be 65 years or 40 years of pensionable service whichever is earlier.

Retirement.

(ii) Officers in pensionable posts may voluntarily retire from the service after qualifying service of at least 10 years to be entitled to an additional retiring benefits.

02810. (i) Where the Commission considers that it is desirable in the interest and security of the Service that an officer should be required to retire from the Service, it shall call upon the officer to compulsorily retire or be retired and the officer's service shall accordingly terminate on such date as the Commission may specify.

(ii) In all such cases, the compulsory retirement of an officer shall only be effected after the officer has been given every opportunity to respond to the complaints by reason of which his retirement is being contemplated and the Commission remains 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 in the interest of the Service.

(iii) In the case of re-organization or incapacitation, an officer who is to be disengaged will be paid in addition to his entitlement a compensation of two (2) years annual salary.

02811. The grant of pensions and gratuities to holders of pensionable posts in the National Assembly Service shall be governed by the Pensions Act 2014 (as amended).

Pensions and
Gratuity.

02812. Pursuant to Part (II) Section 4a of the Pension Act 2014 and Section 15(3) of the National Assembly Service Act 2014, the National Assembly Service shall pay to all staff who retired on completion of satisfactory service and those who died in the Service additional benefits at the following rates :

Additional
Retiring
Benefits.

Officers who have spent 10 years shall be paid 150% of annual consolidated salary.

Officers who have spent 11 years shall be paid 152% of annual consolidated salary.

Officers who have spent 12 years shall be paid 154% of annual consolidated salary.

Officers who have spent 13 years shall be paid 156% of annual consolidated salary.

Officers who have spent 14 years shall be paid 158% of annual consolidated salary.

Officers who have spent 15 years shall be paid 160% of annual consolidated salary.

Officers who have spent 16 years shall be paid 162% of annual consolidated salary.

Officers who have spent 17 years shall be paid 164% of annual consolidated salary.

Officers who have spent 18 years shall be paid 166% of annual consolidated salary.

Officers who have spent 19 years shall be paid 168% of annual consolidated salary.

Officers who have spent 20 years shall be paid 170% of annual consolidated salary.

Officers who have spent 21 years shall be paid 172% of annual consolidated salary.

Officers who have spent 22 years shall be paid 174% of annual consolidated salary.

Officers who have spent 23 years shall be paid 176% of annual consolidated salary.

Officers who have spent 24 years shall be paid 178% of annual consolidated salary.

Officers who have spent 25 years shall be paid 180% of annual consolidated salary.

Officers who have spent 26 years shall be paid 182% of annual consolidated salary.

Officers who have spent 27 years shall be paid 184% of annual consolidated salary.

Officers who have spent 28 years shall be paid 186% of annual consolidated salary.

Officers who have spent 29 years shall be paid 188% of annual consolidated salary.

Officers who have spent 30 years shall be paid 190% of annual consolidated salary.

Officers who have spent 31 years shall be paid 192% of annual consolidated salary.

Officers who have spent 32 years shall be paid 194% of annual consolidated salary.

Officers who have spent 33 years shall be paid 196% of annual consolidated salary.

Officers who have spent 34 years shall be paid 198% of annual consolidated salary.

Officers who have spent 35-40 years shall be paid 200% of annual consolidated salary.

CHAPTER THREE—DISCIPLINE

Section 1 — General

Section 2 — Offences and Punishment

Section 3 — Disciplinary Procedure

SECTION 1—GENERAL

03101. The power to dismiss and generally exercise disciplinary control over officers in the Service is vested solely in the Commission. It may however be delegated to the Clerk, the Secretary, a Head of Department or any officer in the Service.

Power to exercise disciplinary control.

03102.—(a) It shall be the duty of every officer in the Service to acquaint himself with these regulations and any other regulations issued from time to time by the Commission.

Officers to acquaint themselves with Regulations in force.

(b) It shall also be the duty of every officer in the Service to acquaint himself with the :

(i) Official Secrets Act 1962 ;

(ii) Code of Conduct for Public Officers (set out in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria, 1999) ;

(iii) Prohibition of Private Practice by Public Officers (Regulated and Other Professions) Miscellaneous Provision) Act, 1978 National Assembly Service Act, 2014.

03201. The offences in respect of which disciplinary action may be taken against an officer are—

Types of Offences.

(i) General inefficiency.

(ii) Misconduct.

(iii) Conduct prejudicial to the interest and security of the National Assembly Service.

03202. General inefficiency consists of a series of omissions or incompetence, the cumulative effect of which shows that the officer is not capable of efficiently discharging the duties of the office he holds.

General inefficiency

Misconduct is a provable and specific act of wrong-doing or improper behaviour that can be investigated and proved.

Misconduct.

Examples of misconduct include—

(i) wilful act or omission or general misconduct to the scandal of the public or to the prejudice of discipline and proper administration of the Service— *e.g.* absence from duty without leave ; accepting gifts or presents in the form of money or otherwise in recognition or anticipation of service rendered or to be rendered by virtue of official position ; corruption or corrupt practices ; dereliction of duty ; dishonesty ; drunkenness ; embezzlement ; false claims against the Commission or the Government ; failure to keep records ; falsification or suppression of records ; fighting while on duty ; foul language ; insubordination ; loitering ; membership of secret societies ; negligence ; sleeping on duty ; unauthorized disclosure and/or use of official information ; unruly behaviour etc.

(ii) engaging in trade or business without authority or the hawking of merchandise or engaging in any other form of trading on office premises during office hours ;

(iii) improper dressing to office or while performing official duties ;

(i) conviction on a criminal charge (other than a minor traffic offence or the like) ;

(ii) collection of compulsory subscription from subordinate officers to defray cost of testimonials and presentation to superior officers ;

(iii) disobedience of lawful orders. *e.g.* refusal to proceed on transfer. refusal to accept a posting etc. ;

(iv) paid employment without the approval of the Commission while on leave of absence ;

(v) undertaking any private agency in any matter connected with the exercise of official duties ;

(vi) contravention of any provision of any Rules or Guidelines issued by the Commission or the Public Service Rules or the Financial Regulations issued by the Government of the Federation.

Prejudicial
Conduct.

03203. Conduct prejudicial to the security and interest of the National Assembly Service consists of—

(i) engaging in political activities of any kind whatsoever ;

(ii) a state of indebtedness amounting to serious financial embarrassment ;

(iii) publication or making public utterances on any matter which may reasonably be regarded as of a political or administrative nature ;

(iv) seeking the influence of prominent persons or any other person in matters connected with discipline or with a view to obtaining consideration for appointment, transfer, promotion or postings ;

(v) engaging in private practice ;

(vi) violation of the Official Secrets Act 1962. Cap 335 Laws of the Federation of Nigeria ;

(i) violation of Section 14(3) of the 1999 Constitution of the Federal Republic of Nigeria.

03204.—(a) An officer who, in the opinion of the commission, is not considered as capable of efficiently discharging the duties of the office he holds shall be liable to removal from that office or termination of his appointment.

Removal for
inefficiency.

(b) Where in the opinion of a Head of Department, an officer is not capable of discharging the duties of the office he holds, the Head of Department may recommend the termination of the appointment of the officer provided that such an officer had been warned and given an opportunity to improve or to offer a satisfactory explanation of his failure to perform his duties efficiently.

(c) Before proceedings for the termination of the appointment of an officer for general inefficiency shall be commenced by the Commission, the officer must have been :

(i) warned in writing on at least two separate occasions previously by his Head of Department that his work has been unsatisfactory with a copy of each such warning forwarded to the Commission or suffered loss or deferment of his last increment or promotion by the Commission as a result of inefficiency or incompetence ; and

(ii) given ample opportunity for improvement within one year.

03205. In all cases of termination for general 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 term of service. If it is decided that the officer shall leave the service immediately, he shall be paid salary equivalent to the period of the notice.

Effective
date of
termination
for
inefficiency.

03206.—(a) Where the Commission decides to withhold or defer the increment of an officer, it shall so inform him in writing, stating the reason and, in the case of deferment, the period of deferment.

Withholding
increment.

(b) Where the Clerk, the Secretary or a Head of Department considers that the increment of an officer should be withheld or deferred, the circumstances should be reported to the Commission with recommendations as to the withholding or period of deferment for a decision by the Commission.

03207. Where the Commission decides to grant an increment to an officer despite some defects in the office of the officer, the Commission shall issue a Letter of Advice to the officer bringing these defects to his notice.

Notification
of defects.

03208. No officer shall engage in any occupation for reward after official hours unless he has previously obtained the permission of the Commission which may, at the Commission's discretion, be given if such engagement shall not interfere with the efficient performance of his official duties.

Engaging in
business
after office
hours.

03209. No officer shall render professional assistance to institutions or Government agencies during working hours and accept remuneration for it, except with the written permission of the Commission. The Commission's permission will only be granted if it is to the advantage of public that it should not be withheld. The remuneration received by the officer for the professional

Professional
assistance
institutions
or
Government
Agencies

assistance must be paid to the National Assembly Service on deposit until the Commission has determined the share, if any, payable to the officer concerned.

Gifts from
Traditional
Rulers and
other
persons.

03210. Presents from traditional rulers and other persons that cannot be refused without giving offence shall be handed over to the National Assembly Service and any reciprocal presents shall be given at the expense of the National Assembly Service.

Fines for
offences.

03211. No fine shall be imposed on any officer as a punishment for an offence committed in the course of his official duties.

Power of
Surcharge.

03212. If at any time the public revenue or the National Assembly Service sustains a loss by reason of the neglect or fault of an officer, the officer shall be liable to be surcharged with the amount and any sums due to him from the National Assembly Service shall be withheld in satisfaction of such surcharge.

Mode of
dress.

03213. In any Department where there is no standard uniform for officers, it shall be the responsibility of the Head of Department to issue written guidelines on what constitutes proper dress for officers in the Department.

Unofficial
Testimonials.

03214. 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 whether on officials stationary or otherwise.

Interdiction.

03215.—(i) When disciplinary proceedings that may lead to dismissal are instituted against an officer, the Commission may interdict him on not more than half pay pending the determination of the case.

(ii) Recommendations to the Commission by a Head of Department for interdiction shall be made only if it is against the public interest that the officer should continue to perform any of the duties of his rank.

(iii) Where the charge against an officer is such that the continued performance of his present duties is against the public interest or the interest of the Service or is prejudicial to the investigation of the charge against him, consideration shall be given to putting him on alternative duties. Interdiction by the Commission shall only be resorted to when this is not possible.

(iv) 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 may determine. The letter informing an officer of his interdiction shall indicate the proportion of emoluments he is to receive while on interdiction.

(v) If the disciplinary proceedings 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 his emolument denied him while he was interdicted.

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

03216.—(a) An officer shall be suspended by the Commission from the exercise of the powers and functions of his office and from the enjoyment of his salary where : Suspension.

(i) a prima facie case of misconduct, the nature of which is considered serious by the Commission has been established against him and it is considered in the interest of the Service that he should forthwith be prohibited from carrying on his duties ;

(ii) a prima facie case of conduct prejudicial to the interest and security of the Service has been established against him ; or

(iii) the officer has been charged with a criminal offence (other than a minor traffic offence and the like). Suspension in this instance shall be from the date that the officer is charged in court.

(b) The terms of suspension of the officer shall, in the circumstance of each case, be as determined by the Commission.

(c) If the officer is found not guilty of the charge that resulted in his being suspended in the first place, he shall be reinstated and may receive the full amount or part thereof of his emoluments denied him while he was suspended.

03217.—(a) An officer who is under interdiction or suspension shall notify his Head of Department of his intention to leave his station.

(b) He shall however not leave the country without the specific approval of the Commission. He is also responsible for keeping his Head of Department informed of the address at which instruction to him can be delivered.

(c) If he fails to comply with the instructions delivered to him at such address within five days, he will be regarded as absent from duty without leave.

03218.—(a) The ultimate penalty for misconduct is dismissal from the Service.

(b) The only penalty for conduct prejudicial to the security and interest of the National Assembly Service is dismissal from Service.

(c) An officer, who is dismissed forfeits all claims to retiring benefits, leave or transport grant, etc.

03219.—(i) When an officer is dismissed, no payment of salary in lieu of notice shall be given to him and his dismissal shall take effect from the date on which he is notified by the Commission of his dismissal from the Service.

