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A BILL

FOR

AN ACT TO ESTABLISH THE POLICE PENSION BOARD TO HANDLE PENSIONS
MATTERS FOR PERSONNEL OF THE FORCE; AND FOR CONNECTED
PURPOSES

Sponsored by Senator Ishaku, Elisha Cliff

[] Commencement

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

1 PART 1 - GENERAL

2 1.-(1) There is established a Pensions Board (in this Bill referred to
3 as "the Board") which is charged with the responsibility for payment of
4 pensions and gratuities to all personnel of the Force.

Establishment of
a Pension Board
for personnel of
the Nigeria Police
Force

5 (2) This Bill shall apply to all personnel of the Force including
6 those who had retired before the commencement of this Bill.

Application of
the Bill to personnel
who retired before
the commencement
of this Bill

7 (3) The retirement benefits of personnel referred to in subsection
8 (2) above shall be adjusted to be commensurate with the provisions of this
9 Bill.

10 2.-(1) Subject to the provisions of this Bill, any pension or gratuity
11 payable to any personnel under this Bill shall be computed In accordance
12 with the provisions of the Force Regulations.

Computation of
pension or gratuity

13 (2) In computing pensionable service and qualifying service for the
14 purpose of this Bill, any period of service over six months and not included
15 in a completed year shall, for the purpose of the schedule to this Bill as it
16 relates to personnel entitled to a pension, count as one year.

17 3. There shall be charged on and paid out of the Consolidated
18 Revenue Fund of the Federation, all such sums of money as may, from time
19 to time, be granted by the Federal Government by way of pension and
20 gratuity in accordance with this Bill.

Pension, etc. to
be charged on
revenue of Nigeria

Circumstances
in which Pension
may be granted

- 1 4.-(1) No pension or gratuity shall be granted under this Bill to any
- 2 personnel except on his retirement from the Force in any of the following
- 3 circumstances-
- 4 (a) after serving for thirty-five (35) years or attained the age of sixty
- 5 (60) years, whichever is earlier;
- 6 (b) on voluntary retirement after serving for not less than ten years;
- 7 (c) on compulsory retirement under the provisions of section 5 (1) of
- 8 this Bill;
- 9 (d) on compulsory retirement for the purpose of facilitating
- 10 improvements in the Force, so that greater efficiency or economy may be
- 11 effected;
- 12 (e) at any time on medical evidence to the satisfaction of the Medical
- 13 Board that he is incapable by reason of any infirmity of mind or body of
- 14 discharging his duties and that such infirmity is likely to be permanent;
- 15 (f) on voluntary withdrawal after having put in not less than five years
- 16 but less than ten years continuous service as a personnel: provided that-
- 17 (i) in respect of paragraphs (c) to (e) above, if the personnel has served
- 18 for less than five years but less than ten years before his retirement, he shall be
- 19 entitled only to a gratuity as specified in the appropriate column of the Table in
- 20 the Force Regulations;
- 21 (ii) if the personnel has served for a minimum of three years but less
- 22 than five years before he is required to retire, he shall be entitled to an ex-gratia
- 23 gratuity calculated on pro-rata basis at the rate of ten percent for every
- 24 completed year of service.
- 25 (2) Where a personnel retires pursuant to subsection (f) (i) above-
- 26 (a) if he has completed five years but not up to ten years in service, he
- 27 shall be entitled only to a gratuity;
- 28 (b) if he has served for not less than ten years, he shall be entitled to a
- 29 pension;
- 30 (c) if he is required to retire after ten years qualifying service pursuant

1 to the provisions of paragraphs (c) - (e) of subsection (1) above, he shall be
 2 entitled to pensions immediately on retirement even though he has not
 3 attained the age of forty five years.

4 **5.-(1)** It shall be lawful for the Board to require a personnel to retire
 5 from the Force at any time after he has attained the age of forty five years
 6 subject to three months' notice in writing of such requirement being given to
 7 the personnel.

Compulsory
retirement and
retirement on
compassionate
grounds

8 (2) A personnel may, on compassionate grounds, be allowed to
 9 resign, withdraw or retire from service, as the case may be, in accordance
 10 with the Force Regulations.

