



**LAGOS STATE GOVERNMENT**

# **PUBLIC SERVICE RULES**

**REVISED TO 1st JANUARY, 2015**



## FOREWORD

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

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

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

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

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

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

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

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

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

*(Sgd)*

**Babatunde Raji Fashola (SAN)**

*Governor of Lagos State,*

*Governor's Office,*

*Ikeja.*

**PREAMBLE**

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

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

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

(i) **Method of Numbering**

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

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

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

(iii) **Amendments**

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

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

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

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

*(Sgd)*

**‘Shade Jaji (Mrs.)**

Head of Service,

Office of the Head of Service,

The Secretariat,

Alausa, Ikeja.

*(iii)*

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## CHAPTER 1

### INTRODUCTION

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

**Application**

The Governor;  
The Deputy Governor;  
Rt. Hon. Speaker;  
Chief Judge of Lagos State;  
Hon. Members of the State House of Assembly;  
Hon. High Court Judges;  
The Auditor-General for Lagos State;  
The Auditor-General for Local Governments;  
The Chairmen and Members of the following Executive Bodies, namely:  
The State Civil Service Commission;  
The State Judicial Service Commission;  
The State House of Assembly Service Commission;  
The State Teaching Service Commission;  
The State Audit Service Commission;  
The State Lagos State Independent Electoral Commission;  
The State Health Service Commission;  
The State Local Government Service Commission;

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

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

**Special  
Definitions**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**CHAPTER 2**

**APPOINTMENTS AND EXIT FROM THE SERVICE**

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

**GENERAL PRINCIPLES**

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

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

Security clearance must be done for all new entrants.

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

**SECTION 1 - GENERAL**

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

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

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

Appointment  
to Senior  
Posts

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

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

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

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

- 020103:** (i) Each Ministry/Extra-Ministerial Department/Agency shall recruit *on merit* Junior Staff on Salary Grade Levels 01 - 06 or equivalent subject to the Workforce Plan and approved dispensation to recruit. **Appointment to Junior Posts**
- (ii) Each Ministry/Extra-Ministerial Department / Agency shall fill vacancies with applicants who possess the qualifications prescribed in the approved *Schemes of Service*.
- (iii) Each Ministry/Extra-Ministerial Department/Agency shall work out the actual establishments or requirements. The Junior Staff Committee shall conduct interviews and appoint officers into various Junior Cadres.
- (iv) Such recruitments shall reflect the geographical spread within the State.
- (v) The procedure for appointment shall be the same as in appointment to Senior Posts.
- 020104:** Appointments to all posts in the State Civil/Public Service other than those of Permanent Secretaries are vested in the State Civil Service Commission and any other such body which has, however, authorized Permanent Secretaries/Heads of Extra-Ministerial Departments to appoint eligible candidates to posts in respect of which the powers of appointment have been delegated to them. **Authority for Appointment**
- 020105:** An officer's incremental date shall be 1st January or 1st July after the first anniversary of his appointment date, subject to good conduct and performance. (See Rule 050203). **Incremental date**
- 020106:** Except where otherwise provided, seniority as between persons selected for appointment from outside the Civil/Public Service shall be determined by the date of assumption of duty certified by an authorized officer as reflected in the Assumption of Duty Certificate. **Seniority**
- 020107:** The employment of unpaid staff is prohibited. **Unpaid staff prohibited**
- 020108:** (i) Permanent Secretaries/Heads of Extra-Ministerial Departments/Agencies shall keep an up-to-date record of every officer under their control. Staff Record of Service LS/ESTAB Form No. 1 shall be used **Personal Records**

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

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

Date of  
birth

## SECTION 2 - RECRUITMENT

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

Definition

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

Types of  
Appoint-  
ment

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

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

Trainee or  
pupil

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

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

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

Probation

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

Eligibility  
for  
Appoint-  
ment

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

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

Prior  
approval  
in certain  
cases.

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

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

- (b) In view of Rule 020206 (a) above, every applicant for employment by Government must state:
- (i) whether he has been convicted of a criminal offence;
  - (ii) all employment he had engaged in; and
    - (a) if he has left any employment, why he did so; or
    - (b) if he is still in any employment and whether he is under any obligation to remain in it;
  - (iii) whether he is free from financial embarrassment.

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

Procedure  
for appoint-  
ment

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

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

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

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

Personal  
Particulars

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

Change of  
name owing  
to marriage

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

Oath of  
Secrecy

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

Secret  
society:  
prohibition  
of  
membership

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

Contravention

### SECTION 3 — RULES FOR APPOINTMENT ON PROBATION

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

Period of  
probation

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

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

Compulsory  
examina-  
tion.

