

## QUESTIONNAIRE

### STATE BUDGET TRANSPARENCY SURVEY (SBTS) IN NIGERIA ENUGU STATE

**THIS QUESTIONNAIRE WAS COMPLETED BY**

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## **SURVEY ON STATE BUDGET TRANSPARENCY IN NIGERIA**

### **Section One: Public Availability of Key Budget Documents**

Table 1: Budget Year of Documents Used in Completing the Questionnaire

Table 2: Key Budget Documents Used: Full Titles, Release Dates and Internet Links

- A. State Budget Call Circular
- B. State Budget Draft Estimates
- C. State Budget Appropriation Law
- D. State Citizens Budget
- E. Implementation Reports: State Executive's Quarterly Report, State Mid-Year Review and State Accountant-General's Report (Year-End Report)
- F. State Auditor General's Report
- G. Public Accounts Committee (PAC) Report on the Auditor General's Report

### **Section Two: Public Participation in the Budget Process**

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**SECTION ONE: PUBLIC AVAILABILITY OF KEY BUDGET DOCUMENTS****TABLE 1 · BUDGET YEAR OF DOCUMENTS USED IN COMPLETING THE QUESTIONNAIRE**

<b>Budget Documents Used in Completing the Questionnaire</b>	
<i>Please indicate below for which fiscal year responses to questions relating to each report or experience were based on.</i>	
<b>Budget Documents</b>	<b>Budget Year Used</b>
1. State Budget Call Circular	2018
2. State Draft Budget Proposals	2018
<i>State Medium Term Expenditure Framework (MTEF) and Fiscal Strategy Paper (FSP)</i>	2018-2020
3. State Budget Appropriation Law	2018
4. State Approved Budget Volumes	2018
5. State Citizens Budget	2018
6. State <i>Quarterly</i> Reports	2017Q4 or 2018Q1
7. State Mid-Year Review	2017
8. State Accountant General's Report	2016
9. State Auditor General's Report	2016
10. Public Accounts Committee (PAC) Report on Auditor General's Report	2015

TABLE 2 · KEY BUDGET DOCUMENTS USED: FULL TITLES, RELEASE DATES, INTERNET LINKS AND AVAILABILITY STATUS

Budget Document	For each document, please include: <b>1. Full Title; 2. Date of Release, 3. Internet Link (if the document is available online) or any other availability information, 4. Availability Status.</b>
State Budget Call Circular	1. Title: <i>Reference No: MBPE/E. 2018/CC01 of 24th August 2017 "Enugu State of Nigeria: A Call Circular for 2018 Budget Preparation and Submission"</i> 1. Date of Release: 24/8/17 2. Internet Link: Nil 3. Availability: <i>PIU - (Produced for Internal Use)</i>
<b>Pre-Budget Statement</b> (Medium Term Expenditure Framework (MTEF) and Fiscal Strategy Paper (FSP))	1. Title: Nil 2. Date of Release: Nil 3. Internet Link: Nil 4. Availability: Not Produced (NP)
<b>Executive Budget Proposal</b> (State Draft Budget Estimates)	1. Title: <i>Enugu State Government 2018 Budget Proposal: Budget of sustainable Economic Growth</i> 1. Date of Release: 28/12/17 2. Internet Link: Nil 3. Availability: <i>PIU (Produced for Internal Use)</i>
<b>Enacted Budget</b> (State Approved Budget)	1. Title: <i>"Enugu State Government of Nigeria 2018 Multi Year Budget: Budget of Sustainable Economic Growth"</i> 1. Date of Release: 1-3-2018 2. Internet Link: Nil 3. Availability: <i>PAR (Produced and Available on Request)</i>
State Budget Appropriation Law	1. Title: <i>"Enugu State 2018 Budget Appropriation Law"</i> 2. Date of Release: 19-2-18 3. Internet Link: Nil 4. Availability: <i>PIU (Produced for Internal Use)</i>
<b>State Citizens Budget</b>	1. Title: Nil 2. Date of Release: Nil 3. Internet Link: Nil 4. Availability: Not Produced (NP)

<b>Budget Document</b>	<p>For each document, please include:</p> <p><b>1. Full Title; 2. Date of Release, 3. Internet Link (if the document is available online) or any other availability information, 4. Availability Status.</b></p>
<b>In-Year Report</b> (State Quarterly Reports)	<p>1. Title: Nil</p> <p>2. Date of Release: Nil</p> <p>3. Internet Link: Nil</p> <p>4. Availability: Not Produced (NP)</p>
<b>State Mid-Year Review</b>	<p>1. Title: Nil</p> <p>2. Date of Release: Nil</p> <p>3. Internet Link: Nil</p> <p>4. Availability: Not Produced (NP)</p>
<b>End of Year Report</b> (State Accountant General's Report)	<p>1. Title: <i>"Enugu State Government of Nigeria: Financial statement for the year ended 2016"</i></p> <p>1. Date of Release: <i>9th June 2017</i></p> <p>2. Internet Link: <i><u>Report of Enugu State Accountant General 2016</u></i></p> <p>3. Availability: <i>PPA (Produced and Publicly Available)</i></p>
<b>State Auditor General's Report</b>	<p>1. Title: <i>"ENS/S.901/11/46 PF: Government of Enugu State of Nigeria, Office of the Auditor General: Audit Certificate-Responsibility of the Accountant General and Auditor General"</i></p> <p>1. Date of Release: <i>9 -6 -17</i></p> <p>2. Internet Link: <i><u>Report of Enugu State Accountant General 2016</u></i></p> <p>3. Availability: <i>PPA (Produced and Publicly Available)</i></p>
Public Accounts Committee (PAC) Report on Auditor General's Report	<p>1. Title: <i>"Report of the House Committee on Public Accounts and Anti Corruption, Enugu State House of Assembly on the Annual Report of the State Auditor General on the Account of the Government of Enugu State for the year ended 31st December 2014 - 2015 respectively; presented to the State House of Assembly by Rt Hon. Chinedu Nwamba Chairman House Committee on Public Accounts Committee (PAC)"</i></p> <p>2. Date of Release: <i>1st March, 2016</i></p> <p>3. Internet Link: <i>Nil</i></p> <p>4. Availability: <i>PAR (Produced and Available on Request)</i></p>

Note the options for Availability: (1) Produced and Publicly Available (PPA); (2) Produced and Available on Request (PAR); (3) Produced for Internal Use (PIU); (4) Not Produced (NP)

## **SECTION ONE: PUBLIC AVAILABILITY OF KEY BUDGET DOCUMENTS**

**A. STATE BUDGET CALL CIRCULAR AND CALENDAR**

1. Does the State Ministry, Department or Agency in charge of Budget produce a State Budget Call Circular?

A. **Yes, it is does.**

B. No, it is does not

C. Not applicable/other (please comment).

**Citation:** MBPE/E.2018/CCO1 of 24th August 2017: "Enugu State of Nigeria Call Circular for 2018 Budget preparation and submission"

**Comment: Q.1: Answer "A"**

The State produces a Budget call circular See Annex 1

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

2. How far in advance of the budget year is the State Budget Call Circular released?

A. It is released at least five months before the start of the budget year.

B. **It is released at least four months before the start of the budget year.**

C. It is released at least three months before the start of the budget year.

D. It is made publicly available but released after the State Draft Budget Estimates have been presented to the State House of Assembly, or it is not produced.

E. Not applicable/other (please comment).

**Citation:** MBPE/E.2018/CCO1 of 24th August 2017: "Enugu State of Nigeria Call Circular for 2018 Budget preparation and submission"

**Comment: Q.2: Answer "B"**

The Budget Call Circular was released at least four months (24th August, 2017) before the start of the budget year. See Annex 1

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

3. Is the State Budget Call Circular made available to the general public?

A. Yes, it is made available to the general public, in addition to being submitted to all key stakeholders

- B. No, it is only submitted to key stakeholders including Civil Society groups, Trade Unions, Speaker and Clerk of the State House of Assembly (SHOA) and MDAs only.  
**C. No, it is only submitted to the Speaker and Clerk of the SHOA and MDAs only.**  
 D. No, it is only submitted to heads of MDAs only.  
 E. Not applicable/other (please comment).

