

# ROLE OF ANTI-CORRUPTION AGENCIES IN EFFECTIVE PUBLIC SERVICE DELIVERY

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# DEFINING THE PUBLIC SERVICE

- “The key output linkage of The State towards civil society”
- “All those operations having for their purpose the fulfilment or enforcement of public policy-(White 1995)”
- “Agglomeration of all government-owned organisations, together with their career personnel, which assist government in policy-making, implement policies and render social services to the public”
- “The machinery of government I.E. the totality of services that are organized under public (that is, government) authority”
- “The totality of the administrative structures within which the work of government is carried out”

# DEFINING THE PUBLIC SERVICE – THE NIGERIAN CONTEXT

- “There shall be a Civil Service of the Federation”  
Section 169 1999 Constitution
- “Subject to the provisions of this Constitution, the Federal Civil Service Commission may, with the approval of the President and subject to such Conditions as it may deem fit, delegate any of the powers conferred upon it by this Constitution to any of its members or to any officer in the civil service of the federation” Section 170 1999 Constitution

# THE PUBLIC SERVICE AND ANTI-CORRUPTION

THE STATE SHALL  
ABOLISH ALL  
CORRUPT PRACTICES  
AND ABUSE OF  
POWER” Section 15(5)  
of the Constitution

GOOD  
GOVERNANCE;  
SERVICE  
DELIVERY

“THERE SHALL  
BE A CIVIL  
SERVICE OF THE  
FEDERATION”  
SECTION 169  
1999  
CONSTITUTION

# WHAT DO ACAs DO?

## CORRUPTION PREVENTION

RISK ASSESSMENTS, SYSTEMS REVIEW, REGULATORY FRAMEWORKS, M&E, CODES OF ETHICS

## ENFORCEMENT AND SANCTIONS

PROSECUTION; ADMINISTRATIVE ENFORCEMENTS

## PUBLIC ENGAGEMENT AND EDUCATION

CIVIC EDUCATION; ACCESS TO INFORMATION, FEEDBACK PROCESSES

# PUBLIC SERVICE DELIVERY AND ANTI-CORRUPTION

“ THERE SHALL BE A CIVIL SERVICE OF THE FEDERATION” SECTION 169 1999 CONSTITUTION

CORRUPTION PREVENTION

ENFORCEMENT AND SANCTIONS AGAINST CORRUPTION

THE STATE SHALL ABOLISH ALL CORRUPT PRACTICES AND ABUSE OF POWER” Section 15(5) of the Constitution

PUBLIC ENLIGHTENMENT AGAINST CORRUPTION

RECOVERY OF PROCEEDS OF CRIME

SERVICE DELIVERY AND GOOD GOVERNANCE

ETHICAL REORIENTATION

CODES OF CONDUCT AND ETHICS

# IDENTIFYING ACAs IN THE GLOBAL WORLD (IATT MEMBERS)

Bureau for Public Service Reforms (BPSR)

**Bureau of Public Procurement (BPP)**

Central Bank on Nigeria (CBN)

**Code of Conduct Bureau (CCB)**

Corporate Affairs Commission (CAC)

**Economic and Financial Crimes Commission (EFCC)**

Federal Inland Revenue Service (FIRS)

Federal Ministry of Finance (FMF)

Federal Ministry of Justice (FMoJ)

Fiscal Responsibility Commission (FRC)

**Independent Corrupt Practices and Other Related Offences Commission (ICPC)**

Ministry of Foreign Affairs (MFA)

National Agency for the Prohibition of Traffic in Persons & Other Related Matters (NAPTIP)

National Drug Law Enforcement Agency (NDLEA)

Nigeria Extractive Industries Transparency Initiative (NEITI)

Nigeria Financial Intelligence Unit (NFIU)

National Human Rights commission (NHRC)

The Nigeria Police Force (NPF)

**Office of the Auditor General for the Federation (OAuGF)**

Public Complaints Commission (PCC)

Special Control Unit against Money Laundering (SCUML)

Technical Unit on Governance and Anti-Corruption Reforms-(TUGAR) [Secretariat to the IATT]

# KEY ACAS, MANDATES AND ROLES IN PUBLIC SERVICE DELIVERY

BPP, CCB, ICPC EFCC, AUDITOR-GENERAL



# ICPC

## SECTION 6: It shall be the duty of the Commission –

- (a) Where reasonable grounds exist for suspecting that any person has conspired to commit or has attempted to commit or has committed an offence under this Act or any other law prohibiting corruption, to receive and investigate any report of the conspiracy to commit, attempt to commit or the commission of such offence and, in appropriate cases, to prosecute the offenders;
- (b) To examine the practices, systems and procedures of public bodies and where, in the opinion of the Commission, such practices, systems or procedures aid or facilitate fraud or corruption, to direct and supervise a review of them;
- (c) To instruct, advise and assist any officer, agency or parastatals on ways by which fraud or corruption may be eliminated or minimised by such officer, agency or parastatal;
- (d) To advise heads of public bodies of any changes in practices, systems or procedures compatible with the effective discharge of the duties of the public bodies as the Commission thinks fit to reduce the likelihood or incidence of bribery, corruption, and related offences;
- (e) To educate the public on and against bribery, corruption and related offences; and