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

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

Confirma-  
tion  
or termina-  
tion at  
the end of  
probationary  
period.

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

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

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

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

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

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

Definition

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

Rules for  
Appoint-  
ment  
on Contract

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

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

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

Duration  
of contract  
appoint-  
ment-

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

Termination  
during  
current  
contract.

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

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

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

Re-engagement:  
Responsibility  
of Contract  
Officer

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

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

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

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

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

Earlier  
notification  
of non-re-  
engagement

<b>020408:</b> Provided re-engagement is completed by the signing of a new contract before the end of vacation leave granted under an expiring contract, service under the contract shall be treated as continuous.	Continuity of contract service
<b>20409:</b> If a re-engaged contract officer is required to return to duty under his new contract before the expiration of the leave due under the former contract, the leave forgone shall be treated as deferred leave to be enjoyed under the conditions of the new contract.	Deferred leave
<b>020410:</b> When an officer on contract is re-engaged in his former office without a break in service and on the same salary scale, he shall retain the incremental date enjoyed under his former contract. In other cases of re-engagement without break in service, the incremental date of a re-engaged contract officer shall be fixed in accordance with such rules as may be applicable in the circumstance on the basis that the commencement date of the new contract is the date on which he resumes duty thereunder.	Incremental date
<b>020411:</b> Retired officers may only be re-engaged into career posts on grade levels immediately below that on which they retired.	Appointment of retired officers on contract
<b>020412:</b> Reference should be made to Rule 020607 Promotion	
<b>SECTION 5 - SECONDMENT, TRANSFERS, CONVERSION AND ADVANCEMENT</b>	
<b>020501: (a) <i>Secondment</i></b> means the temporary release of an officer to the service of another Government-approved body or any recognized international organization for a specified period. Secondment should be used to fill identified skills gap.	Definitions
(b) <b><i>Transfer</i></b> is the permanent release of an officer from one scheduled service to another. Transfers should be used, where possible, as part of the recruitment process to fill the needs identified by Ministries/Extra-Ministerial Departments/Agencies.	
(c) <b><i>Conversion</i></b> is the movement of an officer from one cadre to another cadre on presentation of prerequisite additional qualification.	
(d) <b><i>Advancement</i></b> is the upward movement of an officer within the cadre based on additional qualification or cognate experience as provided in the <i>Schemes of Service</i> for such cadre.	

**Inter -Service Transfer and Secondment:**

- (i) Application for Transfer/Secondment to posts graded G.L. 01-G.L. 06 or equivalent shall be determined by the Ministry /Extra-Ministerial Department/Agency of the applicant's choice and shall include consideration of his Staff Performance Appraisal and Development (SPADEV) Reports covering the last three years. Procedure
- (ii) Applications for Transfer of Service/Secondment to posts graded G.L. 07 and above or equivalent in any Ministry/Extra-Ministerial Department/Agency shall be determined by the State Civil Service Commission or any other such body. SPADEV Reports covering the last three years (or whole service, if less than three years) of the officer's service shall also be furnished.
- (iii) Secondment of an officer to the Service of another Government or approved body, at his own request, shall be for a period of two years in the first instance after which the officer must either apply for one year extension, return to his former post or seek for transfer. The officer must obtain the necessary approval of the State Civil Service Commission or any other such body. The officer shall be entitled to notional increment during the period of his secondment and may be granted notional promotion by the State Civil Service Commission or any other such body on his de-secondment in order to restore his seniority as a result of the promotion of his peers during his absence.
- (iv) If it is in public interest to second an officer to the Service of another Government or approved body, the period of secondment shall not be limited and the officer shall continue to hold his substantive post and be entitled to increment and promotion and shall be treated as having been posted on special duty.
- (v) During the period of such secondment, the benefitting organization shall be responsible for the officer's emoluments. Emoluments during secondment

**020502:** (i) No applicant shall be considered for transfer on promotion to any Ministry/Extra-Ministerial Department/Agency except in response to an advertised post. Conditions to be met for transfer

(ii) An applicant shall be considered for transfer:

(a) if he has been confirmed in his previous service and his

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

Posting of Officers outside their professional cadres prohibited

**Conversion:**

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

Conversion on Senior posts

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

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

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

Conversion on  
Junior posts

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

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

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

Requirements  
for  
Conversion  
to the  
Administrative  
Officer cadre

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

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

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

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

Salary on  
Advancement

advancement is governed by Rules 050104 and 050202.

