



THE PRESIDENCY
CABINET AFFAIRS OFFICE
OFFICE OF THE SECRETARY TO THE GOVERNMENT OF THE FEDERATION



CABINET AFFAIRS HANDBOOK



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HANDBOOK



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FOREWORD

The establishment of formal, coherent, consistent policy management and decision-making process is fundamental to the achievement of the President's agenda for transforming the Nigerian State. It is in this regard that the Cabinet Affairs Office in the Office of the Secretary to the Government of the Federation has developed the 'Operation Manual for Council Documents' to guide Ministries, Departments, and Agencies (MDAs) in the preparation of documents for the Federal Executive Council (FEC) and other advisory councils. This is in accordance with Section 148 (2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), which states, "The President shall hold regular meetings with the Vice-President and all the Ministers of the Government of the Federation".

Executive Council Memoranda (ECM) from the various MDAs of the Federal Government are important, as they enable the President-in-Council, to make decisions that have wide-ranging implications for the country. The manner in which such ECM are prepared and presented may

simplify or complicate the work of the FEC and may even influence the quality of decisions made by the FEC. In view of this, this Manual has been prepared to serve as a guide to the MDAs in the preparation of Council documents, and as a reference document for Council matters.



Inauguration of Council Members.

The development of this Manual was informed by the Public Service Rules, FEC practices and experience over the years, as well as insights gained from other countries with similar Cabinet processes. Nonetheless, the Manual is a dynamic and living document that will benefit from review as the need arises, to accord with evolving political, structural and technical trends.

It is my conviction that strict adherence to the guidelines in this Manual in the preparation of Council documents will facilitate the work of the President-in-Council and, thereby, ensure good governance and delivery on the Government's agenda. I, therefore, enjoin Ministers and Heads of Departments and Agencies to ensure strict adherence to the Manual.

Boss Mustapha

Secretary to the Government of the Federation

VISION

To be the frontline policy management organ of the Office of the Secretary to the Government of the Federation towards effective service delivery

MISSION

To serve as the main facilitator in the consideration and approval of all Government policies, programmes and projects by the President-in-Council, through the processing of Council Memoranda, Notes, Conclusions and discussions of all statutory Councils and Committees

CHAPTER ONE

EXECUTIVE COUNCIL OF THE FEDERATION

Executive Council Responsibility

The Executive Council of the Federation is defined in Sub-section (5) of Section 144 and its authority is defined in Sub-section (2) of Section 148 of the Constitution of the Federal Republic of Nigeria. It is the Principal instrument of Policy in and for the Federation, being the body charged with general responsibility for policy on matters to which the executive authority of the Federation extends.

The first duty of Ministers is to play a full part in reaching decisions on policy matters which only the Executive Council can take; and in discharging these functions, all Ministers are of equal standing. This collective responsibility is one of the fundamental principles on which the practice of constitutional government is based.

This principle is not affected by the assignment of responsibility to individual Ministers. Decisions made by a Minister regarding any matter in his portfolio, when it is not within policy already decided by the Council must always be such as could, without doubt, be defended by the Council as a whole. All major matters of policy, and matters on which there may be doubt regarding the attitude of other members of the Council, and all subjects on which there is an unresolved conflict of opinion between Ministers, should be put before the Council.

All Ministers are collectively responsible for policy decided in the Council. An individual Minister has the full liberty and clear duty to speak at meetings of the Executive Council for or against any proposal put before it. But once a decision is taken in Council no Minister may speak against it either in public or in private. No Minister may, in public speeches, commit the Government to any course of action save in accordance with decisions on policy already made by the Council. On ceasing to be a Minister, an individual's conduct must still be governed by the Oath he/she took as a member of Council.

A fundamental principle of collective responsibility is that the aim should be unity. It is important to preserve united support for a decision taken by the Council: if any Minister feels conscientiously unable to support a decision taken by the Council, he has one course open to him and that is to resign his/her office. Equally important to remember in achieving unity is that Ministers should not come to decisions on policy before consultation with their colleagues, that is to say, before the President and their fellow Ministers hold a formally summoned meeting at which the conclusions are recorded.

The President in his discretion may assign to the Vice President or any Minister of the Government of the Federation responsibility for any business of the Government including the administration of any department of Government. This individual responsibility must be exercised in conformity with the principle of the collective responsibility of the government.

On taking up office every Minister is required to take the Oath of Allegiance and the Member of Executive Council Oath. Under no circumstances may the nature of discussions or the opinions expressed by individual Ministers in the Council be divulged. Discussions between Ministers, under a common obligation of secrecy, about subjects to which that obligation applies should always be so conducted that there is no



President Buhari Assigns Responsibility to VP, Prof. Osinbajo

likelihood of a breach of that obligation. It is in this respect it becomes relevant to note that:

- (a) A Minister has responsibilities wider than those relating to her/his own portfolio and will, in that capacity, receive documents which do not concern the subjects listed in his/her portfolio.
- (b) Members of the National Assembly are NOT members of the Executive of the Federation. Therefore, no matter how sympathetic they may be towards the policy of the Council or towards individual members of the Council, information given to them must be strictly limited to what is statutorily required and or what has been agreed in Council as necessary for the effective performance of their legislative functions.

Every paper put before the Council, including the agenda, is of, itself restricted. Some subjects may be restricted in themselves, and some more restricted than others. Matters of high policy and fiscal measures are restricted because premature disclosure would prejudice the issue or give to some persons unfair advantage. All subjects coming before the Council are treated as restricted because outside knowledge that the Council is considering any subject may hamper free discussions and may give rise to undesirable speculations and may result in embarrassment to members through attempts by interested parties to influence them.

Apart from the restrictedness of business before the Council, the other important aspect of confidentiality is that of the discussions at meetings. The collective responsibility of the Council makes it essential that members must be able to express themselves freely in Council without the fear that individual opinions put forward might become public knowledge in the near or distant future. A member of the Council may have argued for or against a particular line of action in the confidentiality of the Council meeting, but once a decision has been reached he must support that decision in public. Any thought that there might be any departure from this fundamental rule would prohibit frank discussion and nullify collective responsibility. It would be a most grave breach of the Oath of Secrecy for any member at any time to disclose the individual views of Council members on any subject.

It also follows that it would be wrong for a member of the Council to claim or disclaim personal responsibility for any part of a decision by the Council. The oath of a member of the Council continues to be binding after the resignation of that member or the dissolution of a Government. This is important, for the essential confidence between members of the Council would be destroyed if members were free to air any past differences once they were no longer members. If a member resigns and in stating the reasons for his resignation wishes to refer to any such differences, the President, in considering such a request, would have regard to the public interest and would not in any case authorize disclosure of the views put forward by individual members of the Council or how members of the Council had voted if the subject had been put to the vote.

An important consideration regarding the secrecy of Government business is that there must be no disclosure to any save those who need to know the facts in the course of their official duties, and not until they do need to know the facts and that, further, no one who does not need to know in order to enable him/her carry out his/her duties, does know. The proceedings of all Committees of the Council including details of their composition and terms of reference, are equally restricted.

All officials who handle Council documents will have taken the Oath of Secrecy and are bound by the Official Secrets Act Cap.335. Members of the Council and officials are obliged to notify the Attorney-General of the Federation of any unauthorized disclosure of information about proceedings of the Council or of Committees of the Council that come to their notice and to assist him/her in any investigations.

When addressing meetings Ministers must keep within Government Policy and scrupulously refrain from anticipating decisions not yet made public. Reference should not be made to a matter for which another member of the Council is responsible without prior consultation with him. Legislation should never be promised without the express approval of the Council.

Ministerial broadcasts must be limited to explanations of Government policy and information about the way in which that policy has been and

will be carried out. No such Ministerial broadcast should contain material intended to serve purely Party interests. Any Minister who is going to broadcast must send an advance copy of his script to the President. Advance copies of scripts of important broadcast may also be circulated to all members of the Council.

The granting of special interviews to individual representatives of the media should be avoided because an interview granted to a single newspaper or agency might arouse jealousy and therefore hostility in the rest of the Press.

Draft Press Releases should be put to the Council for approval when announcements are to be made on policy decisions of the Council. This does not apply to Press Releases explaining details of the implementation of Policy decisions previously made and already announced.



Cross Section of FEC Members at a Meeting in the Council Chamber

Business for the Executive Council

The Secretary to the Executive Council/Secretary to the Government of the Federation will usually take the President's instructions on Agenda and the convening of meetings. Any Minister may, of course, ask that a meeting be called should it appear to him that it is urgently necessary to obtain the Council's decision on some important matter, and the President may summon a meeting any time.

Proceedings in Cabinet are informal and are not subject to the rules of debate.

Save with the consent of the President, matters discussed are limited to items listed in the Agenda.

Subjects are raised normally only by members of the Council in form memorandum usually routed through the Cabinet Affairs Office. The member putting forward a memorandum is expected to lead the discussion on the subject.



Cross Section of FEC Members at a Meeting in the Council Chamber



Cross Section of FEC Members at a Meeting in the Council Chamber

Any member, including a Minister of State, may ask that a matter shall be discussed in Council, but if it concerns a subject for which he/she is not responsible, he/she should not do so without first consulting the Minister concerned.

Should a member wish to raise a matter orally in Council, he is expected to seek permission from the President directly or through the Secretary to the Council as early as possible beforehand.

A memorandum submitted by a member of the Council will not normally be discussed at a meeting at which he/she is not present unless he/she has given his/her consent or asked a colleague to lead discussion on his/her behalf. The Agenda will normally be closed seven days before the meeting unless special arrangements are made with the Secretary to Council. Once an agenda paper is issued no amendments will be made unless the Minister concerned makes a personal approach to the President. Save with the President's permission, which will be granted only for reasons of extreme urgency, a memorandum may not be set

down on an agenda for discussion by the council, even if the seven days warning to the Cabinet Affairs Office that it is in preparation has been given, until two working days after it has been circulated. The agenda for a meeting, or meeting notice, will normally be circulated by the Secretary to the council/Cabinet Affairs Office at least two days before a meeting.

Documents of the Executive Council are:

Council Memorandum

The Council Memorandum (CM) is a written document or an account prepared by a ministry or a government agency through its parent ministry to the President-in-Council, seeking approval for a proposed course of action. Documents accompanying the Council Memorandum may include: policy discussion papers, international agreements, draft legislation, and loans/financial agreements. Types of CM are as follows:

- a) Policy Memoranda: These are memoranda seeking the approval of Council on policy matters.



Cross Section of FEC Members at a Meeting in the Council Chamber

- b) Contract Memoranda: These are memoranda seeking the approval of Council for procurement contracts.
- c) Financial Memoranda: These are memoranda seeking approval of Council for annual appropriation (public revenues and expenditures), including borrowing.
- d) Legislative Memoranda: These are memoranda seeking approval of Council for new legislation or proposed amendments to existing ones, international treaties/protocols/ agreements. All these must follow the format prescribed.

Council Note

A Council Note is a briefing document presented to the Federal Executive Council for information purposes only. In most cases it does not seek Council's approval, but it could be converted to a Council Memorandum if a decision is subsequently required on the issue.

Council Conclusions

Executive Council Conclusions are a summary of deliberations and decisions of the Federal Executive Council as recorded by the Cabinet Affairs Office.

Council Extracts

These are sections of Council Conclusions sent to Permanent Secretaries of the appropriate ministries for further necessary action on the subject.

Council Agenda

A Council Agenda is a list of the business to be decided at a Council meeting. The Secretary of Council/Secretary to the Government of the Federation (SGF) develops the Council agenda in consultation with the President well in advance of Council meetings. The Cabinet Affairs Office provides ministries with deadlines for submitting their documents. Periodically, an urgent policy issue arises which demands immediate Council attention. In such instances, the responsible ministry will work with the Cabinet Affairs Office to have this item scheduled on the Council agenda on short notice.

All these documents are the property of the Federal Executive Council. The Secretary to the Council is responsible for making all necessary arrangements to ensure that such documents are not given to unauthorized persons. For ease of recognition they are all duplicated in different colours of papers.

All documents which are the property of the Federal Executive Council are headed "This document is the property of the Federal Executive Council" and all copies are numbered, each member of the Federal Executive Council having his/her own number. The records kept by the Secretary show which documents have been issued to which members of the Council. The Head of the Civil Service of the Federation and the Permanent Secretaries receive copies which are also numbered, and each has his/her own number. Members of committees who are not council members also receive special numbers in the various committee series of papers. It is the duty of the members of the Council and of those persons in Ministries who are permitted to handle Council documents to ensure that such documents are safely locked up when not in use. When they are no longer required for current Council business, Council documents are recalled by the Secretary for destruction and their return is recorded. All Council documents must be returned by a member on his/her ceasing to be a Minister.

A paper put before the Council or before a Committee should either be a memorandum or a note written by a Minister and should be initialed; a paper written by the Secretary or by any other authorized official should be signed.

Every memorandum for the Council is put forward by a member of the Council. The only exceptions are notes by the Secretary of Council or the Head of the Civil Service of the Federation which may be either factual statements on matters such as Government business, notes put forward on the request of the President or a member of the Council, or covering notes to papers circulated for information. The Secretary may also issue a note on additional information relevant to a Minister's paper which has become available to him at a late moment and when there is no

opportunity to obtain the Minister's initial to the paper, or notes seeking directions on or approval of Federal Executive Council office routine.

Memorandum for the Council should be as brief and as clear as possible. A well-drafted memorandum explains at the outset what the problem is, indicates briefly the relevant consideration, and ends with a precise statement of the decision sought. To facilitate references in discussion, paragraphs in the memorandum should be numbered. Supporting data or Analyses documents should be given in annexures.

The date at the foot of a memorandum is the date it is initialed by the Minister or the President in cases of memoranda that emanates from the Presidency. The date at the head, immediately below the grading, gives the date it is circulated to members from the Cabinet Affairs Office.

Matters for consideration by the Council should be presented in self-contained memoranda prepared in the Ministry principally concerned. When a subject is to be put to the Federal Executive Council which quite clearly falls within the portfolio of more than one member of the Council a joint memorandum, initialed by the members concerned, may be appropriate.

