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DEFINING LEGAL

# MILESTONES

OF 2022

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# Defining Legal **Milestones** of 2022

As we reflect on the activities that shaped the preceding year, we reckon that while the world was still recovering from the impact of the COVID – 19 pandemic, the Russia-Ukraine war exacerbated the economic situation globally, including Nigeria.



The continued rift between Russia and Ukraine impacted heavily on the outlook of Nigeria's economy as there was a sharp increase in the prices of oil in the international market, which invariably led to the hike of fuel prices across the shores of Nigeria, as well as the attendant increase in cost of production and galloping inflation.

Indeed, the year 2022 witnessed fluctuations of the Dollar-Naira exchange rate and the shortage of foreign exchange in the parallel market. To this end, we commend the laudable initiatives introduced by the Central Bank of Nigeria ("CBN") with a view to adding more liquidity to Nigeria's foreign reserve.

Notwithstanding these events, in hindsight, we observed that a litany of laudable legislative interventions were introduced, which no doubt made significant changes to the legal order. In addition, there were novel legislations brought into the fold in a bid to align with international best practices.

Interestingly, the composite list of laws that shaped conversations last year ranged from the assent of the Start-Up Act, the issuance of rules on offerings and custody of digital assets by Securities and Exchange Commission ("SEC"), the amendment of the Electoral Act, amongst others.

At Jackson, Etti & Edu, we have highlighted the defining legal milestones of 2022 to serve as a useful guide to business owners and stakeholders. It therefore behoves business owners and other critical stakeholders to always seek legal advice from competent legal practitioners (law firms) in relation to legal developments, with a view to understanding the requirements, obligations, rights, and liabilities arising from these laws, guidelines, polices and regulations. We have distilled each of these milestones below and arranged them in no particular order.

# National Assembly Passed the Start-up Act, 2022



The Act amongst other objectives, seeks to position Nigeria's start-up ecosystem, as the leading digital technology centre in Africa, having excellent innovators with cutting edge skills and exportable capacity. The Act establishes the National Council for Digital Innovation and Entrepreneurship ("the Council") which shall, amongst other functions, formulate and provide general policy guidelines for the realisation of the objectives of the Act. The Act further provides that the National Informational Technology Development Agency ("NITDA") shall serve as the Secretariat of the Council, whilst its Director-General shall serve as its Head.

Essentially, the Act specifically applies to two categories of business. The first category covers - companies incorporated under the Companies and Allied Matters Act (2020), which have been granted start-up labels by the Secretariat of the National Council for Digital Innovation and Entrepreneurship. The second category covers organizations and establishments, whose activities affect the creation, support, and incubation of labelled start-ups in Nigeria.

The Act defines a start-up as a company that has been in existence for no more than 10 years and carries out the following activities: -

creation, innovation, production, development, or adoption of a unique digital technology innovative product, service, or process. The law also introduces the phrase - "labelled start-up", which is a start-up that has been granted a certificate upon the fulfilment of the labelling requirements under the Act. For a start-up to be eligible for labelling under the Act, it must:

- Be registered as a limited liability company under the Companies and Allied Matters Act 2020 and must have been in existence for no more than 10 years.
- Have as its object clause, the innovation,

- development, production, and commercialization of a digital technology innovative product.
- Either be the holder or repository of a product or process of digital technology or, be the owner or author of a registered software
- One-third of the shareholders of the start-up must be Nigerian citizens.

Notably, a sole proprietorship or partnership is also eligible to be so labelled, upon the fulfilment of the conditions stated above and would be entitled to a 6-months pre-label status period within which time, the sole proprietor or partnership is required to upgrade its registration to incorporation as a Limited Liability Company.

It is instructive to note that where an applicant has complied with the requirements for labelling under the Act, such an applicant shall be issued a Start-Up Label Certificate, which is valid for 10 years from the date of issuance, but may be withdrawn if the start-up fails to comply with the obligations stated above.

It is interesting to note that the Act establishes a Start-up Support and Engagement Portal which shall serve as a platform through which a start-up conducts the registration process with relevant MDAs. The Start-up Portal shall facilitate the issuance of a permit or licence to a labelled start-up. In the same vein, the Act also establishes a Start-up Consultative Forum which is to provide a platform for information sharing and collaboration in the Nigerian start-up ecosystem with respect information on a start-up which qualifies to be labelled under the Act, and relevant incentives that apply to start-ups, amongst others.

One of the significant provisions under the Act is the provision of **Tax and Fiscal Incentives** to

start-ups. For example, a labelled start-up which falls within industries captured under the extant Pioneer Status Incentives (PSI) Scheme may, upon application through the Secretariat, receive expeditious approval from the Nigerian Investment Promotion Commission (NIPC) for the grant of tax reliefs and incentives under the PSI scheme.

Furthermore, a labelled start-up may be entitled to exemption from the payment of income tax or any other tax chargeable on its income or revenue for a period of three years, and two additional years if it is still within the period of a labelled start-up, provided that the commencement date of the tax relief shall be the date of the issuance of the start-up label. These incentives amongst others, highlight the Tax and Fiscal incentives a labelled start-up may be entitled to.

It is highly applaudable that the Nigerian Government has taken a bold step to promote the ease of doing business, given the reliefs and incentives available to tech start-ups under the Act. It is our view that the implementation of the Act will promote foreign investments in Nigeria, which will have a positive effect on the Nigerian economy. Therefore, it is incumbent that start-ups engage lawyers to assist them with the requirements and procedures for attaining the status of labelled start-ups, to access the benefits therefrom.