# PUBLIC COMPLAINTS COMMISSION

## Established by the Public Complaints Act

- To inquire into complaints by members of the public concerning the administrative action of any public authority and companies or their officials, and other matter ancillary thereto.
- To investigate either on his own initiative or following complaints lodged before him by any person, any administrative action taken by:
  - (a) Any Department or Ministry of the Federal or any State Government
  - (b) Any Department of any Local Government Authority (howsoever designated) set up in any State in the Federation.
  - (c) Any statutory corporation or public institution set up by any Government in Nigeria.
  - (d) any Company incorporated under or pursuant to the Companies and Allied Matters Act whether owned by any Government aforesaid or by private individuals in Nigeria or otherwise howsoever; or
  - (e) Any officer or servant of any of the aforementioned bodies

# POWERS OF THE COMMISSION

- Any Commissioner shall have access to all information necessary for the efficient performance of his duties
- May visit and inspect any premises belonging to any person or body mentioned in accordance with the Act
- Every Commissioner shall ensure that administrative action by any person or body mentioned in sub-section (2) will not result in the commitment of any act of injustice against any citizen of Nigeria or any other person resident in Nigeria and for that purpose he shall investigate with special care administrative acts which are or appear to be:
  - (i). Contrary to any law or regulations
  - (ii). Mistaken in law or arbitrary in the ascertainment of fact.
  - (iii). Unreasonable, unfair, oppressive or inconsistent with the general functions of administrative organs.
  - (iv). Improper in motivation or based on irrelevant considerations.
  - (v). unclear or inadequately explained; or
  - i. (vi) Otherwise objectionable;

- SECTION 5(6) In the exercise of the powers conferred upon a Commissioner under the Act, the Commissioner shall not be subject to the direction or control of any other person or authority.

**7. (1)** A Commissioner may recommend to the appropriate person or responsible administrative agency after due investigation of any complaint, any of the following steps, that is:

- (a) that a further consideration of the matter be made.
- (b) that a modification or cancellation of the offending administrative or other act be effected.
- (c) That an alteration of a regulation or ruling be effected.
- (d) That full reasons behind a particular administrative or other act be given

**(2)** Where appropriate, a Commissioner may refer cases where he feels

- that existing laws or administrative regulations or procedures are

- Inadequate, to the National Assembly or the appropriate Governor or to

- any other appropriate person or body.

- (3) In every case where a Commissioner discovers that a crime may have been committed by any person, he shall report his findings to the appropriate authority or recommend that that person be prosecuted.

- (4) In every case where a Commissioner is of the opinion that the conduct of any person is such that disciplinary action against such a person be taken, he shall make a report in that regard to the appropriate authority which shall take such further actions as may be necessary in the circumstances.

# CODE OF CONDUCT BUREAU

Has the Mandate to enforce the Code of Conduct for Public Officers

- Conflict of Interest Rules
- Restrictions on double emolument and private business
- Prohibition of Foreign Accounts
- Prohibition of Retired Public Officers from accepting more than one remuneration position
- Prohibition of certain retired Public Officers from employment in foreign enterprises.
- Prohibition against accepting any gifts or benefits
- Restriction on Loans, Gifts or Benefits to certain Public Officers
- Prohibition against offering any property, gift, benefit or bribe
- Abuse of office
- Prohibition against membership of societies
- Declaration of Assets

# OFFICE OF THE AUDITOR-GENERAL

- CREATED BY S.85 OF THE CONSTITUTION
- HAS RESPONSIBILITY TO AUDIT ALL PUBLIC ACCOUNTS OF THE FEDERATION
- PRESENT FINDINGS TO THE PUBLIC ACCOUNTS COMMITTEE(PACS) OF THE NASS
- RECOMMEND CORRECTIVE MEASURES AND SANCTIONS

# THE ECONOMIC AND FINANCIAL CRIMES COMMISSION

- Collaborating with governmental bodies in---
  - the identification, determination of the whereabouts and activities of persons suspected of being involved in economic and financial crimes
  - The movement of proceeds or properties derived from the commission of economic and financial and other related crimes

*(Section 6(J) EFCC Act)*



# EFCC CONTD(LIFESTYLE CHECKS)

- The Commission has power to-  
-cause investigations to be conducted into the properties of any person if it appears to the commission that the person's lifestyle and extent of the properties are not justified by his source of income

*(Section 7(1)(b) EFCC Act*

# BUREAU OF PUBLIC PROCUREMENT

The objectives of the Bureau are:

- a. The harmonization of existing government policies and practices on public procurement and ensuring probity, accountability and transparency in the procurement process ;
- b. The establishment of pricing standards and benchmarks;
- c. Ensuring the application of fair, competitive, transparent. value-for money standards and practices for the procurement and disposal of public assets and services
- d. The attainment of transparency, competitiveness, cost effectiveness and professionalism in the public sector procurement system.

(Section 4 of the Public Procurement Act)

# ACAs PLAYING THEIR ROLES

MAINSTREAM TRANSPARENCY AND ACCOUNTABILITY MEASURES AT ALL LEVELS OF GOVERNANCE

EDUCATE THE PUBLIC AND  
ENSURE CITIZENS  
PARTICIPATION

PROACTIVE CORRUPTION PREVENTION

ENSHRINE PREVENTIVE  
MEASURES USING RISK  
ASSESSMENTS, SYSTEMS  
REVIEWS , OTHER  
TRACKING AND M&E  
TOOLS

ETHICAL STANDARDS AND  
CODES

ENFORCE ANTI-CORRUPTION  
AND ACCOUNTABILITY LAWS

KEEP THEIR HOUSE IN  
ORDER

# FACILITATING EFFECTIVE SERVICE DELIVERY BY THE ACAS

