

2024

HALF YEAR TRANSPARENCY AND EFFICIENCY COMPLIANCE REPORT


January 2024 – June 2024



PEBEC
PRESIDENTIAL ENABLING BUSINESS ENVIRONMENT COUNCIL SECRETARIAT

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PEBEC Priority MDAs



Bank of Industry
(BOI)



Bureau of Public
Procurement (BPP)



Central Bank of
Nigeria (CBN)



Corporate Affairs
Commission (CAC)



Citizenship and
Business
Department,
Ministry of Interior
(CBD-MOI)



Federal Road
Safety Corps
(FRSC)



Federal Competition &
Consumer Protection
Commission
(FCCPC)



Federal Inland
Revenue
Service
(FIRS)



Federal Airports
Authority of
Nigeria (FAAN)



Federal Ministry of Industry,
Trade and Investment



Joint Tax Board
(JTB)



National Agency for
Food And Drug
Administration and
Control (NAFDAC)



National
Broadcasting
Commission
(NBC)



Nigerian Export-
Import Bank
(NEXIM)



National Sugar
Development
Council (NSDC)



National Drug Law
Enforcement
Agency (NDLEA)



Nigerian
Investment
Promotion
Commission
(NIPC)



National
Pension
Commission
(PENCOM)



National Office for
Technology
Acquisition and
Promotion
(NOTAP)



National
Collateral
Registry (NCR)



Nigerian Export
Promotion
Council (NEPC)



Nigerian
Electricity
Regulatory
Commission
(NERC)



Nigeria
Agricultural
Quarantine
Service (NAQS)



Nigerian Electricity
Management
Services Agency
(NEMSA)



Nigeria Civil
Aviation Authority
(NCAA)



Nigeria
Customs
Service (NCS)



Nigeria Export
Processing
Zones Authority
(NEPZA)



Nigeria
Immigration
Service (NIS)



Nigerian Airspace
Management
Agency (NAMA)



Nigerian
Shippers
Council (NSC)



Nigerian Content
Development &
Monitoring Board
(NCDMB)



Nigerian Maritime
Administration and
Safety Agency
(NIMASA)



Nigerian Ports
Authority
(NPA)



National Information
Technology
Development Agency
(NITDA)



Office of the
Secretary to the
Government of the
Federation (OSGF)



Oil & Gas Free
Zones Authority
(OGFZA)



Securities
and
Exchange
Commission
(SEC)



SERVICOM



Special Control
Unit Against
Money
Laundering
(SCUML)



Standards
Organisation of
Nigeria (SON)



Introduction

The Presidential Enabling Business Environment Council (PEBEC) was established in July 2016 to spearhead Nigeria's business environment intervention with the dual mandate of removing bureaucratic and legislative constraints to doing business, and to improve the perception about the ease of doing business in Nigeria.

On May 18, 2017, Executive Order 001 (EO1) on the *Promotion of Transparency and Efficiency in the Business Environment* was signed marking a pivotal milestone towards instituting a culture of transparency and efficiency in public service delivery. On February 8, 2023, the signing into law of the *Business Facilitation (Miscellaneous Provision) Act 2022*, codified the EO1 directives. So far, the PEBEC Secretariat has released eight (8) Compliance Reports (half year and full year) between 2018 and 2023.

Since 2018, the PEBEC Secretariat has tracked and ranked the implementation and compliance of MDAs with the directives contained in the BFA 2022, based on monthly reports submitted by each MDA and assessed against a set of pre-established methodology.

The MDAs have made progress in adhering to service level agreements (SLA) and advancing digitization efforts. However, bureaucratic challenges and issues with consequence management persist. For the January 2024 to June 2024 half-year reporting period, the top three performers are the Nigerian Content Development Management Board (NCDMB) at 80.1%, Standards Organization of Nigeria (SON) at 78.2%, and the Nigeria Agricultural Quarantine Service (NAQS) at 74.8%.

The outlook for efficient public service delivery remains positive, given this administration's commitment to creating a conducive business environment. There has been significant improvement in the overall rankings, with over 60% of MDAs now scoring above average, compared to the previous report where only 30% achieved above-average scores.



Efficiency Compliance Ranking

from January 2024 – June 2024

The Efficiency Compliance Ranking evaluates the efforts of Ministries, Departments, or Agencies (MDAs) in providing services in a timely, cost-efficient, and customer-oriented manner. This metric evaluates MDAs based on their adherence to Service Level Agreements (SLAs), cost management, procedural efficiency, One Government directive, and instances of Default Approval as provided in the Business Facilitation Act 2022. MDAs demonstrating outstanding performance consistently achieve high efficiency report scores, adhere strictly to service guidelines, and meet or exceed customer expectations.

The table below shows the performance of MDAs in meeting the BFA 2022 Efficiency criteria from January 2024 to June 2024. This evaluation includes their compliance with the One Government directive and instances of Default Approval.

Furthermore, it is noteworthy that the number of MDAs that scored above fifty percent (50%) increased from eight (8) MDAs in the 2023 Half year report to twenty (20) MDAs in 2024 Half year report. However, the highest efficiency score reduced from 84.15% in 2023 to 71.6% in 2024.

Efficiency Compliance Ranking from January 2024-June 2024

S/N	MDA NAME	EFFICIENCY SCORE	RANKING
1	Nigerian Content Development Management Board (NCDMB)	71.6%	1
2	Standards Organisation of Nigeria (SON)	68.9%	2
3	Nigeria Electricity Regulatory Commission (NERC)	65.2%	3
4	Nigeria Agricultural Quarantine Service (NAQS)	64.1%	4
5	Nigeria Immigration Service (NIS)	62.5%	5
6	Nigeria Customs Services (NCS)	61.8%	6
7	Nigeria Export-Import Bank (NEXIM)	60.8%	7
8	Nigeria Maritime Administration and Safety Agency (NIMASA)	59.8%	8
9	Federal Competition & Consumer Protection Commission (FCCPC)	59.7%	9
10	Federal Road Safety Corps (FRSC)	59.5%	10
11	Nigeria Ports Authority (NPA)	58.8%	11

S/N	MDA NAME	EFFICIENCY SCORE	RANKING
12	National Drug Law Enforcement Agency (NDLEA)	58.2%	12
13	National Pension Commission (PENCOM)	54.0%	13
14	Federal Airports Authority of Nigeria (FAAN)	53.4%	14
15	National Collateral Registry (NCR)	53.3%	15
16	National Office for Technology Acquisition and Promotion (NOTAP)	53.3%	16
17	National Information Technology Development Agency (NITDA)	53.1%	17
18	Central Bank of Nigeria (CBN)	52.3%	18
19	Nigeria Investment Promotion Commission (NIPC)	51.1%	19
20	Nigeria Civil Aviation Authority (NCAA)	50.5%	20
21	Ministry of Interior, Citizenship and Business Department (MOI)	49.6%	21
23	National Broadcasting Commission (NBC)	49.5%	23
22	Securities and Exchange Commission (SEC)	48.7%	22
24	Nigeria Electricity Management Services Agency (NEMSA)	48.1%	24
25	Corporate Affairs Commission (CAC)	44.4%	25
26	Nigeria Shippers Council (NSC)	44.3%	26
27	Nigeria Export Promotion Council (NEPC)	44.1%	27
28	Special Control Unit Against Money Laundering (SCUML)	39.5%	28
29	Federal Inland Revenue Service (FIRS)	38.4%	29
30	National Agency For Food And Drug Administration and Control (NAFDAC)	36.6%	30
31	Nigeria Export Processing Zones Authority (NEPZA)	29.1%	31
32	Nigerian Upstream Petroleum Regulatory Commission (NUPRC)	24.1%	32
33	Bureau for Public Procurement (BPP)	2.5%	33
34	Oil & Gas Free Zones Authority (OGFZA)	0.2%	34
35	Bank of Industry (BOI)	0.0%	35
36	Joint Tax Board (JTB)	0.0%	35
37	Trademark Registry (Trademarks)	0.0%	35
38	National Sugar Development Council (NSDC)	0.0%	35
39	Nigeria Airspace Management Agency (NAMA)	0.0%	35
40	SERVICOM	0.0%	35

KEY 100% - 70% 69% - 50% 49% - 40% 39% - 0%



Transparency Assessment Ranking

as at June 2024

The Transparency Ranking evaluates how effectively MDAs (Ministries, Departments, and Agencies) make essential information accessible to the public. This ranking assesses the clarity and completeness of published details on service level agreements, operating procedures, eligibility requirements timelines and fees.

As required by the BFA 2022, all MDAs must provide comprehensive information about its charges, timelines, terms, and prerequisites for obtaining permits, licenses, and approvals. This information should be readily available in their physical facilities, on official websites, and through service portals.

Following the efforts by the MDAs in the 90-Day Regulatory Reform Accelerator Action Plan, which ran from February 19, 2024, to May 20, 2024, followed by a 30-day extension that concluded on June 20, 2024, for the first time since inception of the Compliance Report, 13 Agencies scored 100% in the Transparency Ranking .

The table below illustrates MDAs' performance in meeting the set BFA transparency criteria from January 2024 to June 2024.