It is important that the Federal Executive Council members shall have before them in a concise and clear form all the pertinent points which they will need in order to reach a decision. Frequently a matter requiring a decision will have financial implications or affect the Development Plan and these should be clearly set out after consultation with the Ministry of Finance or Budget & National Planning. Other matters that will contain legal issues and legal advice should similarly be obtained from the Ministry of Justice.

Although a memorandum should not commit any Minister or other member of the Council to a final view before the matter is discussed in Council, it will nevertheless contain in the last paragraph the detailed recommendations of the member presenting it. The greatest care should be taken to ensure, when two or more Ministries or services of Government are concerned, that the needs and view of those branches,

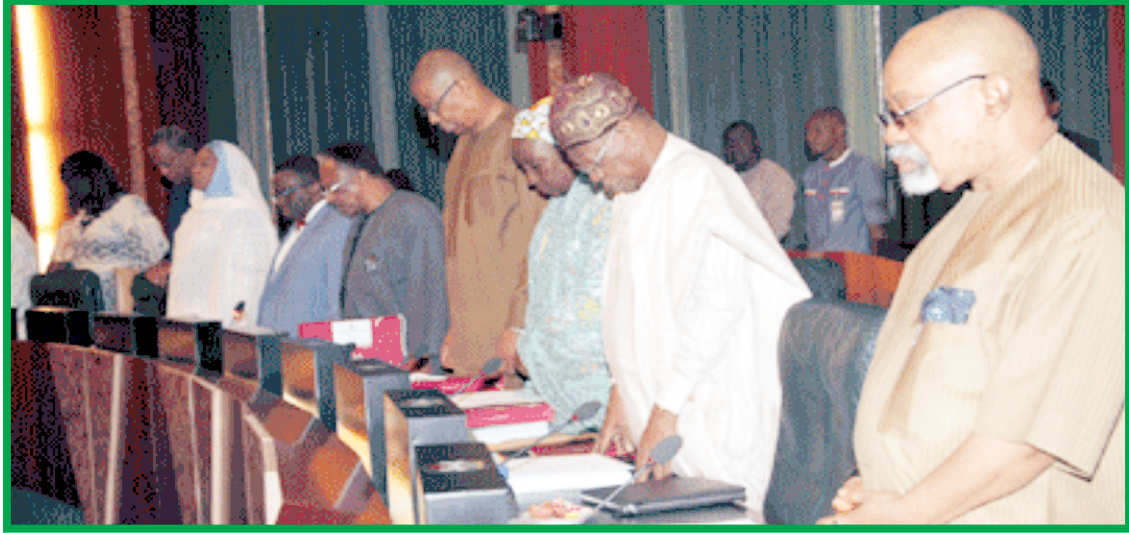


Cross Section of FEC Members at a Meeting in the Council Chamber

which will be formed after consultation between the professionals or technical officers, the Permanent Secretaries and their Ministers, are adequately represented.

A Minister has responsibilities wider than those covered by his/her own portfolio and in the light of his/her wide knowledge of Government Policy as a whole he/she may not always feel able to take the advice of his/her official advisers within his/her Ministry. But as the advice of a professional officer may in the final event appear technically irrefutable to the council in reaching its collective decision on the problems raised in any memorandum, his/her views should be stated in the memorandum where they differ from those of the Minister submitting it. The memorandum should similarly draw attention to any difference of opinion between Ministries, so that the Council may have all the available facts and advice before it.

The draft memorandum, after it has been initialed by the member, should be placed at the back of the Ministry file in which the subject of the memorandum has received attention and file should be forwarded to the Cabinet Affairs Office by the Permanent Secretary of the initiating Ministry for action. An electronic copy of the memorandum and all the



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supporting documents must also be forwarded through the Electronic Document Management System of the Cabinet Affairs Office. This is very important, in order to generate a number for the memorandum. It is the duty of the Council Secretary to satisfy himself/herself that any other member of the council who might be interested in the matter in its initial stages, e.g. the Minister of Finance, has been consulted.

Where the Secretary is not satisfied, he/she may suggest to the member of the Council submitting the memorandum that there should be such consultation before the memorandum is circulated, or, in minor matters, refer the file to the interested Ministry himself/herself before acting on it.

Memoranda for the Federal Executive Council will be reproduced by the Cabinet Affairs Officer, on green paper for ready distinction. If a memorandum is accompanied by a draft bill, a copy of subsidiary legislation, report or other attachment, normally referred to as an “Annex”, should accompany the memorandum. The initiating Ministry of a memorandum is responsible for ensuring that the required number of copies of the annex are reproduced and forward with the memorandum.

Normally one hundred and fifty copies will be required, but as this number may vary from time to time officers responsible for producing them should confirm from the Cabinet Affairs Office that additional copies are not required.

Once a document is initialed or signed for submission to the Federal Executive Council, or to a Committee of the Council, it is the property of the Federal Executive Council and may not be reproduced in a Ministry or other government office without the authority of the Council. This does not necessarily apply to an annex to a document, which is reproduced on white paper. If a Ministry requires an additional copy or copies of a Council memorandum, application must be made in every case to the Secretary to Council. If authority is given for the substance to be reproduced, it should bear no indication that it is a council document. The original memorandum initialed by the Minister, or by the President, or the Vice-President, will be retained by the Secretary to the Council in the Council records. Usually one copy of the memorandum in the form in which it is circulated to members of the Council is placed in the file in which the draft was submitted and returned to the initiating Ministry. This copy, marked "Office Copy", may remain permanently in the file.

Decisions arrived at by Federal Executive Council are recorded by the Secretary to Council/Cabinet Affairs Office in the conclusions, complete copies of which are issued only to members of the Council. The Council Secretary, in drafting the Conclusions, should avoid as far as possible, any reference to opinions expressed by individuals, and to record only the essence of the discussions which leads to the Conclusions. It is the duty of the Secretary to Council to clarify as well as to record the results of the meeting, and in this he/she can use his/her discretion.

Council Conclusions are the most important of all the Council documents. It is essential that they are never seen by unauthorized persons. Members of the Council are expected to ensure that conclusions are only handled by the minimum number of persons necessary to assist them in work.

Conclusions of exceptional secrecy are set out in a Top Secret Annex to the Conclusions and given a very limited circulation. In some circumstances there may be no circulation at all. For example, discussions on revenue proposals for the Budget, regarding which any leakage would be dangerous, are set out in a Top Secret Annex of which one copy only is made which is kept for reference in the Office of the Secretary to Council.

If a Minister, or his Permanent Secretary, or the Secretary to Council considers that any submission should be regarded as political, and therefore should receive special treatment to ensure that at no time in the future might it become available to an opposition party, then after due consultation between the Minister and these two officials, all the relevant papers will at once be removed by the Secretary to the council to a special Top Secret Federal Executive Council file which will be opened and registered in the Cabinet Affairs Office. Thereafter all action and minuting on the submission in the Ministry will be carried out on this file, which will not be registered as a Ministry file. When eventually a



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conclusion is reached in the Council the usual Extract for action will also be placed in this file. If the decision involves action which will be known to the public or which requires further correspondence in public offices, then a suitably edited version of the extract will be prepared by the Secretary to Council for placing in an appropriate purely Ministry file. In any case, the Federal Executive Council file will on completion of this action be returned to the Cabinet Affairs Office. On a change of Government, and also at intervals of every six months there should be a check on all such files and any which had been overlooked in the Ministries would be immediately withdrawn.

Members of a previous Government when they return to office subsequently are entitled to study Government papers of the time when they held office before. Such Ministers will clearly be entitled to ask the Cabinet Affairs Office to show them such Top Secret files with which they had previously been personally concerned. On the other hand, it will be the duty and responsibility of the civil servants in the Cabinet Affairs Office to ensure that no Minister who had not been previously concerned with such papers, still less political opponents, should have access to them.

As soon as the Conclusions of a Council meeting are adopted, the Permanent Secretary of Cabinet Affairs Office will prepare extracts from the Conclusions containing the decisions only and send them to the Permanent Secretary of the appropriate Ministry for insertion in the relevant file to enable further executive action to be taken. These extracts (as are the full Conclusions) are prepared on customized paper so that they can be clearly distinguished in the file. The Permanent Secretary conveys these decisions because they are decisions of the Federal Executive Council and not decisions of a single Minister.

The Permanent Secretary in the Ministry concerned will be responsible for the preparation of a letter conveying such instructions as may be necessary arising from the Conclusions. The Permanent Secretary will, where appropriate, take the Minister's instructions in the drafting of any such letter. In preparing the letter, the Conclusions of the Council should be read in conjunction with any memorandum on which Council's decision may have been based. If, for convenience or clarity, it is



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necessary to use the actual words of the Conclusions 'verbatim', they should not be quoted in inverted commas, and the reference numbers of the Council papers must never be used in any other documents. A decision will normally be conveyed as a direction of the member of the Council concerned and not as a decision of Federal Executive Council unless the latter course has been specifically prescribed for reasons of emphasis.

It is a general principle of government that Ministers who are members of a government formed by one President are not entitled to see the Council papers of the Government of another President or of a different political dispensation.

Ministers may as a general rule only have access to memoranda and conclusions of meetings which took place while they themselves held office as Ministers. When there has been a change in Ministers during the lifetime of one Government, the incoming Ministers may, with the President's permission, be given copies of the Conclusions on subjects considered before they became Ministers if reference to these becomes necessary for the discharge of current business, but no Minister is entitled as a right to see the memoranda put to the Council, or Conclusions of meetings of the Council held, when he/she was not a Minister.

An incoming Minister would, of course, have access to the working “Office Copies” of Council memoranda put forward by previous Ministers holding that portfolio, which will have been retained in the relevant file of the Ministry together with Extracts of Conclusions of the Council on that subject.

All Council documents, with the exception of the Office Copy of a memorandum and the extracts of Conclusions upon it in the file of the Ministry concerned, are returned to the Cabinet Affairs Office when no longer required by members of the Council for current administration. Normally such documents are returned at intervals of a few months, but they must be returned by a Minister on his/her ceasing to be a Minister. Notwithstanding any other rules regarding access to Council documents, a Minister on returning to office is entitled to see copies of memoranda and Conclusions issued while he/she was previously in office. Application should be made to the Secretary to Council.

The first duty of a Minister is to play a full part in reaching decisions on policy matters in the Federal Executive Council. In planning visits to places outside Abuja, a Minister should give due regard to his/her obligations to the Council and his/her duties in his/her Ministry.

Meetings of the Council take precedence over all other business. If, owing to unavoidable circumstances, a Minister is unable to attend any particular meeting, he should give notice to the Secretary to Council as early as possible.

Ministers who wish to absent themselves from their duties or to be absent from Nigeria must obtain permission from the President before being so absent. If a Minister is absent from Nigeria without obtaining permission from the President in writing, his/her seat in the Federal Executive Council automatically becomes vacant. Application to the President by a Minister for leave of absence from his/her duties or for permission to leave Nigeria should be submitted through the Principal Secretary, the State House.

Permanent Secretaries are permitted to attend meetings of the Council at the request of their respective Ministers in advisory capacity. Should a

Minister wish any other official to be present at discussions on a particular matter in the Council, the Minister should pass such request to the Secretary to Council, who will obtain the decision of the President. Any such official permitted to attend a meeting for any particular item will normally withdraw from the meeting before the Council takes its decision on the matter.

No paper can be put to the Council by any one except a member of the Council or the Secretary, and therefore no member of the public is entitled to address Council. If there were any relaxation of this rule it would not be in accordance with normal procedure and the work of the Council would become overburdened. Members of the public do, however, occasionally address letters to or petition the Council or the Secretary to the Federal Executive Council. When any such documents are received in the Office of the Secretary to the Government of the Federation, they are acknowledged by a letter saying that the petition has been referred to the member of the Council responsible for the subject matter. The letter or petition and a copy of the acknowledgement are sent to the member concerned and it is for him to decide what action should be taken. The majority of petitions dealt with in this way are not put to the Council at all, but there are occasions when it is desirable that the attention of the Council should be drawn to the views of an outside body. This may be done in a memorandum by the member concerned.

Cabinet Committees

Whenever there is a particular complicated subject which the Council wishes to resolve before Council's decision, an ad hoc Committee of the Council may be constituted to ensure that all aspects of the problem are thoroughly examined before the Council is called upon to take a decision. A committee is of particular value if the implications of a problem concern several Ministries. It is also useful when it is desirable to avoid taking up the time of the Council over the consideration of a large number of minor matters.

Ad hoc committees may consist of members of the Council only, or of members of the Council and officials, or of officials only. In particular



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circumstances representatives of the National Assembly may be members of a Committee.

A Committee can shorten discussion in Council by a preliminary examination of a problem which narrows the points outstanding for Council's decision. The system enables the Chairman of a committee to put to the Council in a single memorandum matters which might otherwise come before it in the form of papers submitted by several members. There is the added advantage that persons who are not members of the Council but who have special knowledge of a subject can be members of an ad hoc Committee.

As with the Federal Executive Council itself, it is desirable wherever possible for the sake of speed and clarity that any discussion on a subject by a committee should be on the basis of memorandum. There may be times, however, when a committee is authorized to investigate a certain subject that a preliminary meeting may be necessary at which decisions may be taken regarding the preparation of papers for Council. Thereafter, the Committee Chairman will submit the report to Council. If he/she is absent, then the Chairman's report will be submitted by the member of the Council primarily responsible for the subject.

When the formation of an ad hoc committee has been approved by the Council, the Secretary to the Federal Executive Council should verify that the composition and terms of reference are completely in accordance with the Conclusions of the Council authorizing the committee. If no precise terms of reference have been laid down these should be prepared by him. If there is doubt about the terms of reference they should be drafted by him and put to the Council for approval.

The Secretary to the Federal Executive Council appoints Secretaries to a committee. One Secretary should normally be from the Council Secretariat and an officer in the Ministry primarily concerned with the subject to be examined by the committee will generally act as joint Secretary.

The first paper in a committee memoranda series will be issued by the Secretary to the Federal Executive Council, and will set out the authority for appointment, the membership and the terms of reference.

Memoranda for a committee may be submitted by any member of the committee, including official members. The proceedings of a committee are conducted in the same manner as a Council meeting, but the record of a meeting of a committee is referred to as 'Minutes' and not as 'Conclusions'.

