

PUBLIC SERVICE EFFICIENCY BILL, 2019

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A BILL

FOR

AN ACT TO IMPROVE EFFICIENCY IN THE DELIVERY OF GOVERNMENT SERVICE TO THE PUBLIC BY ASSIGNING CLEAR DUTIES, ROLES, POWERS, DELEGATION OF AUTHORITY, PERFORMANCE TARGETS, REWARD SYSTEM, REDUCING BUREAUCRATIC RED TAPE, PREVENTING GRAFT AND CORRUPTION IN PUBLIC SERVICE, AND PROVIDING PENALTIES AND FOR RELATED MATTERS

Sponsored by Hon. Saeed Abdullahi

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

1 1.-(1) The goals if this Bill is to provide a legal framework that will
2 improve efficiency, promote integrity, accountability, proper management
3 of public service and its affairs and public property as well as to establish
4 effective practices and values by clearly defining roles, powers, delegation
5 of authority, setting performance targets and method of evaluation aimed at
6 the prevention of bureaucratic red tape, graft and corruption in government
7 offices.

8 (2) The government shall also promote service to the people by
9 each Institution of government, to maintain honesty and responsibility
10 among its employees, and shall take appropriate measures to promote
11 transparency in each institution in performing its official responsibilities
12 and penalties for defaults.

13 2. This Bill shall apply to all federal institution of government and
14 statutory corporations and other body corporate where government has
15 majority equity in the business.

16 3. Without prejudice to the Executive responsibilities of Ministers
17 as provided in Section 148 of the Constitution of the Federal Republic of

Roles and responsibilities of Federal Public Service

1 Nigeria 1999 (as amended); the Ministers as members of the Executive
 2 Council of the Federation shall have the following functions based on the
 3 portfolios assigned to them by the President of the Federal Republic of Nigeria

4 to-

5 (a) direct, co-ordinate and supervise the activities of Ministries and
 6 parastatals assigned to them by the President;

7 (b) formulate and promote sound policy in respect of the sector under
 8 them;

9 (c) review and advise the President and the National Assembly on the
 10 desirability and wisdom of any prevailing subordinate legislation, pertaining
 11 the mandates of their Ministries and their parastatals;

12 (d) initiate bills for submission to the National Assembly;

13 (e) formulate, budget proposal for the National Assembly and its
 14 economic development plans;

15 (f) carry out such other functions as are assigned to them by law or are
 16 incidental to such assignment;

17 (g) attend meetings of the National Assembly and to be available for
 18 the purposes of any queries and debates pertaining to the legitimacy, wisdom,
 19 effectiveness and direction of Government policies under their purview;

20 (h) take such steps as are authorised by law to establish such
 21 economic institution on behalf of the Federal Republic of Nigeria as are
 22 directed or authorised by law;

23 (i) formulate, foreign trade policy for the members of the National
 24 Assembly;

25 (j) assist the President in determining what international agreements
 26 that are to be concluded, acceded to or succeeded to and to report to the
 27 National Assembly;

28 (k) advise the President on the state of national defence and the
 29 maintenance of law and order and to inform the National Assembly;

30 (l) issue notices, instructions and directives to facilitate the

1 implementation and administration of laws administered by the
 2 Executive, subject to the terms of the Constitution of the Federal
 3 Republic of Nigeria or any other law;

4 (m) remain vigilant and vigorous for the purposes of ensuring
 5 that the provisions of Section 14, 15, 16, 17, 18, 19, 20 and 21 and other
 6 similar provisions in the constitution of the Federal Republic of Nigeria
 7 are considered and effectively acted upon in the discharge of the
 8 mandates of their Ministries; and

9 (n) do any other duties as may be assigned to the Minister by the
 10 President and Commander-in-Chief of the Federal Republic of Nigeria.

11 **4. All Ministers shall be accountable individually to the people**
 12 **for the administration of their own Ministries and collectively for the**
 13 **administration of the work of the Executive Council of the Federation.**

14 **5.-(1) During their tenure of office as members of the Federal**
 15 **Executive Council, Ministers shall not take up any other paid**
 16 **employment, or engage in activities inconsistent with their position as**
 17 **Ministers, or expose themselves to any situation which can conflict**
 18 **between their interests as Ministers and their private interests.**

19 **(2) A member of the Executive Council of the Federation shall**
 20 **not use their position or information entrusted to them to either directly**
 21 **or indirectly enrich themselves.**

22 **6. Where Ministers are empowered to give directives of a**
 23 **general nature, the following specific provisions shall apply in the**
 24 **general directives to be given by Ministers and shall be applicable to**
 25 **general policy and related matters and shall not apply to the following**
 26 **situations-**

27 (a) the content of any report or recommendations made by
 28 technical and professional bodies and or committees;

29 (b) salaries, wages or other remunerations and other conditions
 30 of employment which remains the exclusive reserved of relevant

Ministerial
accountability

Outside
employment

Ministerial
directives

1 authorities enabled by statutes; and

2 (c) a dispute relating to an industrial matter.

Staff of the
Minister

3 7.-(1) Each Minister is entitled to personal staff which shall consist

4 of-

5 (a) Special Assistants administration, who shall be persons not below
6 the rank of a Director;

7 (b) Special Assistants technical, who shall be persons not below the
8 rank of a Director;

9 (c) Personal Assistant; and

10 (d) Confidential Secretary.