BFA Transparency Criteria

from January 2024-June 2024

S/N	MDA NAME	TRANSPARENCY SCORE	RANKING
1	National Information Technology Development Agency (NITDA)	100%	1
2	Nigeria Agricultural Quarantine Service (NAQS)	100%	1
3	Nigeria Content Development & Monitoring Board (NCDMB)	100%	1
4	Nigeria Customs Service (NCS)	100%	1
5	Nigerian Export-Import Bank (NEXIM)	100%	1
6	Nigerian Export Promotion Council (NEPC)	100%	1
7	Nigerian Investment Promotion Commission (NIPC)	100%	1
8	Nigerian Maritime Administration and Safety Agency (NIMASA)	100%	1
9	Nigerian Upstream Petroleum Regulatory Commission (NUPRC)	100%	1

S/N	MDA NAME	TRANSPARENCY SCORE	RANKING
10	Ministry of Interior, Citizenship and Business Department (MOI)	100%	1
11	Oil & Gas Free Zones Authority (OGFZA)	100%	1
12	Standards Organisation of Nigeria (SON)	100%	1
13	Federal Airports Authority of Nigeria (FAAN)	97.0%	13
14	Nigerian Shippers Council (NSC)	97.0%	13
15	Securities and Exchange Commission (SEC)	97.0%	13
16	Special Control Unit on Money Laundering (SCUML)	97.0%	13
17	Federal Road Safety Corps (FRSC)	95.0%	17
18	Federal Competition & Consumer Protection Commission (FCCPC)	94.0%	18
19	Nigeria Electricity Regulatory Commission (NERC)	94.0%	18
20	Corporate Affairs Commission (CAC)	93.0%	20
21	Nigeria Export Processing Zones Authority (NEPZA)	93.0%	20
22	Nigeria Ports Authority (NPA)	93.0%	20
23	Nigeria Electricity Management Services Agency (NEMSA)	92.0%	23
24	Federal Inland Revenue Service (FIRS)	92.0%	24
25	National Collateral Registry (NCR)	87.0%	24
26	Nigeria Immigration Service (NIS)	82.0%	26
28	National Agency For Food And Drug Administration and Control (NAFDAC)	79.0%	27
27	Central Bank of Nigeria (CBN)	79.5%	27
29	Bank of Industry (BOI)	79.9%	29
30	Joint Tax Board (JTB)	77.0%	30
31	National Office for Technology Acquisition and Promotion (NOTAP)	75.5%	31
32	Bureau for Public Procurement (BPP)	74.5%	32
33	Nigeria Civil Aviation Authority (NCAA)	65.0%	33
34	National Pension Commission (PENCOM)	62.0%	34
35	National Drug Law Enforcement Agency (NDLEA)	59.0%	35
36	SERVICOM	52.0%	36
37	National Sugar Development Council (NSDC)	51.0%	37
38	Nigeria Airspace Management Agency (NAMA)	46.4%	38
39	Trademark Registry (Trademarks)	32.0%	39
40	National Broadcasting Commission (NBC)	0.0%	40

KEY 100% - 70% 69% - 50% 49% - 40% 39% - 0%



Overall BFA Performance Results

for January 2024 - June 2024

The overall performance of Ministries, Departments, and Agencies (MDAs) is assessed using an efficiency and transparency scale, weighted at 70% and 30% respectively. MDAs with higher scores demonstrate strong compliance with their service level agreements, the One Government directive, and instances of Default Approval.

S/N	MDA NAME	TOTAL SCORE (100%)	RANKING
1	Nigerian Content Development Management Board (NCDMB)	80.1%	1
2	Standards Organisation of Nigeria (SON)	78.2%	2
3	Nigeria Agricultural Quarantine Service (NAQS)	74.8%	3
4	Nigeria Electricity Regulatory Commission (NERC)	73.9%	4
5	Nigeria Customs Services (NCS)	73.2%	5
6	Nigeria Export-Import Bank (NEXIM)	72.6%	6
7	Nigeria Maritime Administration and Safety Agency (NIMASA)	71.8%	7
8	Federal Road Safety Corps (FRSC)	70.2%	8
9	Federal Competition & Consumer Protection Commission (FCCPC)	70.0%	9
10	Nigeria Ports Authority (NPA)	69.0%	10
11	Nigeria Immigration Service (NIS)	68.3%	11
12	National Information Technology Development Agency (NITDA)	67.2%	12
13	Federal Airports Authority of Nigeria (FAAN)	66.5%	13
14	Nigeria Investment Promotion Commission (NIPC)	65.8%	14
15	Ministry of Interior, Citizenship and Business Department (MOI)	64.7%	15
16	National Collateral Registry (NCR)	63.4%	16
17	Securities and Exchange Commission (SEC)	63.2%	17
18	Nigeria Electricity Management Services Agency (NEMSA)	61.3%	18
19	Nigeria Export Promotion Council (NEPC)	60.9%	19
20	Central Bank of Nigeria (CBN)	60.5%	20
21	Nigeria Shippers Council (NSC)	60.1%	21
22	National Office for Technology Acquisition and Promotion (NOTAP)	59.9%	22
23	Corporate Affairs Commission (CAC)	59.0%	23
24	National Drug Law Enforcement Agency (NDLEA)	58.4%	24
25	Special Control Unit Against Money Laundering (SCUML)	56.8%	25
26	National Pension Commission (PENCOM)	56.4%	26
27	Nigeria Civil Aviation Authority (NCAA)	54.8%	27
28	Federal Inland Revenue Service (FIRS)	53.0%	28
29	Nigeria Export Processing Zones Authority (NEPZA)	48.3%	29
30	Nigeria Export Processing Zones Authority (NEPZA)	48.3%	30
31	Nigerian Upstream Petroleum Regulatory Commission (NUPRC)	46.9%	31

S/N	MDA NAME	TOTAL SCORE (100%)	RANKING
32	National Broadcasting Commission (NBC)	34.7%	32
33	Oil & Gas Free Zones Authority (OGFZA)	30.1%	33
34	Bureau for Public Procurement (BPP)	24.1%	34
35	Bank of Industry (BOI)	23.7%	35
36	Joint Tax Board (JTB)	23.1%	36
37	SERVICOM	15.6%	37
38	National Sugar Development Council (NSDC)	15.3%	38
39	Nigeria Airspace Management Agency (NAMA)	13.9%	39
40	Trademark Registry (Trademarks)	9.6%	40

KEY	100% - 70%	69% - 50%	49% - 40%	39% - 0%
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Score Card

on Sector-Specific Directives

The Business Facilitation Act (BFA) specifies two critical sector-specific directives: the entry experience of travellers and port operations. Key MDAs responsible for managing traveller movement through Nigeria's airports and facilitating trade at the seaports are evaluated for compliance with these directives.

MDAs are monitored through monthly efficiency reports, citizen feedback, and site visits.



Scorecard – Entry Experience of Visitors and Travellers

This includes provisions to aid a seamless travel experience for visitors and travelers at the airports.

Ordinary tourist business visas shall be issued within 48 hours



The processing of issuance of visa-on-arrival shall be done in a transparent manner

Agencies at the airports shall merge their respective departure and arrival interface



There shall be no touting at the airports

Updated list of requirements and timelines for visa-on-arrival to be published on related websites



Officials caught soliciting or receiving bribes from passengers will be disciplined

KEY



Full compliance



Low level of compliance



High incidence of non-compliance



BFA Sector Specific Directive Scorecard – Port Operations

This includes provisions to improve efficiency of operations at the seaports and improve the ease of trading across borders through the ports



Agencies at the port shall harmonise their operations into a single interface station at the port and implement single task force.

The lack of a functional unified interface station at Export Processing Terminals (EPTs) is a significant issue. This station simplifies procedures by integrating the functions of different agencies, thereby improving efficiency.

Exporters interviewed at the ports revealed that rent seeking was customary during document processing at agency offices within the ports. Rapidly addressing this issue is essential to fostering trust and an improved business environment.

Officials caught soliciting or receiving bribes from passengers shall be subject to immediate removal from their post and disciplined.



No touting shall be allowed at the ports by official and non-official persons

While touting is absent within the ports and terminals visited, A lot of harassment and extortion of exporters was observed on major roads leading in and out of the ports especially the Export Processing Terminals along the Lagos/Badagry expressway.

Exporters interviewed voiced dissatisfaction with the absence of 24-hour port operations, emphasizing the urgent need for extended service hours at the nation's ports. Addressing infrastructure challenges such as power supply and improving port security would enhance stakeholder confidence, promote trade flow, and alleviate port congestion.

The Apapa Port shall resume round-the-clock operations within 30 days from the commencement of the Act



Each port in Nigeria shall assign an existing export terminal dedicated to the exportation of agricultural produce within 30 days of the commencement of the Act.

The single interface station shall submit weekly data on the goods arriving and departing Nigeria to the head of the MDA and head of the National Bureau of Statistics



The **ReportGov.NG** interface is accessed through either <https://reportgov.ng> or the Google Play Store and iOS store, the ReportGov.NG Platform currently hosts 52 Ministries, Departments, and Agencies (MDAs), all of which have integrated with the portal.

These MDAs are all bound by a Service Level Agreement SLA endorsed by the Federal Executive Council FEC.

According to this SLA, all lodged complaints must be resolved within 72 hours. PEBEC has conducted training sessions for the representatives of these diverse MDAs, to improve the skills of MDA personnel in complaint management and administration.

