

L.N. 71 of 1975

CONSTITUTION OF THE FEDERATION (1963 No. 20)

The Public Service Commission (Delegation of Powers)

Notice 1975

Commencement : 30th August 1975

In exercise of the powers conferred by section 147 (1) of the Constitution of the Federation, and of all other powers enabling it in that behalf, the Public Service Commission of the Federation with the approval of the Head of the Federal Military Government hereby gives notice as follows :—

1.—(1) Subject to sub-paragraph (2) below, the power to warn or to reprimand any officer in the public service of the Federation is hereby delegated to the Secretary to the Federal Military Government.

Delegation of powers to Secretary to the Federal Military Government.

(2) The power delegated under sub-paragraph (1) above may only be exercised where any shortcoming or misconduct on the part of an officer has come to the notice of the Secretary to the Federal Military Government (other than through a formal report made by the permanent secretary of the ministry or the head of the extra-ministerial department where the officer is serving which should be to the Public Service Commission) and the shortcoming or misconduct is, in the opinion of the Secretary to the Federal Military Government, not one of such seriousness requiring to be reported to the Public Service Commission (hereafter in this Notice referred to as "the Commission") for appropriate disciplinary proceedings but one that ought to be brought to the attention of the officer concerned.

(3) The Secretary to the Federal Military Government shall as soon as any warning or reprimand is issued to any officer in exercise of the power delegated under this paragraph send a report of any such warning or reprimand to the Commission.

2.—(1) The powers specified in the second column of the Schedule hereto are hereby, in respect of the posts specified in the first column of that Schedule and subject to the conditions specified in the third column of that Schedule, delegated to permanent secretaries and heads of extra-ministerial departments in the public service of the Federation.

Delegation of powers to permanent secretaries and heads of extra-ministerial departments.

(2) The Commission may require a permanent secretary or head of extra-ministerial department, subject to such conditions as the Commission may specify, to further delegate in writing any of the powers delegated under this paragraph to State or area representatives of his ministry or department.

(3) The powers delegated in this Notice shall be exercised by an officer in the public service of the Federation not below the grade of deputy head of department in an extra-ministerial department.

3. Any person aggrieved by anything done in respect of him by any officer to whom any power is delegated under this Notice may appeal to the Commission and the Commission may give any ruling as it thinks fit.

Appeals.

4. Nothing in this Notice shall prevent the exercise by the Commission of any power hereby delegated nor affect the right of any person aggrieved by any decision of the Commission to appeal to the Head of the Federal Military Government.

Savings.

Citation and
revocation.

5.—(1) This Notice may be cited as the Public Service Commission (Delegation of Powers) Notice 1975.

L.N. 4 of
1972.

(2) The Public Service Commission (Delegation of Powers) Notice 1972 is hereby revoked.

SCHEDULE

<i>Office</i>	<i>Powers Delegated</i>	<i>Conditions</i>
1. Posts whether established or unestablished the initial basic salary of which is less than Grade Level 06 whether or not the holder of the post is confirmed in that post.	<p>(a) Power to appoint persons to hold or act in those offices (including power to make appointments on promotion, transfer or secondment).</p> <p>(b) Power to confirm or terminate probationary appointments.</p> <p>(c) Power to dismiss and exercise all other disciplinary control.</p>	
2. Posts whether established or unestablished the initial basic salary of which is not less than Grade Level 06 but less than Grade Level 07 whether or not the holder of the post is confirmed in the post.	<p>(a) Power to appoint persons to hold or act in those offices (including power to make appointments on promotion, transfer or secondment).</p> <p>(b) Power to exercise disciplinary control except power to terminate appointments or to dismiss.</p>	
3. Posts whether established or unestablished the salary grade of which is not below Grade Level 07 and up to Grade Level 09 whether or not the holder of the post is confirmed in that post.	<p>(a) Power to appoint persons on temporary basis to hold those offices.</p> <p>(b) Power to confirm or terminate probationary appointments.</p>	<p>Returns on temporary appointments to posts up to Level 09 including the intermediate grades, must be made to the Commission on a monthly basis.</p> <p>Returns on confirmation must be rendered to the Commission on a quarterly basis.</p>

SCHEDULE—*continued*

<i>Office</i>	<i>Powers Delegated</i>	<i>Conditions</i>
	(c) Power to exercise all other disciplinary control except dismissal.	Details of all disciplinary actions shall be reported forthwith to the Commission.
4. Posts whether established or unestablished the salary grade of which is below Grade Level 12 (or former salary Group 7).	Power to appoint persons to act in those offices.	Returns on acting appointments must be rendered to the Commission on a monthly basis.
5. All other posts regardless of the level or grade of the holder.	Power to interdict.	Subsequent report on any interdiction must be made to the Commission.

GIVEN at Lagos this 26th day of August 1975.

SULE KATAGUM,
Chairman,
Federal Public Service Commission

APPROVED this 30th day of August 1975.

BRIGADIER M. R. MUHAMMED,
Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria