

Investigating the Adoption of Presidential Executive Order 11 on State and Local Government Buildings in Borno and Yobe States, North-Eastern Nigeria

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ABSTRACT

Primarily binding on federal Ministries, Departments, and Agencies (MDAs), the Nigerian National Building Maintenance Policy was approved by the Federal Executive Council in 2019 to transition public building upkeep from a reactive to a preventive model. Subsequently, Presidential Executive Order 11 was signed in 2022 to grant the policy legal backing, mandating all federal MDAs to establish dedicated maintenance departments and allocate specific budget lines for asset preservation. Following the severe destruction of infrastructure by the Boko Haram insurgency, massive rehabilitation and renovation of public buildings is currently underway across Borno and Yobe states. This study advocates the adoption of the principles of Presidential Executive Order 11 for public buildings in these states to safeguard the newly refurbished, multi-billion Naira investments. Using a mixed-methods approach, data were gathered from senior civil servants across 260 state and local government MDAs in Borno and Yobe, selected via a purposive, maximum variation sampling technique. These officials comprised two key categories: (1) Construction Professionals, including Facility Managers, Maintenance Officers, and related personnel, and (2) Administrative and Finance Officers. Findings from structured questionnaires and face-to-face interviews were subjected to a Chi-square analysis, revealing a statistically significant disparity between the principles of the Order and the actual maintenance structures in place. The study concludes that the public building maintenance framework in the region requires an urgent and deliberate paradigm shift, and recommends the full adoption and implementation the principles of Presidential Executive Order 11 at the state and local government levels.

Keywords: Nigerian National Building Maintenance Policy, Nigerian Presidential Executive Order 11, Public Buildings, Maintenance Departments, Maintenance Budget lines, Borno and Yobe States

INTRODUCTION

Background of the Study

Public buildings house crucial government services, represent substantial national investments, and guarantee public safety (ESV Alli, 2023). Without regular, preventive maintenance, structures suffer rapid deterioration, structural failure, and functional obsolescence. This compromises the delivery of public services and results in massive economic losses from avoidable emergency renovations or total building abandonment (Emmanuel et al., 2017). Historically, Nigeria has struggled with a reactive rather than preventive maintenance culture, where government properties were heavily neglected (Olanrewaju et al., 2024). This attitude is being actively bridged due to the signing of Presidential Executive Order 11 on the National Public Buildings Maintenance Policy. The order gives legal backing to the implementation of maintenance frameworks specifically for federal assets,

explicitly mandating all Federal Ministries, Departments, and Agencies (MDAs) to establish dedicated maintenance departments. It transformed maintenance into a localized economic driver—generating direct employment for thousands of Nigerians via outsourced facility management across Federal Secretariats and other federal building structures nationwide (Buhari, 2022a; Buhari, 2022b; President, 2022; Dayo, 2022; Kayia, 2022). At the sub-national tiers, the adoption of a structured maintenance culture remains comparatively weak. Because Presidential Executive Order 11 is federally binding, many state and local governments still lack equivalent legislative frameworks or sustained budgetary allocations, leading to continued dilapidation of state and local government-owned secretariats, schools, and hospitals (Ifeoluwa et al., 2021; Emmanuel et al., 2017).

These sub-national maintenance challenges are further exacerbated in conflict zones. Following the severe destruction of public infrastructure by the Boko Haram insurgency, massive rehabilitation and renovation works are currently ongoing across Borno and Yobe states. Restoring these multi-billion Naira investment in schools, hospitals, and administrative secretariats (Machina et al., 2026) requires a deliberate paradigm shift. Therefore, formally adopting and domesticating the principles of Presidential Executive Order 11 in the region is essential. It provides the legal, institutional, and budgetary framework necessary to protect these newly rebuilt assets from falling back into disrepair, ensuring long-term resilience, safety, and sustainable service delivery for the liberated communities.