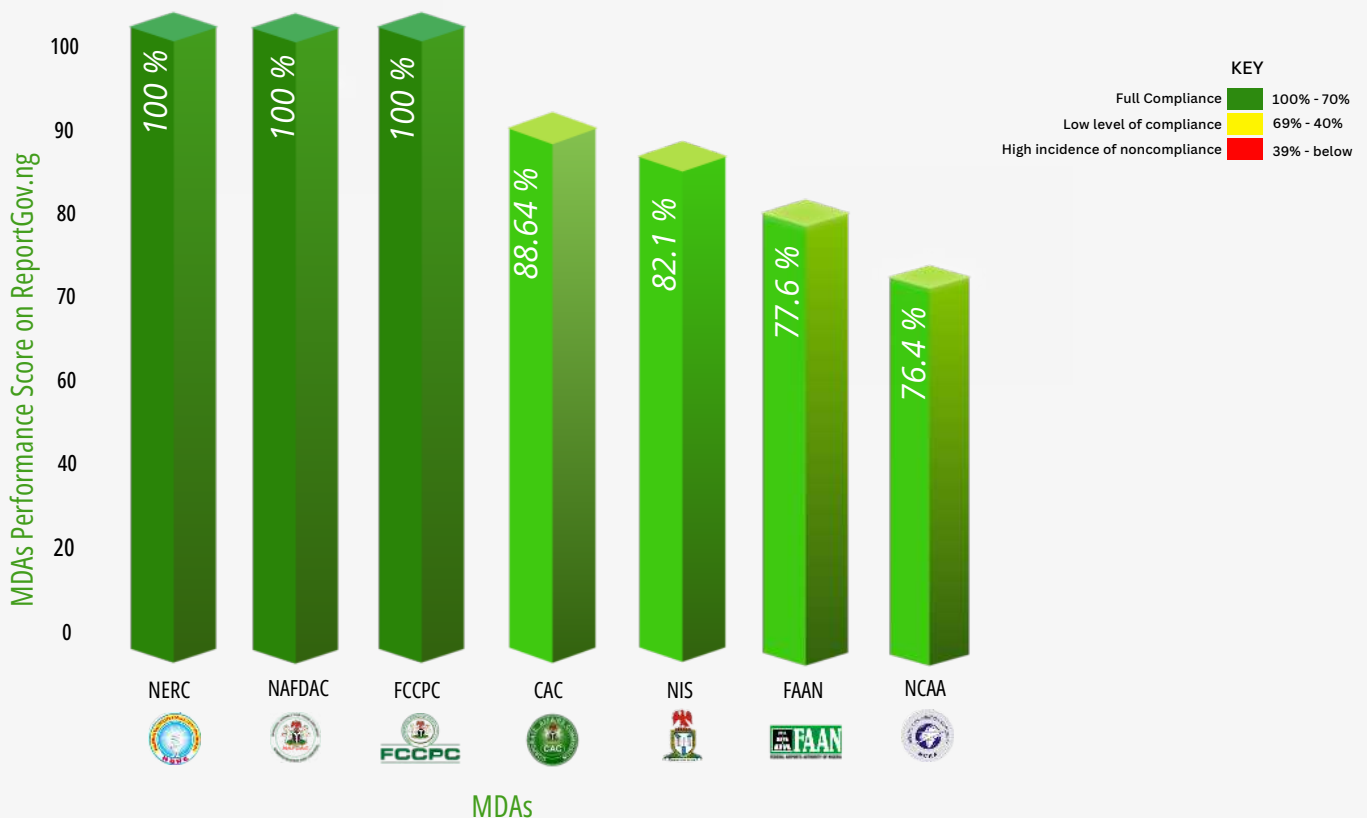
REPORTGOV.NG supports the implementation of the Executive Order by:

- Gathering input from stakeholders regarding the services offered by MDAs.
- Enhancing the implementation of service delivery benchmarks.
- Enhancing the oversight and assessment of enacted improvements

REPORTGOV.NG ANALYSIS

The chart below shows MDAs that actively engage on the **ReportGov.NG** platform and adhere to the FEC timeline of 72 hours for complaint/ticket resolution.

MDAs Performance ranking on ReportGov.ng



Although 53 MDAs are onboarded on the ReportGov.ng platform, only 10 are active, with 5 MDAs adhering to the FEC approval timeline. The PEBEC Secretariat continues to deepen awareness on the existence of the ReportGov.NG platform by collaborating with MDAs in developing effective communication strategies in this regard. This will ensure that Micro, Small and Medium Scale Enterprises (MSMEs) rapidly adopt the platform.

REPORTGOV.NG TESTIMONIALS



Thank you so much, I really appreciate the work put in by PEBEC. We had faced a prolonged delay in getting our International Passports. After escalating our complaints through ReportGov.ng, the process was expedited, and I received my International Passport within 2 weeks. The seamless coordination between ReportGov.ng and the Nigeria Immigration Service was impressive. Highly satisfied with the resolution

- Olumide Salaudeen



We would like to express our sincere appreciation for the swift resolution of NAFDACs' registration of our Food & Water business through the Reportgov.ng platform. PEBEC's intervention ensured the timely delivery of my product registration. This experience highlights the effectiveness of the ReportGov.ng platform. We are truly grateful for their outstanding support.

- Emeka Anyanwu



I encountered multiple obstacles while trying to register my new company. ReportGov.ng was a lifeline, facilitating communication with the Corporate Affairs Commission. Thanks to their combined efforts, my company registration was completed much faster than expected. This platform is truly a valuable resource for entrepreneurs."

- Fatima Sani



Thank you PEBEC team, I really appreciate the work put in by the Nigeria Electricity Regulatory Commission. I had an issue with an incorrect utility bill that the utility company was slow to address. ReportGov.ng took up my case, and with the assistance from NERC, the utility company responded promptly. The bill was corrected, and the service experience was much better than I anticipated. Kudos to ReportGov.ng and the utility company for their efficient resolution.

- Michael Amadi



We extend our heartfelt gratitude to the ReportGov.ng platform and the Federal Competition and Consumer Protection Commission (FCCPC) for their exceptional support. After escalating our complaint regarding a faulty product and unresponsive retailer through ReportGov.ng, the FCCPC swiftly intervened, resulting in a full refund and additional compensation. This experience highlights the efficiency and responsiveness of both the ReportGov.ng platform and the FCCPC. We truly appreciate their outstanding commitment to protecting consumer rights.

- Tosin Odunuga

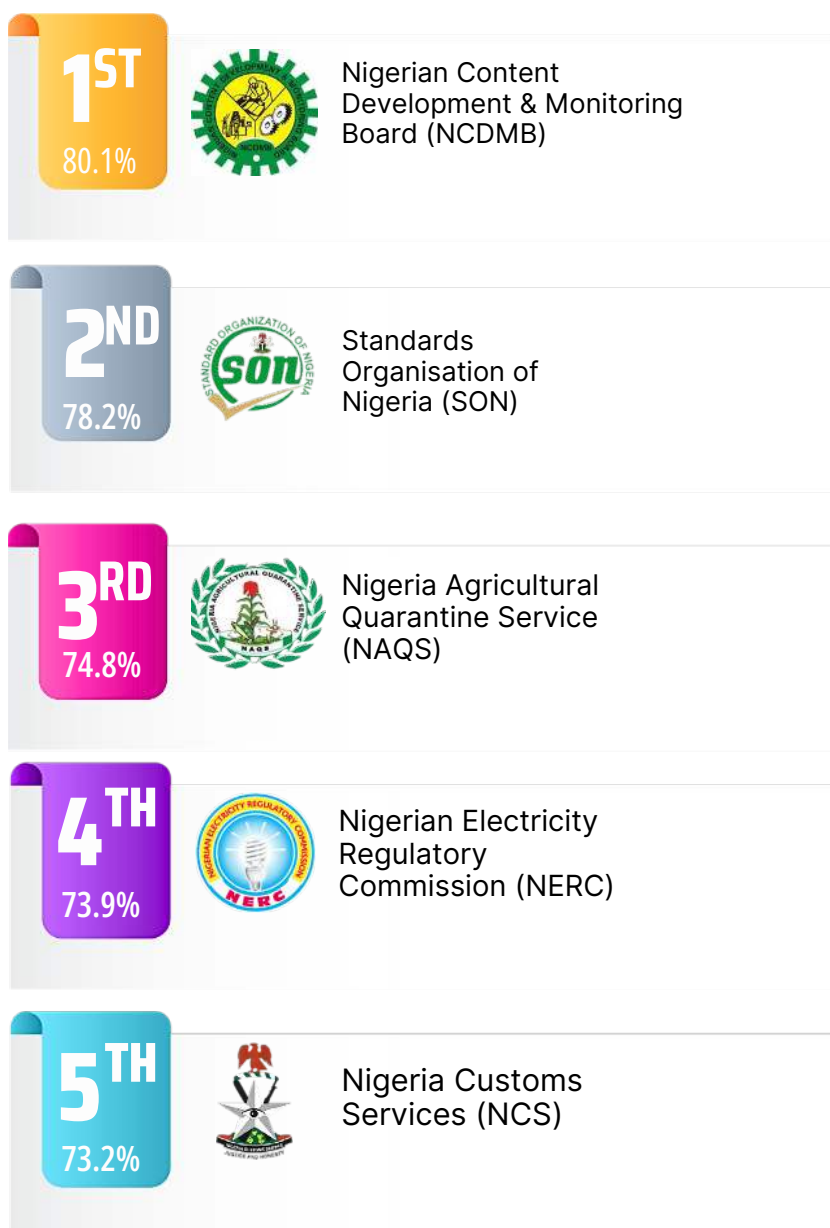


COMMENDING COMPLIANCE

Following the detailed analysis of the MDAs performances, these MDAs demonstrated commendable performance.