**Citation:** MBPE/E.2018/CCO1 of 24th August 2017: "Enugu State of Nigeria Call Circular for 2018 Budget preparation and submission"

**Comment: Q.3: Answer "C"**

The document is Produced for Internal Use by MDAs, the Speaker and Clerk of the House only (Vide copy of the distribution list).

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

4. Does the budget process adhere to a publicly available calendar for preparation and release of the State Draft Budget Estimates?
- A. Yes, a detailed budget calendar is provided to the public and the deadlines are adhered to.  
 B. Yes, the budget calendar is provided and two thirds of the dates are adhered to.  
 C. Yes, the budget calendar is provided and less than two third of the dates are adhered to.  
**D. No, a budget calendar is not provided or there is no adherence to a timetable.**  
 E. Not applicable /other (please explain).

**Citation:** MBPE/E.2018/CCO1 of 24th August 2017: "Enugu State of Nigeria Call Circular for 2018 Budget preparation and submission"

**Comment: Q.4: Answer (D)-**

The Budget Call Circular does not contain any budget calendar.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

## B. STATE DRAFT BUDGET ESTIMATES (EXECUTIVE'S BUDGET PROPOSAL)

5. Does the State Ministry, Department or Agency in charge of Budget produce a State Draft Budget Estimates before the start of the fiscal year?
- A. Yes, it does.  
**B. No, it does not [Please specify whether the draft budget estimates are produced late, or not produced at all].**  
 C. Not applicable/other (please comment).

**Citation:**



**Comment: Q.5: Answer “B”**

The State 2018 Budget Estimates was released on 28/12/17 though produced but for internal use.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

6. How far in advance of the budget year are the State Draft Budget Estimates made publicly available?
- A. They are made publicly available at least three months before the start of the budget year.
  - B. They are made publicly available at least six weeks, but less than three months before the start of the budget year.
  - C. They are made publicly available less than six weeks before the start of the budget year.
  - D. **They are made publicly available after the State Budget Appropriation Law has been passed, or they are not made available at all.**
  - E. Not applicable/other (please comment).

**Citation:****Comment: Q.6: Answer “D”**

The document is PIU – Produced for Internal Use.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

7. Does the State Draft Budget Estimates or any supporting budget documentation present expenditures for the budget year that are classified by administrative unit (that is, by Ministries, Departments, or Agencies [MDAs])?
- A. Yes, all expenditures are classified by administrative unit.
  - B. Yes, at least two-thirds of the expenditures are classified by administrative unit (but not all).
  - C. Yes, less than two thirds of the expenditures are classified by administrative unit.
  - D. **No, expenditures are not presented by administrative unit.**
  - E. Not applicable/other (please comment).

**Citation:****Comment: Q.7: Answer “D”**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

8. Does the State Draft Budget Estimates or any supporting budget documentation present expenditures for the budget year classified by functional classification?
- A. Yes, expenditures are presented by functional classification
  - B. No, expenditures are not presented by functional classification
  - C. Not applicable/other (please comment)

**Citation:****Comment: Q.8: Answer "B"**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

9. Does the State Draft Budget Estimates or any supporting budget documentation present expenditures for the budget year classified by economic classification?
- A. Yes, expenditures are presented by economic classification
  - B. No, expenditures are not presented by economic classification
  - C. Not applicable/other (please comment)

**Citation:****Comment: Q.9: Answer "B"**

The document PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

10. Does the State Draft Budget Estimates or any supporting budget documentation present expenditures for individual programs for the budget year?
- A. Yes, programs accounting for all expenditures are presented.
  - B. Yes, programs accounting for at least two-thirds of, but not all, expenditures are presented.
  - C. Yes, programs accounting for less than two-thirds of expenditures are presented.

- D. No, expenditures are not presented by program.
- E. Not applicable/other (please comment).

**Citation:****Comment: Q.10: Answer "D"**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

11. Does the State Draft Budget Estimates or any supporting budget documentation present the allocation of expenditures by gender, by age, or by senatorial zone or Local Government Area?
- A. Yes, the draft budget presents all three types of information (gender, age, senatorial zone and LGA)
- B. Yes, the draft budget presents three of the four types of information
- C. Yes, the draft budget presents less than three of the four types of information
- D. No, such information is not presented
- E. Not applicable/other (please comment)

**Citation:****Comment: Q.11: Answer "D"**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

12. Does the State Draft Budget Estimates or any supporting budget documentation present the individual sources of revenue (internally generated revenues such as turnover tax, VAT, or stamp duties and transfers from the federation account for the budget year?
- A. Yes, individual sources of revenue accounting for all revenue are presented.
- B. Yes, individual sources of revenue accounting for at least two-thirds of, but not all, revenues are presented.
- C. Yes, individual sources of revenue accounting for less than two-thirds of all revenues are presented.
- D. No, individual sources of revenue are not presented.
- E. Not applicable/other (please comment).

**Citation:****Comment: Q.12: Answer "D"**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

**13.** Does the State Draft Budget Estimates or any other supporting documentation present non-financial data on results (in terms of outputs or outcomes) for at least the budget year?

- A. Yes, non-financial data on results are provided for all programs [within all administrative units or functional totals].
- B. Yes, non-financial data on results are presented for all administrative units (or functional totals) but not for all programs
- C. Yes, non-financial data on results are presented for some programs and/or some administrative units (or functional totals)
- D. **No, non-financial data on results are not presented**
- E. Not applicable/other (please comment)

**Citation:**

**Comment: Q.13: Answer "D"**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

**14.** Are performance targets used for the non-financial data on results presented in the State Draft Budget Estimates or any supporting documentation?

- A. Yes, performance targets are used for all non-financial data
- B. Yes, performance targets are used for most non-financial data
- C. Yes, performance targets are used for some non-financial data
- D. **No, performance targets are not used**
- E. Not applicable/other (please comment)

**Citation:**

**Comment: Q.14: Answer "D"**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

## C. STATE BUDGET APPROPRIATION LAW (ENACTED BUDGET)

**15.** For the fiscal year under consideration, when was the State Budget Appropriation Law enacted?

- A. The State Budget Appropriation Law was enacted before the start of the fiscal year.
- B. The State Budget Appropriation Law was enacted within the first month of the next fiscal year.

- C. The State Budget Appropriation Law was enacted before the end of the first quarter of the next fiscal year but not within the first month.
- D. The State Budget Appropriation Law was not enacted before the end of the first quarter of the next fiscal year, or it was not produced at all.
- E. Not applicable/other (please comment).

**Citation:** "Enugu State 2018 Budget Appropriation Law"

**Comment: Q.15: Answer "C"**

Though Produced for Internal Use, the Enugu State 2018 Budget Appropriation Bill was signed into Law on the 19th of February 2018.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

16. For the fiscal year under consideration, when is the State Budget Appropriation Law made publicly available?

- A. The State Budget Appropriation Law is made publicly available immediately after enactment.
- B. The State Budget Appropriation Law is made publicly available within less than six weeks after enactment.
- C. The State Budget Appropriation Law is made publicly available within 3 months after enactment (but more than 6 weeks after enactment).
- D. The State Budget Appropriation Law is made publicly available more than 3 months after enactment, or it is not made publicly available.
- E. Not applicable/other (please comment).

**Citation:**

**Comment: Q.16: Answer "D"**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

17. Does the State Approved Budget present expenditures for the budget year that are classified by administrative unit (i.e. Ministries, Departments, or Agencies [MDAs])?

- A. Yes, all expenditures are presented by administrative unit.
- B. Yes, at least two thirds of the expenditures are presented by administrative unit (but not all).
- C. Yes, less than two thirds of expenditures are presented by administrative unit.
- D. No, expenditures not presented by administrative unit.
- E. Not applicable/other (please comment).