(ii) Where the officer concerned seeks to evade official notification, the effective date shall be :

(a) the date 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 messenger to his recorded address, even though the officer concerned does not himself acknowledge receipt of such delivery ; or

Responsibility
of
interdicted
or
suspended
officer.

Dismissal
and its
effects

Effective
date of
dismissal.

(c) the date on which the notification is sent by registered post to his last known or normal address in accordance with the definition of "service by post" in Section 26 of Interpretation Act, 1964.

Charges for
criminal
offences.

03220. An officer must, under pain of disciplinary action, promptly report to the Commission whenever he is charged with a criminal offence, and must report the outcome of the charge.

Effect of
criminal
proceedings.

03221. Nothing shall prevent disciplinary action from being taken or continued against an officer whether or not—

(i) criminal proceedings have been instituted against him in a court of law in Nigeria or elsewhere or are about to be instituted or are contemplated; or

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

Conviction
for criminal
offence.

03222. If an officer is convicted on a criminal charge, the Commission shall consider the proceedings of the criminal 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 recourse to any of the disciplinary procedures prescribed in Section 3 of this Chapter.

Acquittal
of criminal
charge.

03223. An officer acquitted of a criminal charge of which he has been acquitted, but nothing shall prevent his being dismissed from the Service or otherwise punished on any other charges arising out of his conduct in the matter, provided that such charges do not raise substantially the same issues as those of which he has been acquitted.

Absence
without
leave.

03224. An officer who absents himself from duty or from Nigeria without leave 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.

Political
Activities.

03225. No officer shall, whether on duty or leave of absence, engage in partisan political activities of any kind whatsoever. These include—

(a) holding any office, paid or unpaid; permanent or temporary, in any political organization or party;

(b) offering himself or nominating anyone else as a candidate for any elective public office in the Federation;

(c) indicating publicly his support for or opposition to any party, candidate or policy;

(d) engaging in canvassing in support of political candidates.

Nothing in this Regulation shall be deemed to prevent an officer from voting at any election.

03226. Any officer wishing to engage in partisan political activities or seek elective office shall resign his appointment forthwith.

03227.—(a) 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.

Serious
financial
embarrass-
ment.

(b) Without prejudice to its general meaning, an officer shall be deemed to be in serious financial embarrassment where :

(i) the aggregate of his unsecured debts and liabilities at any given time exceed the sum of three times his monthly emoluments ; or

(ii) he is a judgment debtor, for as long as the judgment debt remains unsettled ; or

(iii) he is adjudged bankrupt or insolvent wage earner, for as long as he remains an undischarged bankrupt or as the case may be for as long as any judgment against him in favour of the Official Assignee remains unsatisfied.

(c) Serious financial embarrassment from whatever cause shall be regarded as necessarily impairing the efficiency of an officer and rendering him liable to disciplinary action. The onus shall rest on the officer to show that the circumstances do not justify the imposition of the penalty of dismissal.

(d) When the fact that an officer has become a judgment debtor or a party to accommodation bills or promissory notes is brought to the notice of the Commission, the Commission shall require him to submit a statutory declaration in the prescribed Form disclosing all his liabilities.

(e) Where an officer is financially embarrassed and the Commission considers it undesirable that the officer should be retained in the Service, it shall initiate the appropriate disciplinary proceedings.

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

03228.—(a) Except in pursuance of his official duties, no officer shall, without the express permission of the Commission, whether on duty or leave of absence.

Publication
and public
utterances.

(i) 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 that is not a departmental or staff magazine, professional journal or the publication of voluntary organizations ;

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

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

(iv) 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 Federation or any other country.

(b) Nothing in this Regulation shall prevent an officer from publishing in his own name, by writing, speech or broadcast, matters relating to subjects of general interest which do not contain a criticism of any officer, minister, legislator, official government ministerial or legislative statements or legislative statements or actions, or which can be regarded as of a political or administrative nature; provided that in so publishing any matter compiled with proper sanction from official records, he gives prominence to a disclaimer of Government responsibility for its accuracy.

Seeking
influence of
prominent
persons.

03229. No officer shall seek the influence of prominent persons or any other person for ensuring the due consideration of claims in matters connected with discipline or with a view to obtaining consideration for appointment, transfer, promotion or postings.

Private
practice.

03230. In accordance with the provisions of the Regulated and other Professions (Private Prohibition) Act 1984, no officer shall engage in private practice.

Official
Secrets Act.

03231.—(a) Every officer is subject to the Official Secrets Act 1962 and is prohibited from disclosing to any person, except in accordance with official routine or with the special permission of the Commission, any article, note, document or information entrusted to him in confidence by any person holding office under any public Service in the Federation, or which he has obtained in the course of his official duties

(b) 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.

Abstraction
or copying
official
Documents.

03232. 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 his Head of Department.

Secret
personal
Records.

03233. Officers shall not as a general rule have access to official and secret records relating personally to themselves.

Removal of
public
records.

03234. No officer may, on leaving the Service, take with him any public record without the written permission of the Commission.

Removal of
historical
documents.

03235. Historical manuscripts or other documents of public interest, which may be discovered by an officer in the course of his official duties may not be appropriated to his own use but their existence must be reported to the Commission in order that steps may be taken for their examination and preservation.

03236. No officer shall participate in, encourage, assist, connive or condone activity whether overt or covert which shall amount to a violation of the provision of Section 14(3) of the 1999 Constitution of the Federal Republic of Nigeria.

Violation of
federal
character
principle.

03237.—(a) 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

(c) An officer, whenever required to do so by the Commission, shall disclose within three working days, in confidence, full information about any investments held by him or his immediate family whether Held in their names or in the names of other persons or otherwise.

(c) Where an officer is called upon to divest himself of investments which are likely to lead to public scandal or likely to be constructed as an indication that the officer has abused his public position for his private advantage, and he fails to comply within six months; the Commission shall take action as necessary.

03238. No step shall be taken by an officer without prior approval of the Commission, to institute legal proceedings for libel or slander in connection with matters arising out of his official duties.

Legal
proceedings
for libel or
slander.

03239. Every officer shall discharge any lawful duties assigned to him by a superior officer and accept liability of being stationed wherever his presence is considered to be most useful as pertains to his cadre.

Discharge of
assignments.

SECTION 3— DISCIPLINARY PROCEDURES

03301.—(a) Whenever a superior officer observes any fault or shortcoming in the work of an officer subordinate to him, it shall be his duty to bring it to the subordinate officer's notice and to record that this has been done, with the view to improving the subordinate officer's usefulness and efficiency in the Service.

Drawing
Attention to
shortcoming.

(b) Senior officers should call to order any erring junior officers and may impose minor punishment including verbal warning and reprimand for minor offences.

03302.—(a) It shall be the duty of every officer to report any case of misconduct that comes to his notice to the superior of the officer involved and it shall be the duty of that superior officer to make a written report of the alleged misconduct without delay to his Head of Department.

Reporting
Misconduct
or Prejudicial
Conduct.

(b) Where a superior officer becomes dissatisfied with the conduct of any officer subordinate to him, it shall be his duty to make a written report to his Head of Department giving details of the unsatisfactory behaviour.

03303. In all cases, the Head of Department shall immediately—

(a) Inform the Commission in writing of the misconduct or unsatisfactory behavior alleged against the officer and make such comments and recommendations as are considered appropriate in the circumstances to the Commission for its consideration; and

(b) Inform the officer in writing of the misconduct or unsatisfactory behavior alleged against him and require him to submit within a specified period not exceeding four weeks such written representation to the Commission as he may wish to make in reply to the allegation against him and exculpate himself from disciplinary action.

03304. After considering such written representation as the officer may make within the specified time and after conducting its own investigation into the matter in such manner as it considers proper in the circumstances, the Commission shall decide whether :

(i) The officer has exculpated himself in which case, he shall be so informed in writing and no further action shall be necessary; or

(ii) The officer has not exculpated himself but it is considered that he should not be punished in which case an appropriate letter of advice shall be issued to him and he shall be required to acknowledge its receipt in writing; or

(iii) The officer has not exculpated himself and deserves punishment in which case disciplinary proceedings shall be commenced against him.

03305. If the officer fails, refuses or neglects to reply to the allegation against him within the specified time or at all, the Commission shall, after conducting its own investigation into the matter in such manner as it considers proper in the circumstances, proceed to take and enforce such disciplinary action (if any be considered necessary) against the officer as it shall deem appropriate.

Recommendations of Tribunals of Inquiry.

03306.—(a) Where a Tribunal of Inquiry set up by the Government makes recommendations of a disciplinary nature on an officer, the Commission 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.

(b) If the officer refuses or neglects to reply to the allegations within a reasonable time or at all the Commission shall proceed to accept and enforce the recommendations of the Tribunal of Inquiry and take such disciplinary action against the officer as it shall deem appropriate.

Disciplinary procedures for misconduct or prejudicial conduct.

03307. Unless where otherwise expressly previously provided for by the Commission, disciplinary proceedings against an officer in the Service shall be conducted only in accordance with this Regulation—

(i) The officer shall be notified in writing by the Secretary on the instruction of the Commission in the form of a query of the grounds on which it is proposed to discipline him. The query shall be precise and to the point. It shall relate the

circumstances of the office, the rule or regulation that the officer has broken and the likely penalty.

(ii) The query shall be in the format shown below :

QUERY

To :

Appointment and Rank :

u.f.s.....

It has been brought to the notice of the Commission that your work/
conduct is unsatisfactory in the following respects :

.....

2. If you desire to submit any representations why disciplinary action which might include..... should not be taken against you, they should be submitted to the Commission throughwithin.....of this letter. Failure to submit them 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. You will acknowledge receipt of this letter in the copy attached hereto

.....

Secretary to the Commission

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

Signed.....

Name.....

Date.....

(iii) In serious cases that are likely to result in dismissal, the officer shall be given access to any such document(s) or report(s) used against him and he shall be asked to state in his defence that he has been given access to such documents.

(iv) 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.

(v) The officer shall submit his representations to the Commission through the Clerk or the Secretary (as appropriate) who shall immediately forward such representations to the Commission.

(vi) If the Commission is not satisfied that the officer has exculpated himself, the Commission shall conduct an investigation into the matter in such manner as it deems proper in the circumstances.

(vii) After the conclusion of its investigation, the Commission shall convene a Hearing on a date that will be communicated in writing in advance to the officer at which the officer shall be entitled to appear to defend himself and shall be entitled to call witnesses. The failure of the officer to appear shall not invalidate the proceedings of the Hearing.

(viii) Where witnesses are called by the Commission 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 thereof given access thereto.

(ix) If during the course of the Hearing, further and fresh grounds for disciplinary action are disclosed, and the Commission thinks it fit to proceed against the officer upon such grounds, the officer shall, by the direction of the Commission, be furnished with a written statement thereof and the same steps shall be taken as prescribed above in respect of the original grounds.

(x) The Commission shall within four weeks from the date of completion of the Hearing inform the officer of its decision in respect of the disciplinary proceedings against him and of the disciplinary measures if any, to be applied or taken against him.

Female
officers on
maternity
leave.

03308 Any disciplinary proceedings against a pregnant 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.

Failure to
enforce
discipline.

03309 Any officer of any grade responsible for the enforcement of discipline in the Service who willfully refuses or fails to exercise such responsibility shall be guilty of negligence and shall be liable to appropriate disciplinary action.

CHAPTER 4—SALARIES AND INCREMENTS

Section 1 — Salaries

Section 2 — Increment Rules

Section 3 — Deferring and Withholding of Increments

Section 4 — Confirmation/Advancement Tests

Payment of
Salaries.

04101. Financial Regulations contain the guidelines on payment of salaries.

Salary on
Appointment.

04102. On first appointment, an officer's salary shall, as a general rule, be paid as from the date of assumption of duty.

Salary on
transfer from
Other Public
Service.

04103. On transfer from another Public Service to the National Assembly Service, an officer shall be eligible for the salary attaching to his new office with effect from the day he assumes duty in his new office.

04104. The following rules apply where an officer is promoted in the ordinary course within the Service to an office carrying salary on an incremental scale.

Salary on promotion within incremental Scales.

(a) An officer promoted to a salary scale that does not overlap his old salary scale shall be placed at the minimum point of his new scale.