### The Enactment of the National Health Insurance Authority Act (NHIA) Act, 2022

The National Health Insurance Authority Act, 2022 ("the Act") repealed the National Health Insurance Scheme Act, Cap. N42, LFN, 2004 (the "Old Act"). The Act was enacted in response to the drawbacks in the National Health Insurance Scheme (NHIS) which was aimed at achieving universal health coverage for all Nigerians. The Act seeks to

promote, integrate, and regulate health insurance schemes and improve/harness the participation of the private sector in the provision of health care services.

The net effect of the changes brought by the Act now makes it mandatory for every resident (which includes employers and employees in the public and private sector, with a staff strength of five and above; employees in the informal sector and all other residents in Nigeria) to obtain a health insurance. It should be noted that the Act does not preclude a resident in Nigeria from obtaining private health insurance, provided that such a person participates in any State mandated health scheme. Such a person would however not qualify as a vulnerable person who is eligible to receive free health insurance coverage under the Act.

The Act introduced Third Party Administrators who can provide Health Insurance Schemes upon obtaining the requisite accreditation and licenses. The Act defines a Third-Party Administrator as any organisation registered by the Authority and has the expertise and capability to administer all or part of the insurance claims process, including administrative activities.

Commendably, the Act is of immense benefit to employees in the public and private sectors who now enjoy Insurance Health Cover by the introduction of this law. In the same vein, Health Maintenance Organisations (HMO), Third Party Administrators who are critical stakeholders, have pivotal roles to play in keeping with the objectives of the Act, which is to provide universal health coverage to all Nigerians.

It behoves HMOs, and Third-Party Administrators to engage professionals like lawyers to assist them with the accreditation process and licensing requirements in order to comply with the provisions of the Act.



# The Passage of the Advertising Regulatory Council of Nigeria Act, 2022 into Law.

The Advertising Regulatory Council Act, 2022 (the "Act") repealed the Advertising Practitioners (Registration, etc.) Act, Cap. A7, Laws of the Federation of Nigeria, 2004. This Act provides a regulatory framework for the Nigerian advertising and marketing communications industry. The Act also promotes local content and entrements best international process.

The Act establishes the Advertising Regulatory council of Nigera ("the Council") and charges it with the responsibility of regulating and controlling advertisions which are directed at or exposed with Nigerian market and to perform other ancillary functions. The Council is also responsible or the egistration of persons who intend to practice or communications in the Nigerian advertising market or commence operation or operate as an advertising or marketing communications business or profession. The Act extends the scope of the regulation of advertisements to online media and platforms.

The Act also establishes the Advertising Practice Investigating Panel ("the Investigating Panel") which shall be charged with the responsibility for conducting preliminary investigation into any alleged case of professional misconduct against a registered person or licensed organization. The Investigating Panel also decides whether an investigated case should be referred to the Disciplinary Committee or the Tribunal.

The Act amongst other things, seeks to foster and encourage local content as well as to ensure the preservation of local content and use of indigenous skills. In view of the enactment of this Act, advertising practitioners are now enjoined to enhance more of local content in a bid to ensure a wider reach of same.

# National Industrial Court (NIC) dispenses with dumping of documents in Judicial Proceedings with the release of the Practice Direction (No. 1) 2022

In the exercise of the powers conferred on the President of the National Industrial Court of Nigeria by virtue of Section 254F of the Constitution of the Federal Republic of Nigeria 1999, Section 36 of the National Industrial Court Act, 2006 amongst others, the President of the National Industrial Court of Nigeria ("NICN"), Honourable Justice B.B Kanyip issued the National Industrial Court of Nigeria (Filling of Applications/Motions in Trade Union Matters and Marking of Exhibits) Practice Direction (No. 1) 2022.

The Practice Direction, although signed on 31st May 2022 became effective on Monday, 13th June 2022. It generally applies to all causes and matters in the National Industrial Court of Nigeria, except as indicated in its provisions or as may be directed by the President of the National Industrial Court of Nigeria.

The Practice Direction seeks to examine the manner to be adopted in the filing of applications and motions in trade union matters and marking of documents/ exhibits.

The new Practice Direction aims to avoid and prevent dumping of documents as it relates to marking of documents/exhibits.

The effect of non-compliance with the provisions of this Practice Direction would result in the refusal by the Court Registry to accept such non-compliant process(es) for filing. Under the extant Practice Direction, time-wasting objections and other dilatory tactics deployed in trial proceedings are now curtailed through prior notice to the Court and the opposing party.

Undoubtedly, the new Practice Direction would help to achieve expeditious determination of matters at the National Industrial Court.

### Approval of CAC Insolvency Regulations 2022

In exercise of the powers conferred on the Honourable Minister of Industry, Trade, and Investments (the Minister) by Section 867 of the Companies and Allied Matters Act 2020 (CAMA), the Minister approved the Insolvency Regulations 2022 ("the Regulations") on the 24th of April 2022.

The Regulations shall, from the date of its approval, regulate insolvency proceedings under the CAMA including company voluntary arrangements, administration of companies, receivership/managership, winding-up by the Court, creditors' voluntary winding-up, arrangement and compromise, netting, and dissolution of incorporated trustees.

Notably, the Regulations do not apply to the Rules of Court made by the Chief Judge of the Federal High Court relating to insolvency applications. The Regulation which comprises thirteen (13) parts and three (3) schedules, clarifies the compliance requirements for insolvency practitioners and provides a comprehensive framework for insolvency practice in Nigeria.

