

JOINT SERVICES BOARD BILL, 2018

ARRANGEMENT OF SECTIONS

Section

Establishment of Joint Services Board

1. Establishment of Joint Services Board
2. Membership of the Board

Functions and power of the Board

3. Functions
4. Powers of the Board
5. Power to appoint administrative secretary and other staff of the Board
6. Power of delegation

Miscellaneous

7. Pensions.
 8. Staff regulations
 9. Transitional provisions
 10. Interpretation
 11. Short title
- Schedule
- Proceedings of the Board



A BILL

FOR

AN ACT TO ESTABLISH A BOARD TO BE KNOWN AS THE JOINT SERVICES BOARD TO ADMINISTER THE IMMIGRATION ACT, PRISONS ACT, FEDERAL FIRE AND RESCUE SERVICES ACT AND NIGERIA SECURITY AND CIVIL DEFENCE CORPS ACT AND FOR RELATED MATTERS

Sponsored by Hon. Samson O. Olugbemi

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 *Establishment of Joint Services Board*

2 1.-(1) There is hereby established a Board to be known as the Joint Establishment
3 Services Board (in this Act referred to as "the Board") which shall be of Joint Services
4 responsible for the administration of the Immigration Act, the Prisons Act, Board
5 Federal Fire and Rescue Service Act and Nigeria Security and Civil Defence
6 Corps Act.

7 2.-(1) The Board shall comprise: Membership of
8 (a) The Minister who shall be the Chairman; the Board
9 (b) Permanent Secretary of the Ministry;
10 (c) Comptroller General, Nigeria Immigration Service;
11 (d) Comptroller General, Nigeria Prisons Service;
12 (e) Controller General, Federal Fire and Rescue Service;
13 (f) Commandant General of Nigeria Security and Civil Defence
14 Corps;
15 (g) The Legal Adviser of the Ministry;
16 (h) The Legal Adviser of the Board;
17 (i) Two other persons, who shall be full-time members, to be
18 appointed by the President and Commander in Chief of the Armed Forces of
19 the Federation;

- 1 (j) Director of the Board who shall be the Secretary.
- 2 (2) A member of the Board shall hold office for a period of four years
3 and shall be eligible for re-appointment for one further period of four years.
- 4 (3) Notwithstanding the provisions of subsection (2) of this section, a
5 member of the Board:
- 6 (a) May at any time resign his appointment by giving notice in writing
7 of his resignation addressed to the President;
- 8 (b) Shall vacate his office if the Minister is satisfied that:
- 9 (i) the member has absented himself from two consecutive meetings
10 of the Board without the permission of the Chairman; or
- 11 (ii) the member by reason of mental or physical infirmity or any other
12 cause is incapable of discharging the duties of his office.
- 13 (4) The provisions of the Schedule to this Act shall have effect with
14 respect to the proceedings of the Board and other matters therein mentioned.

15 *[Schedule]*

16 *Functions and Powers of the Board*

17 Functions

- 17 3. The Board shall be responsible for:
- 18 (a) Formulating the general policy guidelines for the Nigeria
19 Immigration Service, Federal Fire and Rescue Service, Nigeria Prison Service
20 and the Nigeria Security and Civil Defence Corps (in this Act referred to as the
21 'Services');
- 22 (b) Administering the Immigration Act, Prisons Act, Federal Fire and
23 Rescue Service Act, and Nigeria Security and Civil Defence Corps Act and
24 accordingly, shall, subject, to the general control of the Minister, control and
25 manage the administration of the Services.

26 Powers of the
27 Board

- 26 4.-(1) The Board shall have power:
- 27 (a) to appoint persons to hold or act in all the offices in the affected
28 Services, including power to make appointments on promotion or transfer and
29 to confirm appointments;
- 30 (b) to dismiss and exercise other disciplinary control over persons

Power to appoint
Administrative
Secretary and
other staff of
the Board

1 5. There shall be appointed by the Head of the Civil Service of the
2 Federation:

3 (a) an Administrative Secretary who shall be responsible for day-to-
4 day administrative work of the Board, and perform such other functions as the
5 Board may from time to time assign to him;

6 (b) such other members of staff as may appear necessary to the Board
7 for the efficient conduct of its functions under this Act, except for the Legal
8 Advisers and Accountants who by reason of their profession are to be posted to
9 the Board by the Attorney General of the federation and the Accountant
10 General of the Federation respectively; and

11 (c) the Administrative Secretary shall be a Director in the Office of the
12 Head of the Civil Service of the Federation.

Power of
delegation

13 6.-(1) The Board may, subject to such conditions as it may think fit,
14 delegate any of its powers under this Act:

15 (a) to any of the affected Services;

16 (b) to any officer in the service of the affected Services; or

17 (c) to a Committee consisting of such number of persons, one of
18 whom shall be named as Chairman, as may be prescribed by the Board.

19 (2) Notwithstanding subsection (1) of this section or any other
20 provision in this Act, the Board shall not delegate any of its powers aforesaid in
21 respect of any office on Grade Level 08 and above.