(b) An officer whose salary in his former post is higher than the minimum point of his new scale of salary shall be placed at the next point higher than his former salary.

SECTION 2—INCREMENT RULES

04201. An officer on an incremental scale of salary shall normally be granted an increment unless he is on interdiction/suspension or has a disciplinary action pending against him.

Increments as of right

04202 The incremental date of an officer appointed or promoted to a post in the service shall be the anniversary of the date he commenced to draw the full salary of such appointment or of the date of the promotion, advanced to the first day of the month concerned.

Incremental date.

SECTION 3—DEFERRING AND WITHHOLDING OF INCREMENTS

04301.—(i) The grant of an increment may be deferred or withheld in accordance with the provisions of Chapter 3.

Ground for withholding or deferring.

(ii) In deciding which penalty to impose or recommend, the Commission will 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.

04302.—(i) An officer's increment is deferred when the decision as to whether or not it should be granted is postponed for a specific period.

Deferred increment.

(ii) The period shall be fixed at the time the increment is deferred and shall 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 additional specific deferment.

(iii) If a deferred increment is eventually granted, it shall 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.

(iv) If a deferred increment is not granted at or before the expiration of six months from the date it was originally due, it shall be withheld.

Example : An Officer on Grade Level 08 due to proceed from ₦6.282 to ₦6.932 per annum on 1st January, 2002 had his increment deferred for three months. His salary shall remain at ₦6.282 until 31st March, 1989 when the Commission must decide whether or not to grant the deferred increment. If the Commission grants it, the officer draws salary at ₦6.932 for the period from

1st April, 2002 to 31st December 2002 (*i.e.* the remaining nine months) and retains his original incremental date of 1st January for consideration of his next increment to ₦17,582.

Withheld
increment.

04303.—(i) An officer's increment is withheld when it is decided not to grant it and shall cease to be eligible thereof until his next incremental date.

(ii) The withholding of an increment 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.

Example : An officer due to proceed from ₦6,282 to ₦6,932 per annum on 1st February, 2002 had his increment withheld. His salary shall remain at ₦6,282 throughout the period, 1st February 2002 to 31st January, 2003, and he cannot proceed to ₦6,932 until 1st February 2003, his next incremental date.

Restoration
with
retrospective
effect.

04304. An increment deferred or withheld cannot be restored with retrospective effect in consequence of improved service during a later increment-earning period.

Special
increments.

04305. Where an officer's increment has been withheld under Special increments Regulation 04303, the Commission may, at any subsequent incremental date, grant one or more special increments having the effect of raising the officer's salary to or towards the level it would have reached if the previous withholding had not occurred.

Timing.

04401. Confirmation and Advancement tests shall be held twice a year and as nearly as possible at six monthly intervals.

Failure to
pass.

04402. Officers who fail to pass the tests within the prescribed time-limits are liable to have their appointments terminated or their confirmations deferred whichever is appropriate in the circumstances and they shall not be considered for promotion.

Guidelines.

04403. The guidelines for these confirmation and advancement tests shall be as issued from time to time by the Commission.

CHAPTER 5—ANNUAL PERFORMANCE EVALUATION REPORTS AND CERTIFICATE OF SERVICE

Section 1 — General

Section 2 — Progress Reports on Officers

Section 3 — Reports on Seconded Officers

Section 4 — Annual Performance Evaluation Reports on Officers

Section 5 — Certificate of Service

SECTION I—GENERAL

05101. Annual Performance Evaluation Reports shall be rendered on all officers in the prescribed formats at the end of each calendar year for the purpose of providing a full record of each officer's work, conduct and capabilities from which his suitability for advancement or promotion may be judged by the Commission and thus ensuring maintenance of a generally efficient Service based on result oriented personal management.

05102.—(a) Reporting Officers shall not only be at least one substantive grade above the officer being reported on, but shall also be the immediate superior officer under whom the officer being reported on directly works.

Reporting
Officers.

(b) 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.

Counter-
signing
Officers.

(c) All Reports shall be counter-signed by the Head of Department who shall have the responsibility of assessing every report judiciously before counter-signing.

05103.—(i) Annual Performance Evaluation Reports must be comprehensive, detailed and candid.

Reports to
be Detailed
and candid.

(ii) It is necessary that the fullest possible information should be provided by officers and their Reporting Officers in replies to the questions on the relevant pages of the Annual Report Forms so that the Regulation 05101 without reference to any other document.

(iii) Reporting Officers must realize that their own capabilities shall be discernible from the reports they write on their subordinate officers, bearing in mind that they hold their offices solely by virtue of their administrative ability as well as their professional ability.

05104. The substance of any adverse comment on an officer's work or conduct included in an Annual Performance Evaluation Report shall be conveyed to him in writing by his Head of Department in sympathetic terms with the object of enabling and encouraging him to overcome his short-comings.

Communica-
tion of
reports to
officers.

(i) The fact that this action has been taken shall be stated in the report itself.

(ii) A copy of the letter addressed to the officer as well as a copy of his acknowledgement must be attached to the Report.

(iii) Attention is drawn to Section 2 of Chapter 3 of these Regulations.

05105. All Annual Performance Evaluation Reports on officers in the Service must be received by the Commission not later than next 31st March succeeding the end of the year of the Reports.

Deadline for
receipt of
Reports.

SECTION 2: PROGRESS REPORTS ON OFFICERS

Timing

05201. Progress Reports shall be rendered at intervals of six months by Heads of Departments in respect of officers on probation or initial contract at intervals of six months from the date of first appointment.

Object.

05202.—(a) Progress Reports shall provide a full record of the work of an officer on probation or initial contract as to his conduct and capabilities on the basis of which the Commission shall judge his suitability for confirmation.

(b) In cases where an officer's suitability for continued employment is in doubt, Progress Reports shall form the basis of the officer being given timely warning of his faults and reasonable opportunity to correct them.

Final
Progress
Report.

05203.—(a) The final Progress Report shall be rendered not later than two months before an officer's probationary period or tour of contract is due to expire and shall include a definite recommendation as to whether the officer's appointment should be confirmed or terminated or whether his contract should be renewed.

(b) If for any reason an officer's probationary period is due to expire at a time, 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 can be taken and communicated to him by the Commission before his departure.

(c) In the case of an officer on contract, if an adverse opinion of his suitability has been formed before he proceeds on leave, a Special progress Report shall be rendered not later than three months before he so proceeds in order that the Commission'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 that the officer himself 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.

Routing
Procedure.

05204. All Progress Reports shall be addressed to the Clerk or the Secretary (as appropriate) under "Personal and Confidential" cover who shall immediately forward these Progress Reports to the Commission, together with his accompanying comments thereon, to the Commission for its consideration.

SECTION 3: REPORTS ON SECONDED OFFICERS

Responsibility
for Reports.

05301. Where an officer is seconded to another Public Service in the Federation, the permanent Secretary/Head of the Extra-Ministerial Department to which he is seconded shall be responsible for furnishing the Annual Performance evaluation Reports on the officer as required by this chapter.

05302. It shall be the responsibility of the Commission to request the Permanent secretary/Head of the Extra-Ministerial Department concerned, two months before the due date, to furnish the required Report on the appropriate Annual Report Forms which shall be supplied to the establishment for this purpose.

SECTION 4—ANNUAL PERFORMANCE EVALUATION REPORTS ON OFFICERS

05401. No later than thirty days before the end of each year, every officer shall, subject to any Departmental instructions which may be issued to supplement this Regulation, complete and sign the relevant pages of the appropriate number of copies of his Annual Report Form and forward them, unfolded, to his Reporting Officer.

Action by
Officers.

Officers who will be on leave on the due date shall take this action before proceeding on leave.

05402.—(a) On receipt of the appropriate number of copies of the Annual Report Form duly completed and signed by the officer, the Reporting Officers shall check the officer's entries and thereafter grant the officer an appraisal interview to consider :

Action by
Reporting
Officers.

- (i) His performance in the past year ;
- (ii) What improvements are possible, including training needs ;
- (iii) New targets for the following years ; and
- (iv) All pertinent issues, if any, as may have been raised by the officer in his replies to the questions in the Annual Report Form.

(b) The Reporting Officer shall then complete the appropriate sections of the Annual Report Form requiring him to assess and rate every aspect of the officer's performance separately. Aspects of performance which are not specifically contained in the Annual Report Form and are considered worthy of mention may be included by the Reporting Officer.

(c) After discussing his assessment and rating of performance with the officer and making a note in the Annual Report form that this has been done, the Reporting Officer shall in turn sign and forward the appropriate number of copies of the Annual Report Form, unfolded, not later than fourteen days after the due date to the Head of Department for his action as counter-signing officer.

05403. On receipt of the Annual Report Forms duly completed by officers and their Reporting Officers, shall add his own reports, comments and endorsements, if any, to all copies of each Report and forward them in sufficient time to reach the Commission within thirty days of the due date.

Action by
Departmental
Heads.

05404. Every Head of Department shall be responsible for making such departmental arrangements as he considers necessary to ensure that no later than thirty days before the due date, all officers in his Department take the action required of them and that The Forms thus completed by individual officers are forwarded to the appropriate Reporting Officers who shall complete the appropriate sections of the Reports for transmission to him for his action.

Departmental
routine.

SECTION 5—CERTIFICATES OF SERVICE

- Application.** 05501. On leaving the Service, all officers including those on non-pensionable Contract appointments shall be issued with a Certificate of Service.
- Object.** 05502. A Certificate of Service issued to an officer may be used by the holder as a reference covering his service in the National Assembly Service when seeking other employment.
- Authority.** 05503. Certificates of Service shall be issued by the Commission in a prescribed format and shall include information which the Commission, were it in the position of a prospective employer, might fairly expect to obtain from the previous employer of the holder.
- Timing.** 05504.—(a) Certificates of Service shall be issued to recipients before they proceed on leave prior to leaving the Service.
- (b) Where it is necessary to include any adverse comment on an officer's work or conduct in his Certificate of Service, the Certificate of Service shall be completed and handed over to him on time to permit him to make, before leaving the Service, any representations on the subject that he may desire to put forward for the Commission's consideration.

CHAPTER 6—APPOINTMENT

- When made.** 06001. When it is necessary that a particular temporarily vacant post (of a grade not lower than Grade Level 05) should continue to be filled when no officer of corresponding substantive rank is available for posting thereto, some other officer may, on the written recommendation of the Head of Department approved by the Commission, be formally appointed by the Commission to act in the post and assume fully its duties and responsibilities for a limited duration.
- Not made unless necessary.** 06002. Except and unless in compliance with statutory provisions or the Commission considers the circumstances of a particular case necessitate the making of an acting appointment for a relatively brief period, the mere fact that the substantive holder of a duty post will be absent therefore for a short period (e.g. on casual leave or on sick leave) shall not in itself justify an acting appointment.
- Not a form of trial promotion.** 06003. Acting appointments shall not be made in any circumstances whatsoever as a means of testing the suitability of officers for promotion.
- Procedure.** 06004.—(a) All approved acting appointments shall be published by the Commission in the Bulletin and/or the *Gazette*.
- (b) No acting appointment shall be backdated to a period in excess of three months of the date of receipt of the recommendation by the Commission.
- (c) The terms and conditions of an acting appointment (e.g. date of commencement, duties and responsibilities, acting allowance, date of cessation, etc) shall be as published by the Commission in the notice of the appointment.

06005. Without prejudice to Regulation 06004, the normal date of commencement of an acting appointment shall be that date on which the acting officer takes over the duties and responsibilities of the post. Date of Commencement.

06006. Without prejudice to Regulation 06004, the normal date of cessation of an acting appointment shall be that date on which the acting officer relinquished the duties and responsibilities of the post. Date of cessation.

06007. An acting officer will not be regarded as relinquishing the duties and responsibilities of his acting appointment by proceeding on annual, casual or special leave, provided that it is not necessary during such leave to appoint another officer to act in the duty in question. Effect of leave.

CHAPTER 7—TRANSPORT FACILITIES WITHIN NIGERIA

Section 1 — General

Section 2 — Transport Facilities

SECTION 1—GENERAL

07101. The necessity for any journey at official expense should be fully established before the use of transport at official expense is authorized. Journey to be necessary.

07102. The type of transport and route authorized for a journey at official expense must be determined by the cost, the cheapest appropriate route in all cases being utilized. Choice of route.