The introduction of the Regulations is critical to the regulation of Insolvency practice in Nigeria, as it complements the salient provisions under CAMA, 2020 relating to insolvency proceedings. In the same vein, the Regulations prescribe clear-cut qualifications for becoming an Insolvency practitioner in Nigeria. It is believed that the Regulations would aid in achieving professionalism in insolvency practices, and invariably provide assurances to business owners.

# Public Notice and Further Notice on the Use of The National Identity Card for All Processes on the CAC Portal

The Corporate Affairs Commission (CAC) by a Public Notice dated and published on the 21st of November 2022 informed the general public that the National Identification Number (NIN) shall be the only means of identification accepted for all the processes of the CAC effective December 1st. 2022.

By a Public Notice dated 9th of December 2022, the CAC informed the general public that the commencement date for the application of the NIN as the only means of identification for all processes of the CAC shall be 1st January 2023.

Until the 1st of January 2023, the valid means of Identification of shareholders, directors, company secretaries, proprietors, partners, and trustees for registration of companies, business names, partnerships and

incorporated trustees with the CAC were various forms of Federal Government issued means of identification, such as the data page of International Passport, Driver's Licence, National Identity Card, and Permanent Voter's Card.

During the monthly reform seminar organized by the Bureau of Public Service Reform (BPSR) on Monday, 28th November 2022, in Abuja, the Registrar General of the CAC, Alhaji Garba Abubakar, stated that the essence of the using the NIN as the only acceptable means of identification for all CAC processes, is to verify the integrity of the data being submitted to the CAC. It is pertinent to note that this directive also applies to foreigners who are resident in Nigeria.

Thus, business owners are advised to comply with this Public Notice to ensure the seamless registration of all its pre-incorporation and post-incorporation matters.

### Guidelines On Holding of Annual General Meetings (AGMs) Of Public Companies Using Proxies.

In the year 2020, the Corporate Affairs Commission issued a Guideline on holding Annual General Meetings (AGMs) of public companies through proxies to address concerns during the COVID-19 pandemic and to facilitate compliance with statutory obligations.

On the 21st day of November 2022, the Corporate Affairs Commission by a Public Notice, directed that the Guideline limiting the attendance of Shareholders at the AGMs of public companies through proxies would cease to apply on the 31st of December 2022. Public companies that have obtained the consent of the Commission to hold their AGM through proxies were also advised to hold the AGM on or before the 31st of December 2022.

Effective 1st January 2023, the Commission discontinued the grant of request to hold AGMs using proxies. The right of Shareholders to physically attend the AGMs of companies without the need to nominate a proxy from the list of proxies provided by the Company, however, remains in force.



### **Approval of Business Facilitation (Miscellaneous Provisions) Bill**

In March 2022, the Federal Executive Council ("FEC") approved the Business Facilitation (Miscellaneous Provisions) Bill also known as the 'Omnibus Bill' for transmission to the National Assembly.

In December 2022, the Senate passed the Omnibus Bill following its earlier passage by the House of Representatives.

The Omnibus Bill which seeks to amend twenty-three (23) business related laws in Nigeria

(including the Companies and Allied Matters Act 2020, Investment and Securities Act, Customs and Excise Management Act, Financial Reporting Council of Nigeria Act, National Agency for Food and Drug Administration and Control Act, NOTAP Act, and Foreign Exchange (Monitoring and Miscellaneous Provisions Act) is sponsored by the Presidential Enabling Business Environment Council (PEBEC) and is aimed at improving the business environment in Nigeria by eliminates.

nating critical bottlenecks to doing business and thereby make Nigeria a progressively easier place to do business.

The first version of the Omnibus Bill was produced by the Federal Ministry of Justice and presented to PEBEC in 2019. The Bill is aimed at amending specific laws relating to the ease of doing business and embodying such amendments into a single legislation to act as a catalyst for legislative reform of the Nigerian business climate.

The overall benefit of the Omnibus Bill includes ensuring efficiency in public service delivery in terms of time, cost, and procedure for doing business, improving transparency, removing outdated provisions from relevant laws, and providing incentives to encourage micro, small, and medium enterprises participation in business, amongst other things.

### The Federal Ministry of Interior reviews fees for Expatriate Quota Application

On January 24th, 2022, the Federal Ministry of Interior ("FMI") released new guidelines to regulate the administration of Expatriate Quota ("EQ") and other business instruments in Nigeria (the "Guidelines").

Some of the notable provisions gleaned from the Guidelines are:

- i. The requirement for organizations with EQs to update their contacts by submitting a formal letter introducing their representatives and consultants to the FMI
- ii. The requirement for organisations with EQ positions to file the National Identification Number of their expatriates and that of the Nigerian understudies in their monthly returns
- iii. An indication of the FMI to commence inspection of companies, organisations and facilities in Nigeria in accordance with the Nigerian Immigration Act, 2015; and,
- iv. The requirement for Companies granted EQ positions on a Permanent Until Reviewed ("PUR") status to submit clear copies of approval letters to the Office of the Deputy Director, (Enforcement, Inspection & Investigation) (the "Office") in order to aid the Office in the examination of all PUR instruments issued since the establishment of FMI, as well as to assist the FMI in confirming the tenure of each PUR instrument for the purpose of ascertaining the eligibility of the holders.