## SECTION 6 - PROMOTION

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

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

**Eligibility**

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

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

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

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

**Procedure**

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

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

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

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

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

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

**From Junior  
to Senior  
Post**

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

**Effective  
Date**

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

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

**Notional  
promotion**

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

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

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

Promotion  
of a  
Contract  
Officer

## SECTION 7 - EXIT FROM THE SERVICE

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

Termination  
of appoint-  
ment  
during  
probationary  
period

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

Relinquish-  
ment  
of Appoint-  
ment during  
probationary  
period

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

Termination

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

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

Resignation

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

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

Leaving the Service during a leave year

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

Pregnancy not a condition for exit

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

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

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

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

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

Compulsory Pension Contribution

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

Processing of terminal benefits: guidelines

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

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

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

Statutory  
Retirement

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

Ways of  
leaving  
the  
Service

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

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

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

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

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

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

Attendance at  
Mandatory  
pre-retirement  
seminar

## SECTION 8 - CERTIFICATE OF SERVICE

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

Authority

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

Forms

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

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

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

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

**SCHEDULE**

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

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

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

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

Ill-health

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

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

Dismissal

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

Termination  
of  
Engagement

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

8. In the event of any pecuniary damage arising from the person engaged disregarding or failing to comply with any order, standing order or departmental instruction, or from any neglect of duty whatsoever on his part, he may be liable to a deduction from his salary to make good the damage or any part thereof, the amount of which shall be fixed by his Permanent Secretary/Head of Extra-Ministerial Department/Agency on the recommendation of an appropriate Personnel Management Board.

Liability to make good damage

9. Four months before the date of expiration of agreement, the person engaged shall give a written notice to Government stating his desire to remain in its employment and Government shall decide whether to offer him further employment on contract. If Government decides in favour, his re- engagement shall be on such terms and for such a period as may be mutually agreed.

Further employment

10. The person engaged will be eligible for a gratuity on the satisfactory completion of a tour of service at the rate of 15% of his basic salary, provided that he is not in receipt of, nor eligible for, any other terminal benefits.

Gratuity

11. While leave of absence is not a legal right included in the contract, the person engaged, after a tour of service, or if declared invalid before completing the tour, or his engagement is terminated by reason of ill- health in accordance with the provisions of clause 5 hereto, leave may be granted under the rules in force from time to time, applicable to Nigerian officers of a similar grade level so far as exigencies of the Civil/Public Service permit.

Leave

### APPENDIX 3

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

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

**WHEREBY IT IS AGREED AS FOLLOWS:**

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

Signed by:.....

On behalf of the Lagos State Government

in the presence of .....

Occupation: .....

Signed by:.....

in the presence of .....

Signature: .....

Address of Witness: .....

.....

Occupation: .....

## CHAPTER 3

### ACTING APPOINTMENTS

#### SECTION 1 - INTRODUCTION

- 030101:** When it is necessary that a particular duty post of status not lower than an Executive Officer GL 07 should continue to be filled at a time when no officer of corresponding substantive rank is available for posting thereto, some other officer may, with the approval of the State Civil Service Commission, be formally appointed, by notice in the Gazette, to act in the duty post and assume either fully or in part, the duties and responsibilities of such post. **When made**
- 030102:** The mere fact that the substantive holder of a duty post will be absent for a short period (e.g. on casual leave or on sick leave) does not in itself justify an acting appointment; there may, however, be circumstances (such as compliance with statutory provisions) which necessitate the making of an acting appointment for a relatively brief period. The decision whether an acting appointment is necessary or desirable in any particular case shall rest with the State Civil Service Commission. **Not made unless necessary**
- 030103:** Acting appointments are not intended as a means of testing the suitability of officers for promotion; they will normally be made only in order to fill posts that are temporarily vacant and their duration should be limited accordingly. **Not a form of trial promotion**
- 030104:** Recommendations for acting appointments must be forwarded to the State Civil Service Commission and must include a certificate to the effect that the acting officer will assume the full duties and responsibilities of the post in question. Approved acting appointments shall be gazetted by the State Civil Service Commission but it will, on no account, be back-dated to a period in excess of six months of the date of receipt of the recommendation by the Commission. **Procedure**
- 030105:** The date on which an acting appointment commences shall be indicated in the gazette notice authorising the appointment. Normally, the gazetted date of commencement will be that on which the acting officer takes **Date of Commencement**