Citation: “

**Comment: Q.17: Answer “D”**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:****Ind. Review: Agree.****CIRDDOC:**

18. Does the State Approved Budget present expenditures for the budget year classified using functional classification?
- A. Yes, expenditures are presented by functional classification
  - B. **No, expenditures are not presented by functional classification**
  - C. Not applicable/other (please comment)

Citation:

**Comment: Q.18: Answer “B”**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:****Ind. Review: Agree.****CIRDDOC:**

19. Does the State Approved Budget presents expenditures for the budget year classified using economic classification?
- A. Yes, expenditures are presented by economic classification
  - B. **No, expenditures are not presented by economic classification.**
  - C. Not applicable/other (please comment)

Citation:

**Comment: Q.19: Answer “B”**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:****Ind. Review: Agree.****CIRDDOC:**

20. Does the State Approved Budget present expenditures for individual programs (items) for the budget year?

- A. Yes, programs accounting for all expenditures are presented.
- B. Yes, programs accounting for at least two-thirds of, but not all, expenditures are presented.
- C. Yes, programs accounting for less than two-thirds of expenditures are presented.
- D. No, expenditures are not presented by program.
- E. Not applicable/other (please comment).

**Citation:****Comment: Q.20: Answer "D"**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Not in agreement with answer B. Answer D is most appropriate.**

**CIRDDOC:**

21. Do line items in the State Approved Estimates IPSAS compliant?

- A. Yes, all line items appeared with different codes across all MDAs
- B. Yes, all line items appeared with different codes but not for more than 75 percent of the MDAs
- C. Yes, all line items appeared with different codes but not for more than 50 percent of the MDAs
- D. Yes, all line items appeared with different codes but for less than 25 percent of the MDAs or not publicly available
- E. Not applicable (please comment)

**Citation:** "Enugu State 2018 Approved Budget: Budget of Sustainable Growth" (PAR)

**Comment: Q.21: Answer "D"**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

22. How many MDAs in the State Approved Budget have their budget lumped in a single or few items?

- A. None of the State MDAs budget line items were lumped in single or few items
- B. Between 1 and 3 of the State MDAs have their Budget lumped into single of few items
- C. Between 4 and 6 of the State MDAs have their Budget lumped into single of few items
- D. More than 6 of the State MDAs have their Budget lumped into single of few items or not publicly available
- E. Not applicable (please comment)

**Citation:****Comment: Q.22: Answer “D”**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

23. Does the State Approved Budget present the individual sources of revenue (internally generated revenues such as VAT, or stamp duties and transfers from the federal government) for the budget year?
- A. Yes, individual sources of revenue accounting for all revenue are presented.
  - B. Yes, individual sources of revenue accounting for at least two-thirds of, but not all, revenues are presented.
  - C. Yes, individual sources of revenue accounting for less than two-thirds of all revenues are presented.
  - D. **No, individual sources of revenue are not presented or not publicly available**
  - E. Not applicable/other (please comment).

**Citation:****Comment: Q.23: Answer “D”**

The document is PIU – Produced for Internal Use. The document is not publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

**D. STATE CITIZENS BUDGET**

24. If produced, what information is provided in the State Citizens Budgets?

*Please note that “core elements” must include: 1) information on the budget process; 2) revenue collection; 3) priority spending allocation; 4) sector specific information and targeted programs; 5) contact information for follow-up by citizens.*

- A. A State Citizens Budget is produced, published and includes information on and beyond the core elements listed above.
- B. A State Citizens Budget is produced, published and provides information on the core elements listed above.
- C. A State Citizens Budget is produced, published but it excludes some of the core elements listed above.



- D. A State Citizens Budget is not produced.
- E. Not applicable/other (please comment).

**Citation: - Nil**

**Comment: Q.24: Answer "D"**

The State does not produce a Citizens Budget.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

25. How is the Citizens Budget disseminated to the public?

- A. A Citizens Budget is disseminated widely through a combination of at least three different appropriate tools and media (such as the Internet, billboards, radio programs, newspapers, street theatre, etc.).
- B. A Citizens Budget is disseminated by using at least two of the mechanisms described above.
- C. A State Citizens Budget is disseminated by using at least one of the mechanisms described above.
- D. A State Citizens Budget is not produced.
- E. Not applicable/other (please comment).

**Citation: - Nil-**

**Comment: Q.25: Answer "D"**

A State Citizen's Budget is not produced and therefore the issue of dissemination has been overtaken.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

**E. STATE QUARTERLY EXECUTION REPORTS, STATE MID-YEAR REVIEW & THE STATE ACCOUNTANT-GENERAL REPORT**

26. Does the state produce and release budget quarterly reports to the public?
- A. Yes, the state produces and release budget quarterly reports to the public
- B. Yes, the state produces but do not release budget quarterly reports to the public
- C. No, the state does not produce quarterly report
- D. Not applicable (please comment)

**Citation: - Nil-**

**Comment: Q.26: Answer "C"**

The last Budget quarterly report which was produced by the State Planning Commission was in 2013; since then, no quarterly report has been made available to the public.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

27. For quarterly reports released to the public by the state executive, how much time typically elapses between the end of the reporting period and when the report is released (e.g. are quarterly reports released less than four weeks after the end of the quarter)?

- A. Quarterly Reports are released one month or less after the end of the period.
- B. Quarterly Reports are released two months or less (but more than one month) after the end of the period.
- C. Quarterly Reports are released more than two months (but less than three months) after the end of the period.
- D. Quarterly reports are released after three months or they are not released to the public.
- E. Not applicable/other (please comment).

**Citation: - Nil –**

**Comment: Q.27: Answer "D"**

Because the State has not produced a Quarterly Report since 2014; the timeframe for information being requested in Number 27 is redundant.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

28. Does the state executive release to the public a Mid-Year Review of the budget?

- A. A Mid-Year Review is released one month or less after the end of the first six months of the budget year.
- B. A Mid-Year Review is released two months or less (but more than one month) after the first six months of the budget year.
- C. A Mid-Year Review is released more than two months (but less than three months) after the first six months of the budget year.
- D. A Mid-Year Review is released more than three months after the first six months of the budget year, or it is not produced at all.
- E. Not applicable/other (please comment).

**Citation: - Nil**

**Comment: Q.28: Answer "D"**

Mid-year Review of Enugu State 2017 Budget was neither produced nor released to the public.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

29. How long after the end of the budget year does the State Executive release to the public the Accountant General's Report that discusses the budget's actual outcome for the year?

- A. **The report is released six months or less after the end of the fiscal year.**
- B. The report is released nine months or less (but more than six months) after the end of the fiscal year.
- C. The report is released 12 months or less (but more than 9 months) after the end of the fiscal year.
- D. The executive does not release an Accountant General's Report, or releases it too late (more than 12 months).
- E. Not applicable/other (please comment).

**Citation:** "Enugu State Government of Nigeria Financial Statement for the year ended 2016": [www.enugustate.gov.ng/wp/content/uploads/2017/06](http://www.enugustate.gov.ng/wp/content/uploads/2017/06)

**Comment: Q.29: Answer "A"**

The document is produced and has been released to the public on 9th June 2017

PPA – Produced and Publicly available.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

## F. STATE AUDITOR GENERAL'S REPORT

30. How long after the end of the budget year are the final annual expenditures of State MDAs audited and released to the public by the Auditor General?

- A. **Final audited accounts are released to the public 9 months or less after the end of the fiscal year.**
- B. Final audited accounts are released 12 months or less (but more than nine months) after the end of the fiscal year.
- C. Final audit accounts are released more than 12 months, but within 18 months of the end of the fiscal year.
- D. Final audited accounts are not completed within 18 months after the end of the fiscal year or they are not released to the public.

E. Not applicable/other (please comment).

**Citation:** ENS/S. 901/11/46 PF – 9th June 2017: Government of Enugu State, Nigeria, Office of the Auditor General: Audit Certificate – Responsibility of the Accountant General and Auditor General”: [www.enugustate.gov.ng/index.php/documents](http://www.enugustate.gov.ng/index.php/documents)

**Comment: Q.30: Answer “A”**

The document is produced and has been released to the public on 9th June 2017

PPA – Produced and Publicly Available (See Annex 3)

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

31. When did the State House of Assembly (SHoA) receive the last Auditor General's report?

- A. The SHoA receives copies of the Auditor General report before the end of the next fiscal year
- B. The SHoA receives copies of the Auditor General report more than 12 months but less than 18 months after the fiscal year
- C. The SHoA receives copies of the Auditor General report more than 18 months but less than 24 months after the fiscal year
- D. No, the SHoA has not received the copy of the Auditor General report, or such report is yet to be produced.
- E. Not applicable/other (please comment).