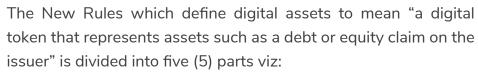
Consequently, the FMI, further to the release of the Guidelines, released its Revised Fee Structure for all Expatriate Quota facilities (the "EQ Fees"). The following are the applicable fees for EQ transactions:

- a. Automation Fee and Processing Fee N100,000.00 respectively.
- b. Renewal of Expatriate Quota Approval Fee of N50,000 and a Portal Fee of N50,000.
- c. Project Tagged Quota Approval Fee of N50,000 and a Portal Fee of N50,000.
- d. Redesignation of PUR Approval Fee of N2,500,000 and a Portal Fee of N1,000,000.
- e. PUR Upgrade Approval Fee of N5,000,000 and a Portal Fee of N2,000,000.
- f. Stay of Action Approval Fee of N20,000 (Portal Fee not announced).
- g. Redesignation of Expatriate Quota Positions Approval Fee of N50,000 and a Portal Fee of N50,000.
- h. Appeal Processing Approval Fee of N50,000 (Portal Fee not announced).
- i. Additional Expatriate Quota Approval Fee of N50,000 and a Portal Fee of N50,000
- j. Establishment Grant/Expatriate Quota Approval Fee of N50,000 and a Portal Fee of N50,000.
- k. Business Permit Approval Fee of N100,000 (Portal Fee not announced).
- I. Amendment of Business Permit Approval Fee of N50,000 (Portal Fee not announced)
- m. De-tagging of Expatriate Quota Positions Approval Fee of N20,000 and a Portal Fee of N100,000 and
- n. Restoration of Lapsed Expatriate Quota Positions Approval Fee of N65,000 (Portal Fee not announced).

It must however be noted that the Minister in charge of the FMI has the authority to revise the above EQ Fees from time to time. Consequently, all organisations and business owners must take note of these changes as revised by the FMI and take steps to engage their respective immigration law experts for advisory on the applicable fees for EQs as these fees may at any point be altered by the Minister of Interior.

### The Securities and Exchange Commission (SEC) Issues Rules on Issuance, Offering and Custody of Digital Assets

The regulation of digital assets in Nigeria has been a subject of controversy amongst stakeholders and regulators. It would be recalled that the initial indication by the Securities and Exchange Commission ("SEC" or "the Commission") to regulate digital assets in Nigeria was first witnessed in September 2020 when it issued a statement about its intention to regulate digital assets which qualify as securities transactions under the Investment and Securities Act, 2007 ("ISA"). This effort by the SEC was however not well received by the Central Bank of Nigeria ("CBN") following its issuance of a notice prohibiting financial institutions regulated by the CBN from dealing in cryptocurrencies or facilitating payments for cryptocurrency exchanges. Notwithstanding CBN's notice, the Commission released the "New Rules on Issuance, Offering Platforms and Custody of Digital Assets" (the "New Rules") on May 11th, 2022.





- a. Part A: Rules on Issuance of Digital Assets as Securities
- b. Part B: Rules on Registration Requirements for Digital Asset Offering Platforms
- c. Part C: Rules on Registration Requirements for Digital Asset Custodians
- d. Part D: Rules on Virtual Assets Service Providers and
- e. Part E: Rules on Digital Assets Exchange.

The above rules by the SEC brings some form of respite to investors who were uncertain about investments in digital assets. The implementation of the provisions of the New Rules, however, remains a major concern in the capital markets space, given the restrictions on financial institutions regulated by the CBN, from dealing in cryptocurrencies and the need for issuers under the New Rules to float bank accounts to show the existence of funds and for the general operation of the business. It is however hoped that the CBN would relax its position on digital and virtual assets to allow for a smooth implementation and operation of the New Rules.

# The Federal Competition and Consumer Protection Commission (FCCPC) releases Limited Interim Regulator/Registration Framework and Guidelines for Digital Lending 2022.



In recent times, there has been an increased presence of digital lenders in Nigeria. These increasing numbers and the consistent cases of privacy breaches from digital lenders in their loan recovery efforts from customers, made it necessary for the Federal Competition and Consumer Protection Commission ("the Commission"), the primary agency responsible for handling consumer rights breaches and anti-consumer practices in Nigeria, to issue regulations for the registration of these platforms.

The FCCPC in line with the powers conferred on it by sections 17, 18 and 163 of the Federal Competition and Consumer Protection Act 2018 ("FCCPA"), thus made the Limited Interim Regulator/Registration Framework and Guidelines for Digital Lending 2022 (the "Guidelines"), as a measure of regulating digital lenders by requiring interested parties to register and obtain the approval of the Commission to operate their business.

The Commission by the provisions of the

Guidelines, requires all applicants seeking to engage in the business of digital lending to fill out the FCCPC Interim Digital Lending Guidelines Form 001 and to submit same to the FCCPC. The application is to be submitted with additional documents like the certificate of incorporation of the applicant; a brief description of the business of the Applicant or group where relevant; organogram showing key role players amongst others.

Given the unwholesome practices of loan sharks, the FCCPC have taken proactive measures by introducing guidelines that would aid the regulation and monitoring of digital lenders in Nigeria. The above guidelines are in keeping with FCCPC's objective of protecting the interest and welfare of consumers and prohibiting unfair business practices. With the Introduction of the Guidelines, it is imperative for business owners involved in the business of digital lending to ensure that they comply with the guidelines to avoid business disruptions.

The Guideline is a welcome development as it is believed that with FCCPC's intervention, there will be improved digital lending services in Nigeria.