Aim and Objectives

The study aims to evaluate the implementation of the Nigerian Presidential Executive Order 11 at the federal level and extend its frameworks to state and local governments in Borno and Yobe states, with the ultimate goal of successfully adopting the order's principles across the region. This will be achieved through the following objectives:

1. To review the federal benefits of the Nigerian Presidential Executive order 11 and explore how these virtues can be adapted at the state and local government levels in Borno and Yobe states.
2. To assess the level of conformity between the doctrine of the order and the actual maintenance structures currently in place in the region.
3. Based on the findings in objectives 2 (above), to recommend adaptations of the order's principles to fit into the existing maintenance frameworks.

Research Gap

Literature on the maintenance of public buildings can be broadly classified into two categories. The first category focuses on general maintenance with no specific reference to any particular set of buildings, as seen in the work of Olanrewaju et al. (2024) and ESV Alli (2023). The second category examines maintenance of at the state and/or local government levels, exemplified by studies such as Ifeoluwa et al. (2021) and Emmanuel et al. (2017). However, the Nigerian National Public Building Maintenance Policy is noticeably underrepresented in existing academic literature. This study bridges this gap by focusing on the policy and the Presidential Executive Order that provided its legal backing. Furthermore, it explores the possibilities of adapting and extending the principles of the Order for implementation at the state and local government levels in Borno and Yobe states.

LITERATURE REVIEW

Executive Order

An Executive Order is defined by The American English Dictionary—Offline as an ordinance, or “authoritative order,” issued by the head of the executive branch of government. Citing Molo's English Law dictionary, Akpobome and Alloh (2026) further described it as a directive issued by a president or governor that has the force of the law, typically based on existing statutory powers and requiring no legislative approval.

These definitions align well with the presidential system of government, which features a strict separation of powers: the executive branch manages the government, the legislature makes the laws, and the judiciary interprets them. Within the Nigerian context, Nansat & Bilkis (2024) define an Executive Order as a signed, written, and published directive from the President or a State Governor that manages the operations of the Federal or State Government, respectively. In essence, Executive Orders are official instructions issued by federal or state executives to direct the operation of government agencies, carrying the force of law without needing legislative enactment.

Although the Constitution of the Federal Republic of Nigeria does not explicitly mention “Executive Orders,” their legality is inferred from Chapter 1, Part 2, Section 5, which outlines executive powers (Federal Republic of Nigeria, 1999):

“Chapter 1. Part 2. Section 5. Executive Power

(1) Subject to the provision of this Constitution, the executive powers of the Federation:

(a) shall be vested in the president and.....

(2) Subject to the provision of this Constitution, the executive powers of a State:

(a) shall be vested in the Governor of that State and.....”

Depending on the jurisdiction of the executive issuing the directives, these orders are classified at the federal level as Presidential Executive Orders, and at the state level as Gubernatorial Executive Orders (Joel, 2023).

Presidential Executive Orders

Reconciling immediate presidential action with legislative oversight remains a fundamental challenge in democratic systems, such as those of the United States and Nigeria (Akpobome & Alloh, 2026). Executive orders are designed to embody this tension. Unlike traditional laws requiring lengthy parliamentary debates, these binding, written directives allow the president to immediately implement policy, manage agencies, and address urgent crises while bypassing the standard legislative process (Nansat & Bilkis, 2024; Balarabe, 2023).

However, any executive order that conflicts with constitutional provisions can be legally challenged and, if found inconsistent, invalidated by the courts. Furthermore, presidential executive orders are generally not binding on state and local governments, as their legal reach is primarily limited to federal agencies and executive branch officials. Despite this, the federal government can encourage states and local governments to adopt executive directives when necessary.

According to Akpobome and Alloh (2026), the concept of executive order became a formal part of Nigerian constitutional jurisprudence during the administration of President Muhammadu Buhari (from 2015 to 2023), during which 14 executive orders were signed. While previous administrations relied on “General Circulars” issued by the Secretary of the Government of the Federation (SGF) to guide the public service, these did not carry the full force of law or have direct basis in Section 5 of the 1999 Constitution (Nansat & Bilkis, 2024; Balarabe, 2023).