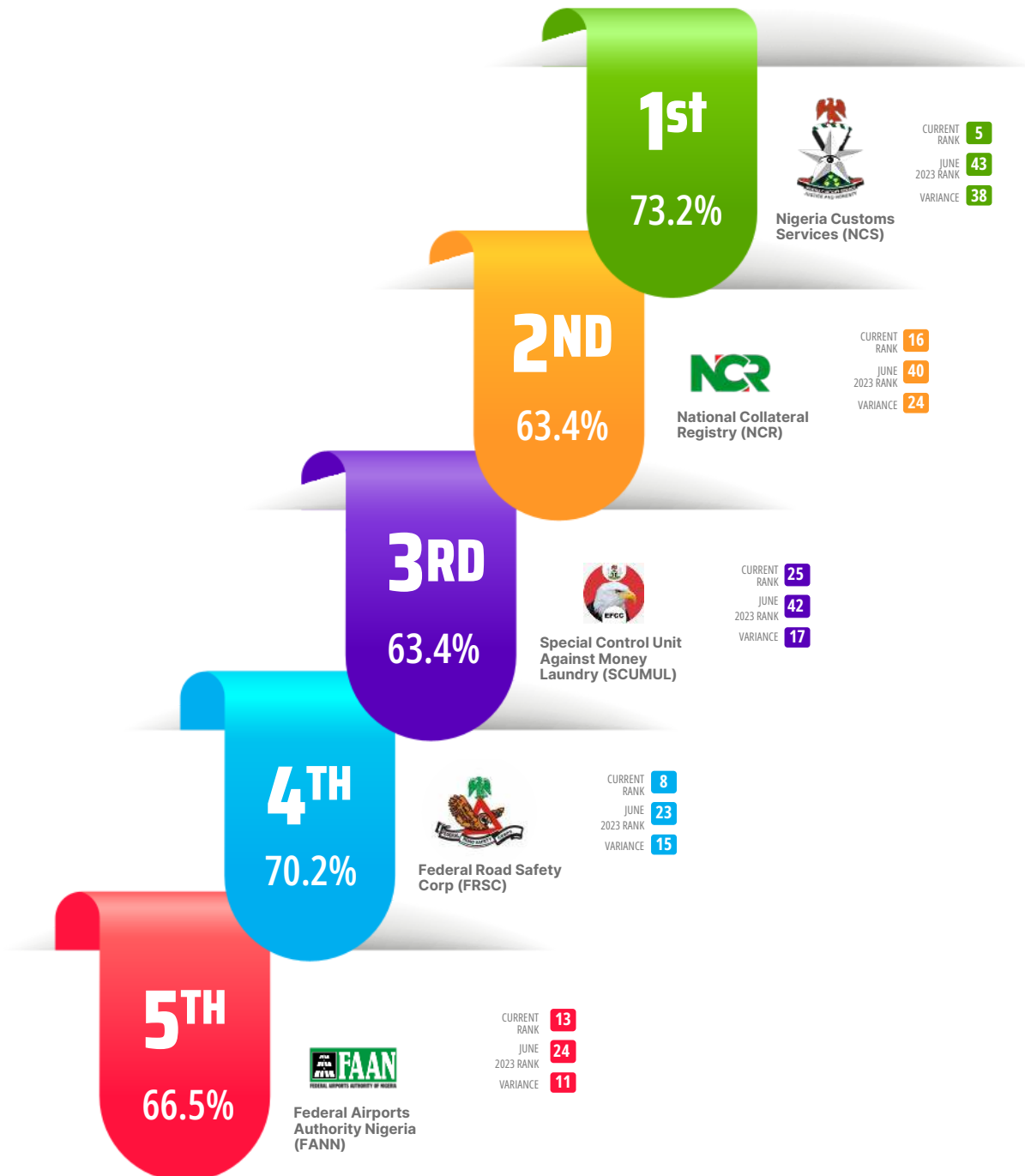
Top 5 Performing MDAs

June 2023 vs June 2024



Top 5 Most Improved MDAs

June 2023 vs June 2024



The most improved ranking is comparison of each MDAs Overall performance score, for June 2023 versus June 2024.



CONCLUSION

The 2024 Half-Year PEBEC Business Facilitation and Compliance (BFA) Report has provided a comprehensive analysis of the business facilitation efforts undertaken by Ministries, Departments, and Agencies (MDAs) across Nigeria. The findings highlight both significant achievements and areas where further improvement is necessary to sustain and enhance the business environment.

In contrast to the 2023 Half-Year BFA report, the current report has a wider and more detailed set of metrics, thereby enabling MDA performances to be measured at a more granular level to completely capture all efforts that has gone into the performances within the period in review. The performance of MDAs during the first half of 2024 has been a mix of progress and challenges, as reflected in the rankings. Notable improvements were observed in the performance of Nigeria Customs Services (NCS), National Drug Law Enforcement Agency (NDLEA), National Broadcasting Commission (NBC), Special Control Unit against Money Laundering (SCUML) and Federal Airports Authority of Nigeria (FAAN) as they have emerged as best improved MDAs for the period under review.

However, some MDAs experienced a noticeable decline in their rankings, which can be directly attributed to their failure to comply with the expected standards and timelines for their deliverables. The decline reflects a gap in their ability to meet the established benchmarks and underscores the need for enhanced accountability and targeted interventions to ensure that all MDAs consistently adhere to their performance commitments.

The 90-day RRA (Regulatory Reform Accelerator) played a critical role in driving the performance of MDAs especially during the exercise, however, it was observed that MDAs that have been consistent with the monthly BFA reports were able to better manage RRA even though, some of them failed to achieve 100% score in the RRA. Unlike, MDAs that focused solely on RRA, as they seem to continue to struggle with the monthly BFA reports due to the ambitious and stringent timelines, and in certain cases, partial implementation of the intended reforms. These challenges highlight the need for continuous capacity building and support for MDAs to fully realize the benefits of the RRA and further highlights the need for RRA 2.0. To further compliance across board.

The first half of 2024 has demonstrated the critical role that effective regulation and business facilitation play in enhancing Nigeria's business environment. While significant progress have been made, there is still work to be done to ensure that all MDAs operate at the highest levels of efficiency and compliance.

PEBEC remains committed to its mission of making Nigeria an easier place to do business and is poised to continue to improve the regulatory landscape and support sustainable economic growth, and with the continued support and collaboration of all stakeholders, we can drive even greater progress in the months to come.

Appendices

- Excerpt of the Business Facilitation (Miscellaneous Provisions) Act 2022 (BFA)codifying Executive Order 001
Page 20,22,23,24
- EO1 (BFA 2022) Tracking Flowchart.
Page 25
- EO1 (BFA 2022) Service Delivery Flowchart.
Page 26
- MDAs' Transparency Assessment Scale
Page 27
- MDAs' Efficiency Assessment Scale
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- EO1 (BFA 2022) Timelines for Compliance
Page 29
- EO1 (BFA 2022) MDA Reporting Template
Page 30
- ReportGov.NG - Logging in a Ticket & Ticket Process Flow
Page 33
- RRA Tracker QR Code
Page 41

Appendix-1

Excerpt of the Business Facilitation
(Miscellaneous Provisions) Act 2022
(BFA) codifying Executive Order 001

A 97

BUSINESS FACILITATION (MISCELLANEOUS PROVISIONS) ACT, 2022



ARRANGEMENT OF SECTIONS

Section :

1. Objectives.
2. Application.
3. Transparency requirements.
4. Default approvals.
5. One government directive.
6. Service level agreements.
7. Port operations.
8. Registration of businesses.
9. Consequential amendments.
10. Interpretation.
11. Citation.

SCHEDULE

**BUSINESS FACILITATION
(MISCELLANEOUS PROVISIONS) ACT, 2022**

ACT No. 5

AN ACT TO PROVIDE FOR THE EASE OF DOING BUSINESS, ENSURE TRANSPARENCY,
EFFICIENCY AND PRODUCTIVITY IN NIGERIA; AND FOR RELATED MATTERS.

[8th Day of February, 2023] Commence-
ment.

ENACTED by the National Assembly of the Federal Republic of Nigeria

1. (1) The objectives of this Act are to Objectives.

(a) promote the ease of doing business in Nigeria and eliminate
bottlenecks ; and

(b) amend relevant legislation to promote the ease of doing business in
Nigeria and institutionalise all the reforms to ease implementation.

2. This Act applies throughout the Federal Republic of Nigeria. Application.

3. (1) Ministries, Departments and Agencies (MDAs) of the Federal Transparency
Government which provides products and services shall publish a complete requirements.
list of requirements to obtain the products and services.

(2) The products and services mentioned in subsection (1) include permits,
licenses, waivers, tax related processes, filings, approvals, registration,
certification, and other products and services, in accordance with the functions
of the MDA.