07103. Authority for the use of transport facilities at official expense shall be given by Heads of Departments or their representatives in accordance with the provisions of the Financial Regulations of the Service. Authority for use of transport.

07104.—(i) The free transport facility authorized must not exceed that for which provision is made in this Regulation. Authority to be specific and not exceed approved scales.

(ii) If an officer wishes to avail himself of transport facilities in excess of those provided by the Regulations or facilities not provided by the Regulations, he must pay for such facilities himself in advance.

(iii) Heads of Departments shall ensure that the free transport facilities authorized do not exceed the maximum allowed by these regulations, but do not exceed those actually required for the journey in question.

(iv) When the facilities include free fare for children, the age of each child concerned must be ascertained and specified.

07105. Any officer who :

(i) Utilizes any part of the free transport facilities provided under these Regulations for a purpose other than that for which he is authorized ; or Offences.

(ii) Having received a cash payment in advance to defray the cost of such facilities, fails to refund on demand any part thereof not used to defray the cost of the specific facility for which he received it ; or

(iii) Claims payment in arrears in respect of any such facility he has not utilized for the purpose claimed is guilty of misconduct.

Orderliness
and personal
attendants.

07106. No officer shall be accompanied by an orderly or personal attendant of at official expense unless the employment of an orderly or personal attendant attaching to his office has been approved by the Commission.

Canoe
transport.

07107. Canoe transport at official expense may only be used when no cheaper or quicker means of transport is available.

SECTION 2—TRANSPORT FACILITIES

General.

07201. The free transport facilities for which officers are eligible in respect of journeys in Nigeria include family passenger fare allowance and baggage allowance.

Family Passenger Fare Allowance means an allowance, for the officer, one wife and a maximum of four children.

Baggage Allowance includes and is not additional to the tariff baggage allowance of a passenger ticket holder.

Baggage allowance for a wife, child or servant applies only when the wife, child or servant actually travels.

Duty
journeys.

07202. For the purpose of free transport facilities in these Regulations, the following types of journeys are journeys undertaken while on duty—

(a) all journeys undertaken in the course of an officer's duty on specific instructions from his Head of Department or his authorized representatives ;

(b) journeys to obtain medical treatment ;

(c) journeys undertaken by wife and children of an officer to obtain medical treatment or consult a medical officer ;

(d) health trip *i.e.* journeys recommended by a Medical Board for an officer to leave his station for a change of scene or climate.

Approved
journeys.

07203. For the purpose of free transport facilities in these Regulations, approved journeys are—

(a) journeys undertaken when assuming duty on first appointment (*i.e.* journeys to station from place of engagement or Nigerian home place); or

(b) journey undertaken when proceeding on transfer (*i.e.* journeys from old station to new station) ; or

(c) journey undertaken when proceeding on retirement (in circumstances which render the officer eligible for retirement benefits) provided such concession is utilized within six months of the date of retirement of the officer ; or

(d) journeys undertaken for the purpose of reporting the family, servant and personal effects of a deceased officer (*i.e.* journeys from station to place of original engagement (if so desired) or Nigerian home place) provided such concession is utilized within six months of the death of the officer ; or

(e) journeys undertaken to the nearest examination center to take examinations an officer is required by the conditions of his appointment to pass.

07204. For journeys specified in Regulations 07202 and 07203, the following free transport facilities are available—

- (a) Business class for SGL 15 Officers and above.
- (b) Economy class for SGL 14 Officers and below.
- (c) Economy Class for spouse and children when travelling with the officer.

Free transport facilities for duty Journeys and Approved journeys.

07205. Where an officer requires to take with him loads which are necessary for the efficient performance of his duties (e.g office equipment etc), he may do so at the discretion of his Head of Department.

Extra equipment

07206. Where it is necessary for the efficient performance of his duties, an officer travelling on duty by air may take with him at official expense, official documents, papers and office necessities up to a maximum of 10 kilograms in addition to the tariff baggage allowance included in his passenger ticket.

Official documents etc by air.

07207.—(a) When proceeding on transfer, an officer may be provided with free official transport between his house and the airport or motor park and *vice versa* on his arrival at his new station.

Use of official transport from house to airport or motor park.

(b) Where official transport cannot be provided, the officer may be reimbursed at the rates approved by the commission.

CHAPTER 8—PETITION

08001.—(a) A petition for the purpose of this chapter is a formal appeal to the Commission for special consideration of a matter affecting an officer personally.

Definition.

08002. Petition by an officer or by an ex-officer on matters relating to his appointment, including acting appointment, promotion, transfer or other conditions of service or his condition as a pensioner must be submitted to the Commission in accordance with these regulations.

Petition to the Commission.

08003.—(a) No officer in the Service should attempt to bring political or other outside influence to support his individual claims as an officer. Any breach of this Rule shall be considered as misconduct.

Outside influence.

(b) If an officer is dissatisfied, his appropriate line of action is to make representations to his immediate superior officer and/or Head of Department.

(c) If his representations are not successful, it is open to him to submit a formal petition/appeal to the Commission.

Routing of
Appeals and
petition

08004.—(i) A petition shall be addressed and submitted through the petitioner's immediate superior officer and the Secretary to the Commission/ Clerk, National Assembly who shall have a duty to forward the petition, together with their respective comments and recommendations in writing, to the Commission not later than two weeks from the date of the receipt of the petition.

(ii) The failure of the petitioner's immediate superior and/or Head of Department to forward the petition to the Commission within the stipulated time may result in disciplinary proceedings against the errant officer.

Number of
copy

08005. A petition shall be submitted in duplicate to the petitioner's immediate superior officer and an advance copy may be sent direct by the petitioner to the Commission for its notification of the fact of the petition and the date of submission thereof.

Identity of
Petitioner.

08006.—(a) A petition must bear the full name, staff number, address and signature of the petitioner.

(b) When written by a person other than the petitioner, the full name, address and signature of the writer must be included.

Petition/appeal
submitted on
behalf of
others.

08007. When a person submits a petition above his own signature (as petitioner, not merely as letter writer) on behalf of a group or class of persons or officers, the petition should contain a declaration that he has been asked to write on behalf of the group or class of persons or officers and should contain the full names, staff numbers and addresses of every member of the group or class of officers in whose behalf the petition is written.

Disqualifica-
tions.

08008. A petition which—

(i) Does not comply with the rule on submission ;

(ii) Deals with a matter or case already pending in a law court,

(iii) Is illegible or meaningless,

(iv) Is anonymous,

(v) Merely repeats the substance of a previous petition/appeal without introducing new relevant matter and cogent matter or issues.

Shall not in any circumstances be entertained and/or considered by the Commission.

Conclusion
of petition
appeal.

08009. A petition should be as concise as possible and should conclude by stating clearly the nature of redress sought and a summary of the reasons adduced in support of the redress sought.

Delay in
submitting
petition
appeal.

08010. A petition submitted more than six months after the decision or act complained of shall not be considered by the Commission unless the valid reasons for the delay are adequately explained.

CHAPTER 9—INSURANCE

Section 1—Compensation for Loss of Private Property

Section 2—Passenger Insurance

SECTION 1—COMPENSATION FOR LOSS OF PRIVATE PROPERTY

09101.—(i) Officers will not in general be entitled to compensation from public funds for loss of property in circumstances arising out of the service. Personal effects.

(ii) Officers should themselves insure their personal property and effects against loss or damage.

(iii) All cases of loss arising through special circumstances will be considered on their own merits; but even if compensation is approved *ex-gratia* by the Commission, it will as a rule be given 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 an Affidavit sworn to in a High Court.

(iv) Claims for compensation will be rejected 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.

09102.—(a) If the motor vehicle of an officer, whilst being used for official duties, is damaged as a result of civil disturbance, the Service shall accept responsibility for such damage. For the purpose of this Regulation, "official duties" shall be deemed to include journeys between home and office. Motor vehicles.

(b) If an officer's private vehicle while being used for official duties is damaged beyond repairs as a result of accident, the Service 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 INSURANCE

09201. The following persons when traveling by air, land or sea at official expense will be eligible for free insurance cover to be provided by the Service as follows— Insurance at the expense of the Service.

Traveler	Capital Benefits
	₦
Officer	2,000,000
Spouse of Officer	1,000,000
Child of Officer	1,000,000
Non-Official	1,000,000
Youth Corper/Industrial Attachee	1,000,000

Responsibility
for
insurance.

09202.—(a) Free insurance cover for the capital benefits prescribed in Regulation 10201A will be automatic for a passenger traveling to and from any destination inside or outside Nigeria on the authority of the Service and will not require the completion of any formalities by the passenger.

(b) If the passenger wishes to arrange insurance cover in excess of the capital benefits provided by the Service, he must do so privately and at his own expense.

09203.—(i) The free insurance cover referred to in Regulation 10202 above is provided for a period of normal travel time only, although this shall automatically be extended in respect of official stopovers where the passenger is delayed due to no fault of his own.

(ii) Where a traveler unilaterally and independently takes advantage to stop-over facilities and so does not reach his destination during the normal travel time, the insurance cover shall lapse at the first place of stop-over.

CHAPTER 10—MEDICAL TREATMENT

Section 1 — General

Section 2 — Facilities for Medical Treatment

Section 3 — Absence from Duty on Account of Illness

Section 4 — Sick Leave Rules

Section 5 — Injuries

Section 6 — Death

Medical
Records
Confidential.

10101.—(a) An Officers' medical certificates, reports of medical boards, dental treatment records, reports of private practitioners and confidential health reports ("medical records") shall be treated as strictly confidential.

(b) No copies of these medical records except those mentioned in this chapter shall be furnished, except that this Regulation shall be not preclude the keeping of officers' health records in the national Assembly Service clinics or the transfer of such records to the corresponding office when an officer is transferred to another Public Service.

Medical
examination
on
appointment.

10102.—(a) Every person selected for appointment shall be required to present himself for examination to a National Assembly Service clinic (or one so approved by the Commission) with a view to his being ascertained and certified whether he is physically and medically fit for service.

(b) Unless otherwise provided in the letter of offer of appointment, the fee for such examination shall be paid by the National Assembly Service.

(c) If the candidate is found medically unfit for service, his appointment shall not be proceeded with.

Special
Medical
Tests.

10103. The Commission may at any time (and shall if the officer so requests) call upon an officer to present himself for examination in a National Assembly Service clinic or Government Hospital or before a duly constituted

Medical Board with a view to it being ascertained whether the officer is physically and medically fit to perform the duties attached to his office or any other office to which it may be proposed to transfer him.

10104. In the case of examinations under Regulation 10103—

(a) any fees in respect of the examination shall in the absence of any special regulations or arrangement to the contrary be paid by the Service ;

(b) the person or persons appointed to conduct the examination shall have discretion to invite a specialist into consultation consultant and any fee due to the specialist for assistance in rendering a report to the Commission shall be paid by the Service ;

(c) the report of the examination shall be furnished to the Commission which may at its discretion communicate the contents to the officer concerned ; and

(d) the officer shall, however, be informed at the earliest possible date of the decision reached upon his case by the Commission after consideration of the report; and if the officer is dissatisfied with that decision, he can make representations to this effect, in which event the Commission shall decide whether any further evidence shall be called for.

SECTION 2—FACILITIES FOR MEDICAL TREATMENT

10201. The facilities of the National Assembly Service clinics and the government medical facilities are provided free to all officers and their families.

National
Assembly
Service and
Government
Medical
facilities.

10202. An officer who prefers to be treated by a private medical practitioner instead of availing himself of the facilities of the National Assembly Service clinics or government medical facilities must himself bear all expenses incurred through such treatment.

Treatment
by private
medical
practitioners.

10203. When owing to the state of his health, an officer or a member of his family is compelled in the absence of a Government Medical Officer, to avail himself of the services of a private medical practitioner and the circumstances are recognized as requiring such service, the National Assembly Service Commission or the Clerk, National Assembly as applicable may authorize a refund to the officer at such rates as recommended by the National Assembly medical officer and accepted by the Commission/Clerk, National Assembly as the case may be.

Refund of
expenses in
special cases.

10204. Medical expenses (including charges for maintenance) incurred by an officer while outside Nigeria on leave or on duty may be authorized by the Commission for refund provided that—

Overseas
medical
expenses
while on
leave or on
duty.