**Citation:** “Report of the House Committee on Public Accounts and Anti Corruption, Enugu State House of Assembly on the Annual Report of the State Auditor General on the Accountant General of the Government of Enugu State for the year ended 31st December 2014 -2015 respectively; presented to the State House of Assembly by Rt Hon. Chinedu Nwamba Chairman House Committee on Public Accounts Committee (PAC)”

**Comment: Q.31: Answer “A”.**

The State House of Assembly received the 2016 Auditor General Report before the beginning of the next fiscal year (2018)

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

## **SECTION TWO: PUBLIC PARTICIPATION IN THE BUDGET PROCESS**

### **A. Public Engagement during Budget Formulation**

32. Is the executive formally required to engage citizens during the budget formulation process?

- A. Yes, a law, regulation, or formal procedure obliges the executive to engage with a wide variety of citizens (civil society, trade unions, vulnerable groups, private sector, etc.) during the budget formulation process.
- B. Yes, a law, regulation, or formal procedure obliges the executive to engage with certain citizens during the budget formulation process.
- C. No, no formal requirement exists requiring the executive to engage with the public during the budget formulation process, but informal procedures exist to enable the public to engage with budget formulation.
- D. No, no formal requirement exists requiring the executive to engage with the public during the budget formulation process.
- E. Not applicable/other (please comment).

**Citation:** Enugu State Budget Manual – 2011 –SPARC Nigeria

**Comment: Q.32: Answer: “B”**

PPA – Produced and publicly available ([www.sparc-nnigeria.com/rc/files/2.1.1EnuguState](http://www.sparc-nnigeria.com/rc/files/2.1.1EnuguState))

P.9 of Enugu State Budget Manual obliges the State Government to engage with members of the CSOs, private Sector Organisation and Development Partners during Budget Formulation Process.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

33. Has the state executive established practical mechanisms to identify the public's perspective on budgets?

- A. Yes, the executive has established mechanisms to identify the public's perspective on budget priorities; these mechanisms are accessible and widely used by the public.
- B. Yes, the executive has established mechanisms to identify the public's perspective on budget priorities; while these mechanisms are accessible they are not widely used by the public.
- C. Yes, the executive has established mechanisms to identify the public's perspective on budget priorities, but these mechanisms are not accessible.
- D. No, the executive has not established any mechanisms to identify the public's perspective on budget priorities.
- E. Not applicable/other (please comment).

**Citation:** Enugu State Budget Manual – 2011 –SPARC Nigeria

**Comment: Q.33: Answer “C”**

PPA – Produced and publicly available ([www.sparc-nnigeria.com/rc/files/2.1.1EnuguState](http://www.sparc-nnigeria.com/rc/files/2.1.1EnuguState))

The State's Budget Manual provides for the involvement and identification of public perspectives on budget priorities. See Annex 2 – List of stakeholders to be involved in the Budget process.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

34. Does the state executive hold consultations with the public on specific plans for vulnerable groups in the upcoming budget?

*Please note that by "core set of constituencies" it is meant the following: 1. women's groups, 2. youth, 3. People living with disability and 4. Elderly*

- A. Yes, the executive holds extensive consultations with a core set of constituencies *and* others (Please specify).
- B. Yes, the executive holds consultations with a core set of constituencies.
- C. Yes, the executive holds very limited consultations, involving only a few of the groups listed in the "core set of constituencies".
- D. No, the executive does not consult with the vulnerable groups as part of the budget preparation process.
- E. Not applicable/other (please comment).

**Citation: Enugu State Budget Manual – 2011 – SPARC Nigeria**

**Comment: Q.34: Answer "D"**

PPA: Produced and publicly available. ([www.sparc-nigeria.com/rc/files/2.1.1EnuguState](http://www.sparc-nigeria.com/rc/files/2.1.1EnuguState))

The Budget Manual listed only six groups (vide Annex 2) of the Budget Manual for consultation in the Budget preparation process namely:

- CSO /NGOs
- Organised Private Sector
- Trade and Labour Unions Partners
- Professional Organisations
- Traditional and Religious institutions

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

35. Does the state executive clearly, and in a timely manner, articulate its purpose for engaging the public during the budget formulation process?

- A. Yes, the executive articulates its purpose for engaging the public, clearly and in a timely manner.
- B. Yes, the executive articulates its purpose for engaging the public in a timely manner, but some of the objectives are unclear/vague.
- C. Yes, the executive articulates its purpose for engaging with the public, but not in a timely manner, and with vague/unclear description of its objectives.
- D. No, the executive does not articulate its purpose for engaging the public during the budget formulation process, or does not engage with the public.
- E. Not applicable/other (please comment).

**Citation: Enugu State Budget Manual – 2011**

**Comment: Q.35: Answer “B”**

PPA: Produced and publicly available. ([www.sparc-nnigeria.com/rc/files/2.1.1EnuguState](http://www.sparc-nnigeria.com/rc/files/2.1.1EnuguState))

Page 24 of Enugu State Budget Manual prescribes the time line of June – August for engagement with CSOs/NGOs in the budget formulation process.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

36. Does the state executive provide formal feedback to the public on how their inputs have been used to develop the State Draft Budget Estimates?

- A. Yes, the executive reports on the inputs it received from the public, and provides detailed feedback on how these inputs have been used to develop the State Draft Budget Estimates.
- B. Yes, the executive reports on the inputs it received from the public, and provides *limited* feedback on how these inputs have been used to develop the State Draft Budget Estimates.
- C. Yes, the executive reports on the inputs it received from the public, but these reports provide no feedback on how these inputs have been used to develop the State Draft Budget Estimates.
- D. No, the executive does not report on the inputs it received from the public or provide any feedback on how these inputs have been used to develop the State Draft Budget Estimates.
- E. Not applicable/other (please comment).

**Citation: Enugu State Budget Manual – SPARC Nigeria**

**Comment: Q.36: Answer “D”**

PPA: Produced and Publicly Available. ([www.sparc-nnigeria.com/rc/files/2.1.1EnuguState](http://www.sparc-nnigeria.com/rc/files/2.1.1EnuguState))

Page 24 of the Budget Manual contains the Budget Timeline but it did not have any provision for receiving and considering inputs from the public.

**Govt. Review:**

**Ind. Review: In total agreement.**

**CIRDDOC:**

## B. Public Engagement during Budget Discussion by State House of Assembly

37. Does the state assembly [appropriations] committee hold public hearings on the individual budgets of state government administrative units (that is, ministries, departments, and agencies) in which testimony from the executive is heard?

- A. Yes, public hearings in which testimony from the executive branch is heard are held on the budgets of a wide range of administrative units.
- B. Yes, public hearings in which testimony from the executive branch is heard are held on the budgets of the main administrative units.

- C. Yes, public hearings in which testimony from the executive branch is heard are held on the budgets of a small number of administrative units.
- D. No, public hearings in which testimony from the executive branch is heard are not held on the budgets of administrative units.
- E. Not applicable/other (please comment).

**Citation: Enugu State Budget Manual – SPARC Nigeria**

**Comment: Q.37: Answer “D”**

Produced and publicly available ([www.sparc-nigeria.com/rc/files/2.1.1EnuguState](http://www.sparc-nigeria.com/rc/files/2.1.1EnuguState))

From P25 of the Enugu State Budget Manual; there is no indication that the State Assembly (Appropriation Committee) hold public hearings on individual MDAs budget; as the State did not consider it a veritable process of Budget formulation. However; in practice we know that MDAs defend their budget before the State House of Assembly.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

38. Do legislative committees hold public hearings on the individual budgets of central government administrative units (i.e., MDAs) in which testimony from the public is heard?
- A. Yes, public hearings in which testimony from the public is heard are held on the budgets of a wide range of administrative units.
- B. Yes, public hearings in which testimony from the public is heard are held on the budgets of some administrative units.
- C. Yes, public hearings in which testimony from the public is heard are held on the budgets of a small number of administrative units.
- D. No, public hearings in which testimony from the public is heard are not held on the budgets of administrative units.
- E. Not applicable/other (please comment).

**Citation: Nil**

**Comment: Q.38: Answer “D”**

PIU: Produced for Internal Use and therefore not publicly available.