11 (2) The staff mentioned under sub-clause (1) of this Clause shall all be

12 drawn only from the pool of officers within the service except the Personal
13 Assistant who shall be at the discretion of the Minister.

Head of Public
Service of the
Federation

14 8.-(1) There shall be a Head of PUBLIC Service of the Federation to
15 be appointed by the President of the Federal Republic of Nigeria from among
16 the Permanent Secretaries of Federal Ministries.

17 (2) The Head of Service shall be answerable to the President and
18 delegate his functions to a Permanent Secretary or Head of department based
19 on the mandate of the sub-level of authority.

Functions of
the Head of
Service

20 9.-(1) The function of the Head of Service include-

21 (a) providing leadership to the PUBLIC service of the federation;

22 (b) issuing directives and guidelines to ensure that Institutions and
23 agencies act in a manner consonant with PUBLIC service values and ethics;

24 (c) issuing guidelines to ensure that PUBLIC servants comply with
25 the Code of conducts for all Public servants;

26 (d) issuing directives and guidelines in relation to staff movement and
27 deployment matters and monitor compliance with the same;

28 (e) issuing directives and guidelines in relation to the
29 performance of Institutions and monitor such performance against
30 benchmarks, standards and performance standards and agreements established

1 by such directives and guidelines;

2 (f) issuing directives and guidelines in relation to the
3 performance of Public Servants;

4 (g) issuing directives and guidelines to ensure the continuous
5 improvement in people management throughout the PUBLIC service;

6 (h) issuing directives and guidelines to ensure the co-ordination of
7 and support to training and career development in the PUBLIC service;

8 (i) giving directives to ensure co-ordination between Institutions of
9 Government, government agencies, other government entities and with
10 States services in order to implement Government policy in consonance
11 with the relative policy objectives in a cohesive and congruent manner;

12 (j) establishing cross-service projects and targets and monitor the
13 performance of Permanent Secretaries about the said targets;

14 (k) assisting ministers in establishing performance targets for their
15 respective Permanent Secretaries and in monitoring their respective
16 performance;

17 (l) advising, on the appointment and termination of appointment of
18 Permanent Secretaries;

19 (m) advising ministers, Permanent Secretaries and heads of
20 department in relation to the workings of Government, management
21 systems, structures and organisations;

22 (n) monitoring and evaluating compliance with the provisions of
23 the Constitution in the recruitment, appointment, promotion and discipline
24 of public officers; and

25 (o) performing any other function that may be assigned to him by
26 or under any law.

27 (2) The directives and guidelines to be issued under this clause
28 shall be carried out the approval of the President.

29 (3) The Head of the Public Service of the Federation shall advise
30 the President on any administrative re-arrangement including the-

- 1 (a) allocation of functions to and between ministries and Institutions;
- 2 (b) creation of new institutions or the amalgamation or abolition of
- 3 existing institutions but subject to any existing laws, regulation or international
- 4 convention and or treaty to which Nigeria is a signatory;
- 5 (c) transfer of any function of a government institution or part of a
- 6 government institution; and
- 7 (d) co-ordination of activities between ministries, Institutions and
- 8 agencies.
- 9 **10.-(1) The Head of the PUBLIC Service of the Federation shall**
- 10 **forward to the Federal executive Council, not later than four months from the**
- 11 **end of each financial year, a report on the performance of the public service**
- 12 **during the previous year.**
- 13 (2) Each head of department through his Permanent Secretary and
- 14 each Permanent Secretary shall give the Head of the PUBLIC Service of the
- 15 Federation such information as may be required for the compilation of the
- 16 report.
- 17 (3) The report referred to in sub-clause (1) of this clause shall-
- 18 (a) review the performance of the public service during the year under
- 19 review;
- 20 (b) identify measures taken or that are required to be taken to address
- 21 issues in relation to such performance;
- 22 (c) register the progress on the measures identified in the report for the
- 23 previous year;
- 24 (d) include such recommendations as the Head of the PUBLIC
- 25 Service of the Federation may deem appropriate for the better performance of
- 26 the Public Service and of Public Servants/officers; and
- 27 (e) include any other information as the President or the Federal
- 28 Executive Council may require.
- 29 (4) Within three months from the end of each financial year a
- 30 Permanent Secretary shall make a report to his minister on the performance of

Report

1 the Institutions under his supervision during the previous year and shall
2 transmit a copy of any such report to the Head of the PUBLIC Service of the
3 Federation.

4 (5) The report shall-

5 (a) review the performance of the Institutions during the year
6 under review;

7 (b) identify measures taken or that require to be taken to address
8 issues in relation to that performance;

9 (c) register the progress made on the measures identified in the
10 report for the previous year; and

11 (d) include any other information that may be required by the
12 Minister or the Head of Public Service of the Federation especially with
13 respect to attainment of the goals of government priorities.

14 11.-(1) The Head of the PUBLIC Service of the Federation shall be
15 appointed from amongst serving Permanent Secretaries as provided by
16 Section 171 of the constitution of the Federal Republic of Nigeria 1999.