(a) the illness was not due to the officer's own negligence ;

(b) the officer informed the nearest accredited representative of Federal Government of Nigeria at the earliest date possible of the state of his health ; and

(c) the officer showed reasonable diligence, expedition and economy in seeking and obtaining medical attention.

Medical
treatment
abroad.

10205. Approval for journeys outside Nigeria for medical treatment will only be given by the Commission on the recommendation of the Service's abroad Chief Medical Officer and will be confined to—

- (a) serious cases where an officer's life is in danger ; or
- (b) difficult cases where diagnosis or treatment is not locally available ; or
- (a) cases where examination is necessary to ensure that an officer is fully recovered and able to undertake the duties of his office.

Where the officer is treated as an out-patient, he will be entitled to the appropriate estacode allowance applicable to his grade.

10206. In exceptional cases, where dependents of officers are compelled to travel abroad for medical treatment or check up, the involvement of the service will be limited to half of the estimated expenses.

10207.—(a) Applications for medical treatment abroad shall be submitted to the Commission and must be supported by a report from a consultant in the National Assembly Service clinic or a Government hospital counter-signed by the Service's Chief Medical Officer.

(b) Applications approved by the Commission will be notified to the applicant with copies to the Federal Ministry of Finance, the Ministry of External Affairs and the appropriate Nigerian Mission abroad.

(c) The choice of consultants/hospitals abroad shall be made by the appropriate Nigerian Mission. However, where contact already exists between a patient and a consultant, the Mission will be required to endorse the arrangement and vet all bills before settlement to ensure that they are proper and reasonable.

Local
Medical
Check-ups.

10208. Subject to the prior approval of the Commission—

(i) Officers on Grade Level 16 and above are entitled to medical check-ups locally once a year at the expense of the Service.

(ii) Officers on Grade Level 12 to 15 are entitled to medical check-ups locally once in every two years at the expenses of the Service.

(iii) Local medical check-ups shall be check-ups at a Government hospital or a University Teaching Hospital.

10209. If as a result of such local medical check-up, it is recommended that a further check-up should be undertaken abroad, permission to do so may be granted by the Commission on the written recommendation of the Service's Chief Medical officer.

10210.—(a) Where an eligible officer happens to be abroad on official business, he may take his once-a-year or once-in-two years medical check-up abroad provided that—

Medical
check-ups
abroad.

(i) he obtained approval from the Commission prior to his departure abroad ;

(ii) the medical practitioner to be consulted by the Nigerian Mission located in or to that particular country concerned ; and

(iii) unless specifically extended by the Commission, the duration of the Check-up will not exceed five working days. Hospital bills in respect of medical check-ups abroad authorized under this Regulation shall be settled by the Service. Where such bills are settled by the Nigerian Mission abroad, arrangement for reimbursement by the Service shall be made with the Ministry of External Affairs by the Commission.

(b) Hospital bills in respect of medical check-ups abroad authorized under this Regulation shall be settled by the Service. Where such bills are settled by the Nigerian Mission abroad, arrangement for reimbursement by the Service shall be made with the Ministry of External Affairs by the Commission.

10211.—(i) Specific approval may be granted by the Commission for an officer's spouse to accompany the officer abroad at the expense of the service, where the ailing officer's condition is considered to be a life or death condition, in consequence of which immediate medical treatment or hospitalization abroad is recommended.

Spouses
accompanying
ailing
officers
abroad.

(ii) In such a case the commitment of the Service shall be limited to the provision of return air passage for the two of them, together with the payment of estacode in respect only one spouse at the rate appropriate to the officer's grade.

SECTION 3—ABSENCE FROM DUTY ON ACCOUNT OF ILLNESS

10301. Every officer is responsible for keeping his Department informed in writing of the address at which it will be possible to find him or ascertain his whereabouts in the event of his being prevented by illness from attending duty.

Duty to
notify when
sick.

10302.—(a) An officer not being on leave of absence nor an in-patient in a National Assembly Service clinic or 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 Department, or within 24 hours, cause to be delivered to his Department an Excused Duty Certificate, signed by the appropriate Medical Officer, the contents of which the officer has made himself acquainted.

Duty to
report when
sick.

(b) On reporting sick to his Department, an officer shall either—

(i) Receive instructions to seek medical advice forthwith in which case he must cause an Excused Duty Certificate or a Light Duty Certificate to be delivered to his Department within 24 hours ; or

(ii) be authorized by a responsible officer to absent himself without a medical certificate for a specified period not exceeding two days.

(c) Unless absence from duty through illness is covered either by admission to a Government hospital, by Departmental authority as explained above or an Excused Duty Certificate, it will be treated as absence without leave.

Duty to seek and comply with medical advice.

10303.—(i) An officer who has been prevented by illness for two days from performing his duties or reporting at his place of work must seek medical advice.

(ii) The officer may seek such advice either from the National Assembly Service clinic, a Government Medical Officer or, if he prefers, from a private medical practitioner in his neighbourhood. In either case he must comply with the advice given.

(iii) An officer who fails to comply with this Regulation will render himself liable to be treated as having been absent without leave.

Duty to attend Medical Boards.

10304. If for any reason it is decided that an officer should be examined by a Medical Board, he must present himself for examination at the place and time instructed and must afterwards comply with and the recommendations of the Board, which will supersede that of any Medical Officer or private Practitioner.

An officer who fails to comply with this Regulation will render himself liable to be treated as having been absent without leave.

Departmental Responsibilities.

10305.—(a) All Heads of Departments shall ensure that up-to-date records are kept of the residential addresses of all officers in their departments.

(b) If an officer's absence from duty is not explained by him within 24 hours, enquiry should be made at his recorded address to ascertain the cause of absence.

(c) Whenever an officer becomes so ill that he is physically unable to present himself for medical examination, the situation should be reported by his Department which shall arrange to convey him to the nearest Service or Government Medical Officer.

(d) When an officer reports that he is prevented by illness from performing his duties, he should be provided with a note requesting a Medical officer to examine and treat him.

(e) Where it is desirable to appoint a Medical Board, it is the responsibility of the Head of Department to initiate action in that regard by making a written recommendation in this regard to the Commission for its consideration and determination.

Responsibility of Medical Officers.

10306.—(a) When an officer presents himself to a Medical Officer for examination, the latter will examine and treat him and either issue him with an Excused Duty Certificate or a Light Duty Certificate or other Certificate (as appropriate) or if he admits him as an inpatient, inform his Department.

(b) When an officer forwards to a Medical Officer a report on his sickness by the private medical practitioner attending him, the Medical Officer will, after such consultation with the private medical practitioner as he may deem necessary issue whichever Certificate he considers appropriate in the light of the private medical practitioner's report.

The period of excused duty or light duty entered on every Certificate he issues shall not exceed three days unless the Medical Officer has himself examined the officer admitted, in which case, the period may be extended up to seven days. Each period of extension thereto shall not exceed seven days and not more than a total of thirty-one days' sick leave may be allowed on such Certificates.

(c) If the officer is still unfit for duty after 31 days' sick leave, he shall be examined by a Medical Board. This shall also apply to an officer admitted to a private hospital on the instruction of a National Assembly Service or a Government Medical Officer but it shall not apply when an officer is admitted to a National Assembly Service clinic or a Government hospital unless the period exceeds three months when a Medical Board would have to be held.

10307. On any of the occasions listed in this Regulation, a Medical officer shall report the circumstances to the officer's Department—

- (a) when an officer is admitted to and when he is discharged from a Government hospital ; or
- (b) 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 ; or
- (c) when in the opinion of the Medical Officer an officer is feigning ill health.

SECTION 4—SICK LEAVE RULES

10401. An officer, not being on leave of absence, who is absent from duty on grounds of ill-health will, provided such absence is covered by proper authority, be regarded as absent on sick leave.

Absence
on sick.

10402. An officer on vacation who is prevented from resuming duty at the expiration of his authorized leave by reason of ill-health duly certified by a National Assembly Service or a Government Medical Officer may be granted an extension of leave.

Extension of
leave due to
ill-Health.

10403.—(a) The maximum aggregate sick leave which shall be allowed an officer, who is not hospitalized, during any period of twelve months shall be 42 days.

Aggregate
sick leave.

(b) Where such an officer has been absent from duty on ground of ill-health for an aggregate period of 42 days within 12 calendar months, the officer shall be made to appear before a Medical Board with a view to it being ascertained whether he should be invalided from the Service.

(c) Any period of absence on the ground of ill-health in excess of the prescribed aggregate period of 42 days will be without pay and will not be reckoned for purpose of increment or pension.

(d) 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 declared fit to return to duty or permanently invalided.

Invaliding.

10404.—(a) Sick leave for a period up to three months in the first instance may be allowed to an officer who is hospitalized on the certificate of a National Assembly Service or a Government medical Officer.

(b) If at the end of the period, the officer is still hospitalized, his Head of Department must notify the Commission so that an arrangement can be made for him to be invalided from the Service or allow further paid sick leave.

SECTION 5—INJURIES

Applications.

10501. This Section of this chapter does not apply to any person who is a workman to whom the provisions of the Workmen's Compensation Act 1987 apply.

10502. When an officer sustains an injury as a result of an accident encountered in the course of performing his duty, he must immediately report to the nearest National Assembly Service or Government Medical Officer unless he is unable by reason of his injury to do so.

Action by
Medical
Officer.

10503. When a National Assembly Service/Government Medical Officer received information of injury to an officer, whether the information is received from the injured or from any other source, he shall not later than 48 hours report details of the injury to both the appropriate Head of Department.

Action by
Head of
Department.

10504.—(a) When a Head of Department is informed by a Medical Officer or any other person 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 for a special award under the Pensions Act or otherwise, he shall call for a detailed report by a National Assembly Service medical Officer.

(b) On receipt of the medical report, the Head of Department shall enquire into the circumstances of the accident and if satisfied that the injury was sustained in the actual discharge of duty, he shall so report to the commission through the Clerk or the Secretary (as appropriate).

(c) If, however, after his inquiry the Head of Department has any doubt, he shall immediately recommend in writing to the Commission that a Medical Board be convened to consider the matter and to report its findings on the following questions :

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

(d) The medical Board's report shall be submitted to the Head of Department concerned who shall forward it, together with his comments, to the Clerk or the Secretary (as appropriate) for transmission to the Commission.

(e) In the case of fatal injury, the findings of a coroner's inquest shall be deemed sufficient for the purpose of deciding whether a special award should be made.

SECTION 6—DEATH

10601.—(a) The National Assembly Service shall repatriate, at the request of the deceased officer's family, the corpse of an officer who dies abroad while on official duty tour or course of instruction or the corpse of the wife of the officer who was duly authorized to accompany him on the duty tour or course of instruction. The Service's responsibility shall be limited to following :

Death of
officer/wife
abroad.

- (i) Preparation of the body (embalmmnt) ;
- (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 home town ;
- (iv) Payment to the family of the deceased, an amount not exceeding the cost of one full paged advert in one National Newspaper for the publication of obituary at the prevailing rates.

10602 Where a pensionable officer dies in Nigeria while in the Service, the National Assembly Service shall be responsible for providing the following :

Death of
serving
pensionable
officer.

- (i) Preparation of the body for embalmment where necessary ;
- (ii) Settlement of mortuary bills ;
- (iii) Provision of coffin or casket subject to the following maximum amounts :

Grade Level 03-06	₦70,000
Grade Level 07-14	₦150,000
Grade Level 15-17	₦200,000
Consolidated	₦350,000

(iv) Provision of a grant of an amount equal to the deceased's four months consolidated salary to his registered next-of-kin to meet funeral expenses.

(v) In the case of serving pensionable officers and retired in the Directorate cadre, publication of an obituary in one national newspaper shall be done at the Service's expense.

CHAPTER 11—OCCUPATION OF OFFICIAL QUARTERS

Necessary
occupation
of official
quarters.

11101. If officer's duties necessitate his being available at any hour of the day or night, he shall be required to live in specified official residential quarters (where available) as near as possible to the vicinity of his place of work.

No
compulsion
to occupy
official
quarters.

11102. Except as provided in Regulation 11101 above, no officer shall be compelled to occupy official quarters if he prefers to make other arrangements for his place of work.

Conditions
of
occupation
of official
quarters.

11103. The following are the conditions on which officers shall be provided with official residential quarters—

(i) Rent deducted from the officer's salary shall be paid in accordance with the rent rules specified in Regulation 11204.