(3) The list of requirements referred to in subsection (1) shall

(a) include all processes, documents, fees and timelines required for the
processing of applications for the products and services ; and

(b) within 21 days from the commencement of this Act, be

(i) conspicuously published on the website of the relevant MDA, and

(ii) available at the customer help desk or other office designated for
this purpose.

(4) The head of an MDA shall ensure that the list of requirements is
verified and kept up-to-date at all times.

(5) Where there is a conflict between a published and an unpublished
list of requirements, the published list shall prevail.

(6) An MDA shall maintain a register of applications for products and
services.

A 100	2022 No. 5	Business Facilitation (Miscellaneous Provisions) Act, 2022
Default approvals.	<p>4.—(1) Where the relevant MDA fails to communicate approval or rejection of an application within the time stipulated in the published list, all applications for products and services not concluded within the stipulated timeline shall be deemed approved and granted.</p> <p>(2) An MDA shall maintain, at least, two modes of communication of its official decisions to applicants, and the preferred modes of communication shall be published on the website of the MDA.</p> <p>(3) Where an application is rejected within the stipulated timeline, the MDA shall communicate the rejection to the applicant stating the grounds for the rejection.</p> <p>(4) An applicant's physical acknowledgement or electronic copy of an application shall serve as proof of the date of submission of the application to determine when the timeline of an application commenced.</p> <p>(5) An applicant whose application is deemed granted under subsection (1) may, on the expiration of the application timeline, notify the relevant MDA for the issuance of a certificate or document in evidence of the grant, and the MDA shall within 14 days, issue the certificate or document in evidence of the grant.</p> <p>(6) The notification referred to in subsection (5) shall, for all purposes, be construed as a certificate or document in evidence of the grant.</p> <p>(7) If the appropriate officer in an MDA fails to act on an application within the timeline stipulated, without lawful reason, the failure constitutes misconduct and is subject to the prescribed disciplinary proceedings under the civil or public service rules.</p>	
One government directive.	<p>5.—(1) For the purposes of one government, where an applicant requires service from an MDA, the MDA shall conduct the necessary verification or certification from relevant MDAs, in respect of the applicant.</p> <p>(2) Subject to subsection (1), a copy of any document submitted by an applicant in respect of an application shall be apparent proof of the content of such document.</p> <p>(3) In this section, "one government" means collaboration between MDAs to process and deliver products and services to the public.</p>	
Service level agreements.	<p>6.—(1) An MDA shall have a service level agreement which shall provide for —</p> <p>(a) a list of products and services rendered;</p> <p>(b) documentation requirements ;</p>	

- (c) time lines for processing applications ;
- (d) applicable fees ;
- (e) a summary of the procedure of application ;
- (f) redress mechanisms ; and
- (g) such other requirement, as the MDA may consider necessary.

(2) The service level agreement of an MDA shall be binding on the MDA in the processing of applications.

(3) A service level agreement shall be published on the website of the MDA.

(4) Failure of the appropriate officer to act within the timeline stipulated in the service level agreement, without lawful reason, shall amount to misconduct and be subject to appropriate disciplinary proceedings in accordance with the relevant law or regulations applicable to the civil or public service.

7.—(1) Touting is prohibited in any port in Nigeria.

Port
operations.

(2) Staff on duty shall be properly identified by uniform and official identity cards.

(3) Staff off duty shall stay away from the ports except with the express approval of the head of the MDA.

(4) The Federal Airports Authority of Nigeria (FAAN), Aviation Security (AVSEC) and Nigeria Ports Authority (NPA) security shall ensure compliance with the provisions of this section.

(5) A non-official staff shall not be allowed into the secured areas of any of the ports in Nigeria.

(6) An official of the FAAN, Nigerian Immigration Service, a security agency, Ministry responsible for foreign affairs or MDA shall not be permitted to meet a non-designated dignitary at a secured area of the airport.

(7) The official approved list of dignitaries that have been pre-approved to be received by protocol officers shall be made available to AVSEC and other relevant agencies ahead of the arrival of such dignitaries at the airport.

(8) Any official who solicits or receives bribe from a passenger or other users of the port shall be —

- (a) removed from his duty post ;
- (b) subject to disciplinary measures ; and
- (c) liable to a criminal proceeding in accordance with extant laws and regulations.

(9) All relevant MDAs at the airports shall within 30 days of the commencement of this Act, merge their respective departure and arrival interfaces into a single customer interface.

(10) All agencies present in Nigerian ports shall, within 60 days from the commencement of this Act, harmonise their operations into one single interface station domiciled in one location in the port and implemented by a single joint task force at all times, without prejudice to necessary procedures which may be utilised at the backend.

(11) The new single interface station at each Nigerian port shall capture, track and record information on all goods arriving and departing from Nigeria and transmit captured information to the head of the relevant offices and the head of the National Bureau of Statistics on a weekly basis.

(12) Each port in Nigeria shall assign an existing export terminal dedicated to the exportation of agricultural produce, within 30 days of commencement of this Act.

(13) A port shall, within 30 days of commencement of this Act, maintain a 24-hour operation, or such other periods of operation to be determined by the relevant MDA.

(14) A person who violates the provisions of subsection (1), commits an offence and is liable on conviction to a fine of at least ₦1,000,000 or imprisonment for a term of at least six months or both.

(15) A person who violates the provisions of subsections (2), (3), (5) and (6), is liable to administrative penalties as may be prescribed in a regulation issued by the relevant MDAs.

Registration of businesses. 8. The Registrar-General of the Corporate Affairs Commission (CAC) shall, within 14 days of the commencement of this Act, ensure that all application processes at the CAC are fully automated from the start to completion.

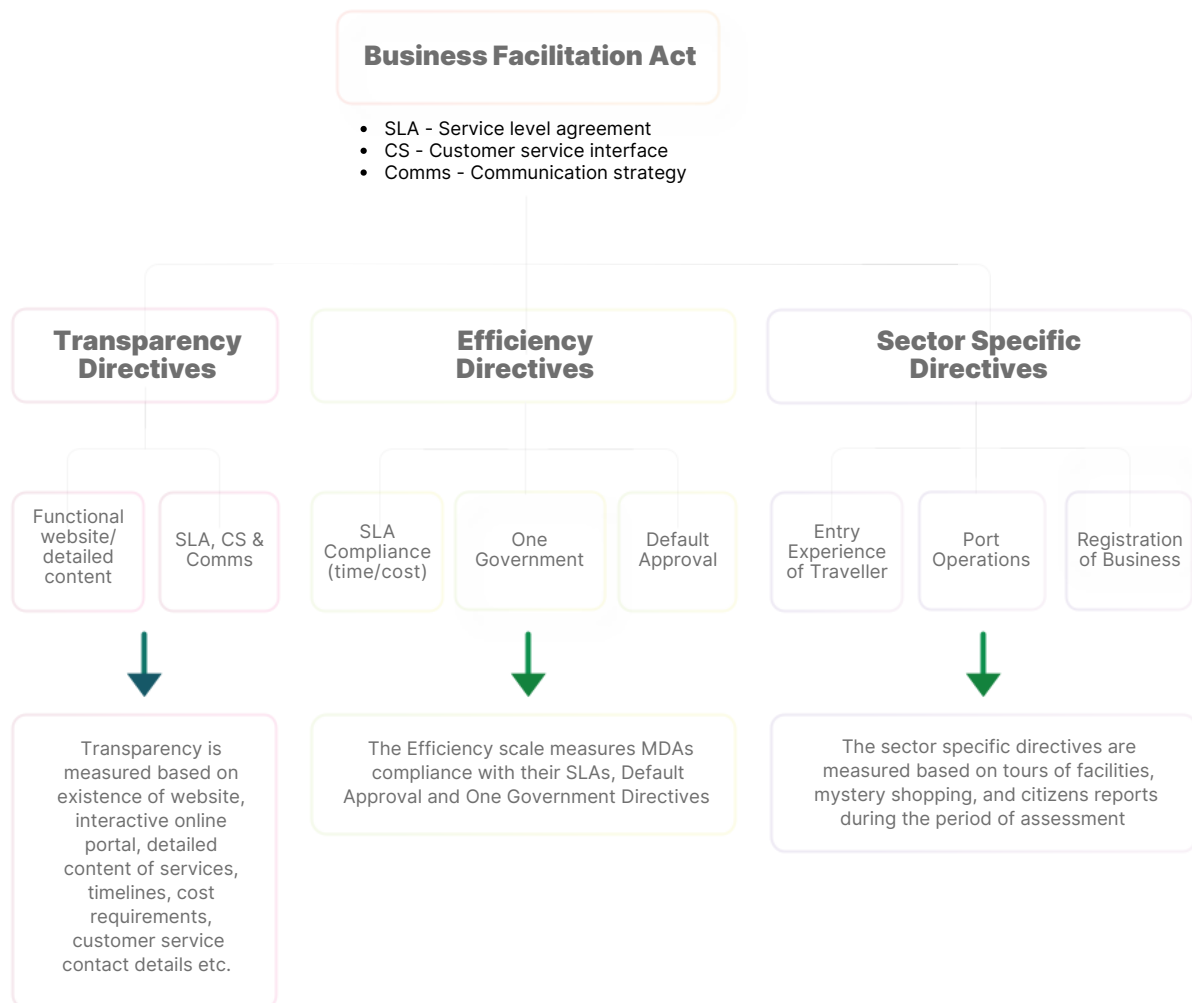
Consequential amendments. 9. The Acts in the Schedule to this Act are amended as set out in the Schedule to this Act.