The method adopted by members of Council for discussion among themselves on questions of policy is essentially a domestic matter and is of no concern to the National Assembly or the public. The doctrine of collective responsibility of the Federal Executive Council depends in practice upon there being every opportunity for full and frank discussion between them, and such discussion might be hampered if the public could always expect to know by what process it is carried on. For these reasons, it is not the practice to disclose particulars of the composition and terms of reference of ad hoc committees of the Council, nor even their existence unless there be good reason to the contrary.

Role of the Secretary of Council

The Secretary to the Government of the Federation is also the Secretary to the Federal Executive Council. He/she is responsible for arranging the business for, and keeping the minutes of, meetings of the Federal Executive Council and for conveying decisions of the Federal Executive Council to the appropriate person or authority, and shall have such other functions as the President may from time to time direct.

He is responsible for ensuring that the work of Ministries which is directed towards the Federal Executive Council or which results from the Council's decisions is properly coordinated, and to this end must maintain close contact with Ministers. The Secretary is the channel through which all papers intended for Federal Executive Council are passed. It is his/her duty to draw the attention of Ministries to any lack of coordination in them. He/she will, when so directed by the President, send such papers back for further consideration or clarification. Where necessary, he/she will take the advice of the Head of the Civil Service of the Federation who is responsible for the general supervision of all Permanent Secretaries and Services matters.



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He/she has a special responsibility to the President for the proper arrangement of business in Council, for the security of Council documents and the secrecy of Council business, and for the continuous supervision of the work of committees established by the Council.

He/she is responsible for ensuring that no memorandum is circulated for discussion by the Council unless it is in proper form approved by the council, and will for this reason be responsible for final reproduction of all memoranda which are to be presented to the Council.

He/she is responsible for circulating and ensuring that all offices of members of the Council receive copies of memoranda as early as possible before the date fixed for the meeting at which they will be discussed.

He/she will attend all meetings of the Council for the purpose of recording Conclusions and will be accompanied by the Permanent Secretary, Cabinet Affairs Office and his/her assistants from the Cabinet Affairs Office. He/she is responsible for giving instructions to his staff to ensure that proceedings of the Council are not disturbed. To assist him/her, Ministers are asked to give general directions that messages are not to be sent to them while in Council unless they are so urgent that they cannot wait until the end of the meeting.

The Secretary to the Federal Executive Council is responsible for keeping a special list of all Conclusions of the Council which require further action before being reconsidered in the Council, or which include an invitation to a member to submit a memorandum. He/she will periodically circulate lists of such Conclusions to ensure that decisions of the Council on which further action is required in Council are not overlooked.

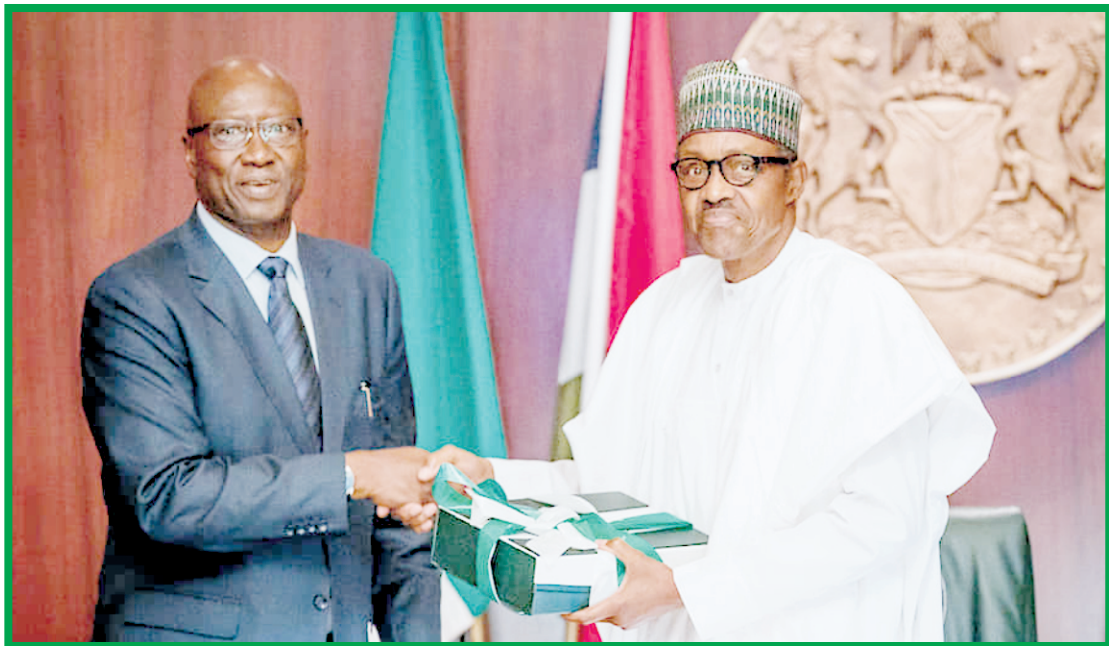
It is the duty of the Secretary to Council to receive all documents of the Council returned by members when those documents are no longer required for current administration and to receive all Council documents from Ministers when they cease to be Ministers.

He/she will arrange for the binding of Council Conclusions and Minutes for recording purposes and will be responsible for the preparation of an

index of all decisions and for the maintenance of such other books or records as are necessary for the efficient conduct of Council business.

The Secretary to the Federal Executive Council will signify under his/her hand all Orders in Council and other subsidiary legislation made or all Orders or Regulations made by the President.

The Secretary of Council carries out most of these roles through the Cabinet Affairs Office headed by a Permanent Secretary who doubles as the Deputy Secretary to Council.



Secretary to the Government of the Federation, Boss Mustapha,
Making a Presentation to President Muhammadu Buhari.

CHAPTER TWO

EVOLUTION OF CABINET AFFAIRS OFFICE

Evolutionary Trends in Cabinet Formation

The term “cabinet” refers to a group or council of advisers to the chief executive of a country. Operationally, the evolution of the cabinet first started in both the British and American systems of government. Interestingly, there is no clear constitutional provision for the formation of a cabinet in both systems and so its membership and responsibilities only evolved through custom and usage. For instance, under the British parliamentary system of government, its members are appointed by the Prime-Minister from Parliament to advise him and they function as an executive committee of Parliament.

Historically, this practice dates back to the 17th century when the Kings of Great Britain started appointing small committees of the large Privy Council (the group of people appointed to advise the king) to meet privately and advise them. The name “cabinet” was first used to refer to the meeting room of such small advisory committees instead of the members. The need for these small advisory committees was obvious when the Privy Council became too large and unwieldy and Kings had to rely more on a few close associates to advise them.

In the United States of America (USA), there is a marked contrast on how the cabinet evolved. The heads of executive departments and other officials designated by the President form the cabinet. With no clear constitutional provision for a cabinet, its emergence started in 1789 when President George Washington (1789-97) took advantage of Article II, Section 2 of the American Constitution to use his heads of departments as regular advisers. The relevant section states that the President “may require the opinion, in writing, of the principal officers in each of the executive departments, upon any subject relating to the duties of their respective offices”. The American cabinet therefore emerged when the President started meeting with the heads of departments to seek their opinion on issues. The cabinet meetings in the USA are held once a week in the White House but could be called at the discretion of the President.

In Nigeria, the 1999 Constitution in Section 5(1) provides that the executive powers of the Federation shall be vested in the President. He/she may, subject to the provisions of any law made by the National Assembly, exercise the powers directly or through the Vice-President, Ministers or officers in the public service of the Federation. In Section 148(2), the Constitution provides that “The President shall hold regular meetings with the Vice-President and all the Ministers of the Government of the Federation for the purposes of:

- (i) determining the general direction of domestic and foreign policies of the Government of the Federation;
- (ii) coordinating the activities of the President, Vice-President and the Ministers of the Government of the Federation and the discharge of their executive responsibilities; and
- (iii) advising the President generally in the discharge of his executive functions other than those functions with respect to which (s)he is required by the Constitution to seek the advice or act on the recommendation of any other person or body”.

The Third Schedule, Part 1(B) of the 1999 Constitution also provides that the Council of State shall have power to advise the President in the exercise of his powers with respect to the:

- (i) national population census and compilation, publication and keeping of records and other information concerning the same,
- (ii) prerogative of mercy,
- (iii) award of national honours,
- (iv) the Independent National Electoral Commission (including the appointment of the Chairman and members of that Commission),
- (v) the National Judicial Council (including the appointment of the Chairman and members, other than ex-officio members of that Council),
- (vi) the National Population Commission (including the appointment of the Chairman and members of that Commission); and
- (ii) advise the President whenever requested to do so on the maintenance of public order within the Federation or any part thereof and on such other matters as the President may direct.

In summary, the cabinet in any country, is the “directing body of national policy” and consists of the senior political executives of the administration. This underscores the importance of the cabinet even though it evolved as one of the values of institutional practices rather than a clear constitutional provision for running a government. It therefore follows that its agenda of meetings and decisions reached must be documented, thus the emergence of the Cabinet Affairs Office.

The Cabinet Affairs Office

As an adjunct to the cabinet system adopted by both the British and American political systems and copied by other countries, the Cabinet Affairs Office was first established in 1918 under the British cabinet system. Its functions included “collecting and preparing the cabinet agenda, providing the information and material necessary for deliberation; and drawing up the results for communication to the departments concerned”. In USA, from the time of President Harry Truman (1945-53), a White House staff secretary started taking responsibility for preparing the agenda and keeping the records of proceedings of the cabinet meetings. The practice became institutionalized and a Cabinet Affairs Office fully emerged during President Dwight Eisenhower’s era (1953- 61) till date.



*Send Forth for Former Permanent Secretary,
Cabinet Affairs, Barr. Georgina Ehurua*

In Nigeria, the origin of the Cabinet Affairs Office can be traced to the colonial past. After the amalgamation of the Southern and Northern Protectorates of Nigeria in 1914, an Executive Council for Nigeria was one of the three Councils created by Sir Lord Lugard. The Executive Council eventually emerged as the sole machinery for the formulation of colonial government policies. When the Chief Secretary to the Government was appointed an ex-officio member of the Executive

Council, another official designated as the Clerk of the Executive Council took the minutes of deliberations of the Council. It was Sir Hugh Clifford (1919-1925) who, according to the Nigerian Gazette Extraordinary, No.73, Vol.7 of 27th November, 1920, established the Nigerian Secretariat and put it under the direct control of the Chief Secretary to the Government.

The Chief Secretary's mandate was “to collect and collate all questions” to be decided by the Governor and “to coordinate the work and activities of the Government” as well as serving as “the scribe who kept all the records”. This inevitably led to the creation of a sub-unit under the Office of the Chief Secretary to take custody of the minutes and records of the Executive Council of the Government.



Barr. Georgina Ehuria Receiving a Parting Gift

When Nigeria attained Independence from colonial rule in 1960, the sub-unit was renamed the Cabinet Affairs Office and was synonymous with Cabinet Office up till 1979 under the Military Government. Its scope of work also increased. In the Second Republic from 1979 to 1983, it was called Council Secretariat. During the reign of Military President Ibrahim

Babangida from 1985, two

separate Council Secretariats were created one for the National Council of Ministers; and the other called Joint Council Secretariat for the National Council of State and the Armed Forces Ruling Council. The two Council Secretariats were later fused and renamed Cabinet Affairs Office in 1990. It is presently called Cabinet Affairs Office.

Presently the Cabinet Affairs Office is one of the Offices under the Office of the Secretary to the Government of the Federation that services all the meetings of the President-in-Council, namely the Federal Executive



Permanent Secretary and Staff of the Cabinet Affairs Office

Council, the Council of State and the Police Council. The President also chairs meetings of other statutory bodies which the Cabinet Affairs Office may be required to service on a non-regular basis, e.g. various MDAs whose activities and progress reports, the President reviews from time to time. Essentially, servicing Council meetings requires receiving and processing Council memoranda/Notes and other relevant documents for circulation to members of Council, preparing and circulating agenda for meetings and taking minutes of the deliberations during such meetings.

It is important to note that the Secretary to the Government of the Federation (SGF), by his/her office, is the Secretary to Council and therefore, in principle, the head of the Cabinet or Council Secretariat. It is the Cabinet Affairs Office more than any other Office under the Office of the SGF, that defines the appointment and relevance of the SGF and puts him constantly in the eye of the President-in-Council, hence, the Department is regarded as the “engine room” of the Presidency.

Due to the strategic importance of the Cabinet Affairs Office in facilitating the meetings of the President-in-Council, the Office in practice is managed by a Permanent Secretary rather than a Director. The Permanent Secretary is designated as the Deputy Secretary to Council and must regularly consult with, and report directly to the SGF. He/she is assisted by a crop of other staff in the directorate and subordinate cadres whose work ethics must be governed by diligence, secrecy, and excellence.

CHAPTER THREE

THE OFFICE OF THE SECRETARY TO THE GOVERNMENT OF THE FEDERATION AND CABINET AFFAIRS OFFICE

The Office of the Secretary to the Government of the Federation is that office of the Presidency that is responsible for ensuring the effective coordination and monitoring of the implementation of Government policies. The office has the following mandate, vision and mission:

Mandate

Monitor and Coordinate the implementation of Government Policies and Programmes; Serve as frontline advisory institution of the Presidency; Drive Policy formulation, harmonization, and implementation; and Monitor institutions of governance.

Vision

To lead and serve as an effective engine room for policy formulation, harmonisation, implementation and monitoring of the institutions of governance

Mission

To deploy political will, administrative expertise, professionalism and the values of loyalty and commitment in support of the attainment of the goals of the Federal Government.