#### CBN Guidelines on The Registration and Operation of Bank Neutral Cash Hubs in Nigeria.

In furtherance of its mandate to promote a sound financial system in Nigeria, the Central Bank of Nigeria (CBN), in collaboration with the Banker's Committee, initiated the Nigerian Cash Management System (NCMS). The NCMS is aimed at reducing costs and improving efficiency in the cash management value chain in Nigeria. Further to this, on the 2nd of June 2022, the CBN introduced Guidelines for the Registration and Operation of Bank Neutral Cash Hubs (BNCHs) in Nigeria (the "Guidelines").



BNCH's are cash collection centres to be established by licensed Cash Processing Companies (CPCs) or Deposit Money Banks (DMBs) authorised by the CBN. They will be located in areas with high volumes of commercial activities and cash transactions and will provide a platform for customers to make cash deposits and receive value irrespective of the bank where their account is domiciled.

The rationale for setting up BNCHs is amongst other things, to reduce the risks and costs borne by banks, merchants, and huge cash handlers in the course of cash management activities; to deepen financial inclusion, and to leverage on shared services to enhance cash management efficiency.

Under the Guidelines, only DMBs and CPCs may apply for the registration of a BNCH.

The Guidelines further prescribes the financial requirements for an approval to operate as BNCH, which may be amended by the CBN as it deems necessary. The applicable fees are as follows:

- i. Non-refundable application fee of One Hundred Thousand Naira (N100,000) and
- ii. Non-refundable approval fee of Five Hundred Thousand Naira (N500,000).

Promoters of BNCH's are obliged to obtain an Approval-in-principle and Final Approval to successfully operate BNCH's.

The Central Bank of Nigeria (CBN) must be lauded for the novel introduction of BNCH's into the financial ecosystem, which invariably seeks to improve the operational efficacy of cash management in Nigeria. The Guidelines clearly spells out the role/responsibilities of critical stakeholders such as CBN, the DMBs, the Cash-in-Transit (CIT) Company, inclusive of the rights/responsibilities of customers.

The Guidelines provide the framework for the handling of large volumes of cash on behalf of financial institutions by businesses as well as individuals. It is also pertinent to ensure that adequate security framework for the movement and deposit of cash is put in place to suit the level of operations of the BNCHs.

## **Exposure Draft of The Guidelines on Contactless Payment in Nigeria**

On 17th October 2022, the Central Bank of Nigeria (CBN) released the Exposure Draft of the Guideline on Contactless Payment in Nigeria (the "Draft Guidelines").

The Draft Guidelines, which was released vide a CBN Circular dated PSM/DIR/PUB/-CIR/01/040, was made pursuant to the power of the CBN to promote a resilient and stable payment system. The quintessence of the Draft Guidelines is to provide the minimum standards and requirements for the operation of contactless payment in Nigeria and to specify the roles and responsibilities of stakeholders involved in contactless payment in Nigeria.

Contactless Payment involves the consummation of financial transactions without physical contact of the payer, by tapping contactless payment enabled phone, smart card, or other devices over a contactless-enabled payment terminal.

By the Draft Guidelines, all stakeholders who store customer information shall ensure that their terminals, applications, and processing systems comply with the following standards:

- Payment Application Data Security Standard (PA DSS)
- Payment Card Industry Pin Entry Device (PCI PED)

- Payment Card Industry Data Security Standard (PCI DSS)
- Triple Data Encryption Standard (Triple DES), etc.

Every operator will be required to maintain a valid certification to these standards and shall regularly review their systems, applications, and networks to ensure that they remain compliant.

The Draft Guidelines also prescribe the roles and responsibilities of the various stakeholders in contactless payment. The various stakeholders stated are: Acquirers, Issuers, Payment Schemes, Card Schemes and Switch Operating Companies.

One fascinating feature of contactless payment is that it enables users to transact with or without traditional customer authorization like Personal Identification Numbers (PINs) and passwords. Owing to the risks associated with contactless payment, the CBN has however set a transaction limit of the amount that can be transacted without any form of customer authorization to - N5,000 (Five Thousand Naira) per transaction and a daily cumulative limit of N30,000 (Thirty Thousand Naira). High-value contactless payments that exceed the specified limit will require the customer's authorization (PIN, token, or biometrics). The Draft Guidelines further require all participants to file monthly returns on contactless payment transactions, which shall include the volume, value, fraud data and failed transactions. Any dispute that arises in a contactless payment transaction shall be

resolved utilizing the existing payment industry dispute resolution system. Disputes may be escalated to the CBN for resolution.

### CBN's RT200 Guidelines Non-Oil Export Proceeds Repatriation Rebate Scheme.

On the 25th of February 2022, the Central Bank of Nigeria (CBN), in a concerted effort to reduce exposure to volatile sources of Foreign Exchange (FX) and to earn more stable and sustainable inflows, introduced the RT200 Programme. According to the CBN, the Programme is a rebate scheme aimed at raising \$200BN (Two Hundred Billion Dollars) in FX earnings from non-oil proceeds over the next five years.

The CBN noted that the essence of the scheme is to provide incentives for non-oil exporters and encourage repatriation and sale of export proceeds in the FX Market to achieve more stable and sustainable inflows of FX, and consequently insulate the Nigerian economy from FX shocks and shortages.

According to the Guidelines, the RT200 is aimed at enhancing FX inflow, diversifying the source of FX inflow, increasing the level of contribution of non-oil exports, ensuring stability and sustainability of FX inflows, and supporting export-oriented companies to expand their export operations and capabilities.

The Guidelines provides incentives for every

US\$1 repatriated and sold at the Investors and Exporters' (I and E) window to Authorized Dealer Banks for third-party use. It also provides for incentives to exporters who repatriate and sell dollars at the I & E window for their own eligible transactions only. Payment under this Scheme is to be made on a quarterly basis to eligible exporters.