11 **6.-(1)** A pension granted to a personnel or other rank under this Bill
 12 shall not be less than forty percent of his total emolument.

Minimum and
maximum pension

13 (2) For the purpose of this section, an additional pension granted in
 14 respect of injury shall not be taken into account; but where the personnel is
 15 granted such an additional pension under this Bill, the amount so granted
 16 together with the remainder of his pension under this Bill shall not exceed
 17 one hundred percent of his highest pensionable emolument at any time in the
 18 course of his service.

19 **7.-(1)** Where a personnel dies in the course of official duty, there
 20 shall be paid to his next of kin gratuity to which the personnel would have
 21 been entitled at the date of his death.

Pension and
gratuity to be paid
to dependent, etc.
where a pensioner
dies in service

22 (2) Where a personnel dies before completing the minimum period
 23 of qualifying service, his next of kin shall be paid a death gratuity of one year
 24 salary only.

25 (3) Any pension payable under subsection (1) above shall be paid to
 26 any person entitled thereto for a period expiring at the end of five years after
 27 the death of the personnel, however, a lump sum representing five years
 28 pensions may be paid immediately to the person entitled to it.

29 **8.** Where a personnel dies within five years after retirement, his
 30 next of kin shall continue to be paid, for a period which shall expire at the end

Pension to run for
five years after death
within five years
of retirement

1 of five years from the date of his retirement, the same pension which the
 2 deceased personnel was receiving prior of his death. But if the next of kin so
 3 elects, the balance of his pension at his death may be paid immediately to the
 4 said next of kin or designated survivor.

Notice of intention
to retire or withdraw
from service

5 **9.-(1)** A personnel who wishes to retire from the Force after serving
 6 for ten years or more shall give three months' notice or pay the Force the
 7 equivalent of three months' salary in lieu of notice.

8 **(2)** A personnel who wishes to withdraw from the Force after serving
 9 for not less than five years but up to ten years shall give the Inspector-General
 10 one month's notice of his intention to withdraw from the Force or he shall pay
 11 one month's salary in lieu of such notice.

12 PART II - MISCELLANEOUS

Pension and
gratuity not to
be assignable

13 **10.** A pension or gratuity granted under this Bill shall not be
 14 assignable or transferable or liable to be attached, sequestrated or levied upon
 15 for or in respect of any debt or claim whatsoever except for the purpose of
 16 satisfying-

17 (a) a debt due to the Federal Government; or

18 (b) an order of a Court for the payment of periodical sums of money
 19 towards the maintenance of the wife or former wife or minor child of the
 20 personnel to whom the pension or gratuity has been granted.

Payment of public
claims out of
pension and
gratuity

21 **11.** Where the Board is satisfied that-

22 (a) a sum is due to the Federal Government from a person to whom a
 23 pension or gratuity is due under this Bill;

24 (b) an overpayment on account of any such pension or gratuity has
 25 been made to any such person by the Federal Government, the Board may
 26 authorize the deduction from the pension or gratuity, in respect of that sum or
 27 overpayment of such amounts at such times as it may think fit; and the amounts
 28 so deducted shall be applied in or towards paying or repaying that sum or
 29 overpayment.

1	12. -(1) The Board may, by order published in the Gazette, delegate	Delegation of
2	to another person or authority all or any of its powers under this Bill.	power
3	(2) But the delegation of a power under the above subsection shall	
4	not prevent the Board from continuing to exercise the power if it thinks fit.	
5	13. -(1) The Management of the Force may make provisions for the	Regulations
6	structure, personnel, etc of the Board which in turn may make provisions for	
7	carrying into effect the provisions of this Bill.	
8	(2) Whenever the Board is satisfied that it is equitable that any	
9	regulation made under this section should have retrospective effect in order	
10	to confer a benefit upon or remove a disability attached to any person, that	
11	regulation may be given retrospective effect for that purpose.	
12	14. In this Bill, unless the context otherwise requires-	Interpretation
13	"basic pay" means the daily rate of pay due and payable to a personnel, but	
14	does not include allowances;	
15	"Inspector-General" means the Inspector-General of the Nigeria Police	
16	Force (NPF);	
17	"Federal Government" means the Federal Government of Nigeria;	
18	"Gazette" means the official gazette of the Force;	
19	"last pay" in relation to a personnel whose appointment has been terminated,	
20	means the amount payable to him for a month (or if he was on a daily rate of	
21	pay, for thirty one days) multiplied by twelve in respect of the last	
22	substantive rank held by him immediately before the end of his	
23	employment;	
24	"lodging" means the provision of furnished accommodation, fuel and light	
25	and personal service;	
26	"medical board" means any medical board appointed by the Management of	
27	the Force or by any other person pursuant to a delegation under section 12 of	
28	this Bill, to assess the degree of disablement of personnel;	
29	Next of kin' means any person documented by the staff who can legitimately	