Structure

The OSGF has a six-office structure. Each of the Offices is headed by a Permanent Secretary who reports directly to the Secretary to the Government of the Federation. The Offices include:

- (I) Cabinet Affairs Office
- (ii) General Service Office
- (iii) Political and Economic Affairs Office

- (iv) Special Services Office
- (v) Ecological Fund Office
- (vi) Special Duties Office

The OSGF also oversees the following Parastatals and Agencies:

- (i) National Identity Management Commission
- (ii) Nigerian Christian Pilgrim Commission
- (iii) National Energy Commission
- (iv) National Lottery Regulatory Commission
- (v) National Lottery Trust Fund
- (vi) Nigeria National Merit Award
- (vii) Bureau of Public Enterprises
- (viii) Nigeria Atomic Energy Commission
- (ix) National Agency for the Control of AIDS
- (x) Federal Character Commission
- (xi) Revenue Mobilisation Allocation and Fiscal Commission
- (xii) Nigerian Extractive Industries Transparency Initiative
- (xiii) Infrastructure Concession Regulatory Commission
- (xiv) National Salaries Incomes and Wages Commission
- (xv) National Pension Commission
- (xvi) National Hajj Commission of Nigeria
- (xvii) Nigerian National Merit Award Committee
- (xviii) National Commission for Refugees
- (xix) Border Communities Development Agency
- (xx) Federal Road Safety Commission (FRSC)
- (xxi) New Partnership for Africa's Development (NEPAD)
- (xxii) Servicom Office

Functions

- (i) Coordinates policy design and formulation by Ministries, Departments and Agencies for approval by Government;
- (ii) Serves as Secretary to the Council of State, the Federal Executive Council and other Constitutional Councils and fora which are chaired by the President;
- (iii) Co-ordinates the activities of Ministries and Government Agencies on the implementation of Government decisions, policies and programmes;



President Buhari Commissions Railway Project

- (iv) Handles Constitutional, political and socio-economic matters as may be referred to the Presidency;
- (v) Provides administrative services for Administrative Tribunals, Commissions and Panels of Enquiry;
- (vi) Co-ordinates national security and public safety matters;
- (vii) Handles issues related to the following:
 - (a) National Honours' Award
 - (b) Prerogative of mercy;
 - (c) Protocol matters
 - (d) Channeling of papers and directives of the President;
 - (e) Processing and Granting of Government approval for overseas tours, inter-governmental meetings, conferences, medical check-up/treatment for public officers;
 - (f) Processing of request for overseas duty tours/conferences including medical check-up/treatment abroad for members of the judiciary, Chairmen and Members of Statutory Commissions Bodies for approval by the president;
 - (g) Processing of Appointments to Headship of Statutory Bodies, Commissions and Agencies by the President;



- (h) Matters relating to conditions of service of political office Holders;
- (i) Intergovernmental affairs and relations with State and Local Governments;
- (j) Liaison with Secretaries of State Governments;



The Secretary to the Government of the Federation, Boss Mustapha, Presents a Souvenir to the Team Leader, Mr Walter Nasser, Chief of Vehicle Regulations and Transport Innovation UNECE



Secretary to the Government of the Federation, Boss Mustapha, Presents A Souvenir To His Royal Majesty, The Atiafi Igala, Dr. Michael Idakwo Ameh Obani II On Tuesday, 12th March, 2019



The Secretary To The Government Of The Federation, Boss Mustapha, Receives A Team From Geneva Who Are In Nigeria To Conduct Capacity Building Programme For Road Traffic Stakeholders On Wednesday March 20, 2019.

CHAPTER FOUR

FUNCTIONS AND CURRENT STRUCTURE OF THE CABINET AFFAIRS OFFICE

Functions

The Cabinet Affairs Office is specifically responsible for:

- (i) Processing of various Council documents including Memoranda, Notes, Conclusions, Extracts, Reports, Briefs, Analysis, Annexes, etc. incidental to the work of the various Councils, Committees, Panels etc.
- (ii) Circulation of Council documents to members in preparation for Council meetings.
- (iii) Accurate recording of the proceedings, decisions and directives of the various Councils and Committees.
- (iv) Production of Conclusions, Memoranda, and Reports of Committees.
- (v) Preparation and circulation of Federal Executive Council Extracts.
- (vi) Archival documentation, classification and preservation of the confidentiality of the records of Councils' proceedings and decisions.
- (vii) Monitoring, Tracking and Reporting of the implementation of Council decisions.



Structure

The CAO is headed by a Permanent Secretary, under whom are three departments, namely:

- (i) Economic and Finance (E&F) Department;
- (ii) Social and Infrastructure (S&I) Department; and
- (iii) Governance and Security (G&S) Department

Each Department is assigned the responsibility for overseeing certain ministries peculiar to their functions as stated below:

Economic and Finance Department

- * Processes Council Memos & Notes from ministries of Finance, Agriculture & Rural Development, Budget & National Planning, Industry Trade & Investment, Petroleum Resources, Mines & Steel Development, Environment, and Science & Technology.
- * Supervises Machine/Production Room, EDMS/ICT matters. (Machine room is where all council documents, viz., memos, notes, conclusions, notice of meeting and agenda, etc. are produced).
- * Budget/Procurement Matters.
- * Maintains the Archives.
- * Responsible for training and capacity building of staff
- * Services Cabinet Committees on Economic & Financial matters.
- * General Operational Duties such as Coverage of Council Meetings and Conclusion Writing.



Social and Infrastructure Department

- * Processes Council Memos & Notes from Ministries of Power, Works & Housing, Health, Education, Sports & Youth Development, Women Affairs, Transportation, Information & Culture, Communications, Water Resources
- * Supervises the End-Room (End-Room is a pool of well trained and dedicated Secretaries and Data Processors. All Council documents are processed in this room. It is out-of-bound for none staff of Cabinet Affairs Office)
- * Supervises Tracking of Council Decisions
- * Transport & Maintenance matters
- * Services Cabinet Committees on Social & Infrastructure matters
- * General Operational Duties such Coverage of Council Meetings and Conclusions writing



Governance and Security Department

- * Processes Council Memos & Notes from Ministries of Foreign Affairs, Defence, Interior, Labour & Employment, Justice, Niger Delta Affairs, the Federal Capital Territory Administration (FCTA), and the Presidency
- * Supervises the Distribution Room (Distribution Room is responsible for dispatch of all Council documents and preparation of Council Extracts)
- * Administration and Staff Welfare Matters
- * Services Cabinet Committee Meetings on Governance and Security matters
- * Represents CAO at Senior Staff Committee meetings
- * General Operational Duties such as Coverage of Council Meetings and Conclusion Writing



**SECURITY &
GOVERNANCE**

CHAPTER FIVE

THE OPERATIONS OF THE FEDERAL EXECUTIVE COUNCIL AND TYPES OF DECISIONS

The Federal Executive Council

Section 147(1) of the Constitution of the Federal Republic of Nigeria 1999, as amended states that “There shall be such offices of Ministers of the Government of the Federation as may be established by the President.”

Section 148(1) provides that “The President may, in his discretion, assign to the Vice-President or any Minister of the Government of the Federation, responsibility for any business of the Government of the Federation, including the administration of any department of government”.

Section.148(2) also provides that President shall hold regular meetings with the Vice-President and all the Ministers of the Government of the Federation for the purposes of:

- (i) determining the general direction of domestic and foreign policies of the Government of the Federation;
- (ii) coordinating the activities of the President, the Vice-President and the Ministers of the Government of the Federation and the discharge of their executive responsibilities; and
- (iii) advising the President generally in the discharge of his executive functions other than those functions with respect to which he is required by this Constitution to seek the advice or act on the recommendation of any other person or body.

Section. 153(1) states that there shall be established for the Federation the following bodies, namely -

- (a) Code of Conduct Bureau;
- (b) Council of State;
- (c) Federal Character Commission;
- (d) Federal Civil Service Commission;
- (e) Federal Judicial Service Commission;
- (f) Independent National Electoral Commission;
- (g) National Defence Council;
- (h) National Economic Council;
- (i) National Judicial Council;
- (j) National Population Commission;
- (k) National Security Council;
- (l) Nigeria Police Council;
- (m) Police Service Commission; and
- (n) Revenue Mobilisation Allocation and Fiscal Commission.

Section 144(1) (a) assigns responsibility to the Federal Executive Council and refers to it as the Executive Council of the Federation. The Federal Executive Council meets weekly to discuss scheduled items and take decisions. It is important that this time is used as productively as possible.

Council of State

In some cases, it is required by law, that the views of the Council of State should be sought and obtained by the President before decision(s) on such matters could be valid. The matters include:

- (i) national population census and compilation, publication and keeping of records and other information concerning the same;



President Buhari's First Council of State Meeting in 2015

- (ii) prerogative of mercy;
- (iii) award of national honours;
- (iv) the Independent National Electoral Commission (including the appointment of the Chairman and the members of that Commission);
- (v) the National Judicial Council (including the appointment of the Chairman and the members, other than ex-officio members of that Council);
- (vi) the National Population Commission (including the appointment of the Chairman and the members of that Commission);
- (vii) maintenance of public order within the Federation or any part thereof; and,
- (viii) such other matters as the President may direct.



Meeting with the Governors

Federal Executive Council Committees

Provision has been made for the establishment of standing Federal Executive Council Committees to strengthen the Council Memorandum review and approval process. Permanent committees are a very useful mechanism to ensure that all the relevant ministries are fully consulted and involved before a decision reaches Council. They can examine draft Council Memoranda, challenge the underlying analysis and ensure that the options presented are coherent, appropriate linkages made, and potential impacts fully explored. In addition to these Standing Committees, the President may appoint Special Committees as and when necessary to perform specific assignments.

The expectation is that the standing committees will be comprised of ministers and serviced by the Cabinet Affairs Office.

There is provision for three main standing committees, as well as special committees, the membership of which shall be constituted according to the mandates of the ministries:

- i. Economic and Financial Services;
- ii. Social and Infrastructural Services;
- iii. Governance and Security Services; and
- iv. Special Committees (ad hoc committees established as when deemed necessary by the President).

Cabinet committees provide a political structure and process for managing complex issues that need more detailed consideration prior to Council's final approval. They enhance the effectiveness of Council decision-making by providing a platform for detailed policy consideration and discussion, thus maximising decision-making time at Council meetings. The committees ensure that:

- i. the underlying analysis has been challenged and checked;
- ii. all relevant line ministries have been consulted and their concerns understood and, where possible, addressed (and where not, explanations given);
- iii. all reasonable options have been explored;
- iv. sufficient consultations have occurred;
- v. a communication plan has been produced both to explain the issue to the public and to assure ministers to know how to respond to questions;
- vi. management strategies are in place to address contentious issues;
- vii. proposals are consistent with the government's strategic directions and priorities; and
- viii. any decisions that have spending implications have been discussed with the Ministry of Finance.

Types of Council Decisions

The majority of decisions taken by the Federal Executive Council fall into four categories:

- i. Policy,
- ii. Statutory,
- iii. Financial, and
- iv. Resource.



TYPES OF COUNCIL DECISIONS

POLICY	STATUTORY	FINANCIAL	RESOURCE
<p>Policy decisions are taken on issues that involve setting important Directions or have significant public or political dimensions. They include:</p> <ul style="list-style-type: none"> • Proposals to create, eliminate or substantially restructure major programmes; • A new or changed government position on a policy issue; • A regulatory change that would create a new government position or significantly affect an existing position; • A response to an urgent or strategic issue; • The launch of a high-profile external consultation process; • A framework for negotiations in which the outcome will have important consequences for the government and the country; and • Issues that affect inter-governmental relations. 	<p>Statutory decisions are constitutional, legal, or legislative in nature. MDAs should consult the FMJ and the Attorney-General's Office. Statutory Decisions include:</p> <ul style="list-style-type: none"> • Legislation (new, repealed or amended); • Draft regulations; • International Treaties, Conventions and Agreements; and • Loan agreements. 	<p>Financial decisions are taken on projects and projects with financial impacts. MDAs should consult the FMP on Financial Decisions. Financial decisions that require FEC approval include:</p> <ul style="list-style-type: none"> • Approval of ministry budgets (allocations /estimates); • Financial impact of an approved policy initiative; • Request for an expenditure beyond the approved budget (supplementary budget); • Issues with major revenue or expenditure impacts (e.g., tax exemptions, natural disasters, etc.); • Establishing fees or implementing other non-tax revenue initiatives; and • Approving loans and investments. 	<p>MDAs preparing other resource-related memoranda should consult the appropriate authorities on resource decisions.</p> <ul style="list-style-type: none"> • Government employees (e.g., pension plan, salary levels, collective bargaining); • Lands acquired and buildings owned by the government; and • Technology used by the government, or information held by the government.

Process for the Preparation of Council Memorandum

This section outlines the sources, process, and timelines for originating a Council Memorandum by the Initiating Ministry) from the policy design stage to the preparation of a draft Memorandum. It then details how the Cabinet Affairs Office should review the Council Memorandum prior to submission to the Federal Executive Council.

A Council Memorandum is prepared if there are issues of significant public interest that require Council decision. The Federal Executive Council's approval is required whenever a decision about a policy, programme or project exceeds the authority of an individual minister. Council Memorandum must reflect the government's priorities as indicated in the governing party manifesto, the Administration's Agenda, the budget, economic, and financial policy statements, or as directed by the President.

A Memorandum for the FEC can emanate from all MDAs. However, by convention, only a minister can present a memorandum for Council's consideration and decision. Extra-ministerial departments and agencies forward their memoranda through their supervisory ministries. A Council Memorandum is prepared by a ministry, initialed by the Minister, placed at the back cover of the subject file and forwarded by the Permanent Secretary of the initiating ministry to the Permanent Secretary, Cabinet Affairs Office for presentation to the Federal Executive Council. The Cabinet Affairs Office reviews compliance with the guidelines relating to the drafting and distribution of the memorandum. If the required standards are not met, the draft memorandum is returned to the initiating ministry.

During the development of a Council Memorandum, the initiating ministry is required to consult extensively with all stakeholders (MDAs,



Cross Section of FEC Members at a Meeting in the Council Chamber

state governments, non-governmental organisations (NGOs), community-based organisations (CBOs), professional associations, regulatory bodies, etc.). The initiating ministry must understand the different positions and, where possible, seek to address them, resolve any stakeholder concerns, and prepare the grounds for a smooth implementation of the initiative. The synthesis of all the research, studies, stakeholder analysis, impact assessments, negotiations, etc. is transferred into a memorandum. Senior officials in the initiating ministry should review a council memorandum in detail to ensure that it is accurate, clear, concise, and complete before submission to the Cabinet Affairs Office.

