



FEDERAL GOVERNMENT STAFF HOUSING BOARD ACT

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FEDERAL GOVERNMENT STAFF HOUSING BOARD ACT

An Act to establish the Federal Government Staff Housing Board to administer a housing loan scheme for Federal Public Officers and for other matters connected therewith.

[Commencement.]

[17th May, 1972]

1. Establishment of the Federal Government Staff Housing Board

- (1) There is hereby established a body to be known as the Federal Government Staff Housing Board (hereinafter referred to as "the Board").
- (2) The Board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its own name.

2. Duty of the Board

It shall be the duty of the Board, within the limit of its resources and in accordance with regulations made by the Board under section 11 of this Act, to grant advances to persons eligible to receive them under this

Act for the purpose of-

- (a) building a residential house in Nigeria for use of the applicant or of his family; or
- (b) purchasing a parcel of land in Nigeria on which such residential house is to be built; or
- (c) purchasing a residential house in Nigeria for the use of the applicant or his family; or

- (d) improving or extending a residential house in Nigeria for use by the applicant or his family being a house owned by the applicant and to which he has a valid and good title acceptable to the Board,
- and for such other matters in connection with anyone or more of the foregoing as the Board may deem fit in the circumstances.

3. Composition of the Board

- (1) The Board shall consist of a chairman who shall be the Permanent Secretary, Federal Ministry of Works and Housing, or his deputy, and the following other members that is-
- (a) the Chief Federal Lands Officer or his representative;
 - (b) the Chief Architect, Federal Ministry of Works and Housing, or his representative;
 - (c) the Deputy Accountant-General of the Federation or his representative;
 - (d) a Legal Adviser nominated by the Solicitor-General of the Federation;
 - (e) a representative of the Staff side of the Federal Public Service Negotiating Council I;
 - (f) a representative of the Staff side of the Federal Public Service Negotiating Council II;
 - (g) a representative of the Staff side of the Federal Public Service Negotiating Council III;
 - (h) the Permanent Secretary of the Federal Civil Service Commission, Establishment Department; and (i) a representative of the Armed Forces.
- (2) The President may by order published in the Federal Gazette increase or reduce the membership of the Board.

4. Proceedings of the Board

- (1) Subject to the provisions of this Act, the Board may regulate its own proceedings and its meetings shall be convened by the chairman as and when required.
- (2) The chairman shall preside at meetings of the Board but if the chairman is absent at any meeting the members present shall elect one of their number to preside at that meeting.
- (3) Four members of the Board, including the chairman, shall form a quorum.

5. Secretary and other officers and servants of the Board

- (1) There shall be appointed by the Board as Secretary, a member of the public service of the Federation who shall be the Chief Executive Officer of the Board and who shall have such qualifications and experience as are appropriate for a person required to perform the functions of his office by virtue of this Act.
- (2) The Board may appoint other persons who shall also be members of the public service of the Federation to be officers and employees of the Board as the Board may determine to assist the Secretary in the exercise of his functions.
- (3) The remuneration and tenure of office of the Secretary and other officers and servants of the Board shall be determined by the Board after consultation with the Minister.

6. Power of Minister to give directions to the Board and to obtain information

- (1) The Minister may give to the Board directions of a general character or relating generally to particular matters (but not relating to any individual case) with regard to the exercise by the Board of its functions under this Act, and it shall be the duty of the Board to comply with such directions.
- (2) The Minister may by notice in writing, either generally or otherwise, require the Board or any of its officers or employees to furnish information with respect to the activities of the Board.

7. Persons eligible to receive advances

(1) Subject to subsection (2) of this section, a person shall be eligible to receive an advance from the Board under this Act if-

- (a) he is a member of the public service of the Federation;
- (b) he holds a pensionable office in such service or is a contributor to a provident fund; and
- (c) he has been confirmed in the service.

(2) In the case where a person has previously obtained a housing loan from public funds, such a person shall be eligible to receive an advance from the Board if- (a) he is in every other respect eligible for a loan under this Act; and

- (b) the loan being applied for would be expended on the residential house in respect of which a loan was previously granted from the public funds; and
- (c) the amount of the loan to be granted shall not be more than the difference between the present cost or value of the house (whichever is greater) and that person's current entitlement under this Act.

(3) In this section, "public service of the Federation" means public service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria 1999 and includes-

- (a) service as a Justice of the Supreme Court, the Court of Appeal, the Federal High Court or any court established by a Federal enactment; and
- (b) service in the Nigerian Army, the Nigerian Navy, the Nigerian Air Force, the Nigerian Police Force and the Nigerian Prison Service.

8. Funds of the Board

(1) The funds of the Board shall consist of-

- (a) the funds vested in the Board under section 10 of this Act;

- (b) such funds as may from time to time be provided by the Federal Government; and
 - (c) such other sums as may be collected or received by the Board in the execution of its functions under this Act.
- (2) Disbursements from the fund shall be made in accordance with the rules made under section 23 of the Finance (Control and Management) Act and, without prejudice to the foregoing, rule 17 of the Public Funds of the Federation (Disbursement) Rules shall continue in force and have effect as if made under this subsection.

9. Accounts and audit

The Board shall keep proper accounts of its payments, receipts, assets and liabilities and shall submit the same once every year for auditing by the Auditor-General of the Federation.

10. Vesting of assets, etc., in respect of the African Staff Housing Scheme

All assets, liabilities, rights and obligations vested in the Board established under a scheme known as the African Staff Housing Scheme or vested in any person or authority (including the Government of the Federation) in respect of or in connection with the said Scheme (not being assets, liabilities, rights or obligations of a person on account of an advance received under the said Scheme) shall as from the commencement of this Act vest in the Board established by this Act and-

- (a) all pending applications under that Scheme;
- (b) all advances granted; and (c) anything whatsoever done,

under or in connection with the said Scheme shall be deemed to have been made, granted or done under this Act.

11. Regulations

The Board may, with the approval of the Minister, make regulations generally for the purposes of this Act; and without prejudice to the generality of the foregoing the regulations may-

- (a) provide for the making of applications for advances;
- (b) prescribe the amount of advance available in any particular case and the conditions applicable to the granting of such advance;
- (c) specify the nature of title to land acceptable to the Board; (d) prescribe the manner of repayment of advances granted.

12. Execution of documents by or on behalf of the Board, etc.

- (1) Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal, may be entered into or executed on behalf of the Board by any person generally or specifically authorised by it for the purpose.
- (2) The fixing of the seal of the Board shall be authenticated by the signature of the chairman or some other member authorised generally or specifically by the Board to act for that purpose.
- (3) Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

13. Interpretation

In this Act, unless the context otherwise requires-

"Board" means the Federal Government Staff Housing Board established by section 1 of this Act;

"Minister" means the Minister charged with responsibility for matters relating to works and housing;

"Secretary" means the Secretary appointed pursuant to section 5 of this Act.

14. Short title This Act may be cited as the Federal Government Staff Housing Board Act.