In terpretation. 10. In this Act —
“touting” includes carrying out unlawful activity for personal gain ; and
“modes of communication” includes letters, emails and publications on official websites.

Citation. 11. This Act may be cited as the Business Facilitation (Miscellaneous Provisions) Act, 2022.

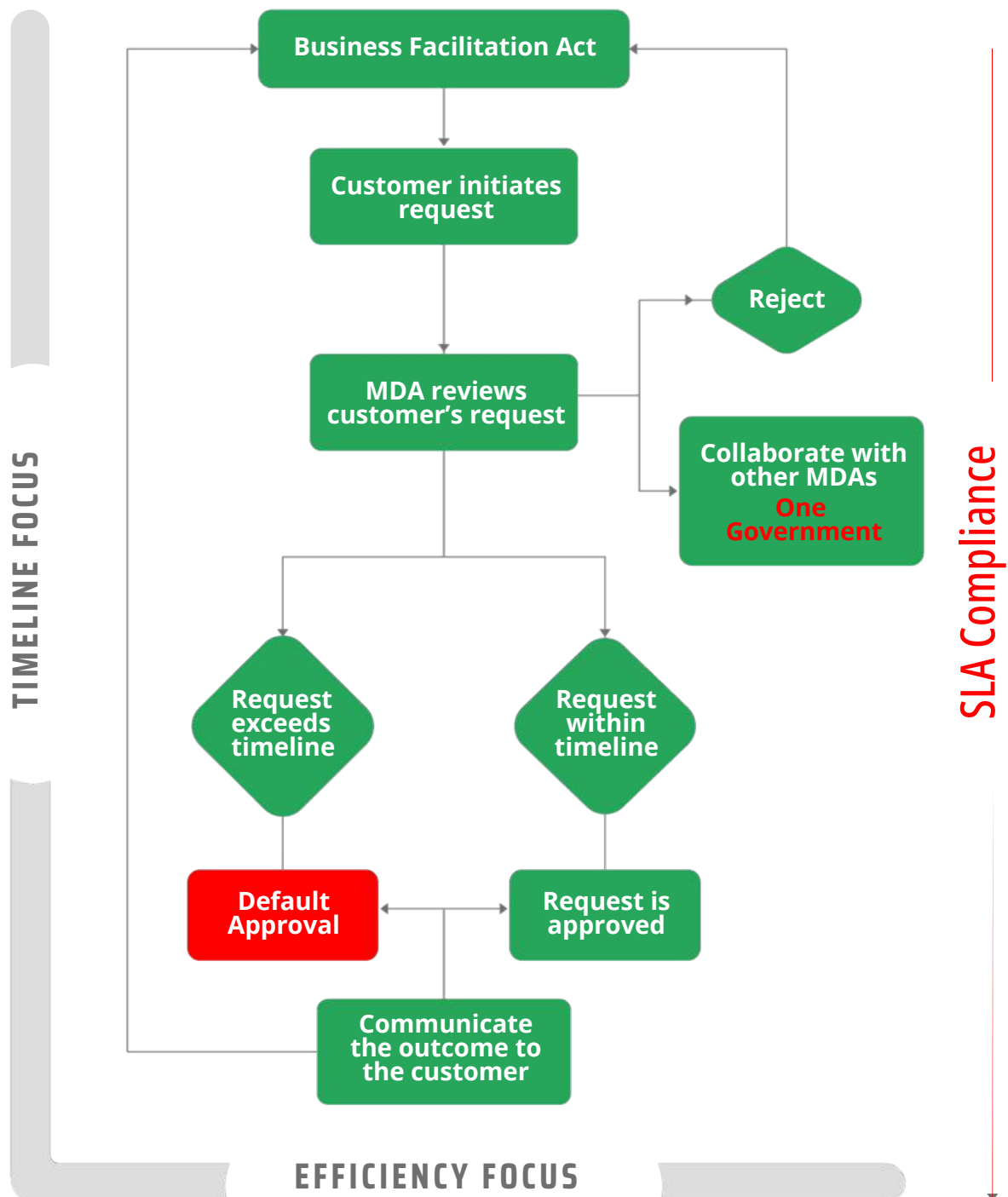
Appendix-2

BFA 2022 Tracking Flowchart



Appendix-3

BFA 2022 Service Delivery Flowchart:



Appendix-4

BFA 2022 MDAs' Transparency Assessment Scale

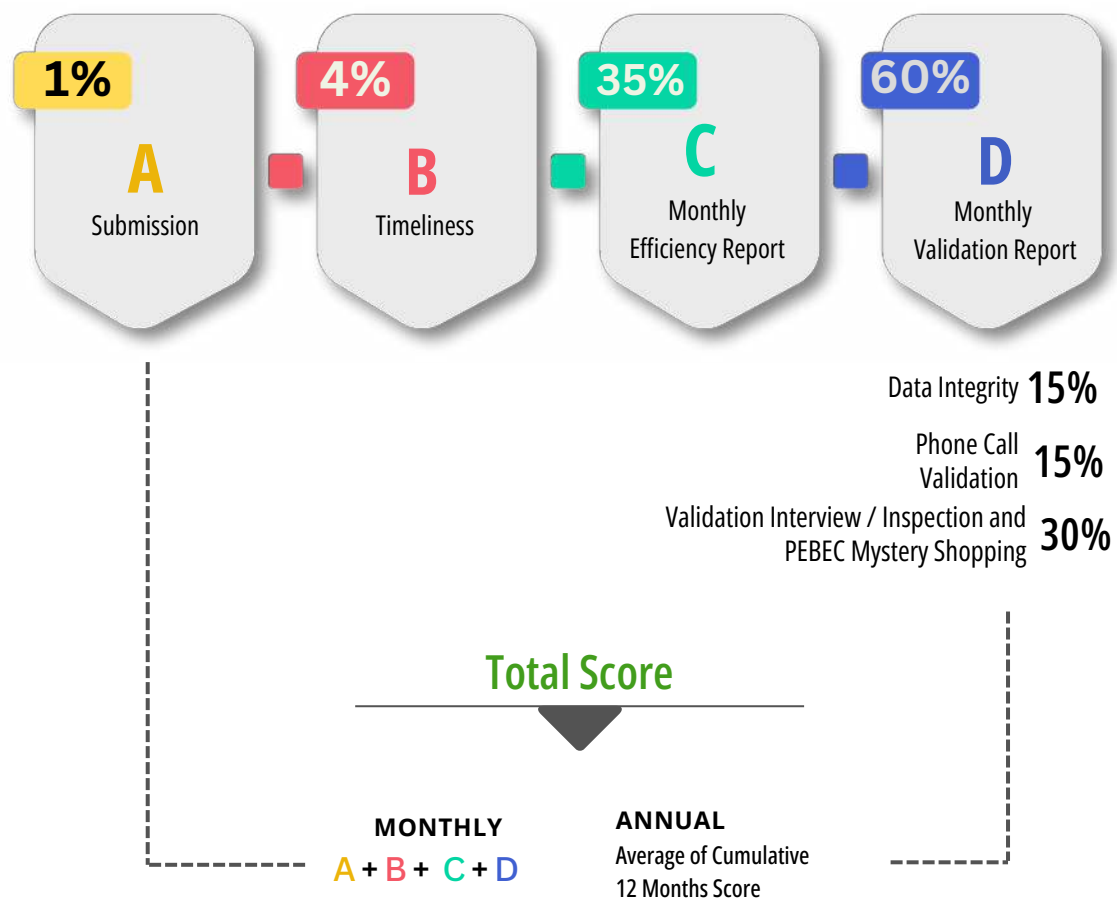
S/N	KPI	WEIGHT	STATUS			SCORE	BPSR RANKING
			YES 1 Point	NO 0 Point	SLA Update?		
1	Website exists	5				0	
2	Service Scope - all services clearly listed	3				0	
3	Requirements / Eligibility for services clearly outlined	3				0	
4	Timelines for service delivery clearly indicated for each service	3				0	
5	Cost for each service clearly indicated with no hidden charges	3				0	
6	Steps / Procedures for each service clearly outlined	3				0	
7	Customer Service (CS) emails listed	6				0	
8	Customer Service (CS) phone numbers listed	6				0	
9	Online application / process	20				0	
10	Approval / facility granted online	15				0	
11	FAQ available	5				0	
12	Facebook	7				0	
13	X	7				0	
14	Instagram	7				0	
15	YouTube	7				0	
TOTAL		100	0	0	0	0	

The above scale prioritizes online applications and electronic approvals to drive automation of service delivery by MDAs. Social media presence and robust communication channels are also emphasized with higher weights. In addition, MDAs' ranking on the Bureau of Public Service Reforms (BPSR) Website Assessment weighted at 20% is also incorporated into the efficiency score computation during the annual review. The BPSR report provides a scorecard on MDAs' website and compliance with the objective of improving transparency in public service delivery. The annual BPSR report is published by the Bureau for Public Service Reforms and available on their website -