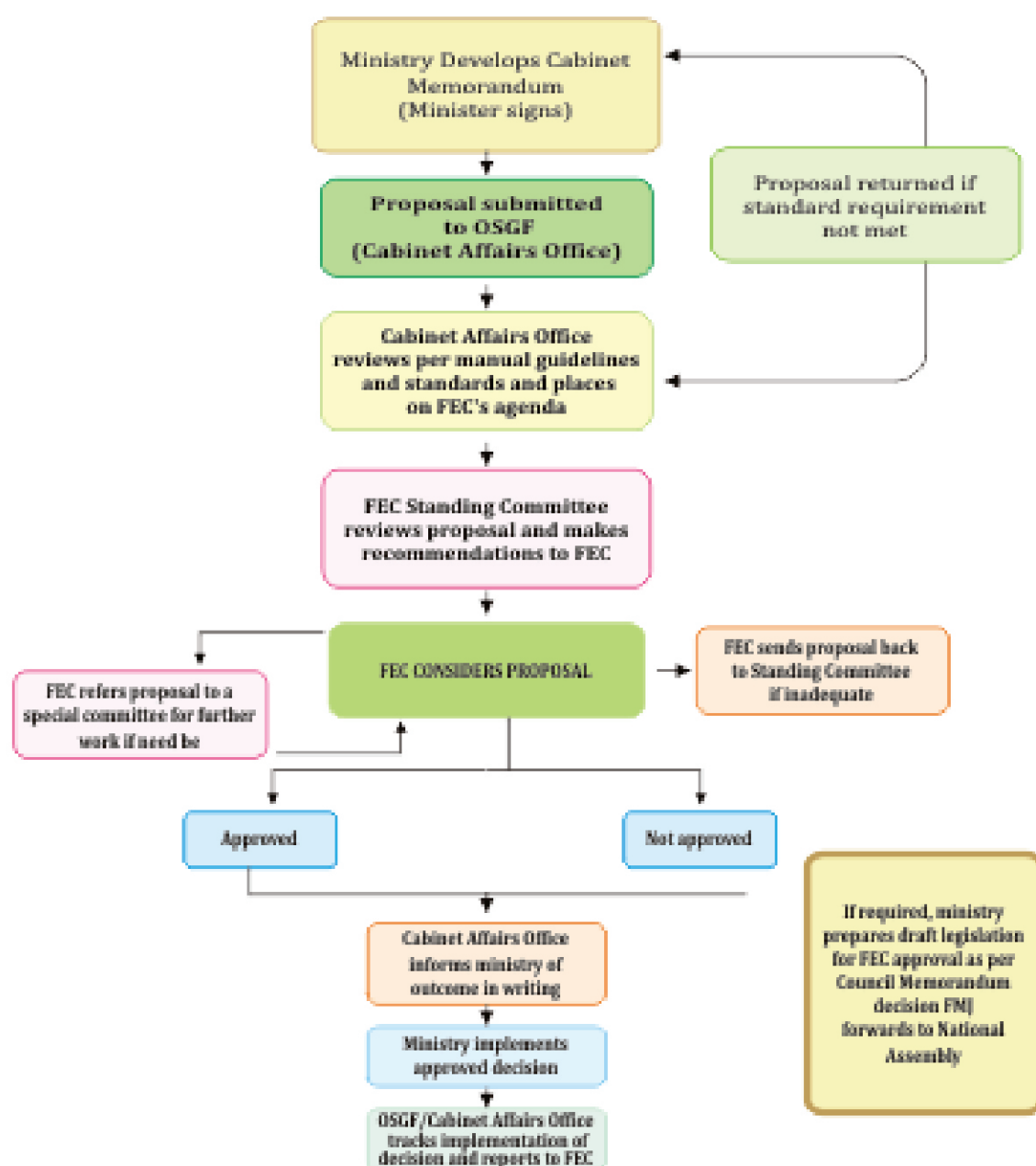
If the council memorandum complies with the guidelines, the Secretary to Council discusses the proposal with the President at the Federal Executive Council agenda review meeting. The President, acting on the advice of the Secretary, may refer the Council Memorandum to a Federal Executive Council Committee for consideration before presentation at the Council meeting.

After due consideration of the Council Memorandum, the committee will forward it to the Federal Executive Council meeting for a decision. Documents sent to standing committees must be returned to the Federal Executive Council via the Cabinet Affairs Office within 10 working days. The Federal Executive Council may send the memorandum back to the Standing Committee if the information provided is deemed inadequate. Similarly, the Council may send a council memorandum to a Special Committee if the issue needs further study and analysis.

If the Federal Executive Council approves the memorandum, the Cabinet Affairs Office prepares an Extract to convey the approval to the relevant ministry for implementation. If draft legislation accompanies an approved council memorandum, the Federal Ministry of Justice refers the draft bill to the National Assembly.

The following chart outlines the routing and possible iterations of the Council Memorandum before it becomes finalised as policy for implementation.

COUNCIL MEMORANDUM PROCESS CHART



Timelines for Submission of Council Memorandum

The Council Memorandum must be submitted to the Cabinet Affairs Office at least seven working days before the Federal Executive Council meeting at which it will be considered. This will give the Cabinet Affairs Office sufficient time to review the submission and for ministers to study the proposal ahead of the FEC deliberations.

If a minister wishes to submit an urgent council memorandum for consideration, the minister should inform the Secretary to Council with proof of urgency.

The Cabinet Affairs Office will distribute FEC materials to all council members, two working days prior to a FEC meeting.

Collaboration Between MDAS

There should be effective collaboration between MDAs in the preparation and review of a council memorandum to ensure that various perspectives to issues have been accommodated and buy-in of relevant stakeholders secured before submission to the Cabinet Affairs Office for processing.

This should be reflected in the stakeholder analysis.
The relevant MDAs and their roles are as follows:

i. Initiating Ministry

In the preparation of a council memorandum, the Permanent Secretary and relevant staff, departments, units, and agencies of the initiating ministry should work together in order to provide a comprehensive analysis and accurate briefing to the minister on the subject matter.

ii. The Federal Ministry of Finance

The Federal Ministry of Finance (FMF) sets the fiscal framework for the government and oversees broad socio-economic domestic and international policies related to government programmes and activities. FMF staff should review the memorandum for these financial linkages, implications, and changes. The FMF can return a council memorandum if the fiscal impact assessment is found inadequate. It is therefore useful that the initiating ministry consults the FMF.

iii. The Ministry of Justice and The Attorney-General of The Federation

The Attorney-General of the Federation and the Minister of Justice should review original copies of contractual or international agreements and draft legislation from MDAs (with copies attached to the Council Memorandum for FEC consideration and approval). The initiating ministry will issue drafting instructions to the FMJ if it is likely that legislation will need to be drafted as a result of the approval of the policy initiative.

Clearance by the Cabinet Affairs Office

The Cabinet Affairs Office reviews the council memorandum and prepares briefings for the President and the Chairmen of the Standing FEC Committees. In its review, the Cabinet Affairs Office checks to ensure that the council memorandum adequately complies with the standards and requirements outlined in the Manual and that the proposal is consistent with key policies, programmes, projects and priorities of Government. The emphasis in this review is specifically placed on:

- (i) Content - to ensure proper analytical rigour, data accuracy, policy consistency, programme continuity, and coordination to provide best options for sustainable development. (Use of empirical evidence for analysis is required.)
- (ii) Process - to ensure necessary consultations, and linkages are made with other relevant MDAs and stakeholders;
- (iii) Format – to ensure it meets Council standards and style for presentation to the FEC; and
- (iv) Consistency- with other ministries positions and policies.

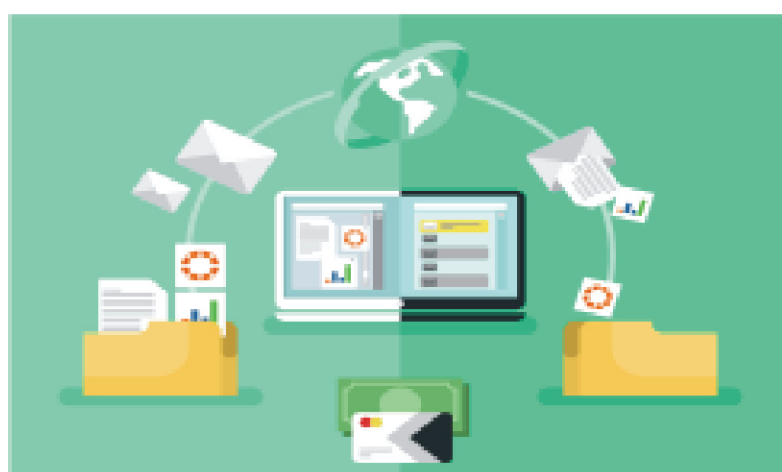
The Cabinet Affairs Office will reject any memorandum for failure to meet its guidelines and return same to the initiating ministry for appropriate action and re-submission.

Submission of the Draft Council Memorandum to the Cabinet Affairs Office

Hard Copy Process

- (i) The council memorandum should be initialed by the Minister or (in the case of a joint memorandum, ministers) of the initiating ministry or ministries to ensure authenticity;
- (ii) The council memorandum with all the annexes and relevant documents, should be forwarded in the policy file under a covering letter signed by the Permanent Secretary of the initiating ministry to the Permanent Secretary of the Cabinet Affairs Office. The policy file provides the background of the memorandum, as well as information on the procedures and processes leading to the development of the memorandum;
- (iii) Agreements (contractual, bilateral or multilateral), draft legislation, policies, and all issues with legal implications should be submitted to the Attorney-General of the Federation and Minister

- of Justice for a legal opinion, prior to submission to memorandum;
and
- (iv) One copy of the memorandum along with 150 copies of all annexes and the electronic copy of the memorandum should be submitted to the Cabinet Affairs Office at least seven working days ahead of the anticipated date of consideration of the memorandum by FEC. Failure to comply may lead to rejection of the draft memorandum by the Cabinet Affairs Office.



The Electronic Document Management System (EDMS)

- i. The memorandum should be initialed by the minister or (in the case of a joint memorandum, ministers) to ensure authenticity;
- ii. The initiating ministry should scan and upload the memorandum with all its annexes into the Electronic Document Management System (EDMS) platform and send to the Cabinet Affairs Office at least seven working days ahead of the anticipated date of consideration of the memorandum by the FEC;
- iii. Agreements (contractual, bilateral or multilateral), draft legislation, policies, and all issues with legal implications should be scanned and uploaded by the initiating ministry into the EDMS

platform and sent to the Attorney-General of the Federation and Minister of Justice for a legal opinion, prior to submission to Cabinet Affairs Office.

Summary of Routing, Review and Approval Process of a Council Memorandum

- i. Ministries prepare council memorandum based on annual policy priorities as determined by the President;
- ii. The initiating ministry sends the memorandum to the appropriate stakeholders' ministries for necessary input and buy-in. (A stakeholder consultation report should be attached.);
- iii. Ministry forwards the signed memorandum to the Cabinet Affairs Office;
- iv. The Cabinet Affairs Office reviews the memorandum for:
 - a. Content - to ensure proper analytical rigour and that best options are proposed and are in sync with the government agenda;
 - b. Process - to ensure necessary consultations and linkages are made with others;
 - c. Format – to ensure it meets with presentation and style requirements; and
 - d. Consistency- with other ministries' positions and policies.
- v. If a memorandum submitted by the ministry fails to meet the requirements, the Permanent Secretary of Cabinet Affairs Office sends it back to the Ministry with written guidance for re-submission;
- vi. For memoranda that meet the requirements, the Cabinet Affairs Office forwards the reviewed summaries and recommendations to the Secretary to Council for a discussion with the President at a FEC agenda review meeting;
- vii. At the FEC agenda review meeting, the President, acting on the

- recommendations of the Secretary to Council, may direct that the memoranda be scheduled for FEC discussion or be referred to a FEC Standing Committee for consideration;
- viii. Standing committees return memorandum to the FEC via the Cabinet Affairs Office within 10 working days;
 - ix. FEC considers the memorandum and may send it:
 - a. to a Special committee if the issue needs further study and analysis; or
 - b. to the FEC Standing Committee if the information provided is deemed inadequate;
 - x. If the FEC approves the memorandum, the approval is communicated to the relevant ministry for implementation;
 - xi. If draft legislation accompanies an approved council memorandum, the FMJ submits the draft Bill to the National Assembly.



Cabinet Committee Meeting with the Vice President

CHAPTER SIX

TYPES, STRUCTURE AND CONTENTS OF COUNCIL DOCUMENTS

This section sets out the different types, structure and content of documents that may be submitted to Council. It sets out three detailed guidelines regarding a sufficient analysis (evidence-based), executive summary, and communications plan.

Types of Council Documents and Their Characteristics

It is important that everyone contributing to or assessing Council documents shares a common understanding of their types and characteristics. The following are the types of Council documents:

(a) Council Memorandum

Council Memorandum is a written document or an account prepared by a ministry or a government agency through its parent ministry to the President-in-Council, seeking approval for a proposed course of action. Documents accompanying council memorandum may include: policy discussion papers, international agreements, draft legislation, and loans/financial agreements. Types of council memorandum are as follows:

- (a) Policy Memoranda: These are memoranda seeking the approval of Council on policy matters.
- (b) Contract Memoranda: These are memoranda seeking the approval of Council for procurement contracts.
- (c) Financial Memoranda: These are memoranda seeking approval of Council for annual appropriation (public revenues and expenditures), including borrowing.

- (d) **Legislative Memoranda:** These are memoranda seeking approval of Council for new legislation or proposed amendments to existing ones, international treaties/protocols/ agreements. All these must follow the format prescribed.

ii. Council Note

A Council Note is a briefing document presented to the FEC for information purposes only. In most cases it does not seek FEC approval, but it could be converted to a council memorandum if a decision is subsequently required on the issue.

iii. Council Conclusions

Council Conclusions are a summary of deliberations and decisions of the FEC as recorded by the Cabinet Affairs Office.

iv. Council Extracts

These are sections of Council Conclusions sent to Permanent Secretaries of the appropriate ministries for further necessary action on the subject.

v. Council Agenda

A Council Agenda is a list of the business to be decided at a Council meeting. The Secretary to Council develops the Council Agenda in consultation with the President well in advance of FEC meetings. The Cabinet Affairs Office provides ministries with deadlines for submitting their documents. Periodically, an urgent policy issue arises which demands immediate FEC attention. In such instances, the responsible ministry will work with the Cabinet Affairs Office to have this item scheduled on the Council agenda on short notice.