Appointment of
Head of the Service

17 (2) Where the Head of the Public Service of the Federation is, for
18 any reason whatsoever, not appointed, the most Senior Permanent Secretary
19 shall, until such time as a Head of the Public Service of the Federation is so
20 appointed, assume the functions of Head of the PUBLIC Service of the
21 Federation.

22 12.-(1) Where one or more Institutions of Government have been
23 placed under the supervision of a Permanent Secretary, the Permanent
24 Secretary shall, without prejudice to any other power that may be assigned
25 to him under this Bill, have the functions and powers as set out in sub-
26 clause(2) of this Clause.

Permanent
Secretaries

27 (2) The Permanent Secretary shall-

28 (a) be the chief accounting officer of the Ministry;

29 (b) monitor the workings of the Institutions under his supervision
30 to ensure that the objectives set out for such Institutions are in consonant

1 with policy objectives set out by the minister responsible for the ministry
2 concerned;

3 (c) monitor compliance by the Institutions under his supervision with
4 directives and guidelines given by his minister or the Head of the PUBLIC
5 Service of the Federation;

6 (d) in agreement with his minister, to set annual performance targets
7 for the Institutions under his supervision and review, bi annually, the
8 performance of such Institutions;

9 (e) advise his minister on all matters pertaining to the Institutions
10 under his supervision;

11 (f) uphold and promote public service values and to supervise the
12 application of the Code of Ethics in the Institutions;

13 (g) to provide his minister with information which the minister may
14 require relating to the functions, workings and management of the Institutions
15 under his supervision and to collect, collate and analyse such information; and

16 (h) perform any other function that may be delegated or assigned to
17 him by or under this or any other law.

18 (3) The Scheduled Officers in the Office of the Permanent Secretaries
19 shall include-

20 (a) Director (Permanent Secretary Office);

21 (b) Special Assistant;

22 (c) Personal Assistant; and

23 (d) Confidential Secretary.

24 (4) Appointment under sub-clause (3) of this Clause shall be drawn
25 from the Service.

Public Service
Committee

26 13.-(1) There shall be a Management Committee to be known as the
27 PUBLIC Service Management Committee which shall-

28 (a) ensure the achievement of cross-institutional and cross- agency
29 objectives; and

30 (b) advise Government on matters relating to the management of the

1 public service.

2 (2) The Public Service Management Committee shall consist of the
3 Head of Public Service of the Federation who shall be the Chairperson, and
4 all the Permanent Secretaries as members.

5 (3) The meetings of the Public Service Management Committee
6 shall be convened by the Head of the Public Service of the Federation as
7 often as may be necessary but at least once every three months.

8 14.-(1) Institutions of Government shall be those as are approved
9 for each Ministry by the Establishment and Management Council under the
10 Office of the Head of Public Service of the Federation.

Institutions and
Head of
Institutions

11 (2) The President may, amend, substitute or revoke the approved
12 Institutions based on recommendations by the Head of the PUBLIC Service
13 of the Federation.

14 (3) The responsibilities of Institutions shall be those assigned to it
15 as approved by the Establishment and Management Council.

16 (4) Where a vacancy of a head of a department exists or is likely to
17 arise, the Permanent Secretary shall inform his minister of the vacancy and
18 seek his views regarding the qualifications required for the filling of the
19 vacancy having regard to the future operations of and business plans
20 for the Department and submit a report to the Head of PUBLIC Service of
21 the Federation including the views of his Minister.

22 (5) In filling vacancy of a Head of Department, due consideration
23 must be given to existing staff within the Department first, then within the
24 general service and advertisement for consideration of outside personnel.

25 15.-(1) The duties of the heads of departments include-

Duties of heads
of departments

26 (a) upholding and promoting the public service values and the
27 Code of Ethics;

28 (b) ensuring that directives and guidelines issued by the President,
29 the Federal Executive Council, his minister, the Head of PUBLIC Service of
30 the Federation or his Permanent Secretary are complied with;

1 (c) aligning the department's objectives with the strategic and other
2 objectives of the ministry and with Government policy;

3 (d) rendering policy and other advice to his minister either directly or
4 through the Permanent Secretary, as his minister may direct;

5 (e) drawing up and implement a strategic plan setting out the general
6 goals and objectives, including performance-related goals and objectives in
7 connection with the operations, and to fulfil the functions of the department;

8 (f) establishing performance indicators to measure and assess the
9 relevant outputs, service levels and outcomes of each programme and activity
10 undertaken by the department;

11 (g) managing the activities and programmes of the department
12 efficiently, effectively and economically;

13 (h) ensuring that the statutory or other functions of the department are
14 carried out in such manner as to ensure delivery of a quality service;

15 (i) ensuring co-ordination with other Institutions, government
16 agencies, other government entities in the delivery of its service;

17 (j) setting the annual or other performance targets of officers in his
18 department and review the performance of such officers at least annually; and

19 (k) providing his minister, the Head of PUBLIC Service of the
20 federation and his Permanent Secretary with such information relevant to the
21 functions and workings of the department as may be necessary.