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

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

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

**Date of  
Cessation**

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

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

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

**Effect of  
Casual or  
Special Leave**

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

**Acting  
Allowance.**

## CHAPTER 4

### DISCIPLINE

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

#### GENERAL PRINCIPLES

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

#### SECTION 1 - INTRODUCTION

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

Officers to acquaint themselves with disciplinary rules in force

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

Authority and delegation

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

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

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

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

Delegated powers

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

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

Postponement of disciplinary proceedings during Maternity Leave

## SECTION 2-OBLIGATIONS OF CIVIL/PUBLIC SERVANTS

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

Civil Servant to appear before Commission

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

Relevant documents to be made available to the Commission

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

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

### SECTION 3 - GENERAL INEFFICIENCY

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

Definition

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

Drawing attention to shortcomings

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

Removal for general inefficiency

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

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

Removal of temporary staff for inefficiency

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

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

**Withholding  
of increment:  
delegated  
powers**

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

**Withholding  
of increment:  
non-delegated  
powers**

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

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

**Notification  
of defects**

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

**Effective  
date of  
termination  
for  
inefficiency**

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

#### SECTION 4 - MISCONDUCT

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

Definition

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

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

Issuing query

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

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

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

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

Recommendations  
of Tribunals  
of Inquiry

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

Reporting  
misconduct

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

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

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

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

Disciplinary  
procedure  
for  
misconduct  
and serious  
misconduct

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

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

Signed: .....

Designation: .....

Date: .....

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

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

Signed:.....

Designation and Rank:.....

.....

\*Delete whichever is inappropriate.

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

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

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

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

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

Notification  
in writing

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

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

**PRELIMINARY LETTER**

To.....

Designation and Rank.....

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

.....  
.....

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

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

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

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

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

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

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

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

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

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

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

Engaging  
in business  
after office  
hours

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

Working for  
institutions or  
Government  
Agencies  
during office  
hours

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

Fines

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

Powers of  
surcharge

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

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

Money  
Lending

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

Mode of  
dressing

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

Unofficial  
testimonials

## SECTION 5 - SERIOUS MISCONDUCT

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

Definition

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

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

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

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

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

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

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

**Procedure**

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

**Interdiction**

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

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

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

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

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

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

Responsi-  
bility of  
interdicted  
officer

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

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

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

Suspension

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

Dismissal  
and its  
effects

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

Effective  
date of  
dismissal

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

(a) that on which he is served with the notification, even though he may refuse to acknowledge receipt; or

(b) the date on which the notification is delivered by a messenger to his recorded address, even though the officer concerned does not himself acknowledge receipt of such delivery; or

(c) the date on which the notification is sent by post to his last known or normal address in accordance with the definition of "Service by Post" in Section 24 of the Interpretation Law (Cap. 14), Laws of Lagos State 2003.

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

Officer to  
report  
criminal  
charge and  
its outcome

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

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

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

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

Effects of  
criminal  
proceedings

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

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

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

Suspension  
of  
convicted  
officers

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

Absence  
without  
leave

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

Serious  
financial  
embarrass-  
ment

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

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

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

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

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

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

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

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

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

Oath of Secrecy

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

Unauthorised disclosure of official information

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

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

Abstraction  
or  
copying of  
official  
documents

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

Secret  
personal  
records

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

Removal of  
public  
records

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

Removal of  
historical  
documents

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

Publication  
and public  
utterances

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

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

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

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

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

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

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

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

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

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

Political  
activities

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

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

Resignation  
before  
seeking  
elective  
office

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

Investments

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

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

Prohibition  
of private  
practice

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

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

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

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

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

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

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

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

Presents in  
recognition  
of service

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

Gifts from traditional rulers

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

Prohibition of bribery and corruption

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

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

Conduct prejudicial to State Security

## SECTION 7 — RETIREMENT IN PUBLIC INTEREST

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

Retirement in Public Interest

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

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

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

**See Rule 040516**

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

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

1962. No. 29

[13th September, 1962]

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

Commence-  
ment

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

Protection of  
Official  
Information,  
etc.

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

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

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

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

Protection  
of Defence  
Establishment,  
etc

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

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

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

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

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

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

Control of mail-forwarding agencies etc.

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

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

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

Power to require information as to offences under this Act.

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

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

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

(3) If any person -

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

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

Search  
warrants

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

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

Penalties and  
legal  
proceedings

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

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

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

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

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

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

Supple-  
mentary  
provisions  
as to offence

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

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

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

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

Interpre-  
tation  
etc.

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

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

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

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

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

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

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

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

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

Short title,  
extent and  
repeal.