Who Prepares Council Memorandum and When?

While the Ministry develops council memorandum, it is important that it makes early contact with the Cabinet Affairs Office to ensure that the appropriate approvals proceed, as well as timing and routing for the policy issue, are established as soon as possible.

Structure of a Council Memorandum

Council Memorandum consists of nine sections:

- i. Purpose
- ii. Background
- iii. Justification and Analysis of Proposal
- iv. Evidence of Consultation
- v. Implementation Plan
- vi. Communication Plan
- vii. Funding Sources and Fiscal Impact Assessment
- viii. Legislative/Regulatory Plan (if applicable)
- ix. Prayer/Conclusion

Guidelines for the Preparation of Council Memorandum, Analysis Document and The Communication Plan

The following part sets out in detail how each section should be addressed. Formatting is important to ensure consistency and ease of reading. Content is the most significant factor determining the quality of a council memorandum. However, this content should be presented in a readable, consistent, and concise form. A standard format ensures uniformity, consistency, and the effective use of Council's decision-making time.

Guidelines for Formatting of Council Memorandum

The council memorandum provides FEC members with the key information they need for decision-making in a concise and clear format. It is important that it is written and presented in a way that makes it easy for cabinet ministers to understand. This section sets out the necessary level of detail required in the submission of a council memorandum to FEC.

Formatting Requirements of The Council Memorandum

- i. White A4 paper (not a ministry letterhead);
- ii. 12-point Times New Roman font for text;
- iii. Section titles should be in bold, 14-point size font, upper case;
- iv. Margin sizes are 1" on the top, bottom and sides;
- v. Spacing should be double line-spaced;
- vi. Header on each page: 'SECRET'; and
- vii. The footer should indicate current page number out of total pages: e.g., page 2 of 4.

Structure and Format of a Council Memorandum

This portion contains the first 9 inscriptions that give identity to the CM.

- (i) The statement, (THIS DOCUMENT IS THE PROPERTY OF THE FEDERAL EXECUTIVE COUNCIL or the COUNCIL OF STATE etc.), is usually indicated on top of the Council Document. It identifies ownership of the document.
- (ii) Security Classification: All Council Documents are marked SECRET. The word "SECRET" identifies the absolute confidentiality ascribed to the Documents. It is positioned at the left, below the 'Ownership inscription' of each document.

- (iii) Document Number: This is a numbering pattern that identifies a particular document for reference purpose e.g.
 - a) [EC(2014)10] means, {the 10th Council Memorandum for the year, 2014}
 - b) [ECN(2012)05] means, {the 5th Council Note for the year, 2012};
 - c) [CS(2013)04] means, {the 4th Council of State Note for the year, 2013}.
 - d) [PC(2008)02] means, {the 2nd Police Council Note for the year, 2008};
 - e) [EC(2014)17th Meeting] means the 17th Executive Council Conclusion for the year 2014.
 - f) [CS(2013)2nd Meeting] means the 2nd Council of State Conclusions for the year, 2013; and
 - g) [PC(2011)3rd Meeting] means the 3rd Police Council Conclusions for the year, 2011.

The documents Numbers, where applicable, are placed below "SECRET"

- (iv) Dates on the Documents: The date placed immediately under a Document's Number identifies when the document was processed at the CAO while that placed below the Minister's initials indicates the date he/she signed the document.
- (v) Copy Number: This shows a council member's Identification No.) Placed at the right side of the Date of the Document e.g. COPY NO. 500
- (vi) Heading: (FEDERAL EXECUTIVE COUNCIL/COUNCIL OF STATE etc.). The heading identifies the particular Council that is meeting and is placed at the centre, below the Date and the Copy Number.
- (vii) Title of the Document: This is the subject matter/topic of the Document being presented to the FEC or other advisory Councils e.g. APPROVAL OF THE NATIONAL WATER RESOURCES MASTER PLAN 2013. All inscriptions from the ownership down to the title of the document must, appear in the UPPER CASE, on BOLD FONTS, and UNDERLINED.

- (viii) Title/identity of the Initiating Minister: This inscription identifies the Minister presenting the Memo/Note/Report and is placed at the centre, below the title of the council memorandum e.g. “Memorandum by the Minister of Power”
- (ix) Previous Reference: This must be stated if the memorandum had previously been presented to FEC for reference purposes.

Structure and Format of a Council Memorandum

Council Memorandum should not exceed five pages and may comprise some or all of the following sections that are often referred to as the BODY:

Section 1: Purpose: Is an introductory statement of the anticipated action of the FEC.

Section 2: Background:

- (a) Statement and history of the problems/issues
- (b) Previous references/FEC decisions (where applicable)
- (c) Scope (what the proposal covers and project description)

Section 3: Justification and Analysis of the Proposal

- (a) Objectives of the proposal
- (b) Reason for FEC's approval
- (c) Reason for timing
- (d) Conformity with Government agenda, policy direction, and strategy
- (e) Analysis of options and impacts considered
- (f) Compliance with due process (BPP and ICPC) certificates as applicable)

- (g) Other reasons

Section 4: Evidence of Consultation

- (a) Inter-ministerial consultations
- (b) Other government and non-government stakeholders
- (c) Others

Section 5: Implementation Plan

- (a) Strategies
- (b) Activities/Deliverables
- (c) Timelines
- (d) Outputs/Outcomes/Impacts
- (e) Monitoring and Evaluation plan

Section 6: Communication Plan

Section 7: Funding Sources and Fiscal Impact Assessment

Section 8: Legislative/Regulatory Plan (if applicable)

Section 9: Prayer/Conclusion

Content of a Council Memorandum

The content and format specifications below are to be strictly adhered to:

1. Purpose

Insert a one-sentence summary of the primary approval being sought from FEC.

2. Background

Briefly describe the background to the issue; i.e., its origin, who and what were involved, and the previous resolutions attempted.

The key goal is to provide critical background information necessary for FEC members to make an informed decision. It is important to link the issue to the government's priorities or agenda and to explain its significance.

FEC members need to know of any previous commitments made or positions taken by members of the government. These include strategic, financial, pre-election, post-election, or stakeholder commitments, etc. Note that the Analysis Document will contain full background information relating to the issue under consideration. For the Council Memorandum, only those events and causes which have led to the present situation and which are critical to understanding the options should be identified.

3. Justification and Analysis of Proposal

Describe the rationale for government attention/intervention and why the issue is coming before the FEC. Provide a balanced and distinct summary of the substantive alternatives for FEC to consider along with the recommended option, including a 'do nothing' option.

The reason why the FEC is required to make a decision at this time could simply be a commitment to address the issue. It could also be an issue of urgency involving national or regional security, financial or legal deadlines, linkages with another issue's deadline, compliance with a previous FEC direction to report-back by a specific date, or a social or welfare issue, etc.

This section also enables council members to review the options and impacts that were considered. Critical descriptive or contextual information should be provided for each option, preferably with a one or two sentence commentary. The commentary should include the major impacts, including the advantages, disadvantages and risks. Only major or contentious impacts should be identified. Detailed discussions of each option and impacts should be in the Analysis Document.

Indicate the recommended option by typing 'recommended option' beside the appropriate option in boldface type for emphasis. Provide a summary of the reasons why the recommended option has been chosen over the alternatives and how it meets the government's strategic priorities.

4. Evidence of Consultation

Identify any major issues, particularly if unresolved, arising from inter-ministerial, stakeholder or other consultations, and risks that need to be managed.

List all the ministries that have been consulted and have agreed with the proposal. Highlight the ministries for which this proposal will have a major impact or those which have substantive unresolved concerns. Indicate whether the Cabinet Affairs Office was consulted and if any concerns were raised. Include similar information with respect to any consultations with external stakeholders.

5. Implementation Plan

Describe how the proposal will be implemented including strategies, steps and timelines. State how the outcomes of the proposed initiative can be measured. Details should be contained in the Analysis Document.

Briefly describe the plans that have been considered for achieving the objectives of the proposed initiative. This should clearly detail and delineate the roles and responsibilities and the accountability mechanisms to ensure the desired results.

If other MDAs or relevant stakeholders are involved in delivering the programme, there should be evidence of consent and commitment from such partners.

Deadlines and milestones in the implementation over the short- and medium-term should be clearly indicated.

Describe measures to evaluate the effectiveness of the proposal and the recommended indicators of success. The timeframe for conducting the evaluation and reporting back should also be included.

6. Communication Plan

Describe how this initiative will be communicated to the public and associated issues managed.

Start by describing how this initiative fits into the Government's priorities, the budget or other government commitments.

- i. **Communication of Goal and Key Messages** – Communication of goals should be stated in one or two short sentences. The key messages should reinforce the link between this specific initiative and current government priorities and be taken from the Communication Plan.
- ii. **Expected Impacts** – Briefly summarise the impact this initiative may have on the public, stakeholders, the economic climate, gender, regional considerations, etc. The summary draws upon the analysis contained in the Analysis Document. It should clearly convey who will or will not benefit from this initiative and in what ways.

- iii. **Issues Management Strategies** – Describe the anticipated reaction from interested parties and the media. Summarise the proposed government response.
- iv. **Communication Activities** – Outline the recommended communications approach and major rollout activities. A summary of this information should be drawn from the Communication Plan. Indicate the longer-term communications activities required to sustain the message and if there are significant costs associated with the communications approach.

7. Legislative/Regulatory Plan

Describe legislative or regulatory changes arising from implementation of the proposal and the desired progress.

Provide information on the legislative and/or regulatory requirements of the initiative. This includes any new or amended legislation or regulations, any effects on another ministry's legislation, the complexity of the legislation, as well as legislative timing issues.

Remember that the Council Memorandum should only highlight the identified legal and/or constitutional issues. The Analysis Document should provide a full analysis and assessment of any legal issues involved.

8. Funding Sources and Fiscal Impact Assessment

Provide a snapshot of the financial impact and considerations.

The proposal and recommended course of action must identify any financial and resource impacts. For example, does the ministry need new staff to implement the new policy or programme? Are there procurements or infrastructure? Will it generate revenue for

government? Does the ministry have the funds in its budgetary allocation? Any discussions or commitments from the FMF should be included.

More detailed financial impacts should be included in the Analysis Document.

9. Prayer/Conclusion

This is the last paragraph in a Council Memorandum. It begins with the phrase, “Council is, accordingly, invited to:” and is followed by, a number of clear and concise statements which summarise the key points/issues contained in the memorandum for particular attention of Council, leading to the prayer and approval.

The concluding statement, which prays for Council's approval, takes the last Roman numeral in the series and begins with “approve”. It should be a more complete restatement of the one sentence request made in 6.7(1) above.

Guidelines for The Analysis Document

The Analysis Document provides the due diligence supporting the Council Memorandum. It provides a thorough analysis of the facts, necessary background information, an analysis of the major options with their impacts, the rationale for the recommended course of action, and critical implementation issues. Use of empirical evidence (using an evidence-based approach) is required. Any gaps in evidence or areas where further research and data-gathering would help strengthen advice on recommended policy options should be highlighted, so that the FEC or ministers are clearly advised on all relevant factors and can decide, if deemed appropriate, to commission further policy analysis activity.

This document is the substance of the Council Memorandum. It is the source whence all information contained in the Council Memorandum is drawn. The Analysis Document should not exceed 15 pages.

Content and format of the Analysis Document

The length of the Analysis Document will be determined by the nature and complexity of the issue. The maximum expected length is 15 pages, although, depending on the technical nature of the issue, this may be exceeded. It is important to keep the document as clear and concise as possible, while still providing sufficient detail for users so that they can fully understand the impacts of the proposal.

Structure of the Analysis Document

There are four main sections in the Analysis Document; their content requirements are as follows:

- i. Context
- ii. Options and Impacts
- iii. Recommended Course of Action
- iv. Implementation Plan

A separate Communication Plan is required. These content and format specifications below are to be strictly adhered to.

1. Context

Describe why the issue is coming to FEC at this time and provide the critical background information. Identify the factors that should be addressed when considering the issue.

The Context section begins with a one-sentence restatement of the title of the memorandum in boldface type. The remainder of this section sets the

stage for the detailed description of options and proposed course of action. In selecting the critical background information, emphasis should be placed on aspects that contribute to an understanding of the options and recommendations before decision-makers.

Decision-makers are particularly interested to know how other governments have handled similar or related issues. Where appropriate, ministries should provide an analysis and description of other jurisdictions' experiences.

The Context section could typically include the following information:

- (i) problem statement, including why government action is required now, ways in which existing policies or programmes are failing to address the problem, and what government will achieve by resolving the issue;
- (ii) past and current government decisions and policies that deal with the issue, including past promises, commitments, and understandings which exist;
- (iii) events and their causes that led to the present situation, including changes which have altered the context or situation from the past;
- (iv) recent developments in the policy area;
- (v) reports, task forces, committees that have dealt with this issue;
- (vi) analysis of the ways that other governments have tackled similar issues and with what results;
- (vii) external consultations that were undertaken; and key factors or areas of impact relevant to the issue, including the economy, taxpayers, the business community, geographic areas, special groups, the environment, and legal constraints

2. Options and Impact

Outline a range of distinct options, their impacts (including significant financial information for each), and their advantages and disadvantages. This section should begin with a brief summary of the range of options; usually three options are adequate. In developing the options and identifying the anticipated impacts, it is important to use an evidence-based approach wherever possible. This may involve careful review of existing studies and data or the initiation of a new study to ensure that decision-makers have the best possible information and evidence on which to base their decisions.

a. Options

This section is the heart of the Analysis Document as it indicates the range of options open to the Government. The section should outline the major options considered, associated impacts, and their advantages and disadvantages. In some cases, additional options may be identified and included as a result of consultation with the Cabinet Affairs Office. In all cases, emphasis must be placed on providing a full range of available options and not limiting FEC's choices by unnecessarily narrowing the range beforehand.