22 (2) Notwithstanding the provisions of any other law a head of
23 department may, with the concurrence of his Permanent Secretary, and with
24 the concurrence of the relevant authority or board where the department is
25 not under the supervision of a Permanent Secretary, contract out the
26 services that are to be provided by the department to any other person or
27 body, provided that he retains overall direction and control thereof.

28 (3) The contract referred to under sub-clause (2) of this clause shall be
29 under the same obligations of secrecy and shall be under the same liability with

1 regard to such services as if the same were carried out by the head of
2 department.

3 16.-(1) Within six weeks from the end of each financial year, a
4 Head of Department shall transmit to his Minister a report on the
5 performance of the Department during the previous year, and where the
6 department is under the supervision of a Permanent Secretary a copy of the
7 report shall also be transmitted to that Permanent Secretary.

Annual
departmental
report

8 (2) The report referred under sub-clause (1) of this Clause shall
9 contain-

10 (a) review the performance of the department during that year;

11 (b) measures taken or to be taken to address issues in relation to that
12 performance;

13 (c) progress on the measures identified in the report for the
14 previous year; and

15 (d) any other information that may be required by the minister, or
16 the Permanent Secretary above-mentioned, if any.

17 (3) Where the Department includes out-stations and sub- units,
18 including any office or mission outside Nigeria, the report shall also include
19 a report on such office or mission, and for the purpose of making such a
20 report the senior officer at such office or mission shall within four weeks
21 from the end of each financial year make a report to the head containing,
22 with respect to the office or mission, the matters listed in sub-clause(2) of
23 this Clause.

24 17.-(1) All offices and agencies which provide core frontline
25 services are hereby mandated to regularly undertake time and motion
26 studies, undergo evaluation and improvement of their transaction systems
27 and procedures and re-engineer the same if deemed necessary to reduce
28 bureaucratic red tape and processing time.

Re-engineering
of systems and
procedure

29 (2) All government Institutions, shall set up their respective service
30 standards to be known as the Citizen's Charter in the form of information

1 billboards which should be posted at the main entrance of offices or at the most
2 conspicuous place, and in the form of published materials written in English.

3 (3) The material referred to under sub-clause (2) of this clause shall
4 contain the-

- 5 (a) procedure of obtaining a particular service;
- 6 (b) person(s) responsible for each step;
- 7 (c) maximum time to conclude the process;
- 8 (d) document(s) to be presented by the customer, if necessary;
- 9 (e) fees, payable, where applicable; and
- 10 (f) procedure of filing complaints including the time line for its
11 redress.

Accountability

12 18.-(1) The Accounting officer shall be primarily responsible for the
13 implementation of this Bill and shall be held accountable to the public in
14 rendering fast, efficient, convenient and reliable service.

15 (2) All transactions and processes are deemed to have been made with
16 the permission or clearance from the highest authority having jurisdiction over
17 the government office or agency concerned.

18 (3) In compliance with this clause, all accounting officers are
19 mandated to issue to all schedule officers an Officer Service Charter showing-

- 20 (a) the details of schedule of duties;
- 21 (b) level of authority exercisable by the officer without recourse to
22 supervisors or superior authority; and
- 23 (c) issues that requires a higher approving authority and how this can
24 be assessed.

Delegated
authority

25 19. All executive authorities are acting on the delegated authority of
26 the President of the Federal Republic of Nigeria, accordingly, the provision of
27 this Bill shall guide the delegation of authority.

Accessing core
frontline services

28 20.-(1) The following shall be adopted by all government offices and
29 agencies in acceptance of applications and requests-

- 30 (a) all officers or employees shall accept written applications, or

1 requests, documents being submitted by clients of the office or agency;

2 (b) the responsible officer or employee shall acknowledge receipt
3 of such application or request by writing or printing clearly the name, the
4 unit where he is connected with, and the time and date of receipt; and

5 (c) the receiving officer shall perform a preliminary assessment of
6 the request so as to promote a more expeditious action on request.

7 (2) Action of Offices-

8 (a) all applications or requests submitted shall be acted upon by the
9 assigned officer or employee during the period stated in the Citizen's Charter
10 which shall not be longer than five working days in the case of simple
11 transactions and ten working days in the case of complex transactions from
12 the date the request or application was received;

13 (b) depending on the nature of the core frontline services requested
14 or the mandate of the office or agency under unusual circumstances, the
15 maximum time prescribed above may be extended;

16 (c) due to the nature of core frontline services or the mandate of the
17 office or agency concerned, the period for the delivery of core frontline
18 services shall be indicated in the Citizen's Charter;

19 (d) the office or agency concerned shall notify the requesting party
20 in writing of the reason for the extension and the final date of the frontline
21 service(s) requested;

22 (e) no application or request shall be returned to the client without
23 appropriate action; and

24 (f) where the application is disapproved, the responsible officer
25 shall send the decision of the institution to the applicant within five working
26 days from the date of the decision stating the reason for the decision.

27 **21.** The number of signatories in any document shall be limited to
28 a maximum of five signatures which shall represent officers directly
29 supervising the office or agency concerned.

Limitation of
signatories

Adaption of
schedule of
service

1 22. Accounting Officers offices and agencies which render core
2 frontline services shall adopt appropriate working schedules to ensure that all
3 clients who are within their premises prior to the end of official working hours
4 are attended to and served even during lunch break and after regular working
5 hours.