(ii) No part of the official quarters shall be sublet or used to take in lodgers or paying guests.

(iii) All articles of furniture including fixtures and fittings supplied and installed by the Service for the official quarters must be maintained in good order.

(iv) The cleanliness and proper hygienic condition of the quarters, including the compound and domestic servants' quarters (if any), at all times must be maintained.

(v) There shall be no alteration of any kind of the structure of the quarters nor shall any fittings or fixtures whatsoever in the quarters be removed. If any alteration is desired an application must be submitted to the appropriate Department which will arrange the necessary alteration, if approved.

(vi) Articles of furniture issued, supplied and installed in official quarters shall not be interchanged between quarters (or between quarters and offices) without the prior written approval of the appropriate Department controlling the quarters.

(vii) At least forty-eight hours written notice must be given to the Department controlling the quarters of an officer's intention to vacate the premises.

(viii) Official quarters must be taken over from and handed over to the authorized officers of the Department controlling the quarters.

(ix) An incoming occupant-officer must, after duly inspecting the quarters, acknowledge receipt of the quarters and all articles of furniture, fixtures and fittings therein by signing the furniture inventory, the fixtures and fittings inventory and the key register.

(x) An outgoing occupant-officer must hand over the keys of the quarters only to the authorized officer of the Department controlling the quarters and remains fully responsible for the quarters and all furniture, fixtures and fittings therein until he has obtained the signature of the authorized officer to the

furniture inventory, the fixtures and fittings inventory and the key register in acknowledgement of their surrender in good order.

(xi) Unless an officer, at the time he takes over his official quarters, indemnifies himself by making a report in writing of any deficiency or damage to the Department controlling the quarters, it shall be assumed that he received the quarters and all furniture, fixtures and fittings therein in good condition and he will be liable for the full cost incurred of making good any deficiency, damage or neglect discovered and communicated to him at the time he hands over the quarters. This cost shall be deducted from the officer's salary lump sum or in instalments as the Clerk or the Secretary (as appropriate) may direct in writing.

11104.—(a) Unless exempted by documented special conditions of service, an officer provided with official quarters shall promptly pay all electricity and water charges raised thereon in respect of the period during which he retains the use thereof.

Electricity
and water
charges.

(b) On taking over official quarters, an officer must immediately notify the fact to the authority (or authorities) locally responsible for supplying electricity and water.

(c) At least forty-eight hours before vacating the Quarters, he must notify the same authority (or authorities) of his intention to vacate the quarters failing which he will be held responsible for the payment of electricity and water charges accruing to the quarters.

11105.—(i) No officer shall continue to occupy official quarters after the date on which his resignation takes effect, or beyond 3 months from the date on which he starts his retirement leave or from the date he finally leaves the service for any other cause.

Vacation of
quarters on
resignation,
transfer,
retirement
or dismissal.

(ii) Any extension beyond 3 months must be on the written approval of the Clerk or the Secretary (as appropriate).

(iii) An officer shall cease to occupy official quarters from the date of his dismissal from Service.

(iv) An officer may not continue to occupy official quarters in one station beyond the date when he takes up occupation of official quarters in another station, except with the approval in writing of the Clerk or the Secretary (as appropriate).

(v) In the event of an officer's death, his spouse shall not continue to occupy the official quarters beyond 3 months after his death except with the permission of the Commission in writing.

(vi) If the occupation of official quarters continues beyond the period specified in this Regulation, the occupants shall be ejected without notice.

SECTION 2—SENIOR OFFICERS

Retention of
official
quarters
during leave
vacation.

11201. A senior officer is entitled to retain the use of official quarters during vacation leave, unless he is expected to resume duty at a different station in which case he must vacate the quarters within one month of starting his leave.

Exemption
from rent.

11202. A senior officer shall not pay rent where he is provided with temporary accommodation not intended for permanent occupation.

Sharing of
quarters.

11203. A senior officer staying with another senior officer in official quarters in his own station shall be deemed to be provided with official quarters but without prejudice to his entitlement to separate official quarters when available.

Rent rate.

11204.—(a) For the purpose of this Regulation, salary includes basic salary, acting allowance and inducement addition where applicable.

(b) Senior officers provided with official quarters shall pay rent at the rate of 5% of basic salary.

(c) Rent shall be deducted, in the first instance, from the total of the officer's monthly salary from the date he first occupies the official quarters to the date immediately preceding that on which he officially hands over the quarters (both dates inclusive).

(d) In respect of periods when no rent is payable by virtue of Regulation 11202, the circumstances must be explained and certified by or on behalf of the Clerk or the Secretary (as appropriate) in the remarks column of the officer's monthly salary voucher, and no rent deduction will be made therefrom.

Rent rebates.

11205. Senior officers shall be entitled to the following rebates of rent to be paid under Regulation 11204.

(i) 50% rebate where they are housed in :

(a) quarters shared with another officer, or with other officers with the prior permission of the Department responsible for allocating quarters in the station in which they are situated ; or

(b) temporary quarters, semi-permanent or permanent quarters, which do not provide at least two living rooms for the exclusive use of the officer (for this purpose a bedroom is classified as a living room) ; or

(c) unfurnished quarters, whether temporary, semi-permanent or permanent; or temporary quarters with or without furniture.

(ii) 75% rebate in respect of any period during which the sole accommodation with which he is provided consists of official quarters of a type specified in Regulation 11204 (i)(b), (c) or (d) shared with another officer.

Entitlement
to official
quarters.

11206. All officers on Grade Level 07 and above or Officers appointed to duties which require them to be on 'call duty' night and day are entitled to official quarters.

11207.—(a) All Officers of the National Assembly Service shall be paid 40% of annual consolidated salary as rent subsidy ;

Rent
Subsidy.

(b) Where both Husband and spouse are in the National Assembly Service they shall each be entitled to rent subsidy.

11208.—(a) In order to assist officers on posting, transfer or on assumption of duty at their new stations, when official quarters cannot be provided, such officers will be eligible for payment of per diem allowance for the first 28 days, in lieu of hotel accommodation at the following rates commensurate to their grades :

Allowance
on transfer/
posting/
assumption
of duty.

(h) GL 01-06	₦5,000 per day
(c) GL 07-14	₦12,000 per day
(d) GL 15-17	₦16,000 per day
(e) Consolidated	₦20,000 per day.

11209. A senior officer on first appointment or on transfer and compelled by circumstances to rent private accommodation may, on the authority of his Head of Department and approved by the Clerk or the Secretary (as appropriate), be granted an advance not more than three months' of his consolidated salary, repayable in nine equal and consecutive instalments, commencing with the salary of the month following that in which the advance was drawn.

Rent
advance.

SECTION 3—JUNIOR OFFICERS

11210. No rent shall be paid by a junior officer, who by the nature of his job, is compelled to occupy specific official quarters.

Exemption
of
compulsory
occupants.

CHAPTER 12—LEAVE

Section 1 : Leave Rules

Section 2 : Ready Reckoner for Pro-rata Leave Calculation

SECTION 1—LEAVE RULES

12101. In this Chapter the following terms bear the following meanings—

Definition.

Authorised Leave is the vacation leave actually granted on any particular occasion, together with any authorised extension thereof.

Deferred Leave is vacation leave which an officer is permitted to carry forward to an occasion subsequent to that immediately following the year in respect of which it was due. Earned Leave is the vacation leaves due to an officer in any calendar year. Leave Year is the period between 1st January and 31st December of the same year.

12102.—(a) Annual vacation leave is compulsory for all officers and must therefore be taken and exhausted within the calendar year (leave year) in which such leave is due.

Annual
vacation
leave
compulsory.

(b) No officer shall be required or allowed to take working leave, whereby the officer report for duty during his approved leave period.

(c) Where it is not possible for the officer to Exhaust his leave within a leave year, provided that he commences his leave before 31st December of that year he shall be allowed to exhaust his leave entitlement before the 1st February of the following calendar year.

Forfeiture of
un exhausted
leave.

12103. Any vacation leave not exhausted in accordance with Regulation 12102 above shall be deemed forfeited No officer is allowed to accumulate leave.

Dismissal.

12104. An Officer who is dismissed from his appointment in the Service shall not be granted vacation leave.

Computation
of leave
days.

12105.—(i) Annual vacation leave shall be based on calendar days only.
(ii) The period of any other leave (e.g. casual leave, sick leave, maternity leave, etc) granted under these Regulations shall be inclusive of Saturdays, Sundays and Public Holidays occurring therein.

Authority
for leave.

12106. The Clerk or the Secretary (as appropriate) have the authority of the Commission to approve such leave as is permissible under this Chapter to officers under their control.

Authority
for leave.

12107. In order to maintain a proper proportion of officers on Duty and ensure that all officers are granted leave for which they are eligible during a leave year at the times most convenient to the Service, Heads of Department are required to prepare and maintain annual vacation leave rosters for all officers in their Departments.

Vacation
leave
procedure.

12108.—(a) Every officer shall indicate to his Head of Department during the month of January of each year the date when, subject to the exigencies of the service, he would wish to take his annual leave during the leave year.

(b) Leave rosters are to be prepared during the month of February of the leave year and forwarded to the Clerk or the Secretary (as appropriate) for approval and return before the end of March of the leave year.

(c) On receipt of the approved rosters, Heads of Departments shall then notify all officers in their Departments in writing before the end of April of the leave year as to when it will be convenient for the officers to proceed on annual leave.

Leave for
new
entrants.

12109.—(a) Officers who join the Service during the course of a leave year and who have not served for a period of six months shall not normally be granted leave but their pro-rata leave will be carried over to the following year.

(b) Such officers who, under exceptional circumstances, are allowed to proceed on leave shall not be entitled to leave transport grant.

12110. All Heads of Department shall notify the Clerk or the Secretary (as appropriate) before the end of the first quarter in a leave year of the date on which they propose to go on leave.

Leave of
Heads of
Departments.

12111. Officers shall be granted annual vacation leave which may be taken by approved instalments (provided that leave allowance and leave transport grant shall be granted only once during a leave year) at any time at the following rates commensurate with their grades—

Rates of
vacation
leave.

Grade Levels 08 and above	30 working days
Grade Levels 04-07	21 working days
Grade Levels 01-03	14 working days

12112. Every officer's annual leave entitlement shall be at the rate applicable to the officer's substantive consolidated salary on 1st January of the leave year concerned and will not be subject to any increase during the course of the leave year on account of increments, promotions or for any other reasons.

Leave
entitlement.

12113. Leave allowance shall be paid to officers at the rate of 10% of annual consolidated salary.

Leave
allowance.

12114.—(a) Every 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 rate of 5% of annual consolidated salary.

Leave
address.

(b) Leave allowance will be payable at the rate applicable to the officer's substantive consolidated salary on 1st January of the leave year concerned and will not be subject to any increase during the course of the leave year on account of increments, promotions or for any other reasons.

12115. Prior to proceeding on leave, all officers (whether Spending the leave within or outside Nigeria) must furnish their Heads of Department with their intended destination or leave address.

Leave
without pay.

12116. When an officer is granted leave without pay, his Head of Department will report the fact to the appropriate Department of Finance & Accounts in the Service, quoting the name, rank and pay points of the officer and full details of the leave granted.

Extension
of leave.

12117. An officer who is required to undertake any official duty in the course of his vacation leave shall not have such period of duty reckoned against his leave entitlement and shall have the right to complete his leave after such period of duty or take the remainder of the leave at a later date.

Duty during
leave.

12118.—(a) An officer may be granted special leave without pay by the Commission for the purpose of understanding a course of study that is considered likely to materially enhance his value to the Service.

Special leave
for courses
of study.

Casual leave.

12119.—(a) Officers may be granted, at the discretion of their Heads of Department, occasional permission to absent themselves from duty for a few days, not exceeding seven days in any leave year, without loss of salary.

(b) Casual leave in excess of seven days in any leave year may not be given by a Head of Department without the specific written approval of the Clerk or the Secretary (as appropriate).

Casual leave to attend trade union business.

12120. The Clerk or the Secretary (as appropriate) may grant casual leave and, if necessary a special extension of such leave, to an officer who is an official of a registered trade union to enable him attend an important trade union conference/business provided that the leave will not unduly interfere with the work of his Department and the period of the casual leave is clearly stated in the letter of approval.