1 claim entitlements of the staff in the event of death on behalf of the
2 beneficiaries;

3 "officer" means a personnel on the rank of Constable and above;

4 "pensionable emoluments" in respect of a personnel, means the salary attached
5 to the last substantive rank held by the personnel but does not include any
6 allowance whatsoever;

7 "pensionable service" means service in the National Intelligence Force
8 (including service or employment under the Government of the Federation or
9 of a State or any other employment approved by the Force and which has been
10 transferred to the Force) which may be taken into account in determining
11 whether an officer is eligible by length of service, for a pension or gratuity;

12 "personnel" means officers and other ranks in the employment of the Force;

13 "qualifying service" means service in the Nigeria Police (including service or
14 employment in the public service or any other employment which may be
15 approved by the Nigeria Police Force) which may be taken into account in
16 determining whether an officer is eligible by length of service for a pension or
17 gratuity;

18 "retirement" means cessation of service after an officer has served for a period
19 of not less than five years or thereafter for a period of not less than ten years,
20 being periods respectively appointed as qualifying an officer for gratuity and
21 pension;

22 "termination" in relation to a personnel's employment, means termination of
23 full pay service by retirement, discharge or otherwise however;

24 "The Board" means the body charged by the Management of the Force with the
25 responsibility for the administration of the pensions and gratuities of the
26 personnel of the Force;

27 "The Force" means the Nigeria Police (NPF).

28 "Force Regulation" means the NPF Regulation including amendments,

Citation

29 **15.** This Bill may be cited as the Nigeria Police Force Pensions Board
30 (Establishment) Bill, 2022.

SCHEDULE

*Section 2 (1)*COMPUTATION OF PENSION AND GRATUITIES TO PERSONNEL TO WHOM
AND WHAT RATES PENSION MAY BE GRANTED

1. Subject to the provisions of this Bill, a personnel shall be granted, on retirement, a pension-

(a) If he has been in the service for ten years or more

(b) If he has completed ten years' qualifying service; or

(c) If he has completed five years qualifying service if this retirement is on the ground that he is incapable by reason of any infirmity of mind or body of discharging his duties and such infirmity is likely to be permanent.

General Rules as to Qualifying Service

2.-(1) Subject to the provisions of this Bill, qualifying service shall be inclusive of the period between the date on which a personnel was enlisted into the Force and the date of his leaving such Force without deduction of any period during which he had been absent on leave.

(2) No period which is not qualifying service by virtue of the foregoing paragraphs shall be taken into account as pensionable service.

Continuity of Service

3.-(1) Except as otherwise provided in this Schedule, only continuous service shall be taken into account as qualifying service or as pensionable service.

(2) A personnel who retires from the Force and who is re-engaged in the Force within a period of five years from the date of his retirement, may be granted the pension or gratuity for which he would have been eligible if any break in his service immediately prior to such re-engagement had not occurred, such pension or gratuity to be in lieu of any pension or gratuity granted to him from the Consolidated Revenue Fund of the Federation or of a State or any other approved employment which is required to be refunded

- 1 as a condition of the application to the personnel.
- 2 However, in calculating a pension or gratuity granted in accordance with the
- 3 provisions of this paragraph, account shall not be taken for any purpose of the
- 4 period during which the officer was not in the Force.
- 5 4. Formula for calculation of pension and gratuity based on the
- 6 percentage of last pay shall be in accordance with the Table in the Force
- 7 Regulations'.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Police Pensions Board which shall be charged with the responsibility of administering the pension's scheme for personnel of the service Force. This is in consequence of the exit of the Force from the application of the contributory pension's scheme under the Pensions Reform Act, 2004.

