

CIRCULAR

Ref No: SGF/OP/I.S.3/T/163

Office of the Secretary to the
Government of the Federation,
The Presidency,
Shehu Shagari Complex,
Three Arms Zone,
Abuja.

19th May, 2020

Chief of Staff to the President
Deputy Chief of Staff to the President
Honourable Ministers/Ministers of State
Secretary to the Government of the Federation
Head of the Civil Service of the Federation
Chairmen of Commissions/ Extra-Ministerial Departments
Permanent Secretaries
National Security Adviser
Special Advisers/Senior Special Assistants
Chief of Defence Staff
Service Chiefs (Army, Navy, Air Force)
Governor, Central Bank of Nigeria
Clerk of the National Assembly,
Chief Registrar, Supreme Court of Nigeria,
Secretary, National Judicial Council,
Secretary, Federal Judicial Service Commission
Directors – General and Chief Executives of Parastatals/Agencies
Auditor – General for the Federation
Accountant - General of the Federation

APPROVED DISCIPLINARY PROCEDURE AGAINST CHIEF EXECUTIVE OFFICERS OF FEDERAL GOVERNMENT PARASTATALS, AGENCIES AND DEPARTMENTS

Government has observed with concern, the arbitrary removal of Chief Executive Officers and its impact on stability and service delivery.

2. Accordingly, Mr. President has approved the following streamlined procedure for the discipline of Chief Executive Officers of Government Parastatals, Agencies and Departments in accordance with the Public Service Rules (PSR).

3. The following procedure shall therefore apply whenever a Chief Executive Officer (**CEO**) is to be subjected to disciplinary action:

- i. When an act bordering on Serious Misconduct against a Chief Executive Officer is reported, it **shall** be the duty of the supervising **Minister** through the **Permanent Secretary** to refer the matter to the Governing Board for necessary action in line with the relevant provisions of the Establishment Act and the principles guiding **Chapters 3 and 16** of the Public Service Rules;
- ii. The Board shall in line with due process, issue him/her a query requesting an explanation with respect to the specific act(s) complained about;
- iii. The Board shall forward its findings and recommendations to the Minister for further consideration and necessary action;
- iv. In the event that the Governing Board is the initiator of the report on the alleged serious misconduct, the Minister on the advice of the Permanent Secretary ensures that sub-paragraphs (ii) & (iii) above have been complied with, fully;
- v. Where the Chief Executive is also the Chairman of the Board, the Minister, on the advice of the Permanent Secretary, shall apply the principles under sub-paragraph (ii) above;
- vi. The Minister, after due consideration of the submission from the Board, shall on the advice of the Permanent Secretary, forward

the Ministry's position along with the recommendations of the Board and the explanation of the Chief Executive Officer to the Secretary to the Government of the Federation (**SGF**) for processing to Mr. President, for a decision;

- vi. Upon receipt of the submission from the Minister, the Secretary to the Government of the Federation (**SGF**) shall without delay cause an independent investigation and advise Mr. President on the appropriate course of action, including interdiction or suspension in accordance with principles guiding **Sections 030405** and **030406** of the Public Service Rules, pending the outcome of the independent investigations;
 - vii. It shall be the responsibility of the Secretary to the Government of the Federation (**SGF**) to further advise Mr. President on the next course of action, based on the outcome of the final investigation;
 - viii. In the absence of a Board, the Minister shall, with the support of the Permanent Secretary, function in that capacity in accordance with the provisions of the Public Service Administrative Guidelines; and
 - ix. The Secretary to the Government of the Federation shall implement and/or convey the approval and directives of Mr. President on every disciplinary case against Chief Executive Officers in the Public Service.
4. Without prejudice to the content, it is expected that this Circular should be acted upon conjunctively with the provisions of the following extant Service Wide Circulars and publication:
- i. **Ref. SGF/OP/I/S.3/T.1/132 – 2nd August, 1999**
Guidelines on the relationship between parastatals/State-owned Companies and their Supervising Ministries;
 - ii. **Ref. No. SGF./OP/1/S.3/T - 23rd November, 2017**
Re: Procedure for Appointing Chief Executives and Heads of Parastatals, Government -Owned Companies, Agencies and Institutions;

- iii. **Ref. No.SGF.50/S.II/C.2/268 – 4th December, 2017**
End of tenure processes for Heads of Extra-Ministerial Departments, Directors General/Chief Executive Officers of Parastatals, Agencies, Commissions and Government-owned Companies and Succession Guidelines; and
- iv. Federal Government Publication on **Guidelines to Administrative Procedures in the Federal Public Service** Chapter 7.

5. This procedure shall serve as a mandatory guide and all Ministers of the Federal Republic of Nigeria and any other Public Officer in similar supervisory position, are enjoined to strictly abide by its content. For emphasis, on no account shall a Minister of the Federal Republic unilaterally or arbitrarily remove a serving Chief Executive Officer, without recourse to the procedure contained in this Circular.


Boss Mustapha

Secretary to the Government of the Federation