There is no evidence in the public domain to show that members of Civil society are invited to the State House of Assembly to seek their input into the Budget as part of the Budget formulation process.

**Govt. Review:**

39. Do the state assembly committees that hold public hearings release reports to the public on these hearings?
- A. Yes, the committees release reports, which include all written and spoken testimony presented at the hearings.
- B. Yes, the committees release reports, which include most testimony presented at the hearings.



- C. Yes, the committees release reports, but they include only some testimony presented at the hearings.
- D. No, the committees do not release reports, or do not hold public hearings.
- e. Not applicable/other (please comment).

**Citation:** Nil

**Comment: Q.39: Answer "D"**

Since No 38 do not happen; No 39 is redundant

**Govt. Review:**

**Ind. Review:** In agreement.

**CIRDDOC:**

### C. Public Engagement during Budget Execution

40. Does the state executive publish a list of beneficiaries of projects, subsidies, social plans and other targeted spending from MDAs?

- A. Yes, a complete list of beneficiaries is published for all targeted spending.
- B. The government publishes the list of beneficiaries for only some portions of targeted spending.
- C. Information on beneficiaries is very limited.
- D. There is no information on beneficiaries of targeted spending.
- E. Not applicable/other (please comment).

**Citation:** "The Press Briefing on the 2018 Budget of Enugu State presented by Hon. Commissioner for Finance and Economic Development.

**Comment: Q.40: Answer "B"**

PAR: Produced and available on Request

Page 21 of the Honourable Commissioner for Finance media briefing Note on the 2018 Enugu State Budget under the Ministry of transport indicated some list of Projects to be implemented and where those Project will be executed.

**Govt. Review:**

**Ind. Review:** Agree.

**CIRDDOC:**

41. Has the state executive established practical mechanisms to identify the public's perspective on budget execution?

- A. Yes, the executive has established mechanisms to identify the public's perspective on budget execution: these mechanisms are accessible and widely used by the public.

- B. Yes, the executive has established mechanisms to identify the public's perspective on budget execution: while these mechanisms are accessible, they are not widely used by the public.
- C. Yes, the executive has established mechanisms to identify the public's perspective on budget execution, but these mechanisms are not accessible.
- D. No, the executive has not established any mechanisms to identify the public's perspective on budget execution.
- E. Not applicable/other (please comment).

**Citation:** Visit Every Community (VEC) Fact sheet

**Comment: Q.41: Answer "B"**

PPA: Produced and Publicly available (lesfoodeusesxyz/sigefowwwmcjl/eugoicin/oizf14757-enugustate.hmtt)

Enugu State Government has a Visit Every Community (VEC) programme which promotes participatory governance and budgeting (formulation, implementation and monitoring and evaluation); but this is not widely known and taken advantage of by members of the public. VEC fact sheet attached.

**Govt. Review:**

**Ind. Review: In total agreement with answer B.**

**CIRDDOC:**

42. Does the state executive provide formal feedback to the public on how their inputs have been used to improve budget execution?

- A. Yes, the executive reports on the inputs it received from the public, and provides detailed feedback on how these inputs have been used to improve budget execution.
- B. Yes, the executive reports on the inputs it received from the public, and provides *limited* feedback on how these inputs have been used to improve budget execution.
- C. Yes, the executive reports on the inputs it received from the public, but provides no feedback on how these inputs have been used to improve budget execution.
- D. No, the executive does not report on the inputs it received from the public or provide any feedback on how these inputs have been used to improve budget execution.
- E. Not applicable/other (please comment).

**Citation:** Visit Every Community (VEC) Fact sheet

**Comment: Q.42: Answer "C"**

PPA: Produced and publicly available. (lesfoodeusesxyz/sigefowwwmcjl/eugoicin/oizf14757-enugustate.hmtt)

During VEC visits to communities they share with community members how their input has influenced Budget formulation but usually there is no feedback; at least in the public domain as to how their inputs have been used to improve budget execution

**Govt. Review:**

## D. Public Engagement during Audit

43. Does the state Auditor General's office maintain formal mechanisms through which the public can participate in the audit process?

- a. Yes, the state General Auditor's office has established formal mechanisms through which the public can participate in the audit process. These mechanisms are accessible and widely used by the public.
- b. Yes, the state General Auditor's office has established formal mechanisms through which the public can participate in the audit process. While these mechanisms are accessible, they are not widely used by the public.
- c. Yes, the state General Auditor's office has established formal mechanisms through which the public can participate in the audit process, but these mechanisms are not accessible.
- d. No, the state General Auditor's office does not maintain any formal mechanisms through which the public can participate in the audit process.
- e. Not applicable.

Citation: Nil

**Comment: Q.43: Answer "D"**

**No formal mechanism is in place**

There is no established formal mechanism; at least in the public domain, through which the public can participate in the audit process.

**Govt. Review:**

**Ind. Review: In agreement.**

**CIRDDOC:**

44. Are the state assembly meetings that discuss the Auditor General's Report open to the public?

- A. Yes, the meetings discussing the audit report are open to the public.
- B. No, the meetings discussing the audit report are not open to the public.
- C. Not applicable /other (please explain).

Citation: Nil

**Comment: Q.44: Answer "B"**

The meetings are never open to the public. It is limited to the committee members and report of such committee meetings submitted to the House in plenary for ratification and approval or otherwise.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

### **SECTION THREE: TRANSPARENCY IN THE PROCUREMENT SYSTEM**

45. Is there a Public Procurement Law (PPL) regulating the procurement process in the state?

- A. Yes, there is a Public Procurement Law that is publicly available.
- B. There is no Public Procurement Law, but there is an established process regulating procurement, and that is publicly available.

- C. There is a legal framework or an established process regulating procurement, but that is not available to the public.
- D. No, there is no legal framework or process regulating procurement.
- E. Not applicable (please comment).

**Citation: “ Enugu State Public Procurement Law 2011**

**Comment: Q.45: (A)**

There is a Public Procurement Law in Enugu State approved in 2011. The Manual was developed in May 2013 – Appendix 1

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC: Move the comment under the citation**

46. Does the state have a Public Procurement Bureau/Office that implement the PPL in regulating public procurement in the state?

- A. Yes, there is a Public Procurement Bureau/Office that implement the PPL in regulating public procurement
- B. No, there is no Public Procurement Bureau/Office but the state has a Due Process Office (DPO) that implement the PPL in regulating public procurement**
- C. The State uses the Tenders Board for all public procurement
- D. The State has no Public Procurement Bureau/Office, Due Process Office or Tenders Board
- E. Not applicable (please comment).

**Citation: “Interview with Mr.C.C. Ijere, Director, Planning now retired in the Office of the Secretary to the State Government 18th April 2018”**

**Comment: Q.46: (B)**

**The State has a Due Process Office headed by Mr Sylvanus Onoyima.**

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

47. Has the State inaugurated a Public Procurement Council in line with the provision of the PPL with both Private sector and Civil Society Representatives as members

- A. Yes, the State has inaugurated a Public Procurement Council in line with the provision of the PPL with both Private sector and Civil Society Representative as members
- B. Yes, the State has inaugurated a Public Procurement Council in line with the provision of the PPL with only one member from either Private sector or Civil Society as members

- C. Yes, the State has inaugurated a Public Procurement Council in line with the provision of the PPL with no representation from either Private sector or Civil Society as members
- D. **No, the State has not inaugurated a Public Procurement Council in line with the provision of the PPL**
- E. Not applicable (please comment).

Citation: "Interview with Mr C.C Ijere (then Director of Planning, Office of the SSG – April 18, 2018"

**Comment: Q.47: (D)**

The State do not have a Public Procurement Council, since there is at yet no procurement law in place.

**Govt. Review:**

**Ind. Review: Agree with answer D.**

**CIRDDOC:**

48. Does the state make available to the public from a single source (for example a Public Procurement Bureau/Office or the State Tenders Board) that launch announcements of open public procurement tenders by its Ministries, Departments and Agencies (MDAs)?
- A. Yes, there is a Public Procurement Bureau/Office or the State Tenders Board that provides information on all public tenders.
- B. Yes, there is a Public Procurement Bureau/Office or the State Tenders Board that provides information on public tenders, but a minority of tenders is separately published by MDAs.
- C. **No, there is no Public Procurement Bureau/Office or the State Tenders Board, but information on individual tenders can be accessed from the procuring MDAs**
- D. No information of public tenders is available within the state.
- E. Not applicable (please comment).