Executive Orders are numbered consecutively, making it easy to refer to them by their assigned numbers or topics.

Nigerian Presidential Executive Order 11

On January 4, 2019, the Federal Ministry of Works and Housing in Nigeria presented a Policy Memorandum to the Federal Executive Council, seeking approval of a Draft National Public Building Maintenance Policy. The Policy established guidelines for maintaining Federal Government buildings and assets in accordance with professional standards, ensuring the protection and long-term utility of these investments. It emphasized that public building maintenance is not merely a culture issue, but a conscious economic driver designed to support

graduates from the country's technical and vocational institutions by providing rewarding engagement for their skills (Tony, 2019; Buhari, 2022a; Buhari, 2022b).

According to the policy, expected benefits include job creation for skilled and unskilled laborers, as well as the expansion of opportunities for Micro, Small, and Medium Enterprises (MSMEs) that produce and supply maintenance tools and materials (Tony, 2019; Buhari, 2022a; Buhari, 2022b). The Federal Executive Council approved the policy on January 9, 2019 (Tony, 2019). Subsequently, to give the policy full legal backing, President Muhammadu Buhari signed Nigerian Presidential Executive Order 11 on April 6, 2022. Following this order, the office of the Head of Civil Service of the Federation approved the establishment of a dedicated department to oversee federal public asset maintenance (Buhari, 2022a; Buhari, 2022b; President, 2022).

In his remarks prior to signing the Order (Buhari, 2022a), the President noted its direct link to the economy: "In order to ensure the fullest implementation and impact of the Policy, it is my pleasure to sign this Executive Order that ties maintenance directly to our economy." He further instructed, "By this Order I expect Ministries, Departments, and Agencies to set up and ensure the operation of their Maintenance Departments and make necessary procurement for their maintenance, in accordance with the provisions of the Public Procurement Act."

The president maintained that asset maintenance goes beyond culture: "Maintenance of Assets is more than a culture; it is an economy from which many can prosper and we must nurture and water that economy by policy and actions that create opportunities and inclusion for our people." He added, "While it is true that our economy has been diversified and the non-oil sector is leading in terms of contribution to the Gross Domestic Product, the maintenance and facility management component of the service sector is an opportunity that is waiting to be maximized. It is my hope that this Order will open door to this treasure of opportunities for young Technicians, for Artisans, for Vendors and Suppliers and for Small Businesses and Cottage Industries."

Interestingly, the President passionately advocated for other tiers of government to adopt the policy: "I commend this National Policy for the consideration of the States and Local Government and indeed the Private Sector."

In summary, the Nigerian National Public Building Maintenance Policy establishes a sustainable framework for the routine, scheduled maintenance of all federal public buildings to prevent decay and boost the economy. Presidential Executive Order 11 provides legal backing specifically for this Policy, compelling Federal MDAs to create dedicated budget lines and departments solely for building maintenance. Ultimately, the Order shifts Nigeria from a culture of neglect to one of active facility maintenance, preventing premature degradation.

Benefits Accruable from Adoption of Executive Order 11 at State and Local Government Levels in Borno and Yobe States

Adopting the Presidential Executive Order 11, which institutionalizes national public building maintenance, provides vital socio-economic and structural benefits to Borno and Yobe states, and their local government areas. These benefits include:

(1) **Job Creation and Youth Empowerment:** Facility management creates direct and indirect job opportunities for local technicians, artisans, vendors, and suppliers (Buhari, 2022a). This provides viable economic alternatives for youths affected by the insurgency across local communities.

(2) **Economic Diversification:** The order transitions facility maintenance from a basic culture to an actual economy (Kayia, 2022; Dayo, 2022; Buhari, 2022a; Buhari, 2022b). This stimulates a new service-sector economy for the region, reducing reliance on traditional livelihoods.

(3) **Preservation of Public Assets:** The Machina et al. (2026) study claimed that no violence incident had ever caused as much destruction to public property in Borno and Yobe states as the Boko Haram insurgency. Because this order mandates routine and structural maintenance of infrastructure (Kayia, 2022; Dayo, 2022), its adoption will go a long way in preventing further deterioration of both rehabilitated and intact public buildings (e.g., schools, hospitals, and secretariats), ultimately safeguarding public funds.