When choosing options, variations on a theme should be avoided, as these generally do not reflect true options but rather operational considerations about how to implement the same option with varying levels of support or with different timing.

Distinct options that provide the FEC with a real choice among alternatives are required. Cases where there is only one obvious course of action are extremely rare. In these instances, the consequences of continuing with the status quo can be explored.

Key financial considerations of the options are also to be included. Before outlining the options in detail, it is useful to identify the criteria that will be used to assess the options. This provides a framework for analysis of the options and the recommended course of action. A summary chart of the options in relation to the criteria is a useful means to outline advantages and disadvantages of the options for decision-makers.

Criteria to assess an option could include:

- i consistency with government's priorities;
- ii effectiveness of the option in addressing the issue;
- iii economic cost/benefit;
- iv severity of impacts;
- v contentiousness of the proposal;
- vi complexity and timing of implementation;
- vii public perception; and
- viii constraints raised by legal, trade, or jurisdictional issues.

In describing the options, the goal is to strike a balance between the need to provide a thorough review of the range of choices and the need to keep the material brief and manageable.

When describing an option, consider:

- I What specific policy change is proposed?
- ii How does each option specifically address the stated issue? Will it fully address the issue or are future pressures anticipated?
- iii How and over what timeframe will the policy change be implemented?
- iv What are the associated costs or savings? Are there labour force impacts? Are there any significant revenue impacts?

Will the option establish any policy, funding, or legal precedents? Is legislation or regulations required?

b. Impacts

Outline the anticipated impact of each option

Decision-makers need to know the impacts of the options in terms of their effects on various groups or regions. Will there be obvious winners and losers and at what cost? Do these impacts change over the short-, medium-, and long-term? Are there any constraints on a proposed course of action (e.g., jurisdictional, legal, or trade obligations)?

Judgement should be applied when deciding which groups or issues are likely to be affected by an option. Emphasis should be placed on significant or contentious impacts. Several common areas of impact that ministries should consider when developing policy proposals are included in the section that follows. This list is not exhaustive and is provided to help ministries identify potential areas of impact.

A thorough assessment of a particular area of impact will require consultation with another ministry or ministries. Intra- and inter-ministerial consultations should occur early in the policy development process. Whenever a major impact or unresolved issue exists, this should be indicated along with a description of the nature and timing of the steps taken to resolve the issue (e.g., meetings between the Permanent Secretary and Minister's staff, involvement of the Cabinet Affairs Office). Any issue(s) with no clear direction should be brought to the attention of the Cabinet Affairs Office.

When assessing impacts of different options, consider the:

- i. economic;
- ii. financial;

- iii. community;
- iv. social;
- v. gender equity;
- vi. environmental;
- vii. international and regional;
- viii. loan/trade agreement;
- ix. Constitutional and legal;
- x. institutional;
- xi. regulatory;
- xii. security; and political impacts

Detailed information on these areas of impact follows.

i. Economic Impacts

Council Memorandum should set out the policy basis of the options in the context of the government's overall economic policy agenda. The nature of the impact of the proposed policy or programme option on the economy should be indicated. The following provides an illustrative list of economic factors that could be considered:

- a. How will the option affect citizens and taxpayers?
- b. Does the option affect investment and job creation by the private sector? Will the option impose increased costs on the private sector?
- c. Does the option disproportionately affect business enterprises? How and in what ways?
- d. Will the option lead to more or fewer regulations on businesses or institutions?
- e. Does the option have disproportionate effects on different industries (e.g., manufacturing, mining)? If so, what is the nature

- of these impacts (e.g., effects on competitiveness or exports)?
- f. Will the option affect the functioning of markets (e.g., labour, financial markets)? Include a description of any major groups that would be advantaged or disadvantaged by the proposed option.
- g. Will consumers be affected by the option?
Ministries should consult with the FMF on the economic aspects of Council Memoranda as they are developed. This includes commentary on the nature of the proposed options, where there might be significantly different impacts on the economy, and how the economic impact of various options should be quantified, including any impacts on the private sector.

ii. Financial Impacts

The financial impact of policy proposals is a critical factor that cannot be considered in isolation from the policy aspects. Policy decisions with financial impacts, involving revenue and expenditure, normally require extensive consultations with the FMF early in the policy development process.

The financial analysis should, at a minimum, include:

- a) anticipated costs or savings;
- b) any reinvestment costs;
- c) possible offsets;
- d) any anticipated net revenue generation (e.g., tax or non-tax revenues);
- e) financial contributions from other sources (e.g., development partners and the private sector);
- f) impacts on other stakeholders, including the MDAs and other tiers of government – i.e., do the options contribute to reducing overlap

and duplication of programmes and services among the levels of government? If so, will the proposal result in fiscal savings?

Considering the fact that almost any initiative requiring additional funds represent a cost to the public in some way, it is useful to indicate where the impact will be (e.g., as a taxpayer, fee payer, transfer recipient, etc.). The Council Memorandum does not need to include the amount of detail that will be in the budget documentation but should include sufficient information to understand the financial impacts of the recommended option.

iii. Community Impacts

Some initiatives will have disproportionate effects (either positive or negative) on different zones and communities across the country. For example, a proposal might add to or transfer economic activity between the various zones and communities. The Analysis Document should address the extent to which the options are consistent with the government's decentralisation and equity commitments. Issues that could be addressed include:

- a. Do the options support Nigeria's constitutional obligations with respect to the federal character policy?
- b. Do the options uphold the rights of hitherto marginalised communities?

Ministries should contact the office responsible for the federal character policy, as well as the Cabinet Affairs Office, to determine if an initiative is consistent with approaches taken in relation to the federal character policy.

iv. Social Impacts

Some initiatives will have different impacts on the people of Nigeria. The analysis should identify significant impacts on specific social groups (e.g., poor people, the aged, working men and women, persons with disabilities, parents, children, families, youth, unemployed women, religious and linguistic minorities, taxpayers, etc.). The appropriate ministry or office should be consulted with respect to these impacts, recognising that social impacts on broader groups (e.g., families) may involve several ministries. Social impacts can also include broad impacts (e.g., public safety or literacy considerations) that extend beyond a particular group. Social impacts can also relate not just to social groups, but also to key sectors, such as education and health, and crosscutting programmes such as poverty reduction.

v. Gender Equity Impacts

Every Analysis Document must include a gender equity assessment. The assessment should report clearly what the intended and possible unintended impacts of the policy are for women, men, boys, and girls. It is also important to consider how various gender groups may be affected differently, based on geographical location, socio-economic group, disability, religion, and so forth. It should, however, be explicitly stated where a policy has no gender implication. Gender equity assessment should take place throughout the policy development process. An outline of 'key questions' may be useful for this purpose.

A gender equity assessment could include all or some of the following:

- a. A statement about the government's international and domestic legal obligation to women, men, boys, and girls;

- b. Statements clarifying what the desired outcomes are for women and men;
- c. A statement about how the proposed policy will affect men, women, boys, and girls, directly or indirectly; and
- d. A statement about how men and women will know of the policy change and if a different approach needs to be taken to ensure effective communication to either men or women.

Ministries should consult with the Federal Ministry of Women Affairs and Social Development.

vi. Environmental Impacts

The Analysis Document should consider whether the options have an impact on the environment and how those impacts will be accommodated within the overall environmental strategy of the Government. Ministries should indicate whether the proposal would require registration under existing laws on environment and technology. Ministries should contact the relevant agencies or the Federal Ministry of Environment on these issues.

vii. International and Regional Impacts

Within the new regional integration and NEPAD agenda, which the government is a party to, policy initiatives might have impacts on the West Africa sub-region or the African continent as a whole. The analysis should identify if there are significant impacts on other countries in the sub-region or the African continent. Are there opportunities for harmonisation of policies/programmes with other jurisdictions? Does the proposal have any potentially significant impact on Nigeria's foreign policy commitments? Will the proposal be supported or opposed by any other countries or international organisations?

Ministries should consult with the Federal Ministry of Foreign Affairs in this regard.

viii. International Protocols, Loan/Trade Agreement Impacts

Nigeria's Protocol and loans/trade agreements have major obligations and impacts for government policy. Policy-makers should be aware of these responsibilities and the potential consequences of their actions resulting from loans and trade obligations.

The initiating ministry should consult with the Federal Ministries of Finance, Justice, Budget & National Planning, Industry, Trade & Investment, and any other relevant ministry to determine if a loan or a trade agreement or protocol applies to a proposal, and how to avoid potential contraventions of such agreements.

ix. Legal and Constitutional Impacts

All legislation and government regulations should be in conformity with the provisions of the Constitution. The FMJ has the responsibility for identifying legal issues including those relating to conformity with the Constitution.

Council Memorandum should outline any legal issues, provide an analysis and assessment of legal risks, and summarise any legal opinions. Where the initiating ministry has established that the proposal raises no legal or constitutional issues, this should be explicitly stated.

There should be a description of any legislative/regulatory changes arising from the implementation of the policy proposal. For example:

- a. Is this a new or an amended legislation/regulation?

- b. What is the anticipated or existing name of the Act to be created or amended?
- c. What is the expected timing of completion of drafting?
- d. What is the nature/complexity/scope of changes being sought?
- e. Is another MDA's legislation affected by the proposal?
- f. What is the progress desired (e.g., timing for transmission to the National Assembly or to reach second reading and proceed to standing committee, or when regulations will take effect)?
- g. What are the consequences of not achieving this progress or not proceeding?
- h. Can changes be made effective retroactively, or only with the approval of the National Assembly?

The Ministry proposing the legislative/regulatory changes should consult the FMJ before finalising its submission.

x. Institutional Impacts

The Analysis Document should set out the impact of each option on public institutions (e.g., health care services, hospitals, universities, schools, social service organisations). Such an analysis might include effects on the mandate, policies, financing, programmes, workload, demand for services, and clients of these institutions. This requires consultations with affected ministries or, in many cases, a broader range of public sector organisations. If labour relations issues are involved (e.g., collective bargaining agreements), the Federal Ministry of Labour and Productivity should be contacted.

xi. Regulatory Impacts

Regulatory impacts are essential part of assessing the impact in terms of risks, costs and benefits of any proposed legislation or regulation. A Regulatory Impact Assessment must accompany any proposed new legislation.

xii. Security Impacts

Does the proposal affect Nigeria's national or domestic security? If yes, describe whether these potential impacts would be positive or negative and how any negative impacts could be mitigated.

xiii. Political Impacts

Every policy proposal should show alignment with the government's strategic priorities. If the policy proposal does not so align, clearly identify a persuasive argument for why it should proceed (for example, response to an international incident, International Court, etc.). Policy proposals must also be assessed against the likely public response.

Political impacts address the following questions:

- a. Is the proposal consistent with or promote strategic goals and objectives?
- b. Is the proposal likely to raise public objections?

Ministries should contact the OSGF on this issue.

3. Recommended Course of Action

Describe the proposed course of action and why it was chosen over the other options.

This section outlines which option is recommended and why. It represents the summary case for the proposed course of action. To justify the recommended course of action, it is helpful to refer to the criteria used to assess the options. The option that best meets the criteria should be the recommended course of action within the context of the government's strategic priorities.

For complex initiatives, there will be a number of key elements or individual recommendations. Short descriptions of these elements, along with advantages and disadvantages of alternatives considered, may be included.

4. Implementation Plan

Outline a strategy that details how the proposed course of action will be implemented.

MDAs should provide an implementation plan for the recommended course of action. The implementation strategy should consider the following:

- i Implementation plan developed in sequence with the related policy product;
- ii Timelines identified;
- iii Further approvals required (e.g., fiscal impacts);
- iv Consultation/outreach strategy;
- v Resource requirements: staffing, vehicles, information technology impacts, etc.;
- vi Contingency plans;
- vii Programme and operational involvement emphasised;
- viii Stakeholder management plan; and
- ix Monitoring and evaluation plans.

Guidelines for The Communication Plan

The Communication Plan is a description or outline of how government's decisions and the short-, medium- and long-term impacts are communicated to different stakeholders and the general public. It is a plan of action or strategy that maps out the issues, stakeholders, roles, responsibilities, and the types of communication mechanisms to be used for maximum effect, including appropriate approaches and tactics for communicating with the public and various target audiences on the overall objectives of government decisions. The plan should also assign roles and responsibilities for communicating government decisions.

Content and Format of the Communication Plan

The Communication Plan should conform to the following specifications:

- (i) Length: Not more than eight pages.
- (ii) Subject: One line descriptive title
- (iii) MDAs and other stakeholders affected: List of MDAs and other stakeholders that will be impacted by the decision
- (iv) Analysis:
 - a. Background to the issue;
 - b. Current public perceptions and sensitivities on the issue; and
 - c. Any contentious issue(s) and suggestions on their remedies.
- v Audiences:
 - a. Identify the target audience and major stakeholder groups inside and outside the government; and
 - b. Assess desirability of consulting with external stakeholder groups before and/or after the announcement.
- vi Positioning (Where does it fit?):

Briefly identify the links to the Government's agenda and priorities.

Communications Goals and Objectives:

Make a statement of what the Communication Plan seeks to achieve. For example, to:

- (i) inform the public;
- (ii) achieve widespread understanding and buy-in of relevant stakeholders;
- (iii) stimulate public discussion;
- (iv) facilitate policy or programme implementation; and/or
- (v) respond to public concerns, criticism, apathy, etc.

Expected Impacts and Issues Management

- (i) Drawing on the information contained in the Analysis Document, identify and convey the expected impact of the initiative on the country or on a specific stakeholder group.
- (ii) Briefly summarise the impact this initiative may have on the public, stakeholders, the economic climate, gender, regional considerations, etc. This summary draws upon the information contained in the Analysis Document. It should clearly convey who will or will not benefit from this initiative and in what way.
- (iii) The proposed Government response should include any advance work that has been or will be undertaken to lay the groundwork for the proposal and to anticipate stakeholder reactions. The response should indicate how the Government would address concerns or reinforce support for the recommended

The Announcement:

Determine the method, platforms, timing, actors and target audience of the announcement of the initiative.

Budget

Identify the financial, material, and human resources required to carry out the communication plan.