Citation: "Government of Enugu State of Nigeria, State Universal Basic Education Board: Invitation for financial bidding".

**Comment: Q.48: (C)**

Information on individual tenders can be accessed from procurement MDAs. For instance Enugu State Universal Basic education advertised for prospective bidders to execute school building projects and this advert was in the public domain: <https://23business.com/tender/login> (Appendix 2)

**Govt. Review:**

**Ind. Review:**

**CIRDDOC:**

49. How regularly do MDAs in the state invite CSOs and other stakeholders' representatives during bid openings?
- A. The MDAs in the state invite CSOs and other stakeholders' representatives regularly during bid openings

- B. The MDAs in the state invite CSOs and other stakeholders' representatives sometimes during bid openings
- C. **The MDAs in the state do not invite CSOs and other stakeholders' representatives during bid openings**
- D. Not applicable (please comment).

**Citation: Government of Enugu State of Nigeria, State Universal Basic Education Board: Invitation for financial bidding**

**Comment: Q.49: (C)**

CSOs were never invited during BID openings.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

**50.** If there is a Public Procurement Bureau/Office or State Tenders Board, how does the State publish contracts guidance documentation (including at least: instructions, application forms, requirements, and evaluation criteria.)?

- A. The Public Procurement Bureau/Office or the State Tenders Board publishes contracts information through multiple means (including: online portals, official gazette, radio announcements, billboards), and publishes *all* guidance documentation
- B. The Public Procurement Bureau/Office or the State Tenders Board uses only one publication method, but publishes *all* guidance documentation.
- C. The Public Procurement Bureau/Office or the State Tenders Board directly contacts the contractors, and does not makes all guidance documentation available to everyone in a single place.
- D. **The Public Procurement Bureau/Office or the State Tenders Board does not publish available contracts.**
- E. Not applicable/other (please comment).

**Citation: Government of Enugu State of Nigeria, State Universal Basic Education Board: Invitation for financial bidding"**

**Comment: Q.50: (D)**

There is no State Tenders Board: what exists is that each MDA constitutes her own Tenders Board e.g. Enugu State Universal Basic Education Board had online link where one can Access Contract Information and Details.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

**51.** Following the closing date for bid submission, are tenders opened publicly?

- A. Yes, tenders are opened publicly immediately following the closing date for bid submission.
- B. Yes, tenders are opened publicly, but there is a delay in opening some of them
- C. Yes, tenders are opened publicly, but there is always a delay in opening them
- D. **Tenders are not opened publicly at all.**
- E. Not applicable (please comment).

**Citation: "Interview with Mr, Asadu of Enugu State of Nigeria State Universal Basic Education Board - 4th March 2018"**

**Comment: Q.51: (D)**

There is no available record to show that MDAs bid documents are publicly opened.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

52. Are procurement decisions published?

- A. All procurement decisions are publicly posted on a government website or another easily accessible place.
- B. All procurement decisions are posted in a somewhat restricted access media (e.g. the official gazette of limited circulation).
- C. Publication of procurement decisions is not mandatory, and is left to the discretion of the review bodies making access difficult.
- D. **Procurement decisions are never published.**
- E. Not applicable (please comment)

**Citation: "Interview with Mr.C.C Ijere of the SSG's office confirmed that procurement decisions were never published" – 5th March 2018.**

**Comment: Q.52: (D)**

There is no records available across the MDAs to show that procurement decisions are published.

**Govt. Review:**

**Ind. Review: In total agreement.**

**CIRDDOC:**

53. Is the justification for awarding the contract to the selected contractor published?

- A. Yes, the justification for awarding the contract to the selected contractor is published.

- B. **No, the justification for awarding the contract to the selected contractor is not published.**
- C. Not applicable (please comment).

**Citation: Mr. C.C. Ijere of the SSGs office again confirmed that procurement decisions were never published – 5th March 2018 and there was no justification for that.**

**Comment: Q.53: (B)**

**This is not applicable since MDAs do not even publish Procurement decisions.**

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

**54. Is there an external procurement complaints review body?**

- A. Yes, there is an external procurement complaints review body; individuals know how to submit complaints; and the review body works well
- B. Yes, there is an external procurement complaints review body; individuals how to submit complaints; but the review body does not work well.
- C. Yes, there is an external procurement complaints review body, but not it is not clear to all individuals how to submit a complaint; and the review body does not work well.
- D. **No, there is no external procurement complaints review body.**
- E. Not applicable (please comment).

**Citation: “Mr. C.C Ijere of the SSG’s office confirmed that the State do not have any Appellate Procurement Review body both at the MDA or state Level – 5th March 2018”**

**Comment: Q.54: (D)**

**There is no Appellate Procurement Review body both at the MDA or State Level. There is no evidence to the contrary.**

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

**55. Is there an Alternative Dispute Resolution (ADR) mechanism related to procurement bid documents and contract award decisions publicly available?**

- A. Yes, there is an Alternative Dispute Resolution (ADR) mechanism; individuals know how to use it; and the mechanism works well.
- B. Yes, there is an Alternative Dispute Resolution (ADR) mechanism; individuals know how to use it; but the alternative resolution mechanism does *not* work well
- C. Yes, there is an Alternative Dispute Resolution (ADR) mechanism, but: individual generally do *not* know how it works and the mechanism does *not* work well.
- D. **No, there is no Alternative Dispute Resolution (ADR) mechanism**
- E. Not applicable (please comment).



Citation: Mr . C.C. Ijere in an interview confirmed that there is no ADR mechanism both at the MDA/State level in relation to procurement issues.

**Comment: Q.55: (D)**

There is no ADR mechanism both at the State or MDA level related to procurement bid documents and contract award decision that is publicly available.

**Govt. Review:**

**Ind. Review: Totally in agreement.**

**CIRDDOC:**

56. Does the State have Procurement Complaints Review body that look at disputes over procurement processes?

- A. Yes, the State has a Procurement Complaints Review body that look at disputes over procurement processes and they meet at regular intervals
- B. Yes, the State has a Procurement Complaints Review body that look at disputes over procurement processes but meet at irregular intervals
- C. **No, the State has no Procurement Complaints Review body that look at disputes over procurement processes**
- D. Not applicable (please comment).

Citation: Mr .C.C Ijere (Director, SSG's Office) confirms lack of procurement Complaints Review body in the State (3/3/18)

**Comment: Q.56: (C)**

There is no Procurement Complaints Review body that look at disputes over procurement processes.

**Govt. Review:**

**Ind. Review: Agree,**

**CIRDDOC:**

57. Are the decisions of the procurement complaints review body regarding disputes over procurement processes made available on a timely basis to the citizens?

- A. All the decisions of the procurement complaints review body are made publicly available at a known source of information, within 30 days.
- B. Most decisions of the procurement complaints review body are made publicly available at a known source of information, within 30 days, but a minority of decisions are publicized in different places.
- C. There is no single pre-established source for the publication of the decisions of the procurement complaints review body but all such decisions can be accessed from the procuring entities within 30 days.

- D. **Decisions of the procurement complaints review body are not made publicly available, or they are communicated more than 30 days after their adjudication, or no external procurement complaints review body exists.**
- E. Not applicable/other (please comment).

**Citation:** Mr. C.C Ijere (Director SSG's Office, 3/3/18) confirmed that there is no Procurement Complaints Review body in the State.

**Comment: Q.57: (D)**

This does not apply because there is no procurement complaints Review both at the MDA or State level.

**Govt. Review:**

**Ind. Review:** Agree.

**CIRDDOC:**

58. What percentage of all capital projects in the state were initiated through open and competitive tender as against the special and restricted methods of public procurement?

- A. Above 75 percent of the capital projects initiated through open and competitive tender
- B. **Between 50 -74 percent of the capital projects initiated through open and competitive tender**
- C. Between 25-49 percent of the capital projects initiated through open and competitive tender
- D. Less than 24 percent of the capital projects initiated through open and competitive tender
- E. Not applicable

**Citation:** "Government of Enugu State of Nigeria State Universal Basic Education Board: Invitation for Financial Bidding" <https://234business.com/tenders/login-2/>

**Comment: Q.58: (B)**

Between 50-74% of all Capital projects in Enugu State are initiated through open and competitive bidding through MDAs; the case of Enugu State Universal Basic education Board is a case in point.