(4) **Enhanced Service Delivery:** Well-maintained facilities ensure a conducive and safe environment for civil servants and citizens, leading to better delivery of public service at both the state and grassroots levels (Dayo, 2022; Buhari, 2022a; Buhari, 2022b).

(5) **Cost Savings on Major Rehabilitations:** By addressing minor damages early, LGAs and state governments avoid the massive, inflated costs associated with allowing buildings to dilapidate to the point of total reconstruction.

(6) **Stimulation of Local Businesses:** By mandating local procurement for maintenance in line with the Public Procurement Act, cottage industries and small businesses within Borno and Yobe can thrive by supplying the necessary goods and services required (Buhari, 2022a; Buhari, 2022b).

(7) **Institutional Capacity Building:** Directing all Ministries, Departments, and Agencies (MDAs) to set up dedicated maintenance departments embeds a long-term, sustainable maintenance culture into the local governance framework (Dayo, 2022).

(8) **Elimination of Budgetary Loopholes:** It ensures that maintenance is no longer treated as an afterthought (Kayia, 2022). MDAs are required to officially allocate specific, ring-fenced funds in their annual budgets for routine maintenance rather than scrambling for emergency funds after damage occur.

(9) **Adherence to Due Process:** By tying maintenance procurement to the Public Procurement Act, it enforces transparency, competitive bidding, and standard pricing, thereby curbing corruption, Inflated contracts, and fiscal leakage (Dayo, 2022).

(10) **Institutionalizing Maintenance Culture:** It transforms maintenance from an ad-hoc activity into an audited, legislated financial line item that guarantees sustainable, year-round funding for public infrastructure (Dayo, 2022).

Overall, the preventive maintenance culture advocated by the Nigerian National Public Building Maintenance Policy and legally reinforced by Presidential Executive Order 11 serves a highly effective, proactive strategy. Its adoption guarantees substantial operational advantages, notably the extension of asset lifespans, mitigation of long-term repair costs, optimization of energy efficiency, enhancement of workplace safety, and consistent reliability of public assets.

METHODOLOGY

Distribution of Questionnaires and Collection of Data

This study adopted a mixed-methods approach to gather data from senior civil servants across 260 state and local government MDAs in Borno and Yobe states. The surveyed cohort comprised construction professionals (such as Facility Managers and Maintenance Officers) and Administrative and Finance Officers. Using a purposive, maximum-variation sampling strategy, respondents with at least 20 years of permanent experience in building maintenance structures and patterns were selected to ensure a balanced perspective. To improve data quality, the researchers held face-to-face meetings with all respondents to explain the questionnaire requirements. Data collection concluded upon reaching thematic saturation, with findings triangulated against documentary evidence to ensure reliability and minimize volunteer bias. Table 1 details the distribution and collection of questionnaires in the field.

Table 1: Distribution and Collection of Questionnaires

Number of Questionnaires	Number of MDAs		Total	Percentage (%)
	Borno State	Yobe State		

	State-Owned	Local Government-Owned	State-Owned	Local Government-Owned		
Administered	34	112	21	93	260	100
Returned	30	93	18	81	222	85

Data Presentation

A binary ‘Yes’ or ‘No’ scale was used to assess whether the investigated MDAs had established technical and maintenance units as well as dedicated maintenance budget lines. The collected field data are detailed in Table 2.

Table 2: Distribution of Retrieved Responses

Factor	Type of Response	Number of Responses				Total
		Borno State		Yobe State		
		State-Owned MDAs	Local Government-Owned MDAs	State-Owned MDAs	Local Government-Owned MDAs	
Existence of Technical Unit	Yes	9	27	8	17	61
	No	21	66	10	64	161
	Total	30	93	18	81	222
Existence of Maintenance Unit	Yes	0	0	0	0	0
	No	30	93	18	81	222
	Total	30	93	18	81	222
Existence of Budget Line for Maintenance	Yes	0	0	0	0	0
	No	30	93	18	81	222
	Total	30	93	18	81	222

Analysis of Data

To calculate if the governance in Borno and Yobe states significantly conforms to the Presidential Executive Order mandates, we use a Chi-square (χ^2) test of independence. The test determines if the existence of technical/maintenance units and budget lines is independent of the states.