<https://www.bpsr.gov.ng/en/website-ranking>

Appendix-5

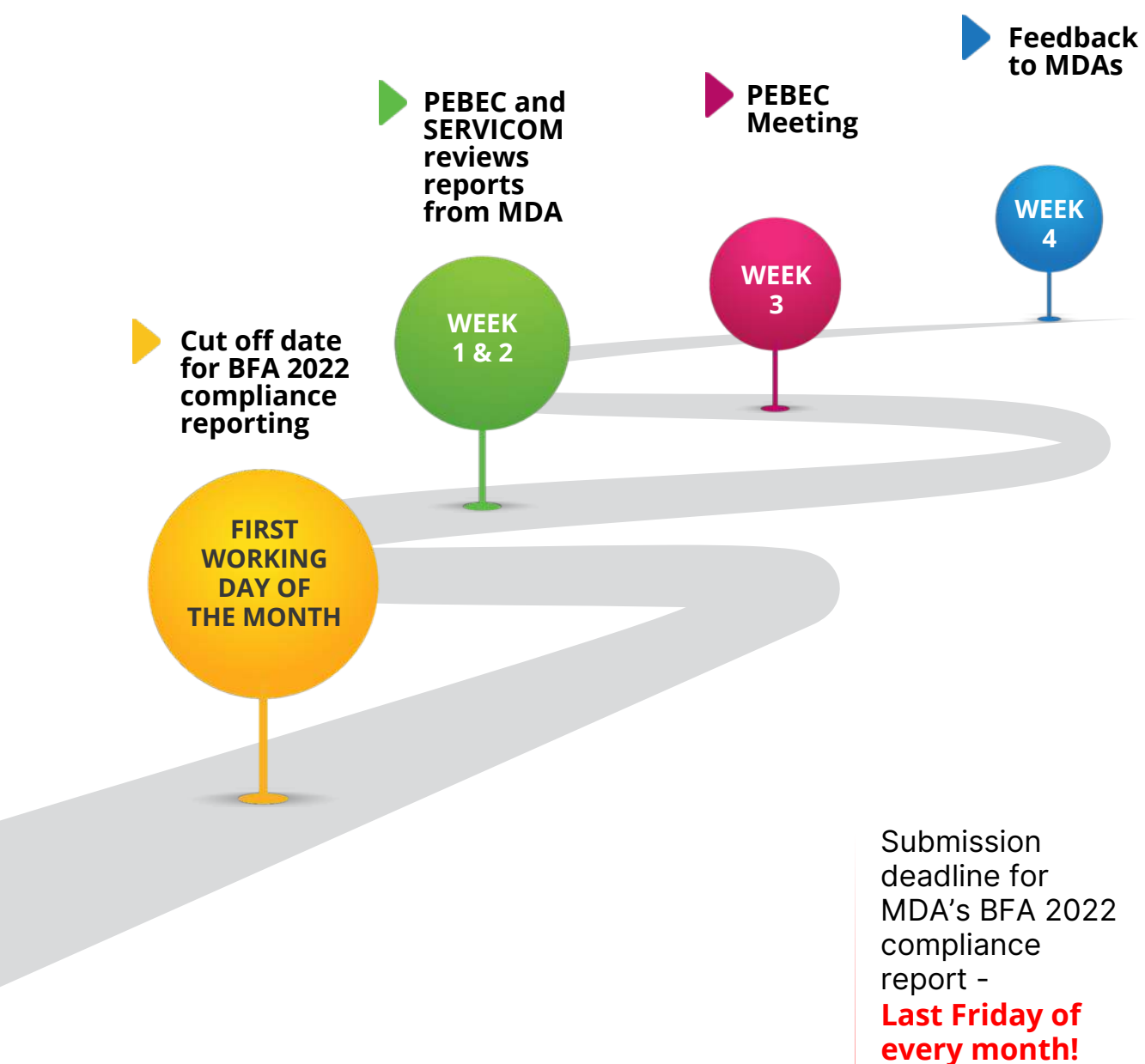
BFA 2022 MDAs' Efficiency Assessment Scale



The above scale awards points for submission and timely submission of efficiency reports as this is expected of all MDAs. The Scale also relies on independent verification of the data submitted monthly. This measures the integrity of the data submitted by the MDAs and validation from private sector stakeholders.


Appendix-6


Timeline for BFA 2022 Compliance




Appendix-7

BFA 2022 MDA Reporting Template

Critical columns for data analysis: 

Critical columns for validation: 

Critical columns for clarifications: 

PRESIDENTIAL ENABLING BUSINESS ENVIRONMENT COUNCIL ENABLING BUSINESS ENVIRONMENT SECRETARIAT MDA BFA 2022 SERVICE DELIVERY COMPLIANCE REPORT TEMPLATE

S/N	CUSTOMER NAME	ADDRESS	E-MAIL ADDRESS	PHONE NUMBER	SERVICE PROVIDED	DATE OF SUBMISSION	DATE OF COMPLETION	EXPECTED TIMELINE	APPROVAL /REJECTION	COST	ANY ISSUE /GRIEVANCE/ COMPLAINT /OTHERS	RESOLUTION /DECISION
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												

Criteria for Accepting or Rejecting a Report

We have created a tactical executable path to ensuring monthly compliance of EO1 (BFA 2022).



Accept if the following fields are completed:

1. Customer name
2. Contact phone number
3. Email
4. Service provided
5. Date of submission
6. Cost



Reject if none of the above is available, except for emails.

Appendix-8



Logging in a Ticket & Ticket Process Flow

How to Login Complaint or Feedback on ReportGov.NG



Process Flow for Complaint Resolution



Ticket Resolution Process Flow

01

Citizen lodges complaints or feedback on www.reportgov.ng. Ticket number is issued and complainant gets email notification

02

PEBEC receives the complaint/feedback

03

PEBEC administrator assigns ticket to appropriate MDA

04

Profiled MDA staff (Agent) receives email notification

05

Agent logs on to www.reportgov.ng/scp/index.php (An agent is a profiled staff of an MDA)

06

Agent provides response (Complainant is notified by email)

Appendix-9

MDA and Examples of Services

MDA NAMES	EXAMPLES OF SERVICES
Nigerian Content Development and Monitoring Board (NCDMB)	<ol style="list-style-type: none"> 1. NCDF Remittance 2. NOGIC JQS Registration 3. Expatriate Quota Application - New 4. Expatriate Quota 5. Application - Renewal/Redesignation 6. Temporary Work Permit 7. Nigerian Content Equipment Certificate (NCEC) 8. Marine Vessel Categorization (MVC)
Standards Organisation of Nigeria (SON)	<ol style="list-style-type: none"> 1. Standardization, quality assurance, and certification of products services.
Federal Competition and Consumer Protection Commission (FCCPC)	<ol style="list-style-type: none"> 1. Safeguarding of consumer interests by ensuring product quality, competitive pricing, and safety.
Nigerian Export-Import Bank (NEXIM)	<ol style="list-style-type: none"> 1. Export diversification through financial assistance. 2. Risk mitigation. 3. Expert guidance, in accordance with government trade policies and industry standards.

MDA NAMES	EXAMPLES OF SERVICES
Oil & Gas Free Zones Authority (OGFZA)	<ol style="list-style-type: none"> 1. Issuance and renewal of Licences 2. Enterprise registration 3. Submission of annual returns
Nigerian Investment Promotion Commission (NIPC)	<ol style="list-style-type: none"> 1. Business registration. 2. Pioneer Status Incentive administration.
Nigerian Ports Authority (NPA)	<ol style="list-style-type: none"> 1. Administration of the ports in Nigeria
Securities and Exchange Commission (SEC)	<ol style="list-style-type: none"> 1. Safeguarding investors. 2. Ensures fair and efficient markets. 3. Facilitation of capital formation
Corporate Affairs Commission (CAC)	<ol style="list-style-type: none"> 1. Company registration. 2. Business name registration 3. Incorporated trustees' registration
Nigerian Electricity Management Services Agency (NEMSA)	<ol style="list-style-type: none"> 1. Technical standards and regulations. 2. Technical inspections. 3. Testing and certifications for all categories of electrical installations, electricity meters, and instruments.
Nigeria Agricultural Quarantine Services (NAQS)	<ol style="list-style-type: none"> 1. Prevention, entry, establishment, and spread of foreign pests and diseases affecting plants, animals, and aquatic resources. 2. Sanitary, and phytosanitary measures related to agricultural product import and export.

MDA NAMES	EXAMPLES OF SERVICES
Nigerian Maritime Administration and Safety Agency (NIMASA)	1. Safety and security of Nigeria's maritime domain.
Federal Inland Revenue Service (FIRS)	1. Assessing, collecting, and accounting for taxes payable to the Nigerian Federal government
Nigerian Export Promotion Council (NEPC)	<ol style="list-style-type: none"> 1. Exporter registration. 2. Market information provision. 3. Export training. 4. Advisory and coaching. 5. Administration of export incentives, trade promotion support, and dedicated assistance for women in exports
Nigerian Electricity Regulatory Commission (NERC)	<ol style="list-style-type: none"> 1. Regulating tariffs. 2. Issuing licenses. 3. Promoting consumer rights.
National Agency for Food and Drug Administration and Control (NAFDAC)	1. Regulating and administration the safety, efficacy and quality of food, drugs, medical devices, and other related products.
Nigeria Export Processing Zones Authority (NEPZA)	1. Creation of specialized zones, which provide tax incentives, simplified regulations, and high-quality infrastructure to businesses.
Nigeria Civil Aviation Authority (NCAA)	1. Overseeing airlines, airports, and personnel, promoting airworthiness.