22 *Miscellaneous*

Pension

23 7.-(1) It is hereby declared that services in the affected Services shall
24 be approved service for the purposes of the Pensions Act 2014, and,
25 accordingly, officers and other persons employed in the affected Services shall
26 in the affected Services be entitled to pensions, gratuities and other retirement
27 benefits as are prescribed thereunder, so however that nothing in this Act shall
28 prevent the appointment of a person to any office on terms which preclude the
29 grant of a pension, gratuity or other retirement benefit in respect of that office.

30 (2) For the purpose of the application of the provisions of the Pension

1 appointed pursuant to paragraph (a) of this subsection; and

2 (c) To review the Terms and Conditions of Service of the
3 Immigrations, Prisons, Fire and Rescue Service and Nigeria Security and
4 Civil Defence Corps/Services.

5 (2) The power conferred on the Board under subsection (1) of this
6 section, shall notwithstanding anything to the contrary in any other
7 enactment, include the power to exercise disciplinary control over:

8 (a) the Comptroller General of Immigration;

9 (b) the Comptroller General of the Nigerian Prison Services;

10 (c) the Controller General of Federal Fire and Rescue Service; and

11 (d) the Commandant General of the Nigeria Security and Civil
12 Defence Corps.

13 (3) If the Board thinks it expedient that any vacancy in the staff of
14 the affected Services should be filled by a person holding office in Civil
15 Service of the Federation or of a State, it shall notify the appropriate Civil
16 Service Commission to that effect and thereafter the Board may by
17 arrangement with the Civil Service Commission concerned, cause such
18 vacancy to be filled by way of secondment or transfer.

19 (4) Where any member of a Civil Service is seconded under
20 subsection (3) of this section, he shall be notified of the terms and conditions
21 of the secondment; and the secondment shall be without prejudice to any
22 pension rights which but for the secondment would still accrue to him.

23 (5) A person seconded pursuant to subsection (3) of this section
24 may elect, subject to the approval of the Board, to be transferred to the
25 affected Services.

26 (6) Any member of staff of the affected Services may elect to be
27 transferred or seconded to any other public service of the Federation and
28 such right of transfer or secondment shall not operate to the disadvantage of
29 the officer concerned.

1 Act, any power exercisable thereunder by a Minister or other authority of the
2 Government of the Federation, other than the power to make regulations
3 under section 115 thereof, is hereby vested in all shall be exercisable by the
4 Board and not by any other person or authority.

5 [Cap. P4]

6 8.-(1) Subject to the provisions of this Act, the Board may, with the Staff regulations
7 approval of the Minister, make regulations or guidelines relating generally
8 to the conditions of service, including the power to fix salaries and
9 allowances of the staff of the affected Services, and, without prejudice to the
10 generality of the foregoing, such regulations may provide for:

11 (a) the composition of the membership of any committee
12 appointed pursuant to Section 6 of this Act;

13 (b) the appointment, promotion and disciplinary control, including
14 dismissal, of staff of the affected Services;

15 (c) appeals by such staff of the affected Services against dismissal
16 or other disciplinary measures, and until such regulations are made, any
17 instrument relating to the conditions of service of the Civil Service of the
18 Federation shall, with such modifications as may be necessary, be
19 applicable to the staff of the affected Services (1) Any regulations made
20 under subsection (1) of this section need not be published in the Federal
21 Gazette but the Board shall cause them to be brought to the notice of all
22 affected persons in such manner as it may from time to time determine.

23 9. Any person who, immediately before the coming into force of Transitional
provision
24 this Act is the holder of any office in the affected Services, shall on the
25 commencement of this Act continue in office and be deemed to have been
26 appointed to his office by the Board under this Act.

27 10. In this Act unless the context otherwise requires: Interpretation
28 "Services" means the Nigeria Immigration Service, Nigeria Prison Service,
29 Federal Fire and Rescue Service and Nigeria Security and Civil Defence
30 Corps established under section 1 of this Act;

1 "Minister" means the Minister charged with the responsibility for matters
2 relating to Internal Affairs;

3 "Ministry means Ministry of Interior

Short title

4 **11.** This Bill may be cited as the Joint Services Board Bill, 2018.

5 SCHEDULE

6 [Section 2 (4)]

7 *Proceedings of the Board*

8 1. Subject to the provisions of this Act and of Section 27 of the
9 Interpretation Act (which provides for decisions of a statutory body to be taken
10 by a majority of the members of the body and for the person presiding to have a
11 second or casting vote), the Board may make standing orders regulating the
12 proceedings of the Board or any committee thereof.

13 [Cap. 123]

14 2. The quorum of the Board shall be Seven (7) and the quorum of any
15 committee of the Board shall be determined by the Board.

16 3. At any meeting of the Board, the chairman shall preside, and in his
17 absence, the members present shall elect one of their numbers to preside at the
18 meeting.

19 4. The validity of any proceedings of the Board or a committee
20 thereof shall not be affected by any vacancy in the membership of the Board or
21 committee or by any defect in the appointment of a member of the Board or of a
22 person to serve on the committee or by reason that a person not entitled to do so
23 took part in the proceedings.

EXPLANATORY MEMORANDUM

This Bill seeks to establish a Board to be known as the Joint Services Board to administer the Immigration Act, Prisons Act, Federal Fire and Rescue Services Act and Nigeria Security and Civil Defence Corps Act.