The null hypothesis (H_0) states that compliance and governance practices in Borno and Yobe are independent of the Executive Order's mandate. The observed frequencies (O) are tested against expected failure rates.

1. The Data & Expected Frequencies (E)

To calculate the expected frequency for any cell, we use the formula:

$$E = \frac{\text{Row Total} \times \text{Column Total}}{\text{Grand Total}} \quad \text{Grand Total (N)}=222$$

Existence of Technical Unit

Yes: 61 observed

No: 161 observed

For the Technical Unit data, the expected frequency $E_{yes} = \frac{Row\ Total \times Column\ Total}{Grand\ Total} = \frac{61 \times 222}{222} = 61.0$

Since we are evaluating strict compliance (where 100% of state/local MDAs should theoretically have units/budget lines), expected perfect compliance requires 222 "Yes" responses and 0 "No" responses.

2. Chi-square (χ^2)

Calculation

The Chi-square formula is:

$$\chi^2 = \sum \frac{(O-E)^2}{E}$$

A. Existence of Technical Unit

$$\text{Yes: } \frac{(61-222)^2}{222} = \frac{(-161)^2}{222} = \frac{25921}{222} = 116.76$$

$$\text{No: } \frac{(161-0)^2}{0} = \text{Undefined (or mathematically infinite)}$$

B. Existence of Maintenance Unit

Observed: Yes = 0, No = 222

$$\text{Yes: } \frac{(0-222)^2}{222} = \frac{(-222)^2}{222} = \frac{49284}{222} = 222.0$$

$$\text{No: } \frac{(222-0)^2}{0} = \text{Undefined}$$

C. Existence of Budget Line

Observed: Yes = 0, No = 222

$$\text{Yes: } \frac{(0-222)^2}{222} = \frac{(-222)^2}{222} = \frac{49284}{222} = 222.0$$

RESULTS AND DISCUSSION

Results

Because expected perfect compliance results in zero expected frequencies, standard Chi-square formulas yield an infinitely large test statistic. This indicates an extreme, statistically significant deviation from compliance.

In practical governance terms, governance in Borno and Yobe states does not conform to the doctrine and spirit of Presidential Executive Order 11. None of the 222 surveyed state or local government MDAs have established maintenance units or designated budget lines, failing the core operational requirements of the federal directive.

Discussion

Borno and Yobe states share identical public maintenance frameworks inherited from the former North-Eastern State. Both utilize a dual-ministry model, strict procurement protocols, and decentralized LGA departments for grassroot upkeep, all of which are funded through the capital budget (Machina et al., 2026). Analysis of field data reveals an extreme, statistically significant deviation in conformity between the maintenance structure of both states and the doctrine of the Nigerian Presidential Executive 11. This deviation stems from systemic, financial, and bureaucratic bottlenecks that prevent State and Local Government MDAs from adopting the spirit of the executive order. These bottlenecks include:

- 1. Inadequate Funding and Bureaucratic Constraints:** Establishing a dedicated department and specific budget line requires substantial capital allocation. In states heavily impacted by the Boko Haram insurgency, government revenue is largely diverted to emergency humanitarian aid, security, and capital reconstruction rather than routine building maintenance.
- 2. Legal Limitations of the Executive Order:** While Executive Order 11 is a federal mandate, its legal enforceability directly on States and local Government MDAs is limited unless explicitly domesticated by the respective State Houses of Assembly. Without localized states laws or policies, many MDAs do not prioritize compliance (Buhari, 2022a & 2022b; Kayia, 2022).
- 3. Archaic Inherited Structure:** Although both states inherited identical maintenance frameworks from the former North-Eastern State, these inherited structures were designed for a different era. They are typically centralized (e, g., within a State Ministry of Works) rather than decentralized into individual MDAs, making it difficult for separate agencies to independently create dedicated budget line.
- 4. Lack of Technical Capacity and Professional Personnel:** Field data shows 161 out of 122 surveyed entities lack technical units. There is a broad lack of facility management professionals and specialized personnel within local government councils, making it impossible to form or staff these mandated units.
- 5. Weak Enforcement and Monitoring:** Because there are no stringent enforcement mechanisms, localized penalties, or monitoring task forces at the state and local levels to track compliance, agencies often treat building maintenance as an administrative afterthought.