Leave for cultural and sporting events.

12121. An officer may be granted leave at his own expense by his Head of Department for the purpose of taking part in a culture/sporting event and the period of such leave shall be determined as follows—

- (i) number of days required for the actual activity ;
- (ii) number of days required for travelling to and from the place arranged for the events ;
- (iii) number of days, if any, in excess of (a) and (b) above certified as necessary by the Appropriate Cultural/sports Council.

Vacation leave abroad.

12122. Officers are not eligible for vacation leave abroad but in any case where a senior officer is required to proceed abroad on duty or on a course of instruction, he may be permitted to take any earned leave for which he is eligible in the country to which he is required to travel at the end of the duty or course of instruction in question subject to the period of the journeys to and from the country being included in the leave period.

Leave on retirement.

12123. An officer retiring from the Service in circumstance in which he is eligible for retiring benefits before he has completed the full leave year shall be granted a proportion of his vacation leave prior to retirement.

Leave on permanent invalidation.

12124.—(a) When a Medical Board recommends that an officer should be permanently invalidated from the Service, the officer shall forthwith commence vacation leave prior to retirement.

- (b) The amount of leave granted will be whichever is the greater of either :
 - (i) his deferred leave, if any, plus the proportion of his annual leave calculated in accordance with Regulation 12125 ; or
 - (ii) two months.

(c) The leave shall commence on the day on which the Medical Board recommends permanent invalidation and retirement shall take effect from its expiration.

12125.—(a) Proportionate leave under Regulations 12123 and 12124 above shall be reckoned at the appropriate rates shown in the ready reckoner in Section 2 of this Chapter in respect of each completed month's service.

Pro-rata
calculation.

(b) No period of service less than one month will be reckoned for proportionate leave.

(c) In any case where it is established that an officer has enjoyed more than the proportionate leave for which he is eligible, the cost of the excess leave shall be recovered from any benefits accruing to him or from him directly as a debt due to the Service.

12126.—(i) Officers may be required to return to duty before the expiration of their authorised leave subject to the written consent of the Clerk or the Secretary (as appropriate) having first been obtained by the officer's Head of Department.

Curtailment
of leave.

(ii) In requesting such consent, the Head of Department shall state the peculiar Circumstances of the case.

(iii) In this event, any portion of the officer's leave so curtailed shall be taken as a later date by the officer at the appropriate rate shown in the ready reckoner in Section 2 of this Chapter.

(iv) Any officer permitted by his Head of Department and the Clerk or the Secretary (as appropriate) to return to duty at his own request before the expiration of his authorised leave shall forfeit the portion of the authorised leave thus foregone.

12127.—(a) A female officer who is pregnant shall be entitled to 16 weeks maternity leave at a stretch with full pay subject to the following conditions—

Maternity
leave for
female
officer.

(i) A medical certificate showing the expected date of confinement must be presented not less than two months before that date.

(ii) The annual leave for that year will be regarded as part of the maternity leave.

(iii) 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.

(b) On return to duty, a female officer who is nursing a child shall be granted an hour off-duty everyday for a maximum period of six months from the date she resume duty.

12128.—(i) The period of leave allowed for the purpose of taking an examination will be limited to the shortest period which will allow the officer to reach the appointed place, sit for the examination and return to his station.

Examination
leave.

(ii) An officer shall be allowed special leave on full pay with free transport facilities to take an examination he is required by the conditions of his appointment to pass.

(iii) An officer may be allowed special leave on full pay for up to six days to take an examination, the passing of which is not a condition of his current appointment, provided that his Head of Department certifies that :

- (a) he is industrious and efficient in the performance of his duties ;
- (b) his general value to the Department justifies the concession, and
- (c) the passing of the examination is likely to enhance his value to the Service. Any approved period in excess of six days shall be deducted from the officer's Subsequent vacation leave.

(iv) In the absence of this certification by his Head of Department, the whole period of leave on full pay granted to an officer to take an examination, the passing of which is not a condition of his current appointment shall be deducted from his subsequent vacation leave and the officer shall not be eligible for free transport at the Service's expense.

Resumption
of duty from
leave.

12129.—(a) Every officer shall be required to resume duty after vacation leave on the next working day following the expiration of his authorized leave.

(b) An officer who, without an acceptable excuse, fails to resume duty after a vacation or other leave shall be regarded as absent without leave and guilty of misconduct and the period shall be without pay. The period of absence shall not set off against any future leave nor against any deferred leave already standing to the officer's credit.

(c) On return from annual or vacation leave, every officer must complete and sign a Resumption of Duty Certificate and submit it to his Head of Department who should confirm its accuracy before endorsing it to the appropriate Department responsible for maintenance of personnel records.

CHAPTER 13—DUTY VISITS AND COURSES OF INSTRUCTION OUTSIDE NIGERIA

Section 1 – General

Section 2 – Duty Visits outside Nigeria

Section 3 – Courses of Insurance outside Nigeria

SECTION 1—GENERAL.

Application.

13101. The Chapter applies to occasions on which officers are required to :

- (i) undertake special duty abroad ; or
- (ii) discharge official duties during vacation leave abroad; or
- (iii) be on a delegation or visit abroad for a short period; or
- (iv) undertake a course of instruction abroad, including attachment to an organization abroad ; or
- (v) undertake medical check-up/treatment abroad at the expense of the Service.

Obtaining
approval.

13102.—(a) Before an officer on leave outside Nigeria undertake official visit, prior approval of the Clerk or the Secretary (as appropriate) and the Commission shall be obtained by his Head of Department.

(b) The application for permission shall specify ;

- (i) details of the visit proposed ;
- (ii) why the visit, duty or course, is considered warranted in public interest or in the interest of the Service ;
- (iii) the approximate date on which it is proposed the officer should arrive in and depart from the country in which the visit or course is to be undertaken ;
- (iv) the officer's address during the duty or course ;
- (v) the probable duration of the duty or course ;
- (vi) the total estimated cost including all travelling expenses, and fees (if any).

13103. An officer required to undertake duties or a course of instruction outside Nigeria shall be furnished by his Head of Department with detailed instructions regarding such duties or course and be informed in advance and in writing of the allowances and travelling facilities in connection therewith.

Briefing of officer.

13104. Where an officer is required during his vacation leave to undertake any duty, the period will be leave-earning and not leave-consuming.

SECTION 2—DUTY VISIT OUTSIDE NIGERIA

13201. An officer on duty visit outside Nigeria shall be granted the following—

Refund of daily travelling expenses.

(a) *Passages* : Air passage for himself only at the Following rates commensurate to his grade :

- (i) Grade Level 15 and above—Business Class air ticket.
- (ii) Grade Level 14 and below—Economy Class air ticket
- (iii) Where the duration of an officer's duties is not less than 9 months, the officer's wife may accompany him at the Service's expense.

(b) *Transport* : Reimbursement of actual expenditure or local transport essential to the business of the visit.

(c) *Estacode allowance* at the following rates commensurate to his grade :

Clerk to the National Assembly	—	US\$900 per night
Consolidated Salary	—	US\$600 per night
Grade Levels 15-17	—	US\$425 per night
Grade Levels 07-14	—	US\$381 per night
Grade Levels 01-06	—	US\$206 per night

(d) Where the cost of accommodation or hotel expenses is met by the host Government or institution, officers shall then only be entitled to subsistence allowance at the rates approved by the Service.

Refund of
daily
travelling
expenses.

13202. An officer who discharges approved official duties during his vacation leave outside Nigeria and for whom accommodation is provided shall be reimbursed the daily travelling expenses necessarily incurred in the discharge of such duties plus a daily subsistence allowance at the appropriate rate.

SECTION 3—COURSES OF INSTRUCTION OUTSIDE NIGERIA

Passages.

13301. An officer who is required or permitted to attend a course of instruction abroad shall be eligible for the benefits set out on this Section provided that he has signed an agreement to refund the expenses connected therewith and/or salary received within the period to the Service if he—

- (i) does not obtain a certificate of satisfactory attendance at the course; or
- (ii) does not return to Nigeria; or
- (iii) undertake any other course of instruction without the specific approval of the Commission; or
- (iv) resign from the National Assembly Service within a period of three years of his completing such a course.

In addition, officers proceeding on approved course of study shall be made to sign a Bond subject to the training policy of the Service.

The letter conveying approval of officers' study leave whether (with pay or without pay) must state all conditions in this section, including the duration of the course; the institution it is to be obtained and the probable date the officer is expected to return to work.

The officer must show evidence of payment of tuition fees within the first quarter of the course and submit quarterly progress report if the programme is over six (6) months.

Passages.

13302.—(a) A senior officer sent abroad on a course of instruction shall be eligible for free air passage for himself only.

(b) Where however the duration of the course of instruction is not less than 9 months, his spouse may accompany him at the expense of the Service.

(c) Where the duration of the course of instruction is for two academic years or more and the officer is unaccompanied by his spouse, the officer may be allowed to visit home at the expense of the Service to see his family once during the course.

Estacode
allowance.

13303 An officer on a course of instruction shall be entitled to his full estacode allowance for the first 28 days and thereafter 50 per cent of the appropriate rate of the rest of the duration of the course.

Externally
assisted
courses.

13304. An officer attending a course of instruction under a technical assistance scheme by a foreign government or organization shall:

- (i) be entitled to the difference between his normal estacode allowance and the allowance/facilities offered by the donor country where the latter is lower than the official estacode; and

(ii) continue to receive his salary.

All other conditions of service will be decided in accordance with the existing arrangements between the donor Government and the Federal Government or the Commission.

13305. Special rates of allowances shall be prescribed from time to time by the Commission for certain courses of instruction and they shall apply to all officers attending the courses in question.

Courses with special rates.

13306. Where an officer is permitted on the recommendation of his Head of Department to take a course of instruction at the officer's own request, special conditions (including the grant of leave without pay and the withdrawal of all or any of the allowances or other privileges prescribed in this Chapter) may be imposed by the Commission.

Courses granted as leave without pay.

In such cases, it shall be the responsibility of the Clerk or the Secretary (as appropriate) to inform the officer in writing, before his departure, of the conditions which have been decided.

CHAPTER 14—ALLOWANCES

Section 1 — Acting Allowance

Section 2 — Legislative Duty Allowances

Section 3 — Local Courses of Instruction Allowances

Section 4 — Local Travelling/Duty Tour Allowance

Section 5 — Overtime Allowances

Section 6 — Transport Allowances

Section 7 — Miscellaneous Allowances

Section 8 — Officers' Rights Allowances

SECTION 1—ACTING ALLOWANCES

14101.—(a) An officer whose acting appointment has been duly published in the Bulletin and/or *gazetted* is eligible for acting allowance at the appropriate rate from the published or *gazetted* date of commencement of his acting appointment to the date immediately preceding the published or *gazetted* date of termination thereof (both dates inclusive) except for any days in excess of 14 days of continuous absence of duty on account of ill-health.

Eligibility.

(b) Acting allowances shall not be paid where :

(i) the period of acting appointment does not extend beyond 14 days :

or

(ii) the officer is acting in a grade higher than his own but has not served for at least one year in his substantive grade.

14102.—(a) When an officer has been appointed to act in a grade immediately higher than his own, he will be regarded as adequately performing the full duties of the higher post and shall be entitled to—

Rates of acting allowances.

(i) 50% acting allowance where he has served at least one year in his substantive grade ;

(ii) 100% acting allowance where he has served at least two years in his substantive grade.

(b) When an officer has been appointed to act in a post two or more grades above his substantive rank, the maximum amount of acting allowance which he may receive will be calculated as the difference between the salary of his substantive appointment and the post immediately superior to his own.

Effect of
discharge of
duties of
two offices.

14103. Where an acting appointment requires an officer to simultaneously discharge the duties of more than one office, the following rules shall apply—

(a) If the two offices are distinct and separate offices in different Departments, they do not stand to one another in any immediate relation of superiority and or subordination and 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, the higher of the two).

(b) If the two offices stand to one another in immediate relation of superiority or subordination, no acting allowance shall 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 Regulation 14102.

Effect of
special
remuneration.

14104. 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 Commission in relation to such remuneration.

Effect of
additional
personal
allowance.

14105. If an officer is in receipt of a personal allowance in addition to the normal emoluments of his substantive office, such personal allowance shall be treated as part of his substantive basic salary for the purpose of calculating acting allowance.