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL ASSEMBLY PENSION OFFICE TO
HANDLE PENSIONS MATTERS FOR PERSONNEL OF THE NATIONAL
ASSEMBLY; AND FOR CONNECTED PURPOSES

Sponsored by Senator Umar, Sadiq Suleiman

[] Commencement

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

1 PART 1 - GENERAL

2 1.-(1) There is established a Pensions Office (in this Bill referred to
3 as "the Office") which is charged with the responsibility for payment of
4 pensions and gratuities to all personnel of the National Assembly Service.

Establishment of
a Pension Office
for personnel of
the National
Assembly

5 (2) This Bill shall apply to all personnel including those who had
6 retired before the commencement of this Bill.

Application of
the Bill to personnel
who retired before
the commencement
of this Bill

7 (3) The retirement benefits of personnel referred to in subsection
8 (2) above shall be adjusted to be commensurate with the provisions of this
9 Bill.

10 2.-(1) Subject to the provisions of this Bill, any pension or gratuity
11 payable to any personnel under this Bill shall be computed In accordance
12 with the provisions of the National Assembly Service Regulations;

Computation of
pension or gratuity

13 (2) In computing pensionable service and qualifying service for the
14 purpose of this Bill, any period of service over six months and not included
15 in a completed year shall, for the purpose of the schedule to this Bill as it
16 relates to personnel entitled to a pension, count as one year.

17 3. There shall be charged on and paid out of the Consolidated
18 Revenue Fund of the Federation, all such sums of money as may, from time
19 to time, be granted by the Federal Government by way of pension and
20 gratuity in accordance with this Bill.

Pension, etc. to
be charged on
revenue of Nigeria

Circumstances
in which Pension
may be granted

- 1 4.-(1) No pension or gratuity shall be granted under this Bill to any
- 2 personnel except on his retirement from the Agency in any of the following
- 3 circumstances-
- 4 (a) after serving for thirty-five (35) years or attained the age of sixty
- 5 (60) years, whichever is earlier;
- 6 (b) on voluntary retirement after serving for not less than ten years;
- 7 (c) on compulsory retirement under the provisions of section 5 (1) of
- 8 this Bill;
- 9 (d) on compulsory retirement for the purpose of facilitating
- 10 improvements in the National Assembly Service, so that greater efficiency or
- 11 economy may be effected;
- 12 (e) at any time on medical evidence to the satisfaction of the Medical
- 13 Board that he is incapable by reason of any infirmity of mind or body of
- 14 discharging his duties and that such infirmity is likely to be permanent;
- 15 (f) on voluntary withdrawal after having put in not less than five years
- 16 but less than ten years continuous service as a personnel: provided that-
- 17 (i) in respect of paragraphs (c) to (e) above, if the personnel has served
- 18 for less than five years but less than ten years before his retirement, he shall be
- 19 entitled only to a gratuity as specified in the appropriate column of the Table in
- 20 the National Assembly Service Regulations;
- 21 (ii) if the personnel has served for a minimum of three years but less
- 22 than five years before he is required to retire, he shall be entitled to an ex-gratia
- 23 gratuity calculated on pro-rata basis at the rate of ten percent for every
- 24 completed year of service.
- 25 (2) Where a personnel retires pursuant to subsection (f) (i) above-
- 26 (a) if he has completed five years but not up to ten years in service, he
- 27 shall be entitled only to a gratuity;
- 28 (b) if he has served for not less than ten years, he shall be entitled to a
- 29 pension;
- 30 (c) if he is required to retire after ten years qualifying service pursuant

1 to the provisions of paragraphs (c) - (e) of subsection (1) above, he shall be
 2 entitled to pensions immediately on retirement even though he has not
 3 attained the age of forty five years.

4 **5.-(1)** It shall be lawful for the Board to require a personnel to retire
 5 from the National Assembly Service at any time after he has attained the age
 6 of forty five years subject to three months' notice in writing of such
 7 requirement being given to the personnel.