Essentially, only exporters of semi-finished and finished goods are eligible. Exporters can only be deemed to have qualified for the rebate incentive under the Scheme, where repatriated export proceeds are sold at the Investors' and Exporters' (I & E) Window.

Applications for the incentives must be made to an Authorized Dealer Bank, who shall authenticate all documents submitted for rebates. Each application must be accompanied by:

- a. A written request from the exporter
- b. Completed application form
- Documents required for exports as stipulated under the FX Manual
- d. Evidence of repatriation and sale of export proceeds at the I & E Window and
- e. Any other documents that may be required by the CBN.

The RT 200 Guidelines is a commendable initiative introduced by CBN to incentivise exporters involved in the export of non-oil products with a view to increasing the country's foreign reserve. Notably, some export companies have started keying into this initiative.

### CBN Guidelines for the Regulation of Representative Offices of Foreign Banks in Nigeria

In exercising the powers conferred on it by Section 8 of Banks and other Financial Institutions Act, 2020 ("BOFIA"), the Central Bank of Nigeria (CBN) mandates foreign banks to seek prior approval before they can operate in Nigeria.

There have been incessant requests from foreign banks, law firms, financial consultants, amongst others on the requirements for operating representative offices of foreign banks in Nigeria. There were previously no clear-cut requirements regarding the operation of representative offices of foreign banks in Nigeria. It is in the light of this regulatory gap that the CBN, by a circular dated 12th October 2022, rolled out, "Guidelines for the Regulation of Representative Offices of Foreign Banks in Nigeria" ("the Guidelines").

The Guidelines, amongst other things, seek to provide guidance to stakeholders, particularly foreign banks, seeking to operate in Nigeria.

Representative Offices of foreign banks serve an important purpose of showcasing the brand and services of its parent company. It can also stimulate foreign direct investment to the host country by connecting capital to various investment opportunities. It is in view of these that the Central Bank of Nigeria issued these guidelines, to specify the requirements for the licensing and operations of approved representative offices of foreign banks in Nigeria.

It is worthy of note that the Guidelines, was issued in exercise of the powers conferred on the CBN under the Central Bank of Nigeria Act, 2007 (CBN Act) and the Banks and Other Financial Institutions Act, Laws of the Federation of Nigeria, 2020 (BOFIA), which complements the CBN's Regulation on the Scope of Banking Activities and Ancillary Matters, No. 3, 2010. It covers the scope and applicability of the Guidelines, permissible non-permissible and activities for representative offices, as well as its licensing, governance, reporting and operational requirements.

The Guidelines expressly provides for the scope and institutions to whom the Guidelines shall apply, and this includes the following:

- a. A bank licensed under any foreign law, whose registered head office is outside Nigeria
- Any financial institution licensed under foreign law, whose primary business includes the receipt of deposits, granting of loans and/or provision of current and savings accounts
- c. Any foreign-owned operating bank/financial holding company that is foreign-based and owns controlling interest in one or more banks or institutions whose primary business includes the receipt of deposits, granting of loans and provision of current and savings accounts.

For clarity purposes, an approved Representative Office as defined under the Guidelines, is a liaison office of the foreign bank, licensed by the Central Bank of Nigeria, whose sole object is to market the products and services of its foreign parent, as well as to serve as a liaison between its foreign parent and local banks, other financial institutions, private companies, and the general public. An approved representative office is barred from carrying out banking business or any other regulated activity in Nigeria.

Article 3 the Guidelines clearly sets out permissible and non-permissible activities of Representative offices of foreign banks.

Essentially, foreign banks and other financial institutions seeking to establish an approved representative office in Nigeria shall submit a formal application to CBN to obtain an Approval-in-Principle License (AIP) in the first instance. The Application shall be accompanied by submitting requisite documents. Upon obtaining the AIP however, not later than Three (3) months thereafter, the promoters of a proposed representative office shall submit an application to the CBN for the grant of a Final License.

The Guidelines further stipulates the financial thresholds required for the operation of Representative Offices in Nigeria. The non-refundable application fee is pegged at N5,000,000,000 (Five Million Naira), while the non-refundable licensing fee is N10,000,000:00 (Ten Million Naira).

Undoubtedly, these Guidelines serve as a veritable tool to promote Foreign Direct Investment ("FDI") in Nigeria.

### Nigeria Data Protection Bureau releases Nigeria Data Protection Bill 2022

Since the issuance of the Nigeria Data Protection Regulation in 2019 (NDPR), experts and stakeholders in the Data Protection space have clamoured for a more robust data protection instrument to adequately provide for the collection and processing of personal data in Nigeria. Consequently, there have been several unsuccessful attempts to pass a Data Protection Bill into law since 2018. The Nigeria Data Protection Bureau ("NDPB") released the Data Protection Bill 2022 ("the Bill") in October 2022. It is believed that the said bill will serve as the final legislation for regulating the protection of data in Nigeria.

The Bill only applies to cases where:

- a. The data controller or data processor is domiciled, ordinarily resident, or ordinarily operating in Nigeria
- b. The processing of personal data occurs within Nigeria or
- c. The processing of personal data of a resident of Nigeria where the data controller or data processor was actively marketing to, targeting, or monitoring such residents within Nigeria.

The Bill establishes the Nigeria Data Protection Commission ("the Commission") which

shall be independent in the discharge of its functions under the Bill. The Commission amongst other things, shall be responsible for ensuring the deployment of technological and organisational measures to enhance personal data protection.