Dignifying
officers providing
services

6 23. Customers shall accord respect and dignify officers providing
7 services and avoid abuse, insults, invective, shouting, intimation and
8 harassment of officers providing lawful duties.

Identification
card

9 24. All employees transacting with the public shall be provided with
10 an official identification card which should be visibly worn during office
11 hours.

Establishment
of public assistance
complain desk

12 25. All institutions of government shall establish a public assistance
13 complaint desk in all their offices in line with the guidelines issued by the
14 SERVICOM office of the Presidency.

Automatic
extension of
permits and
licenses

15 26.-(1) If a government office or agency fails to act on an application
16 or request for renewal of a license, permit or authority within the prescribed
17 period, the said permit, license or authority shall automatically be extended
18 until a decision or resolution is rendered on the application for renewal.

19 (2) The automatic extension shall not apply when the permit, license,
20 or authority covers activities which pose danger to public health, public safety,
21 public morals or to public policy including, but not limited to, natural resource
22 extraction activities.

Customer report
card survey

23 27.-(1) All offices and agencies providing core frontline services shall
24 be subjected to a Customer Report Card Survey to be initiated by the Office of
25 SERVICOM, in coordination with the Public Service Institute of Nigeria,
26 which shall be used to obtain feedback on how the agency is performing.

27 (2) The Customer Report Card Survey shall be used to obtain
28 information and hidden costs incurred by clients to access core frontline
29 services which may include, bribes and payment to fixers.

30 (3) A feedback mechanism shall be established in all agencies covered

1 by this Bill and the results thereof shall be incorporated in their annual
2 report.

3 28.-(1) After compliance with the substantive and procedural due Violation
4 process, the following shall constitute violations of this Bill together with
5 their corresponding penalties.

6 (2) An officer who-

7 (a) refuses to accept application or request within the prescribe
8 time;

9 (b) fails to act on an application or request or fails to refer back to
10 the client request which cannot be acted upon due to lack of requirement(s)
11 within the prescribed period;

12 (c) fails to attend to clients who are within the premises of the office
13 or agency concerned prior to the end of official working hours and during
14 lunch break;

15 (d) fails to render core frontline services within the prescribed
16 period on any application and/or request without due cause;

17 (e) fails to give the client a written notice on the disapproval of an
18 application or request; and

19 (f) impose additional irrelevant requirements other than those
20 listed in the first notice,

21 commits an offence and shall be liable to punishment under sub-clause (3) of
22 this clause.

23 (3) Where the violation is for the-

24 (a) first time, thirty days suspension without pay and mandatory
25 attendance in National Values Orientation Program at the expense of the
26 officer to be organized by the National Orientation Agency (NOA);

27 (b) second time, three months suspension without pay; and

28 (c) third time, dismissal and perpetual disqualification from public
29 service.

30 (4) Where the offence is very serious, the person shall be liable to

1 be dismissed from service.

2 (5) Where the violation relates to harassment, abuse, and intimidation
3 of officers on duty by the customers seeking to be served shall be removed from
4 the premises by official security personnel and where the offence contravenes
5 other laws on public order shall be prosecuted accordingly.

Criminal
liability for fixers

6 29. Fixers that violate any of the provision of this Bill shall be liable
7 on conviction to imprisonment of a term not exceeding six years or a fine of not
8 less than twenty thousand naira or both fine and imprisonment.

Rules

9 30. The Federal PUBLIC Service Commission, in coordination with
10 the Office of the Head of PUBLIC Service of the Federation, the - Public
11 Complaints Commission (Office of the Nigeria Ombudsman) and the Nigerian
12 Labour Congress (NLC) shall promulgate the necessary rules and regulations
13 within ninety days from coming into effect of this Bill.

Establishment
of public service
delivery and
regulatory office

14 31.-(1) There is established Public Service Delivery and Regulatory
15 Office in this Bill referred to as (SERVICOM) and is charged with the
16 responsibility for managing the execution of the public service delivery
17 programme of the Federal Government of Nigeria.

18 (2) The SERVICOM is established as a specialised department under
19 the Office of the Secretary to the Government of the Federation and shall be
20 headed by a Director General to be appointed by the President.

Servicom
regulation

21 32. The SERVICOM shall, with approval of the Federal Executive
22 Council, make regulations for the effective enforcement of the Service
23 Compact and other provisions of this Bill.

Savings and
transitional
provisions

24 33.-(1) All assets, funds, resources and other movable or immovable
25 property which immediately before the commencement of this Bill were vested
26 in the SERVICOM Office as previously set up under the Presidency shall, by
27 virtue of this Bill, be vested in the SERVICOM established under this Bill.

28 (2) All employee holding an office under the SERVICOM Office
29 existing immediately before the commencement of this Bill shall continue to
30 hold his office in the SERVICOM established by this Bill on the same tenure,

1 terms and conditions of service with regard to remuneration, leave, pension
2 fund, retirement and other terminal benefits in the SERVICOM established
3 under this Bill

4 34. The citizens shall observe their civic duties by honouring
5 Constitutional and social obligations, respect the rights and legitimate
6 interest of others, assist Government in appropriate ways and contribute to
7 the well-being and progress of their respective communities by imbibing the
8 enduring values and virtues of our rich heritage.