Compulsory
retirement and
retirement on
compassionate
grounds

8 (2) A personnel may, on compassionate grounds, be allowed to
 9 resign, withdraw or retire from service, as the case may be, in accordance
 10 with the National Assembly Service Regulations.

11 **6.-(1)** A pension granted to a personnel or other rank under this Bill
 12 shall not be less than forty percent of his total emolument.

Minimum and
maximum pension

13 (2) For the purpose of this section, an additional pension granted in
 14 respect of injury shall not be taken into account; but where the personnel is
 15 granted such an additional pension under this Bill, the amount so granted
 16 together with the remainder of his pension under this Bill shall not exceed
 17 one hundred percent of his highest pensionable emolument at any time in the
 18 course of his service.

19 **7.-(1)** Where a personnel dies in the course of official duty, there
 20 shall be paid to his next of kin gratuity to which the personnel would have
 21 been entitled at the date of his death.

Pension and gratuity
to be paid to
dependent, etc.
where a pensioner
dies in service

22 (2) Where a personnel dies before completing the minimum period
 23 of qualifying service, his next of kin shall be paid a death gratuity of one year
 24 salary only.

25 (3) Any pension payable under subsection (1) above shall be paid to
 26 any person entitled thereto for a period expiring at the end of five years after
 27 the death of the personnel, however, a lump sum representing five years
 28 pensions may be paid immediately to the person entitled to it.

29 **8.** Where a personnel dies within five years after retirement, his
 30 next of kin shall continue to be paid, for a period which shall expire at the end

Pension to run
for five years after
death within five
years of retirement

1 of five years from the date of his retirement, the same pension which the
 2 deceased personnel was receiving prior of his death. But if the next of kin so
 3 elects, the balance of his pension at his death may be paid immediately to the
 4 said next of kin or designated survivor.

Notice of intention
to retire or withdraw
from service

5 **9.-(1)** A personnel who wishes to retire from the National Assembly
 6 Service after serving for ten years or more shall give three months' notice or pay
 7 the Agency the equivalent of three months' salary in lieu of notice.

8 **(2)** A personnel who wishes to withdraw from the National Assembly
 9 Service after serving for not less than five years but up to ten years shall give
 10 the National Assembly Service one month's notice of his intention to withdraw
 11 from the service or he shall pay one month's salary in lieu of such notice.

12 PART II - MISCELLANEOUS

Pension and
gratuity not to
be assignable

13 **10.** A pension or gratuity granted under this Bill shall not be
 14 assignable or transferable or liable to be attached, sequestrated or levied upon
 15 for or in respect of any debt or claim whatsoever except for the purpose of
 16 satisfying-

17 (a) a debt due to the Federal Government; or

18 (b) an order of a Court for the payment of periodical sums of money
 19 towards the maintenance of the wife or former wife or minor child of the
 20 personnel to whom the pension or gratuity has been granted.

Payment of public
claims out of
pension and
gratuity

21 **11.** Where the Board is satisfied that-

22 (a) a sum is due to the Federal Government from a person to whom a
 23 pension or gratuity is due under this Bill;

24 (b) an overpayment on account of any such pension or gratuity has
 25 been made to any such person by the Federal Government, the Board may
 26 authorize the deduction from the pension or gratuity, in respect of that sum or
 27 overpayment of such amounts at such times as it may think fit; and the amounts
 28 so deducted shall be applied in or towards paying or repaying that sum or
 29 overpayment.