MDA NAMES	EXAMPLES OF SERVICES
Federal Ministry of Interior, Citizenship and Business Department	<ol style="list-style-type: none"> 1. Evaluating applications for citizenship by naturalization. 2. Confirmation, or registration; granting special immigration status. 3. Issuing temporary residence permits; and facilitating the renunciation of Nigerian citizenship. 4. Issuance of business permits, expatriate quota positions 5. Secured marriage certificates, as well as conducting statutory marriages at federal marriage registries nationwide
Nigeria Immigration Service (NIS)	<ol style="list-style-type: none"> 1. Border security enforcement through the regulation of immigration and emigration. 2. Visa and passport processing.
National Pension Commission (PENCOM)	<ol style="list-style-type: none"> 1. Governance of the Nigerian pension system, guaranteeing the safety of retirement funds 2. Facilitating contributors' access to benefits.
Federal Road Safety Corps (FRSC)	<ol style="list-style-type: none"> 1. Enforcement of traffic regulations 2. Education of motorists and the public 3. Response to accidents aimed at reducing casualties and maintaining efficient traffic flow.

MDA NAMES	EXAMPLES OF SERVICES
National Broadcasting Commission (NBC)	<ol style="list-style-type: none"> 1. Oversees Nigeria's broadcasting sector, ensuring professionalism, content excellence, and equitable competition while safeguarding consumer interests.
Federal Airports Authority of Nigeria (FAAN)	<ol style="list-style-type: none"> 1. Managing all commercial airports in Nigeria, focusing on aviation safety, security, and passenger comfort. 2. Oversees airport business opportunities, aerodrome rescue and fire-fighting services, and customer service through its mobile lines and contact emails
Federal Ministry of Industry, Trade and Investment Commercial Law Department Trademarks, Patents and Designs Registry	<ol style="list-style-type: none"> 1. Registering and safeguarding trademarks, patents (inventions), and distinctive product designs for businesses operating within the nation.
Nigerian Shippers Council (NSC)	<ol style="list-style-type: none"> 1. Guardian for Nigerian enterprises engaged in global maritime trade.
Nigerian Airspace Management Agency (NAMA)	<ol style="list-style-type: none"> 1. Air traffic administration of navigational infrastructure. 2. Coordination of flight plans to mitigate the risk of collisions.

MDA NAMES	EXAMPLES OF SERVICES
National Sugar Development Council (NSDC)	<ol style="list-style-type: none"> 1. Promoting Sugarcane cultivation. 2. Enhancing refining capabilities and regulating imports to safeguard domestic producers 3. Fostering the sustainability of the sugar sector in Nigeria.
Central Bank of Nigeria (CBN)	<ol style="list-style-type: none"> 1. Monetary and price stability. 2. Issuing legal tender currency within Nigeria. 3. Maintaining external reserves to safeguard the international value of the legal tender currency. 4. Promoting a sound financial system 5. Providing economic and financial advice to the Federal Government.
Bureau of Public Procurement (BPP)	<ol style="list-style-type: none"> 1. Contractor registration. 2. Consultant engagement. 3. Service provider facilitation. 4. Management of procurement officers.
Nigeria Customs Services (NCS)	<ol style="list-style-type: none"> 1. Customs administration 2. Tariff classification. 3. Import and export documentation processing. 4. Customs clearance. 5. Cargo inspection and examination 6. Enforcement of customs laws and regulations, 7. Trade facilitation, 8. Revenue collection 9. Anti-smuggling operations 10. Border security and surveillance.

MDA NAMES	EXAMPLES OF SERVICES
National Office for Technology Acquisition and Promotion (NOTAP)	<ol style="list-style-type: none"> 1. Technology transfer agreements. 2. Promotion of intellectual property rights 3. Provision of state-of-the-art technology information.
SERVICOM	<ol style="list-style-type: none"> 1. Monitoring efficient service delivery in MDAs to citizens and all residents in the country.
National Collateral Registry (NCR)	<ol style="list-style-type: none"> 1. Processing client account registrations. 2. Enabling lenders to ascertain prior security interests 3. Facilitating the registration of security interests over movable assets used as collateral
National Drug Law Enforcement Agency (NDLEA)	<ol style="list-style-type: none"> 1. Drug policy and control in Nigeria 2. Curtailing illicit production, importation, exportation, sale, and trafficking of psychoactive substances
Joint Tax Board (JTB)	<ol style="list-style-type: none"> 1. Creating a tax-friendly environment in Nigeria, ensures uniformity, harmony. 2. Personal Income Tax Administration 3. Advisory on general tax matters across the country

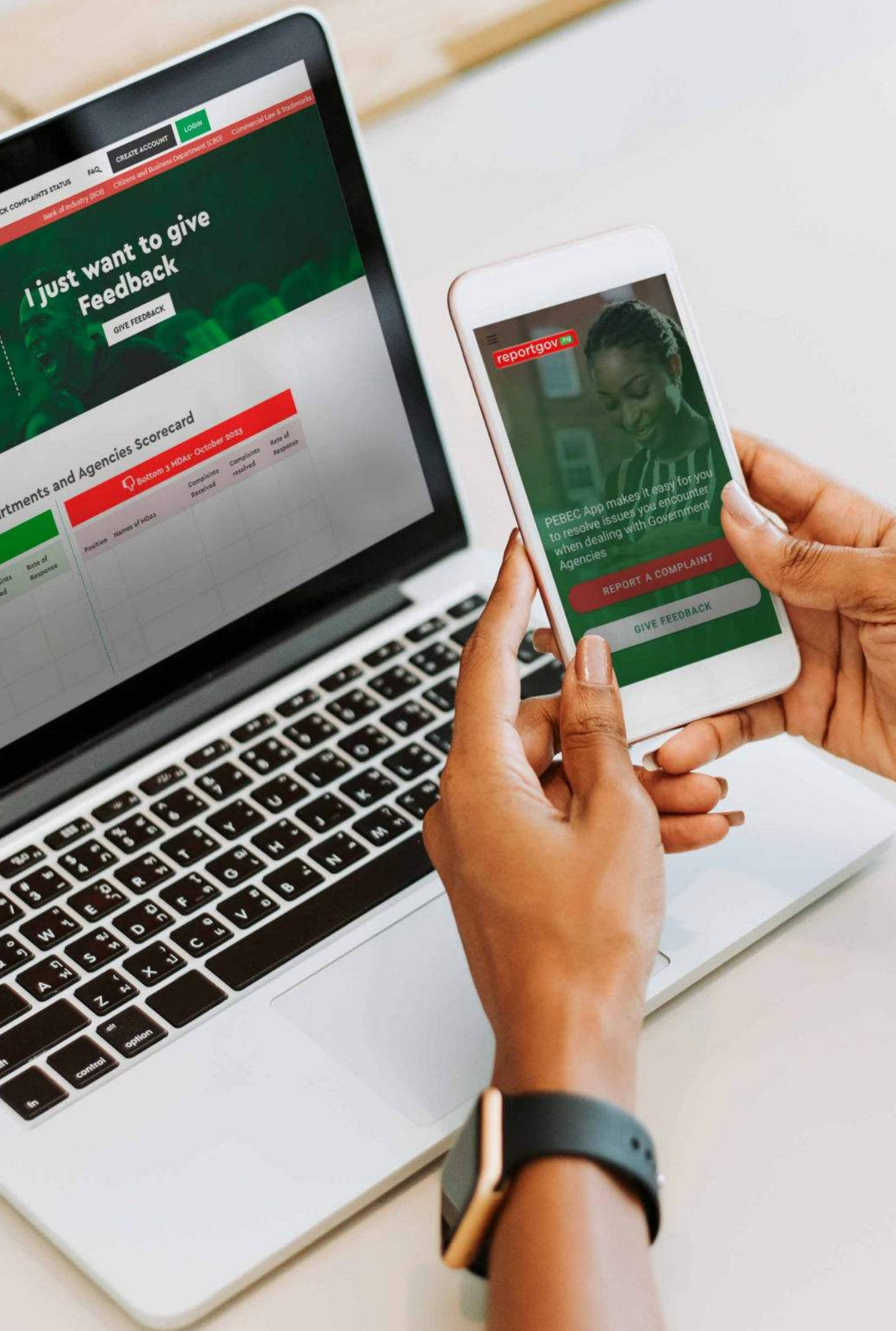
MDA NAMES	EXAMPLES OF SERVICES
Bank of Industry (BOI)	<ol style="list-style-type: none"> 1. Financial and advisory support for establishing large, medium, and small projects or enterprises. 2. Fostering growth and expansion
Nigeria Police Force (NPF)	<ol style="list-style-type: none"> 1. Maintaining law and order. 2. Protecting lives and property 3. Detecting and preventing crimes
Special Control Unit Against Money Laundering (SCUML)	<ol style="list-style-type: none"> 1. Compliance with anti-money laundering. 2. Combating the financing of terrorism (AML/CFT) regulations within the Designated Non-Financial Businesses and Professions (DNFBPs) sector. 3. Risk assessments. 4. Organizing sensitization workshops. 5. Ensuring transparency and accountability in financial transactions

Appendix-10

RRA Tracker



[Bit.ly/RRATracker](https://bit.ly/RRATracker)





**Presidential Enabling Business
Environment Council (PEBEC)
Secretariat**

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