Citizen's
obligations

9 35.-(1) The objects are to provide for-

Public service
values

10 (a) a general code on the values and principles of public service;

11 (b) public participation in the promotion of the values and
12 principles of, and policy making by, the public service;

13 (c) reporting on the status of the promotion of values and principles
14 of public service; and

15 (d) discipline for staff against infractions based on clearly set
16 procedures.

17 (2) The public service shall be governed by the values
18 inherent in the duties listed under this Clause public officers shall-

19 (a) perform their functions and implement the policies of the
20 Government of the day in an impartial and professional manner;

21 (b) exercise any power vested in them by this Bill or by any other
22 law without patronage or favouritism and in such a manner as to uphold the
23 fundamental rights of citizens;

24 (c) not discriminate against any person by reason of his race, place
25 of origin, political opinions, colour, creed or sex;

26 (d) have a sense of duty and deliver a quality service fairly,
27 economically, efficiently, effectively, and courteously to the public and
28 strive to assist the public in its dealings with the public service;

29 (e) abide by the highest ethical standards;

30 (f) be accountable for the delivery of the services required of them;

1 (g) provide ministers with frank, honest, comprehensive, accurate
2 and timely advice and be responsive in implementing Government's policies
3 and programmes;

4 (h) contribute towards the co-ordination of Government policy by
5 ensuring positive interaction between and within Institutions, agencies, states
6 and local governments;

7 (i) seek to establish relations at their workplace which value
8 communication, consultation and co-operation and which encourage input on
9 matters that affect their workplace;

10 (j) strive so that their workplace may be one which is fair, flexible,
11 safe and rewarding; and

12 (k) focus on achieving results.

13 36.-(1) This provision shall apply to the public service, specifically,
14 all Ministries, Institutions, Agencies and Extra Ministerial Institutions as
15 created by the constitution or any law enacted by the National Assembly.

16 (2) Every public officer shall maintain high standards of professional
17 ethics, for the purposes of this sub-clause, a public officer shall maintain high
18 standards of professional ethics if that public officer-

19 (a) is honest;

20 (b) displays high standards of integrity in that officer's dealings;

21 (c) is transparent when executing that officer's functions;

22 (d) can account for that officer's actions;

23 (e) is respectful towards others;

24 (f) is objective;

25 (g) is patriotic; and

26 (h) observes the rule of law.

27 (3) Despite the provisions of this Clause, a professional in the public
28 service shall-

29 (a) comply with the provisions of the relevant professional

1 association/body regarding registration and continuing professional
2 development;

3 (b) be bound by the code of ethics of the relevant professional
4 association/body; and

5 (c) undergo such disciplinary action of the relevant professional
6 association/body for any act of professional misconduct in addition to
7 undergoing any disciplinary action of the public service for such act of
8 professional misconduct.

9 (4) Where necessary, the public service, a public institution or an
10 authorised officer may require a professional association/body to inform the
11 public service, public institution or authorised officer whether or not a
12 professional in the public service has committed an act of professional
13 misconduct.

14 37.-(1) A public officer shall use public resources in an efficient,
15 effective and economic manner.

Efficient, effective
and economic use
of resources

16 (2) For the purposes of this clause, a public officer who fails to use
17 public resources in an efficient, effective and economic manner if, in the
18 process of their usage-

19 (a) the public officer has used the public resources in a manner that
20 is not prudent;

21 (b) there is unreasonable loss;

22 (c) there is deliberate destruction; or

23 (d) the effect is to reduce the effectiveness of the public service.

24 38.-(1) The public service shall ensure that public services are
25 provided-

Responsive prompt,
effective, impartial
and equitable
provision of
services

26 (a) promptly;

27 (b) effectively;

28 (c) impartially; and

29 (d) equitably.

30 (2) The provision of public services is not prompt where there is

1 unreasonable delay, for the purposes of this clause, "unreasonable delay"
2 includes failure by a public officer to provide a public service within the period
3 that may be provided for in the service charter of the public institution in which
4 he or she is serving.

5 (3) The provision of public services is ineffective if-

6 (a) there is unreasonable loss;

7 (b) public complaints against a public officer are made regarding the
8 provision of public services; or

9 (c) public grievances against a public institution are made regarding
10 the quality of its services, and a public officer is found culpable of the loss, or
11 the complaint or grievance against the officer is found valid, upon complaint.

12 (4) The provision of public services is not impartial or equitable if-

13 (a) a public officer discriminates against a person or a community
14 during the provision of public services; and

15 (b) a public officer refuses or fails to give accurate information during
16 provision of public services.

17 (5) Every public institution shall-

18 (a) develop standards for the responsive, prompt, effective, impartial
19 and equitable provision of services;

20 (b) facilitate the introduction of modern and innovative procedures,
21 technologies and systems for the delivery of its services;

22 (c) simplify its procedures and ease formalities related to access and
23 delivery of its services;

24 (d) ensure the adaptability of public services to the needs of the
25 public;

26 (e) ensure that its services are delivered closer to the users of the
27 services; and

28 (f) develop mechanisms for monitoring and evaluating the
29 effectiveness of public service delivery.