1	12. -(1) The Board may, by order published in the Gazette, delegate	Delegation of
2	to another person or authority all or any of its powers under this Bill.	power
3	(2) But the delegation of a power under the above subsection shall	
4	not prevent the Board from continuing to exercise the power if it thinks fit.	
5	13. -(1) The Management of the National Assembly Service may	Regulations
6	make provisions for the structure, personnel, etc of the Board which in turn	
7	may make provisions for carrying into effect the provisions of this Bill.	
8	(2) Whenever the Board is satisfied that it is equitable that any	
9	regulation made under this section should have retrospective effect in order	
10	to confer a benefit upon or remove a disability attached to any person, that	
11	regulation may be given retrospective effect for that purpose.	
12	14. In this Bill, unless the context otherwise requires -	Interpretation
13	"basic pay" means the daily rate of pay due and payable to a personnel, but	
14	does not include allowances;	
15	"Federal Government" means the Federal Government of Nigeria;	
16	"last pay" in relation to a personnel whose appointment has been terminated,	
17	means the amount payable to him for a month (or if he was on a daily rate of	
18	pay, for thirty one days) multiplied by twelve in respect of the last	
19	substantive rank held by him immediately before the end of his	
20	employment;	
21	"lodging" means the provision of furnished accommodation, fuel and light	
22	and personal service;	
23	"medical board" means any medical board appointed by the Management of	
24	the National Assembly Service or by any other person pursuant to a	
25	delegation under section 12 of this Bill, to assess the degree of disablement	
26	of personnel;	
27	Next of kin' means any person documented by the staff who can legitimately	
28	claim entitlements of the staff in the event of death on behalf of the	
29	beneficiaries;	
30	"pensionable emoluments" in respect of a personnel, means the salary	

1 attached to the last substantive rank held by the personnel but does not include
2 any allowance whatsoever;

3 "pensionable service" means service in the National Assembly Agency
4 (including service or employment under the Government of the Federation or
5 of a State or any other employment approved by the Agency and which has
6 been transferred to the National Assembly Service) which may be taken into
7 account in determining whether an officer is eligible by length of service, for a
8 pension or gratuity;

9 "retirement" means cessation of service after an officer has served for a period
10 of not less than five years or thereafter for a period of not less than ten years,
11 being periods respectively appointed as qualifying an officer for gratuity and
12 pension;

13 'staff' means a personnel of the National Assembly;

14 "termination" in relation to a personnel's employment, means termination of
15 full pay service by retirement, discharge or otherwise however;

16 "the Board" means the body charged by the Management of the National
17 Assembly Service with the responsibility for the administration of the pensions
18 and gratuities of the personnel of the National Assembly Service;

Citation

19 **15.** This Bill may be cited as the National Assembly Pension Office
20 (Establishment) Bill, 2022.

1 SCHEDULE

2 *Section 2 (1)*3 COMPUTATION OF PENSION AND GRATUITIES TO PERSONNEL TO WHOM
4 AND WHAT RATES PENSION MAY BE GRANTED5 1. Subject to the provisions of this Bill, a personnel shall be
6 granted, on retirement, a pension-

7 (a) If he has been in the service for ten years or more;

8 (b) If he has completed ten years' qualifying service; or

9 (c) If he has completed five years qualifying service if this
10 retirement is on the ground that he is incapable by reason of any infirmity of
11 mind or body of discharging his duties and such infirmity is likely to be
12 permanent.13 *General Rules as to Qualifying Service*14 2.-(1) Subject to the provisions of this Bill, qualifying service shall
15 be inclusive of the period between the date on which a personnel was
16 employed into the National Assembly Service and the date of his leaving
17 without deduction of any period during which he had been absent on leave.18 (2) No period which is not qualifying service by virtue of the
19 foregoing paragraphs shall be taken into account as pensionable service.20 *Continuity of Service*21 3.-(1) Except as otherwise provided in this Schedule, only
22 continuous service shall be taken into account as qualifying service or as
23 pensionable service.24 (2) A personnel who retires from the National Assembly Service
25 and who is re-engaged within a period of five years from the date of his
26 retirement, may be granted the pension or gratuity for which he would have
27 been eligible if any break in his service immediately prior to such re-
28 engagement had not occurred, such pension or gratuity to be in lieu of any
29 pension or gratuity granted to him from the Consolidated Revenue Fund of
30 the Federation or of a State or any other approved employment which is

- 1 required to be refunded as a condition of the application to the personnel.
2 However, in calculating a pension or gratuity granted in accordance with the
3 provisions of this paragraph, account shall not be taken for any purpose of the
4 period during which the officer was not in the National Assembly Service.
5 4. Formula for calculation of pension and gratuity based on the
6 percentage of last pay shall be in accordance with the Table in the National
7 Assembly Service Regulations.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Assembly Pension Office which shall be charged with the responsibility for payment of pensions and gratuities to all personnel of the National Assembly Service.