**Section 33(1)** of the Bill provides that data controllers and data processors of major importance shall designate a data protection officer with expert knowledge of data protection law and practices and the ability to carry out the tasks referred to under the Bill.

Under the Bill, the Commission may license a body or a person having an appropriate level of expertise in relation to data protection and any code of conduct for data controllers and data processors made under the Bill, to monitor, audit and report on compliance with the provisions of the Bill by data controllers and data processors.

Furthermore, the Bill provides that where personal data breaches have occurred with respect to personal data being stored or otherwise processed by a data processor, the data processor shall notify the data controller or data processor that engaged it within (72) seventy-two hours of becoming aware thereof.

Conclusively, it is believed by all and sundry (especially those in the Data Protection space) that the signing of this Bill into law will keep Data Processors and Controllers on their toes. It behoves organizations to engage

data compliance organizations to help them ensure compliance with the provisions of the Bill.

### Nigeria Copyright Bill 2022

Nigeria has no doubt been making deliberate efforts towards economic growth under the umbrella of various laws, initiatives, policies, and programmes. The Nigerian Copyright Act Cap C28 LFN, 2004 (the "Act"). was enacted to protect intellectual creations/property from all forms of unlawful exploitation that may be carried out, particularly without consent. The Act has proven to be a potent tool for the protection of innovations/innovators. creations/creators the publication, distribution, and usage of their intellectual works. Indisputably, every person enjoys exclusive control over his or her intellectual creations fixed in a definite medium of expression.

In 2022, the National Assembly had passed the Nigeria Copyright Bill 2022 (the "Bill") to repeal the Act and to enact a new legislation for copyright in Nigeria. The new Bill provides for the effective regulation, protection, and administration of copyright in the digital environment, in line with global best practices.

The Bill 2022 was introduced primarily to improve the effective administration, regulation, and enforcement of copyright in the digital environment. The Bill focuses on protecting the rights of authors to ensure just reward and recognition for their intellectual efforts, whilst providing appropriate limitations and



exceptions to guarantee access to creative works, and facilitating Nigeria's compliance with obligations arising from relevant international copyright treaties and conventions, thus enhancing the capacity of the Nigerian Copyright Commission (NCC) for effective regulation, administration, and enforcement of the provisions set out in the Bill.

The Bill indisputably reminds us that law reforms are quintessential to address the imminent threats posed by the explosion of technological advance and will go a long way in moulding a culture of appreciation and regard for innovations and creations. Moreover, the Bill seeks to strike a convenient balance between public interest in innovative works and the right to access information and/or intellectual creations on one hand, and the right of creators to be fairly and sufficiently rewarded on the other hand.

The Bill, amongst other things, empowers copyright holders to issue a notice of infringement to the relevant service provider requesting the removal of a link to any infringing content hosted on its network. Sequel to notifying the subscriber responsible for the

infringement, the service provider is obliged to take down the infringing content within 48 hours of the notice, if the subscriber fails to provide any information justifying the need to keep the infringing content on its network. The service provider is also mandated to notify the Nigerian Copyright Commission (the "Commission") of such removal. In the same vein, the Bill empowers the Commission (by itself or with the assistance of any other person) to block or disable access to any content, link or website hosted on a system or network, which it reasonably believes to infringe a copyright.

As a means of deterring infringements, the Bill expands the scope of what constitutes an infringement of copyright, and this includes:

- Making a copyrighted work available to the public via wire, wireless or online means without the consent of the owner and for commercial purposes
- Refusing or omitting to pay upon demand, any royalty due by virtue of a right of remuneration or agreement
- iii. Aiding or procuring another person to commit an act which constitutes an infringement under the Bill.

The Copyright Bill is a step in the right direction as Creatives are assured of adequate protection of their rights.

# Central Bank of Nigeria (CBN) Circular to All Banks on Interoperability and Interconnectivity of the Payments System Infrastructure in Nigeria

In response to several complaints by the public that several payment acceptance devices deployed by banks discriminate between payment cards, the Central Bank of Nigeria (CBN) on the 5th of December 2022, issued a circular to all banks, switching companies and other parties in the Nigerian payments system in Nigeria to desist from discriminating against payment cards issued by Nigerian banks. The circular served as a reminder of the provisions of the Guidelines on Operations of Electronic Payment Channels in Nigeria ("the Guidelines"). In the circular, the apex bank restated its commitment to sanction any party in the payment system which fails to adhere to the Guidelines.

The Guidelines mandates Merchant Acquirers to ensure that Point of Sale ("POS") terminals purchased and deployed at merchant/retailer locations through CBN licensed Payment Terminal Services Providers, accept all cards. The Guidelines also provided that to achieve interoperability, all POS terminals deployed in Nigeria shall accept all transactions arising from any card issued by any Nigerian Bank. Accordingly, Acquirers and other service providers shall be card-neutral entities that have no reason to promote or favor any brand of card over another.

The Guidelines further provided that every Acquirer must be able to accept all cards issued by Nigerian banks, whether through a direct license or an arrangement with other Acquirers that are licensed under the relevant card/payment schemes.

It is contemplated that adherence to this Circular by banks, switching companies and other parties in the Nigerian Payment System will eliminate discrimination in the Nigerian Payment System.



#### **Enactment of the Electoral Act 2022**

In the wake of occasional incidences of malpractices encountered during elections, and the clamour to improve the means by which the Independent National Electoral Commission ("the Commission") conducts elections in Nigeria, the Electoral Act 2010 was repealed by the Electoral Act 2022 (the "Act") which was passed by the National Assembly and signed into

law by President Muhammadu Buhari in February 2022.