1 39.-(1) A public officer shall not-

2 (a) give information that the public officer knows or ought to know
3 to be inaccurate; or

4 (b) unduly delay the provision of any information where required
5 to provide that information.

6 (2) The public service, a public institution or, where permitted, an
7 authorised officer shall develop guidelines for the provision to the public of
8 timely and accurate information, and the promotion of transparency and
9 accountability.

10 (3) For the purposes of this section, "undue delay" includes a
11 failure by a public officer to provide information within the time required in
12 accordance with the guidelines of the public institution in which he or she
13 serves.

14 40.-(1) Every public officer shall be accountable for his or her
15 administrative acts.

16 (2) The public service, a public institution or an authorised officer
17 shall ensure the accountability of a public officer by-

18 (a) keeping an accurate record of administrative acts of public
19 servants in each public institution;

20 (b) requiring every public officer to maintain an accurate record of
21 their administrative acts;

22 (c) maintaining a record of relevant documents prepared by a
23 public officer;

24 (d) establishing a mechanism to address complaints arising out of
25 the administrative acts of a public officer; and

26 (e) giving directives that may lead to abuse of power or office are
27 required to do so in writing and officers acting must ensure they have written
28 instructions as doing otherwise will not absorb them of being culpable of
29 any infraction so committed.

Transparency
and provision to
the public of timely
accurate information

Accountability
for administrative
acts

Fair competition
and merit as the
basis of
appointments
and promotion

1 41.-(1) The public service, a public institution or an authorised officer
2 shall ensure that public officers are appointed and promoted based on fair
3 competition and merit even as it balance the need for federal Character
4 Principles as provided in relevant sections of the Nigerian Constitution and the
5 Federal Character Law.

6 (2) Each public institution or each authorised officer shall develop a
7 system for the provision of relevant information that promotes fairness and
8 merit in appointments and promotions in line with sub-clause (1) of this clause.

Public
participation
in promotion
of values and
principles of
public service

9 42.-(1) The public service shall facilitate public participation and
10 involvement in the promotion of values and principles of public service.

11 (2) Public participation and involvement may be through-

12 (a) citizens' fora or town hall meetings; or

13 (b) elected leaders.

14 (3) The citizens' referred to under sub-clause (2) of this clause shall
15 include-

16 (a) faith-based organisations or groups;

17 (b) boards of management of learning institutions, however
18 organised;

19 (c) welfare associations;

20 (d) residents' associations;

21 (e) market organizations;

22 (f) self-help groups; and

23 (g) such other registered or unregistered groups organised and
24 recognised as such.

Public
participation in
policy-making

25 43.-(1) The public service shall develop guidelines for the
26 involvement of the people in policy-making.

27 (2) The guidelines developed under sub-clause (1) of this clause shall
28 ensure that the public is given-

29 (a) adequate opportunity to review a draft policy;

30 (b) adequate opportunity to make comments on a draft Policy;

1 (c) an opportunity to be heard by the makers of a policy; and
2 (d) notification of the final draft of the policy and whether or not it
3 incorporates their views.

4 44.-(1) All Ministries Departments and Agencies shall maintain a Complaints
5 Customer Complaints Office (CCO) in line with the guidelines issued by the
6 SERVICOM Office.

7 (2) The CCO shall be responsible for resolving all service delivery
8 complaints matters brought against any staff or the entity.

9 (3) without prejudice to the provision stated above, where a person
10 alleges the violation of the values and principles of public service by a public
11 officer, that person may complain to the-

12 (a) supervisor of that public officer;

13 (b) head of the department or institution in which that public officer
14 serves;

15 (c) department in charge of public complaints of the relevant
16 service Commission; or

17 (d) person in charge of the values and principles committee of the
18 public institution, where established.

19 (4) A person who made a complaint under this section against a
20 public officer may do so in person or through a-

21 (a) relative or personal representative;

22 (b) legal representative;

23 (c) citizens' forum;

24 (d) village council;

25 (e) relevant member of a county assembly; or

26 (f) relevant member of Parliament.

27 (5) Where a person makes a complaint to a service Commission,
28 that service Commission shall-

29 (a) receive and record in a register the details of the complaint;

30 (b) investigate and determine the complaint expeditiously but in

1 any case in not more than three months from the date of receipt of the
2 complaint; and

3 (c) set down the reasons for its determination in writing and provide it
4 to the complainant, the public officer concerned and to that public officer's
5 supervisor, head of department or head of the institution.

6 (6) If after three months a service commission has not investigated
7 and determined a complaint, the officer responsible for handling the complaint
8 shall give the complainant satisfactory reasons, in writing, for noncompliance.

9 (7) Appropriate disciplinary action shall be taken against any officer
10 who is found to have unreasonably delayed in handling a complaint made to the
11 service commission.

12 (8) A person aggrieved by the decision of a CCO shall appeal to the
13 SERVICOM Office and a person aggrieved by the decision of the SERVICOM
14 Office may seek judicial redress.

Register of
complains

15 45.-(1) Each CCO and SERVICOM Office shall keep and maintain a
16 register of complaints made against public officers and shall, upon request by a
17 complainant, allow the complainant to inspect the register to verify details
18 relating to his or her complaint.