Cap. 144  
of the  
1958  
Edition

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

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

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

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

## CHAPTER 5

### SALARIES AND INCREMENTS

#### SECTION 1 - SALARIES

#### SECTION 2 - INCREMENT RULES

#### SECTION 1 - SALARIES

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

Payment  
of Salaries

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

Salary on  
appointment

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

Salary on  
transfer  
from  
other  
Government

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

Salary on  
promotion  
within  
incremental  
scales

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

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

#### SECTION 2 - INCREMENT RULES

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

Definition

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

**Increments  
not as of right**

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

**Incremental  
Date**

### **DEFERRING AND WITHHOLDING OF INCREMENTS.**

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

**Grounds for  
withholding  
or deferring**

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

**Deferred  
Increment**

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

**Withheld  
Increment**

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

**Withheld or  
deferred  
increment  
not restorable**

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

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

**Suspending of  
Increments**

## CHAPTER 6

### STAFF PERFORMANCE EVALUATION

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

#### SECTION 1 - GENERAL

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

Reporting  
Officer

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

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

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

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

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

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

Performance Appraisal Reports to be detailed and candid

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

Communication of reports to officers-Letter Day

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

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

## SECTION 2 - PROGRESS REPORTS ON OFFICERS

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

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

Progress report on officer on probation/initial contract

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

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

Timing

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

In special cases

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

Reports on Officers on training courses.

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

Procedure

### REPORTS ON SECONDED OFFICER

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

Secondment  
to  
Ministry/  
Extra-Ministerial  
Department/  
Agency

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

Secondment  
to corpora-  
tion, or  
State-  
owned  
companies

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

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

Purpose

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

Period

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

Action by  
officers

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

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

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

Open  
Reporting  
System

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

Department  
routine

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

Action by  
Permanent  
Secretary/  
Head of  
Extra-  
Ministerial  
Department

## APPENDIX 6

### SUMMARY

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

OFFICER		TYPE	NO.	DATE OF SUBMISSION		DESTINATION
<b>ALL STAFF ON GL 01-12</b>						
A	1	On probation/on contract with less than two years' service	SPADEV.GEN.06	1	On completing 6,12,18 and 21 months' service.	Permanent Secretary, Civil Service Commission (GL 07-12) Permanent Secretary, Office of Establishments & Training (GL. 01-06)
B	1	Confirmed in Senior Post	SPADEV.GEN.06	1	End of each calendar year	Permanent Secretary, Civil Service Commission
	2	On contract with two years' service	SPADEV.GEN.06			
C	1	Confirmed in Junior Post	SPADEV.GEN.06	2	End of each calendar Year	Permanent Secretary, Office of Establishment and Training
<b>ADMINISTRATIVE OFFICER, EXECUTIVE OFFICER AND SECRETARIAL OFFICER CADRES</b>						
D	1	On probation in senior posts	SPADEV.GEN.06	2	On completing 6, 12, 18 and 21 months' service	Permanent Secretary, Public Service Office and other relevant agencies
	2	On contract with less than two years' service				
E	1	Officer holding senior post who has been confirmed.	SPADEV.GEN.06	2	End of each calendar year	Permanent Secretary, Public Service Office
	2	On contract with over two years' service				
F	1	All other staff Members	SPADEV.GEN.06	2	End of each calendar year	Permanent Secretary, Public Service Office
G	1	Officer on transfer of service/ secondment	SPADEV.GEN.06	2	End of each calendar year	Permanent Secretary, Public Service Office, Civil Service Commission
H	2	Inter-cadre Transfer	SPADEV.GEN.06	2	End of each calendar year	''
<b>ALL OTHER OFFICERS ON GRADE LEVEL 13 AND ABOVE.</b>						
I	1	On Contract appointment	SPADEV Form	2	Once in a calendar year (July and Dec.)	Permanent Secretary, Civil Service Commission
J	1	On Transfer or Secondment	SPADEV Form	2	Once in a calendar year (July and Dec.)	Permanent Secretary, Civil Service Commission
K	1	Other staff members	SPADEV Form	2	End of a calendar year.	Permanent Secretary, Civil Service Commission.

**CHAPTER 7**

**PRESCRIBED EXAMINATIONS FOR  
CONFIRMATION/PROMOTION**

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

**SECTION 1  
GENERAL**

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

Textbooks  
allowed

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

Examination  
Committee

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

Failure  
to pass  
examinations

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

Refusal to  
take  
confirmation  
examination

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

Time of  
holding  
Confirmation  
Examination

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

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

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

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

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

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

B. The pass marks shall be as follows:

**I. Clerical Officer II G.L. 04: Confirmation/Promotion level:**  
50% Average with at least 50% score in English and 40% score in each of the other subjects.

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

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

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

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

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

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

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

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

This examination consists of two papers on the following subjects:

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

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

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

**GROUP B: EXAMINATION IN OFFICIAL PUBLICATIONS**

This examination consists of two papers:

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

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

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

**Officers who are required to pass**

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

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

**Syllabuses of examinations**

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

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

**Examination Fees**