**Govt. Review:**

**Ind. Review:** In agreement.

**CIRDDOC:**

59. Does the state executive publish information on awarded contracts for community projects on a regular basis?

- A. The state publishes: 1) a list of all awarded contracts, 2) the amount of payment made to each contractor, and 3) the corresponding percentage of payment made to each contractor (out of the total amount).

- B. The state publishes: 1) a list of all awarded contracts and 2) the amount of payment made to each contractor.
- C. The state only publishes a list of awarded contracts.
- D. **The state does not publish any information on contracts for community projects.**
- E. Not applicable/other (please comment).

**Citation:** “State VEC FactSheet”

**Comment: Q.59: (D)**

During VEC (Visit Every Community); communities visited are informed of list of awarded contracts to their respective communities; but these information on contracts for communities are never published and so not available to the public.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

#### **SECTION FOUR: LEGAL FRAMEWORK: ACCESS TO INFORMATION AND FISCAL RESPONSIBILITY**

60. Is there a State Freedom of Information Law?

- A. Yes, there is a State Freedom of Information Law with concrete Access to Information mechanisms.
- B. Yes, there is a State Freedom of Information Law with vague Access to Information mechanisms.
- C. No, there is no State Freedom of Information Law, but there is another provision ensuring Access to Information.
- D. **No, there is no State Freedom of Information Law.**
- E. Not applicable (please comment).

**Citation:** “Freedom of information Act: CLO floors Enugu State Government in Court” – Premium Times – online media.

**Comment: Q.60: (D)**

The attached Newspaper cutting titled “Freedom of Information Act: CLO Floors Enugu Government in Court” clearly showed that the State do not have a State Freedom of Information Law. (Appendix 15)

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

61. Is there a State Access to Information Agency that ensures access to Information?

- A. Yes, there is a State Access to Information Agency with the authority and mechanisms to enforce information requests from citizens.
- B. Yes, there is a State Access to Information Agency but it does not have the authority or mechanisms to enforce information requests from citizens.
- C. No, there is no State Access to Information Agency, but citizens can use the courts as an enforcement mechanism.
- D. **No, there is no State Access to Information Agency.**
- E. Not applicable (please comment).

**Citation:** “Federal of information Act: CLO floors Enugu State Government in Court” –Premium Times – online media.

**Comment: Q.61: (D)**

There is no State Access to Information Agency that have the authority or mechanism to enforce information requests from Citizens.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

62. Are there any specific legal provisions ensuring the public availability of budget documents?

- A. **Yes, there are specific provisions ensuring the publication of budget documents in the State Organic Public Finance Management (PFM) Law or other legal provisions.**
- B. No, there are no specific provisions ensuring the publication of budget documents.
- C. Not applicable (please comment).

**Citation:** “Enugu State Budget Manual”

**Comment: Q.62: (A)**

Page 15 Section 4 of Enugu State Budget Manual which is in the public domain specifically provided inter-alia: “The Approved Budget together with the Budget Policy Statement will be published and circulated”. But this is mostly complied with, in breach.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

63. Is there a State Fiscal Responsibility Law?

- A. Yes, there is a State Fiscal Responsibility Law.
- B. **No, there is no State Fiscal Responsibility Law.**

C. Not applicable (please comment).

**Citation: Nil**

**Comment: Q.63: (B)**

Enugu State do not have a State Fiscal responsibility Law. The attached newspaper cutting validates this assertion. (Appendix 16)

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

**64.** Does the State prepare Medium-Term Expenditure Framework (MTEF) and Fiscal Strategy Paper (FSP) in line with the provisions of the Fiscal Responsibility Law (FRL)?

- A. The State prepares an MTEF and FSP regularly (annually) in line with the provisions of the Fiscal Responsibility Law (FRL)
- B. The State prepares an MTEF and FSP but not regularly (annually) in line with the provisions of the Fiscal Responsibility Law (FRL)
- C. **The State prepares an MTEF but does not prepare FSP in line with the provisions of the Fiscal Responsibility Law (FRL)**
- D. The State does not prepare an MTEF and FSP
- E. Not applicable

**Citation: “2016 – 2018 Multi- year Budget of Stability and Consolidation”**

**Comment: Q.64: (C)**

2016– 2018 Multi year (MTEF) is available ([www.enugustate.gov.ng/index.php/documentary](http://www.enugustate.gov.ng/index.php/documentary)) but does not prepare FSP in line with the provisions of the Fiscal Responsibility Law; meanwhile FSP 2017/18 is not in the public domain at all.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

**65.** Is there evidence of public (including Civil Society/Non-Governmental Organisations, organised labour, professional associations and organised private sector working in the sector) consultation during the preparation of the MTEF and FSP?

- A. There is evidence of public (including Civil Society/Non-Governmental Organisations, organised labour, professional associations and organised private sector working in the sector) consultation during the preparation of the MTEF and FSP
- B. **There is no evidence of public (including Civil Society/Non-Governmental Organisations, organised labour, professional associations and organised private sector working in the sector) consultation during the preparation of the MTEF and FSP**
- C. Not applicable (please comment)

**Citation:** A staff of the State Planning Commission, Enugu, who preferred anonymity confirmed that they do not involve CSOs in the preparation.

**Comment: Q.65: (B)**

There is no evidence of public/private sector participation in the public domain, to show that they were consulted during the preparation of the MTEF and FSP.

**Govt. Review:**

**Ind. Review: In agreement with answer B.**

**CIRDDOC:**

66. Does the State has a Modern Audit Law?

- A. Yes, the State Audit Law is less than 5 years old
- B. Yes, the State Audit law is less than 10 years old
- C. **Yes, the State Audit law is more than 10 years but less than 20 years**
- D. No, the state Audit law is more than 20 years or there is no such law.
- E. Not applicable (please comment)

**Citation:** “Enugu State Government Internal Audit Manual 2010”

**Comment: Q.66: (C)** The State do not have any State Audit Law, the time frame notwithstanding. The duties, powers and responsibilities of State Audit are derived from Section 125 of the 1999 Constitution of the Federal Republic of Nigeria as amended. However the State do have Enugu State Government Internal Audit Manual 2010 but not accessible as it is not in the public domain.

**Govt. Review:**

**Ind. Review:**

**CIRDDOC:**

67. Is there a legal framework requiring the Auditor General to submit its report to the State House of Assembly?

- A. **Yes, there is such a legal framework.**
- B. No, there is no legal framework.
- C. Not applicable (please comment).

**Citation:** “Section 125 of the 1999 Constitution of the Federal Republic of Nigeria as amended”

**Comment: Q.67: (A)**

There is no other State Legal framework available (in the public domain) requiring Auditor General to submit its report to the State House of Assembly: except as that provided in the Constitution of the Federal Republic of Nigeria.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

68. Does the Public Accounts Committee (PAC) of the State House of Assembly produce a report based on their findings from the Auditor General's Report?
- A. **Yes, the Public Accounts Committee (PAC) produces a report based on their findings from the Auditor General's Report**
  - B. No, the Public Accounts Committee (PAC) do not produce any report based on their findings from the Auditor General's Report.
  - C. Not applicable (please comment).

**Citation:** "Report of the House Committee on Public Accounts and Anti Corruption the Enugu State Audit General's Report for the periods/year ended 31st December 2014 – 2015. The Reports were produced and presented to the State House of Assembly during plenary by the Chairman, House Committee on Public Accounts Committee, Rt. Hon Chinedu Nwamba.