19 (2) A register of complaints shall contain the details of the complaint
20 including the name and designation of the officer complained against and the
21 action taken by the responsible CCO and SERVICOM if applicable.

22 (3) The CCO and SERVICOM may, on the request of a complainant,
23 omit the identity of the complainant from the register of complaints.

Compliments,
commendations,
honours, rewards,
etc.

24 46.-(1) Where a person considers the quality of public service offered
25 by a public officer to be exemplary, outstanding, or innovative, that person may
26 inform the public officer's supervisor or head of the institution.

27 (2) For the purposes of sub-clause (1) of this clause, each public
28 institution shall make guidelines to provide for-

29 (a) receiving and recording of information; and

30 (b) recognising, commending and rewarding public officers who

1 offer exemplary, outstanding or innovative services or who perform their
2 duties exceptionally well.

3 47.-(1) Once in every year, each CCO shall submit its report to the
4 SERVICOM office alongside with the other components of service delivery
5 report as required by the SERVICOM Office.

Reports of
customers
complain office

6 (2) The SERVICOM Office shall prepare a report on the status of
7 the promotion of the values and principles of public service.

8 (3) Each service Commission shall submit the report prepared
9 under sub-clause (1) of this clause to the President and National Assembly
10 by 31st December of each year.

11 (4) The report under this section shall provide information on-

12 (a) the measures taken to promote the values and principles of
13 public service;

14 (b) the progress achieved in the promotion of values and principles
15 of public service;

16 (c) the challenges faced in the promotion of values and principles
17 of public service;

18 (d) any recommendations for the progressive realisation of values
19 and principles of public service; and

20 (e) any other matter that may be relevant to the realisation of the
21 values and principles of public service.

22 48. The respective Service Commission may make regulations
23 regarding-

Regulation

24 (a) high standards of professional ethics;

25 (b) determination of any disciplinary matter in relation to a
26 violation of a value or principle under this Act;

27 (c) the responsive, prompt, effective, impartial or equitable of
28 public services;

29 (c) the responsive, prompt, effective, impartial or equitable of
30 public services;

- 1 (d) the efficient, effective and economic use of public resources;
2 (e) transparency;
3 (f) the provision to the public of timely and accurate information;
4 (g) public participation;
5 (h) accountability of public officers;
6 (i) the application of fair competition or merit in appointments or
7 promotions;
8 (j) service delivery;
9 (k) performance management;
10 (l) access to information by the public and
11 (m) the provision of adequate and equal training opportunities for
12 training.

Interpretation

- 13 **49. In this Bill-**
14 "Action" refers to the written approval or disapproval made by a government
15 office or agency on the application or request submitted by a client for
16 processing;
17 "Complex Transactions" refer to requests or applications submitted by clients
18 of a government office which necessitate the use of discretion in the resolution
19 of complicated issues by an officer or employee of said government office,
20 such transaction to be determined by the office concerned;
21 "Core Frontline Service" refers to the process or transaction between clients
22 and government offices or agencies involving applications for any privilege,
23 right, permit, reward, license, concession, or for any modification, renewal or
24 extension of the enumerated applications and/or requests which are acted upon
25 in the ordinary course of business of the agency or office concerned;
26 "Fixer" refers to any individual whether or not officially involved in the
27 operation of a government office or agency that has access to people working
28 therein, and whether or not in collusion with them, facilitates speedy
29 completion of transactions for pecuniary gain or any other advantage or
30 consideration;

1 "Officer or Employee" refers to a person employed in a government office
2 or agency required to perform specific duties and responsibilities related to
3 the application or request submitted by a client for processing;

4 "Irrelevant requirements" refers to any document or performance of an act
5 not directly material to the resolution of the issues raised in the request or
6 needed in the application submitted by the client;

7 "code of ethics" means a code of practice adopted by a profession to regulate
8 that profession;

9 "continuing professional development" means the means by which a
10 professional maintains their knowledge and skills related to their
11 professional lives;

12 "professional association" means a non-profit organization seeking to
13 further a particular profession, the interests of individuals engaged in that
14 profession, and the public interest;

15 "professional in good standing" means a member of a professional
16 association who has no pending matter of professional misconduct against
17 them;

18 "professional in the public service" means a public officer who is or should
19 be a member of a professional association;

20 "professional misconduct" means a violation of the code of ethics of a
21 professional association by a member of that professional association;

22 "public officer" has the meaning assigned to it in the Constitution;

23 "public service" has the meaning assigned to it in the Constitution;

24 "Simple Transactions" refer to requests or applications submitted by clients
25 of a government office or agency which only require ministerial actions on
26 the part of the public officer or employee, or that which present only
27 inconsequential issues for the resolution by an officer or employee of said
28 government office;

29 "service Commission" means a constitutional Commission or independent
30 office provided for in Chapter Fifteen of the Constitution, and includes-

1 (a) a County Public Service Board; and

2 (b) a County Assembly Service Board.

Citation

3 50. This Bill may be cited as Public Service Efficiency Bill,

4 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to improve efficiency in the delivery of government service to the public by assigning clear duties, roles, powers, delegation of authority, performance targets, reward system, reducing bureaucratic red tape, preventing graft and corruption in public service, and providing penalties.