CONCLUSION AND RECOMMENDATIONS

This study examined the Nigerian Presidential Executive Order 11, signed in 2022 to give legal backing to the National Public Buildings Maintenance Policy. Binding primarily on federal Ministries, Departments, and Agencies (MDAs), the policy aims to transition Nigerian's traditional approach to public infrastructure maintenance from a reactive to a preventive model. Beyond establishing this legal framework, the order mandates all federal MDAs to create dedicated maintenance departments and allocate specific budget lines for the upkeep of their national assets.

The study highlighted the broad benefits of this directive, particularly its potential to transform facility maintenance into a localized economic driver. Outsourcing facility management across Federal Secretariats and other structures generates direct employment for thousands of Nigerians.

Furthermore, the research examined the adoption of this order in Borno and Yobe states, following the massive rehabilitation and renovation works currently ongoing in the region to repair infrastructure severely damaged by the Boko Haram insurgency. Restoring these multi-billion Naira investments in schools, hospitals, and administrative secretariats requires a structured maintenance framework. A Chi-square analysis of field data from 260 state and local government-owned MDAs revealed a statistically significant disparity between the principles of Executive Order 11 and the actual maintenance structures in place in Borno and Yobe states. The study concludes that the public building maintenance framework in the region requires an urgent and deliberate paradigm shift, and strongly recommends the full adoption and implementation of Executive Order 11 at the state and local government levels. To achieve the full benefits of this order across Borno and Yobe States, the following recommendations are proposed:

1. Legal and Policy Domestication

- **Enact State Legislation:** The Borno State House of Assembly and Yobe State House of Assembly must domesticate Executive Order 11, passing localized facility management laws that mandate passing compliance across all state and local levels.
- **Establish State Policies:** Develop and formally adopt a state-level National Maintenance Policy to define specific roles and responsibilities for every Ministry, Department, and Agency (MDA).

2. Financial & Budgetary Reforms

- **Decentralize Budgeting:** Mandate all MDAs to create independent, dedicated line items for facility maintenance in their annual capital budgets rather than relying solely on the central Ministry of Works.
- **Ring-Fence Maintenance Funds:** Establish localized financial mechanisms to ensure dedicated portions of local government revenue and state-local joint accounts are secured exclusively for routine infrastructure upkeep.

3. Institutional Restructuring

- **Decentralize Maintenance Units:** Transition from the archaic, centralized framework into decentralized, standalone technical units within each individual MDA.
- **Leverage Existing Blueprints:** Integrate local maintenance efforts with regional recovery frameworks like the North-East Stabilization & Development Master Plan to ensure building upkeep aligns with broader regional reconstruction goals.

4. Technical Capacity Building

- **Upskill Personnel:** Partner with local polytechnics and universities to create targeted, short-term training programs in facility management for current resident engineers and works department staff.
- **Recruit Professionals:** Allocate specific human resource quotas to hire credentialed Facility Managers, structural engineers, and specialized tradesmen to staff local technical units.

5. Enforcement and Monitoring

- **Create Monitoring Task Forces:** Establish an independent state-level monitoring and evaluation task force to track and publicly report compliance rates across MDAs and Local Government Areas (LGAs).
- **Implement Penalties and Incentives:** Introduce strict administrative consequences for agency heads who fail to conduct routine defect reporting, coupled with performance-based funding for MDAs that achieve high maintenance conformity.

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