**Comment: Q.68: (A)**

**PIU - Produced for Internal Use.**

Internet links: Nil

Date of Release: 1 – 3 - 2016

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

69. When was the last report on Auditor General's report produced by the Public Accounts Committee (PAC) of the State House of Assembly
- A. The Public Accounts Committee (PAC) have reports for all Auditor General's report submitted to them.
  - B. The Public Accounts Committee (PAC) have reports for all Auditor General's report submitted to them with the exception of the last fiscal year which they are still working on
  - C. **The Public Accounts Committee (PAC) have reports for up to 50 percent of the Auditor General's report submitted to them**
  - D. The Public Accounts Committee (PAC) have no reports from the Auditor General's report submitted to them
  - E. Not applicable (please comment)

**Citation:** "Report of the House Committee on Public Accounts and ANTI-Corruption, Enugu State Auditor –General on the Account of the Enugu of the Government of Enugu State for the year ended 31st December 2014 -2015 respectively; presented to the State House of Assembly by Rt Hon. Chinedu Nwamba, Chairman, House Committee on Public Accounts Committee"

**Comment: Below.69: (C) PIU - Produced for Internal Use.**

Internet links: Nil

Reports emanating from Auditor General's Report have been produced up till 2015, leaving only 2016 and 2017 which they claimed; was still in progress.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

70. When last was the State Financial Regulations/Instructions reviewed?

- A. The State Financial Regulations/Instructions was reviewed within the last 5 years
- B. The State State Financial Regulations/Instructions was reviewed within the last 10 years but more than 5 years.
- C. The State Financial Regulations/Instructions was reviewed more than 10 years ago but less than 15 years
- D. **The State Financial Regulations/Instructions was reviewed more than 15 years ago or there is no such law.**
- E. Not applicable(please comment)

**Citation:**

**Comment: Q.70: (D)**

The State do not have her own State Financial Regulation. However it utilises for her operations, the Federal Republic of Nigeria, Financial regulations – Revised on 1st January 2000.

**Govt. Review:**

**Ind. Review: Agree.**

**CIRDDOC:**

## ANNEX 1: BUDGET CALL CIRCULAR



*Submit 12 copies each of Capital as well as Overhead cost. With 2 CDs or flash drive of the soft copies.*

*33,906,871 P-15*  
*2018 Capital Budget 20,000,000 P-16*

**GOVERNMENT OF ENUGU STATE OF NIGERIA**

MINISTRY OF BUDGET & PLANNING  
STATE SECRETARIAT  
ENUGU,  
24th August, 2017

Our Ref: MBP/13.2018/CC/01  
(All replies to be addressed to the Special Adviser Budget and Planning)

His Excellency, the Executive Governor  
His Excellency, the Deputy Governor  
The Secretary to the State Government  
The Head of State Civil Service  
The Chief of Staff to the Governor  
All Honourable Commissioners  
All Honourable Permanent Secretaries  
The Chairman, Civil Service Commission and Chairmen of all State Government Boards and Service Commissions  
The Chief Registrar, the Judiciary  
The Accountant-General of the State  
The Auditor-General of the State Audit  
The Auditor-General for Local Government  
All Heads of Non-Ministerial Departments  
All Chief Executives of Government Parastatals  
All Chief Executive of State Tertiary Institutions

**ENUGU STATE OF NIGERIA CALL CIRCULAR FOR 2018 BUDGET PREPARATION AND SUBMISSION**

1.1. The Ministry of Budget and Planning, Enugu State in conjunction with the Enugu State Economic Planning Commission hereby requests for your capital and recurrent expenditure proposals and the projected revenue for 2018 Fiscal Year.

1.2. All Ministries, Departments and Agencies (MDAs), should apply the Current Accounting Codes and Chart of Accounts in the preparation of the 2018 Budget.

**2.0 2018 budget – General Guidelines**

In preparing the budget proposals of your Ministry/Department/Agency, the following general guidelines should be strictly observed:

- The budget ceilings for both capital and recurrent provided in this circular MUST be strictly adhered to. The budget ceilings are the maximum amounts that would be available to each MDAs in Year 2018 based on revenue forecast of the Government and therefore should not be exceeded. These ceilings were reached after a careful observation of the economic trend in the State for the past year and the prevailing macro-economic indices in the federation.

**ANNEX 2: PRESS BRIEFING ON THE 2018 BUDGET BY COMMISSIONER FOR FINANCE**

Held on  
the 1<sup>st</sup> of  
March 2018

## ENUGU STATE OF NIGERIA

### THE PRESS BRIEFING ON THE 2018 BUDGET OF ENUGU STATE OF NIGERIA

PRESENTED

*K. G. Ugbu*

BY

EUCHARIA UCHE OFFOR, FCNA, ACTI  
HON. COMMISSIONER FOR FINANCE AND  
ECONOMIC DEVELOPMENT

ON

THURSDAY, 1<sup>ST</sup> MARCH, 2018

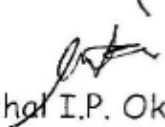
## BUDGET OF SUSTAINABLE ECONOMIC GROWTH

**ENUGU STATE GOVERNMENT OF NIGERIA****AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 31ST DECEMBER, 2016****RESPONSIBILITY FOR THE FINANCIAL STATEMENTS**

These Financial Statements have been prepared in accordance with the provisions of the Finance (Control and Management) Act 1958 as amended. The Financial Statements comply with Generally Accepted Accounting Practice (GAAP).

To fulfill accounting and reporting responsibilities, the Accountant General is responsible for establishing and maintaining adequate system of internal controls designed to provide reasonable assurance that the transactions recorded are within statutory authority and also, properly record the use of all Public Financial Resources by the government.

Efforts were made to ensure that these financial statements reflect the financial position of Government as at 31st December, 2016 and its operations for the year ended on that date.

  
Paschal I.P. Okolie (JP), B.Sc., MBA, MNIM, FCTI, FQNA  
Permanent Secretary/Accountant General  
Office of the Accountant General  
Enugu State



ANNEX 4: ENUGU STATE PUBLIC ACCOUNTS COMMITTEE REPORT ON THE AUDITOR  
GENERALS REPORT

REPORT OF THE HOUSE COMMITTEE ON  
PUBLIC ACCOUNTS AND ANTI CORRUPTION  
ENUGU STATE HOUSE OF ASSEMBLY  
ON THE  
ANNUAL REPORT OF THE STATE AUDITOR  
GENERAL ON THE ACCOUNTS OF THE  
GOVERNMENT OF ENUGU STATE FOR THE  
YEAR

ENDED 31<sup>ST</sup> DECEMBER 2014-2015  
RESPECTIVELY

PRESENTED TO THE STATE HOUSE OF  
ASSEMBLY

BY

RT HON. CHINEDU NWAMBA  
CHAIRMAN HOUSE COMMITTEE ON  
(PAC)

## ANNEX 5: FREEDOM OF INFORMATION JUDGEMENT

News

## Freedom of Information Act: CLO floors Enugu Government in court

A Federal High Court sitting in Enugu State has ordered the Enugu State Ministry of Health to make available, within 21 days, documents relating to the contract awarded for the construction of a diagnostics center at the Old Trade Fair Complex, Enugu.

The court judgement came after two years of legal battle between the Civil Liberties Organization, CLO, and the health ministry.

Delivering judgement in the suit No FHC/EN/M/263/2011, the court held that the FOI Act was applicable to all the states of the federation, including Enugu.

The South-East zonal coordinator of the CLO, Olu Omotayo, had applied on behalf of the CLO to the Commissioner for Health Enugu State, vide a letter dated 27th October 2011, for record in respect of the contract awarded for the construction of a diagnostics center.

The CLO had said the contract was abandoned after funds had been made available for the execution of the project.

Omotayo said application was made to the Commissioner for Health, pursuant to Clause 2 & 4, of the Freedom of Information Act 2011.

According to him, the Commissioner refused to furnish the CLO with the records of the contract, stressing the he had to file the suit at the Federal High Court on the 5th December 2011, seeking an order of mandamus directed at the Commissioner for health to supply the CLO with the records and documents in respect of the contract awarded for the building and completion of the Diagnostics Center.

The second prayer before the court was a declaration that the failure of the Commissioner to supply the records and documents in respect of the contract was wrongful and contrary to the provisions of Clause 2, 4 and 8(5) of the Freedom of Information Act 2011.

The state government in their defence to the suit maintained that they had no obligation under the Freedom of Information Act to provide the information sought.

It further contended that Enugu State was yet to adopt the Freedom of Information Act or enact same as it's laws and that the Federal High court lacked jurisdiction to entertain the suit.



ANNEX 6: PUBLIC PROCURMENT MANUAL