Contract
officers.

14106. The substantive basic salary of a contract officer or re-engaged pensioner will, for the purpose of calculating acting allowance in accordance with Regulation 14102, be taken as the officer's actual salary less contract

Consolidated
salary.

14107. In the case where an officer inducement addition in a long scale is acting in a super scale office with a consolidated basic salary, the rate of acting allowance payable shall 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.

SECTION 2—CONPECUIAR ALLOWANCES

14201. Conpecuiar allowance shall be paid to all Officers of the National Assembly Service at the rate of 40% of their Consolidated Salary.

Conpecuiar Allowance.

SECTION 3—LOCAL COURSES OF INSTRUCTION ALLOWANCES

14301. A local course of instruction is a course at any Federal Training Centre, University or other approved Public Service Training Institution that an officer takes locally in Nigeria but outside his station.

Definition.

14302. Where the local course of instruction does not exceed 28 days and where board and lodging are not provided by the Training Institution concerned, officers shall be entitled to allowances at the following rates :

Local courses not exceeding 28 days.

Consolidated	—	₦20,000 per day
Grade Levels 15-17	—	₦16,000 per day
Grade Levels 07-14	—	₦12,000 per day
Grade Levels 01-06	—	₦5,000 per day

14303. Where the local courses of instruction exceeds 28 days and where board and lodging are not provided by the Training Institution concerned, officers shall be entitled to allowances at the following rates :

Local courses exceeding 28 days.

Consolidated — ₦20,000 per day for the first 28 days and ₦2000 for each day thereafter.

Grade Level 15-17 — ₦16,000 per day for the first 28 days and ₦1500 for each day thereafter.

Grade Level 07-14 — ₦12,000 per day for the first 28 days and ₦1,000 for each day thereafter.

Grade Level 01-06 — ₦5,000 per day for the first 28 days and ₦500 each day thereafter.

14304. Where the training institution provides accommodation only, officers shall be entitled to 75% of the rates stated in Regulation 14302 or 14303 as applicable.

Rates where lodging only provided.

SECTION 4—LOCAL TRAVELLING/DUTY TOUR ALLOWANCES

14401.—(i) Local travelling/Duty tour allowance is not an emolument or an addition to an officer's salary.

General.

(ii) The allowance is granted to enable an officer pay for lodging and feeding during an official tour within Nigeria duly authorised in advance by his Head of Department and approved by the Clerk or the Secretary (as appropriate).

(iii) Where it is shown to the satisfaction of the Commission that an officer has endangered his health by failing to provide himself with adequate boarding/lodging, he shall be liable to face disciplinary action.

(iv) Nothing in these Regulations gives an officer a right to local travelling/ duty tour allowance and the provisions of the Section of this Chapter may at any time be revoked, altered, added to, and amended at the discretion of the Commission.

Transport
changes.

14402. The transport/air ticket and cost of local training shall be determined departmentally depending on the nature of the tour and the prevailing transport charges.

Rates.

14403. Duty Tour Allowance is granted to enable officers pay for lodging and feeding expenses during official tours at duly approved rate by the official authority. The rates applicable are as may be specified in the extant circular.

Effects of
personal
conversion
of salary not
involving.

14404. Personal conversions of salary or any additions to salary not involving promotion from one grade to another, which brings an officer's salary into a higher category (as quoted in Regulation 14403) than that applicable to his colleagues in the same grade, do not make him eligible to receive local travelling/ duty tour allowance at a rate higher than that for which his colleagues on normal salaries in the same grade are eligible.

SECTION 5—OVERTIME ALLOWANCE

Definition.

14501. Overtime is time spent by an officer performing official duties outside normal hours of work (i.e. in excess of the normal working day) that that has been duly authorised and approved by Directors and above in the Service.

Normal hours of work or normal working day per week for the purpose of computing overtime payment due under this Section of this Chapter shall be 5 days of 8 hours a day from Monday to Friday.

Work-free day means that day in each period of 7 days of a week that is normally regarded as work-free for the particular officer.

Entitled
officers.

14502. Only officers on Grade level 01-14 who actually do overtime qualify for payment of overtime allowance.

Exception.

14503. The following officers on Grade 01-06 do not however qualify for payment of overtime allowance.

(a) Officers and Legislative Aides whose special terms of employment require attendance for work or duty at anytime and for any period that exigencies of the service may demand and whose peculiar conditions of employment were taken into consideration when their emoluments were fixed.

(b) Officers whose work does not admit supervision and whose hours of work or attendance are not prescribed or scheduled. e.g. cooks, stewards etc. (They shall instead be eligible to 25% of their monthly basic salary as allowance in compensation for extra hours worked.)

(c) Officers who perform shift duties and are not health professionals. (They shall instead be eligible for shift duty allowance at the rate of 12½% of their monthly basic salary.)

(d) Motor Driver/Driver Mechanics. (They shall instead be eligible for 27½% per cent of their monthly basic salary as late duty allowance.)

14504.—(i) Rates of payment of overtime allowance shall be determined by prevailing Government Circulars.

Rates of payment of overtime.

14505.—(a) Overtime shall be calculated in half-hours only and to the nearest half-hour. Any period of overtime less than half-hour must be disregarded for the purpose of overtime payment.

Method of computing overtime.

(b) Overtime shall be computed in respect of each day and there shall be no aggregation of periods disregarded under Regulation 14505(a) hereof.

(c) The hourly rate of salary shall be calculated at 1/190th of the officer's monthly salary.

14506.—(a) Where an officer eligible for overtime payments is *gazetted* as acting in a post that attracts overtime payments, he will be paid for overtime on his full acting salary.

Effect of acting appointment.

(b) Where the post in which the officer is acting is one which does not attract overtime payment, no overtime payment shall 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 will qualify for overtime payment at the rate attaching to his substantive salary notwithstanding the fact that the acting post is not itself overtime earning.

14507. No officer qualified for overtime payment shall work overtime in excess of 45 hours in anyone month unless authorised in writing in special circumstances by his Head of Department.

Limitation of total monthly overtime.

14508. Except where the salaries of officers not qualified for overtime payments have been fixed taking into consideration the special circumstances of the duties being performed, such officers wherever practicable shall be given time off on a working day in lieu of time worked on a work-free day or public holiday.

Treatment of officers not qualified for overtime payment.

SECTION 6—TRANSPORT ALLOWANCES

14601.—(a) Kilometre allowance may only be drawn in respect of distance travelled on official duty.

Kilometre allowance.

(b) Kilometre allowance may not be drawn in respect of journeys :

(i) Between an officer's quarters and his normal place of work, except when an officer is required by his superior officer to return to his place of work outside the normal working hours and he is allocated quarters so far from his normal place of work that his essential house-to-work journeys exceed 640 kilometres a month. (Such journey in excess of 640 kilometres shall be treated as having been undertaken on official duties).

(ii) for which the officer also utilises other transport at the Service's for the transport of himself, his wife, servant or baggage; save in special cases with the prior approval of his Head of Department or when the officer is proceeding on transfer.

Rates of
kilometre
allowance.

14602.—(a) An officer who owns a motor cycle and uses it on official journeys shall be paid an allowance at the rate of N100.00 per kilometre. (this precludes journeys from the officer's residence to his normal place of work) to a maximum of 250km per month.

(b) 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 N200.00 per kilometre, to a maximum of 250km per month.

Claims for
allowance.

14603.—(a) Claims for payment of kilometre allowance shall be submitted monthly.

(b) 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.

(c) Claims not submitted within two months will be disallowed unless there is valid reason for the delay.

SECTION 7—MISCELLANEOUS ALLOWANCES

Books/
Project
Allowances.

14701. Books/Projects allowances for officers attending courses at Federal Training Centre, Treasury Schools and Universities in Nigeria shall be paid as follows:

(a) 10-month Confidential Secretary III	— N50.000
(b) 20-Month Confidential Secretary III	— N50.000
(c) 10-Month Confidential Secretary II	— N50.000
(d) 20-Month Official Reporters	— N50.000
(e) 10-Month Auditing/Accounting	— N50.000
{Stage I and II}	
10-Month Auditing/Accounting	— N50.000
{Stage III}	
(f) 6-Month Typist I	— N50.000
(g) 6-Month Typist II	— N50.000
(h) University Degree Programme	— N50.000
(i) Projects for University Degree Programmes	— N500.000
(j) NIPSS	

Non-
Accident
Bonuses.

14702.—(a) Non-accident Bonuses at the rate of N10,000.00 Per annum shall be paid to Motor Drivers, Driver/Mechanics and Plant Operators not involved in any accident during the period of one reporting year.

(b) Officers in charge of Transport shall keep full records of all accidents in which drivers are involved whether or not they are at fault.

(c) Drivers who are at fault shall forfeit the bonus.

(d) The bonuses are payable only in December on the strength of Non-Accident Bonus Certificate to be issued by the Officer in-Charge of Transport and his Head of Department.

14703. The applicable rent subsidy shall be used in calculating the retirement benefits of officers living in official quarters and are thereby not entitled to rent subsidy.

14704. Resettlement Allowances shall be paid at the rate of 5% of annual salary to officers in compensation for out-of-pocket expenses not covered by other Regulations, but which are incurred by them in the course of transfer as defined in Regulation 14708.

Resettlement
Allowances.

14705. Transfer for the purpose of payment of resettlement Allowances includes :

- (i) transfer from one station to another ;
- (ii) transfer or secondment from another Public Service in the Federation involving movement from one station to another ;
- (iii) evacuation, on the instructions of the appropriate housing authority, from official quarters of an officer allocated the quarters on other than a purely temporary basis, for the reason that the quarters are 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 Regulation 14708(iii) above should be supported by a certificate from the appropriate housing authority to the effect that the move in respect of which the claim is made constitutes a move from one residential area to another at the instruction of the housing authority.

14706. Any officer whose transfer as defined by Regulation 14706 is at his own request shall not be entitled to the payment of a resettlement allowance: he shall be entitled only to transport allowance.

14707.—(a) Responsibility Allowances shall be paid at the rate of—

Responsibility
Allowances.

(b) ~~Chief Confidential Secretaries~~ serving the President of the Senate and the Speaker of the House of Representatives at ₦75,000 per annum.

(c) Asst. Chief Confidential Secretaries serving the Deputy President of the Senate, the Deputy Speaker of the House of Representatives, the Chairman of the Commission and the Clerk at ₦40,000 per annum.

(d) Principal Secretaries and Secretaries attached to the Members of the Commission, the Secretary and officers in the Service at ₦30,000 per annum.

Uniform.

14708. Uniforms are to be provided by the Service annually where applicable.

Warm
Clothing
Allowance.

14709.—(i) An officer who is required to proceed to a foreign country on duty on an approved course of instruction will be eligible for a warm clothing allowance as may be specified in the extant circular.

(ii) Warm clothing allowances will not be paid to officers under any of the following circumstances :

(a) If the duty or course is undertaken during the period of an officer's normal vacation leave spent in a country with a cold or temperate climate.

(b) If the duty or course is entered upon as a result of the officer's own application and is taken in conjunction with his normal vacation leave.

(c) If the duty or course, which the officer is directed to undertake, takes place earlier than three years from the date on which he last drew a warm clothing allowance.

(d) If the officer has been awarded a bursary by the federal government or the service under any scholarship or training award scheme.

End of year
bonus.

14710. End of year Bonus shall be paid to all Officers of the National Assembly Service at the following rates of their one month consolidated salary :

SGL 01-06	- 100%
SGL 07-10	- 75%
SGL 12-14	- 50%
SGL 15-17	- 25%
Consolidated	- 10%

Disengagement
Allowance.

14711. All officers retiring from Service upon attaining 65 years of age or 40 years of Service shall be entitled to travelling allowance at the rate of 10% of annual consolidated salary.

Hazard
Allowance.

14712. Hazard allowance shall be paid to eligible officers of the National Assembly Service at the rate of 5% consolidated monthly salary.

Financial
Provisions.

14713.—(a) The financial provisions in these conditions of service shall be implemented subject to availability of funds.

(b) The National Assembly shall source for funds from the Federal Ministry of Finance to commence initial implementation of the financial provisions.

(c) The financial provisions shall, subject to paragraph (b) above, become part of the annual budget estimates of the National Assembly.

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