Tracking, Monitoring and Evaluation of Council Decisions

Identify the tracking, monitoring and evaluation methods to be used, such as media monitoring, polling, analysis and a feedback mechanism to be adopted over the short, medium and long-term.



President Muhammadu Buhari Flagging-off the Multi-Billion Naira Support for Nigerian Farmers. Under the CBN Anchor Borrowers Programme

CHAPTER SEVEN

ENACTMENT OF BILLS AND LEGISLATION

Legislative drafting is the production of clear, legally enforceable legislation. Drafting is not just a matter of writing up the policy decision; it involves thinking through the issue from the legal perspective. Despite the fact that the product is text, drafting is more of a thinking-through than a writing-down process and is much more than putting the policy into 'legalese'. The drafting stage is the culmination of the policy development process rather than a straightforward conversion of finished ideas into legal form. It requires detailed and logical analysis.

Before any legislation (be it a bill or another legislative instrument) goes to the National Assembly, several activities precede it, which involve the Legislative Drafting Division of the Federal Ministry of Justice.

Preparing a Policy Requiring Legislation

The legislative process for an Act of the National Assembly starts with the formulation of policies to enact a law or address a specific issue. The policy is set out in the form of proposals and is often initiated by a ministry. The policy can be triggered by research by the ministry concerned, as a result of a request or complaint to government, by activities of a pressure group, or in order to correct a defect in an existing law (e.g., as a result of a court ruling).

Bills are documents of the Executive, which, when passed by the National Assembly and assented to by the President, become Acts of the National Assembly.

The various ministries have responsibility for specific subject areas assigned to them. For the purpose of initiating legislation, the MDA with responsibility for the legislation's subject area prepares a CM for approval of the legislation underpinning the policy. This sets out the essential provisions intended to form the contents of the legislation. The Council Memorandum is submitted to the FEC for approval as the first step in the legislative process.

Review and Approval of Policy Memorandum Requiring Legislation

The Minister, on behalf of the ministry concerned, must seek FEC approval of a policy requiring legislation. The request should be in the form of Council Memorandum. Guidelines for content, form, and routing of the Council Memorandum are as specified in this Manual.

Upon FEC approval of a policy memorandum requiring legislation, the Cabinet Affairs Office issues an 'Extract' conveying the decision of FEC to the Attorney-General of the Federation and Minister of Justice (AGF/MJ) to prepare the legislation for submission to the National Assembly.

Upon finalisation of the draft bill by the Ministry of Justice:

- (i) The draft bill is sent to the IM with an Explanatory Memorandum attached;
- (ii) The IM makes consultations with stakeholders and revisions, if any, and reverts it to the Ministry of Justice;
- (iii) The draft bill, with the unsigned Explanatory Memorandum, is then submitted by the IM to FEC for approval;
- (iv) FEC approval will be communicated by the CAO to the AGF/MJ for submission to the National Assembly;
- (v) On completion of the process, the draft bill is submitted to the National Assembly by the FMJ;

- (vi) The draft bill is considered and passed by the National Assembly and comes into force when it is assented to by the President and published in the gazette.

Drafting the Bill

The Legislative Drafting Division of the FMJ prepares the draft bill in close collaboration with the sponsoring ministry through the schedule officer. After consultation between the Legislative Drafting Division and the sponsoring ministry, the bill is finalised.

Drafting Instructions Checklist/Contents of the Draft Bill

Drafters should clearly specify the following detailed instructions to serve as a guide to the drafting of the bill:

- i. Requirements for the proposal;
- ii. Recent official reports;
- iii. Academic opinion, if any;
- iv. Useful legal precedents;
- v. Penalties and sanctions;
- vi. Provisions for amendment;
- vii. Consequential repeals;
- viii. Transitional/savings provisions;
- ix. Examples from other jurisdictions;
- x. Extra-territorial operation;
- xi. Commencement; and
- xii. Regulatory power.



Style of the Draft Bill

The drafting style must be:

- i. Clear, narrative form;

- ii. Simple non-technical language;
- iii. Presented in memo/tabular form;
- iv. Have a logical sequence;
- v. Devoid of administrative matters;
- vi. Devoid of purely informative matters;
- vii. Not in draft law format; and
- viii. Signed by the PS, with a clearly stated name, telephone number of schedule officer, and time frame for completion.

Procedure for the Enactment of Subsidiary Legislation

Most subsidiary legislation, orders, rules, and regulations are procedural in nature and often do not require prior FEC approval before the policy proposals are submitted for drafting to the FMJ. However, instruments that have financial impacts for the State or, by nature of their contents, are likely to indicate a policy shift or significant change in an existing situation would require FEC approval and must therefore be submitted for FEC approval before drafting begins.

After the proposals for subsidiary legislation have been received from the sponsors by the FMJ:

- (i) The draft order, rule, or regulation will be prepared by the Legislative Drafting Division in collaboration with the sponsoring ministry through the schedule officer;
- (ii) The procedure for the amendment of subsidiary legislation is the same as the drafting of new subsidiary legislation; and
- (iii) There is no specific time frame for the completion of making or amending subsidiary legislation apart from the statutory requirements.

Submission of Policy Papers and Credit Agreements to the National Assembly

The mandate of effective linkages between the Executive and the Legislature falls within the purview of the SGF. All ministries are required to route policy papers, credit agreements, legislative proposals, and other matters intended for the National Assembly's deliberations after they have been considered by FEC through the SGF.



WACOT Rice Mill in Kebbi State



1.2MW Grid Connected PV Solar Power Plant at Lower Usuma Dam, Bwari,

ANNEXES

SECURITY OF CABINET DOCUMENTS

Introduction

The Cabinet Affairs Office (CAO) in the Office of the Secretary to the Government of the Federation is the office ultimately responsible for the integrity of Cabinet documents, necessary for the smooth operation of the Federal Executive Council and other high-level meetings involving the President. The CAO ensures the confidentiality of Cabinet documents and all other records.

The maintenance of confidentiality of official records including Cabinet documents is spelt out in the Public Service Rules (2008 Edition). Most important of which is:

- a) 030421 - (i) Except in pursuance of his/her official duties, no officer shall, without the express permission of his/her PS/Head of Extra-Ministerial Office, whether on duty or on leave of absence, allow himself/herself to be interviewed or express any opinion for publication on any question of a political or administrative nature or on matters affecting the administration, public policy, defence, or military resources of the Federation or any other country.
- b) 030422 - No officer shall, without express permission of the Government, whether on duty or leave of absence, indicate publicly his support of or opposition to any party, candidate, or policy.

Cabinet Documents

- i The efficient operation of the FEC and the necessary confidentiality of ministerial discussions depend, in part, on the proper handling of Cabinet documents (CDs) Cabinet members should ensure that Cabinet documents are always in the custody of an authorised and security-cleared official.
- ii When a Cabinet item has been dealt with, the associated Cabinet documents must be returned to the CAO. Ministers must assign members of their staff with specific responsibility for controlling the flow and storage of Cabinet documents.
- iii FEC documents that are clearly marked 'For Minister's Eyes Only' cannot be seen by persons other than the intended ministers.
- iv FEC documents must remain in the CAO Archive.

Distribution of Documents

Cabinet documents are strictly controlled and distributed only to authorised recipients by the CAO. MDAs should submit the final draft of the CM to the CAO, where it will be checked to ensure that it meets the process, content, and format requirements and then distributed as appropriate. Only the CAO can distribute FEC documents.

MDAs Desk Officers for Cabinet Affairs

Permanent Secretaries should designate desk officers not below GL 10 within the MDAs (with one back-up) and forward the names to the CAO as a one-window focal point for the receiving and forwarding of Cabinet documents. Documents will not be distributed to persons other than the designated staff. Any changes in desk officers should be promptly brought to the notice of the CAO.

Handling of Cabinet Documents by MDAs

- i. The word 'Secret' should appear on documents as appropriate (including on computer memory devices) and on envelopes used to transport/transmit them at all times.
- ii. All versions of draft Cabinet Documents should be dated and marked 'SECRET AND DRAFT' at the top of each page when being developed.
- iii. Control should be exercised on the number of copies of confidential documents produced.
- iv. Copies of CDs and all e-files should be distributed only to those who 'need to know'.
- v. Authorised officers using computer terminals containing, or having access to CDs and all e-documents should log off while away from their desks and at night, and close confidential files to prevent unauthorised access to data.
- vi. Discs, USB pen drives, and other devices containing electronic files or data should be locked up in a safe place.
- vii. Reproduction of Cabinet Documents is absolutely prohibited except by the approval of the Permanent Secretary CAO upon formal request.

Physical Security of Cabinet Documents in MDAs

- i. MDAs should maintain a 'clean desk' policy. There should be no unattended paper left on the desks of officers who handle CDs at all times, especially overnight.

- ii. CDs and electronic files should be kept securely at all times especially overnight, with access by designated officer on a 'need to know' basis.
- iii. Desktops should be cleared of CDs, and drawers and filing cabinets containing CDs should be locked.
- iv. Visitor access should be controlled in areas where CDs are being worked on or stored.
- v. CDs and all e-files should not be taken off-site without authorisation. Where this is unavoidable, extreme care should be exercised to safeguard the confidentiality of the documents.

Transmission/Forwarding of Cabinet Documents

- a. The required sealed envelope procedure should be used to forward signed CM to the Cabinet Affairs Office. The word 'Secret' should be boldly marked on the envelopes.
- b. Only the desk officer should forward CM.
- c. CM should be delivered directly to the Office of the PS (CAO).
- d. Telephone enquiries relating to information on CM should be handled with particular discretion. Secretaries should be trained to avoid divulging information inadvertently.
- e. Fax machines should be used only in exceptional circumstances for transmitting CDs. A phone call should be made both before and after transmission to determine the safe arrival of the faxed documents to the intended recipient.
- f. FEC decisions (Extracts) should be conveyed to MDAs by the CAO.
- g. Documents must be shredded before placing them in trashcans.

Security and Confidentiality of Council Documents

MDAs should create and reinforce a culture of personal responsibility and accountability in officers for the security and confidentiality of FEC documents.

Electronic Records/Electronic Mail

Electronic Cabinet documents should be treated with the same caution as hard copies of same materials.

ANNEX 2: CHECKLIST FOR WRITING AND SUBMITTING AN EXECUTIVE CABINET MEMORANDUM

This checklist is a guide for MDAs in developing a CM and in reviewing it before the final submission to the CAO.

Stage 1: Preliminary Considerations

- ☐ Does the issue require FEC consideration?
- ☐ Is the issue in conformity with Government policy direction/agenda
- ☐ Is the issue a Government priority?
- ☐ Has a work plan been approved?
- ☐ Is there need for intra/inter-ministerial consultation and collaboration?

Stage 2: Writing the Cabinet Memorandum

- ☐ Have all consultations been completed?
- ☐ Is it written in concise, clear, and simple language?
- ☐ Is the information accurate?

- ☐ Is the format being followed?
- ☐ Is the content complete?

Cabinet Memorandum

- ☐ Maximum 5 pages
- ☐ Does it reflect the major issues in the Analysis Document and Communications Plan?
- ☐ Is the prayer for FEC approval clearly defined?

Analysis Document

- ☐ Maximum 15 pages
- ☐ Are key issues addressed?
- ☐ Are options and impacts analysed?
- ☐ Is the recommended option well supported with clear justifications?
- ☐ Is the implementation plan developed in consultation with relevant MDAs?

Communication Plan

- ☐ Maximum 8 pages
- ☐ Is the subject matter described?
- ☐ Has the target audience been identified?
- ☐ Are the communication goals and objectives defined?
- ☐ Are the communication strategies and announcements planned?
- ☐ Are the appropriate budget and funding plans included?

Stage 3: Final Draft

Cabinet Memorandum

- ☐ Does the CM contain the Minister's initials?
- ☐ Is the factual information taken from the Analysis Document?
- ☐ Do the communications strategies reflect highlights from the Communications Plan?

Stage 4: Submission to Cabinet Affairs Office

- ☐ Is the CM dated and initialled by the Minister?
- ☐ Is the CM submitted 21 working days in advance of FEC's consideration?
- ☐ Is the CM stapled as one document consisting of:
 - Executive Cabinet Memorandum;
 - Analysis Document; and
 - Communication Plan
- ☐ Are all pages numbered consecutively and correctly?
- ☐ Have the page rules been followed? i.e.,
 - Executive Cabinet Memorandum – maximum 5 pages;
 - Analysis Document – maximum 15 pages; and
 - Communications Plan – maximum 8 pages.
- ☐ Has the format been followed?
- ☐ Is the content complete?
- ☐ Is the CM submitted in one hard copy and one soft copy?
- ☐ Are 163 copies of each of the Annexes submitted?
- ☐ Are the contact details of the Desk Officer enclosed?
- ☐ Is the CM enclosed at the back cover of the policy file?

ANNEX 3: POLICY TRACKING TEMPLATE

Tracking Process Summary

1. CAO tracking teams must be familiar with the details of the policies, projects and programmes they are purporting to track, including the objectives and expected results, implementation plan and budget (if applicable), implementing MDAs and intended beneficiaries and interested citizens and citizen groups.
2. CAO tracking teams will receive and review status updates from implementing and/or responsible MDAs and wherever possible beneficiaries and other interested citizens and groups ahead of scheduled tracking missions to the field.
3. For unscheduled tracking visits, CAO tracking teams will consult with representatives of beneficiaries and communities and interested citizens and request updates and clarifications from MDAs as appropriate.
4. The CAO tracking team members will complete and sign the table and provide a written brief with recommendations for the attention of the relevant authorities. This will be the tracking report.
5. The CAO will share the tracking report with the relevant MDAs for their review and comment before the drafts are finalised.
6. The CAO will bring the tracking report to the attention of the relevant authorities and FEC.

TRACKING PROCESS SUMMARY

REF NO.	POLICY	ACTIONS	RESPONSIBLE	TIMEFRAME	BUDGET	FUNDING SOURCE	STATUS
	What is the policy to be implemented?	What actions must be completed to implement the policy?	Who is responsible for the action?	When must the action be completed by?	How much will it cost to implement the action?	Where will the funding come from?	Is the action not started, in progress, or complete?

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