The Act introduces novel provisions which seek to reinforce the electoral system in Nigeria.

One of such novel provisions is contained in Section 3(3) of the Act which provides for the release of funds to the Commission for the conduct of any general election at least a year before the general election. It is also worthy to note that the Act amended some of the provisions contained in the previous Electoral Act which mandated political parties to conduct party primaries at least 60 days before the conduct of the general election. Section 29 of the Act, however, mandates political parties to conduct party primaries and submit to the Commission in the prescribed form, the candidates it proposes to sponsor, at least 180 days before the conduct of the general election.

Under the Electoral Act 2010, the authenticity of the information supplied by a candidate to the Commission could be challenged by any member of the public. Section 29(5) of the Act now provides that only aspirants who participated in the party's primaries can challenge the authenticity of the information supplied to the Commission by that party's candidate.

Furthermore, the Act made an innovative provision to cover incidences of death of candidates in an election. Section 34(3) of the Act authorises the Commission to suspend the

election for a period not more than 21 days where, after commencement of the election but before the announcement of the result, a candidate dies. It further permits the affected political party to conduct a new primary election within 14 days where the election is for a legislative post and in the case of a presidential or governorship post, the running mate shall continue with the election while nominating a new running mate. Section 47 of the Act gives legal backing to the use of smart card readers and prescribes the procedure to be followed in the event of the failure of a smart card reader or any other technological device deployed for the accreditation of voters. In the same vein, Section 50 of the Act authorises electronic transmission of votes by giving the Commission the leverage to determine the medium of transmission.

Over the years, over-voting has been a familiar menace to the electoral system in Nigeria and the determination of what amounts to over-voting has been subject to several debates. The previous Electoral Act 2010 provided that where the votes cast at an election in any polling unit exceeds the number of registered voters in that polling unit, the result of the election for that polling unit shall be declared null and void by the Commission and another election may be conducted at a date to be fixed by the Commission where the result at that polling unit may affect the overall result in the Constituency.

Section 51 of the Act has however redefined what amounts to over-voting. Accredited voters, and not registered voters, shall be

considered in determining over-voting at an election.

The proviso to section 65(1) of the Act indicates that the Commission can now review the result of an election within seven days where it determines that the declaration of the result was made under duress or against the law, regulation or guidelines issued for the election.

The Act has also ruled out political appointees from participating in nominating candidates of the party for any election. Section 84(12) of the Act replaces section 86(8) of the previous Electoral Act 2010 which allowed political appointees to nominate candidates on certain grounds. The Act has also expanded the period within which political campaigns are to be conducted by allowing political parties to commence their campaigns 150 days before the election as against 90 days provided in the previous Act. Without a doubt, the new Electoral Act seeks improvement in the manner of conducting elections in Nigeria.

### Money Laundering (Prevention and Prohibition) Act 2022

The Money Laundering (Prevention and Prohibition) Act 2022 ("the Act") became law in 2022 and successfully repealed the Money Laundering (Prohibition) Act 2011.

The Act established the Special Control Unit Against Money Laundering under the Economic and Financial Crime Commission to ensure compliance of the Designated Non-Financial Businesses and Professions with the provisions of this Act. The Act clearly set out its objectives which was lacking in the previous legislation. Designated Non-Financial Institutions were renamed and called Designated Non-Financial Businesses and Professions (DNFBP) under the Act. Non-Profit **Organisations** removed from Designated Non-Financial Businesses and Professions.

It is pertinent to mention that the Act expanded the scope of DNFBP to include other businesses not listed in the previous Act. The Act places an obligation on the Attorney General of the Federation (AGF) to prepare a Nigerian Money Laundry Strategy Report every two years and submit same to the President, starting from the date the Act came into force. The Report is to contain input from all competent authorities.

The AGF is empowered under the Act to make guidelines, rules and regulations geared towards the implementation of the provisions of the Act. Supervisory and regulatory authorities are authorised under the Act, to issue administrative penalties on financial institutions, designated non-financial businesses and professions and any of their officers for breach of the provisions of the Act. One notable provision under the Act is that financial institutions and designated non-financial businesses and professions shall develop programmes to combat the laundering of the proceeds of a crime or other unlawful acts, and these shall include:

- i. The designation of compliance officers at management level at its headquarters and at every branch and local office.
- ii. Regular training programmes for its employees
- iii. The centralisation of the information collected.
- iv. The establishment of an internal audit unit to ensure compliance with and effectiveness of the measures taken to enforce the provisions of this Act.

Furthermore, the Act retains the provisions bordering on the report of suspicious transactions for Financial Institutions and DNFBP but reduces the timeline for Financial Institutions and DNFBP's to report suspicious transactions, from 7 days to 24hours.

The Act clearly underscores and closes the gaps which existed in the previous Act, by establishing a body to control and checkmate the activities of DNFBP's. Empowering the AGF to make regulations to ensure due compliance is a welcome development in the Act,

as the AGF through regulations, will develop a roadmap for the implementation of the Act.

In light of the novel provisions under the Act, it is commercially expedient for business owners such as Financial Institutions and Designated Non-Financial Businesses and Professions (DNFBP's) to seek legal advice with a view to ensuring strict adherence to their obligations as spelt out in the Act.

### Nigeria Ratifies Promotional Framework for Occupational Health and Safety Convention, 2006 (ILO Convention No. 187)

The safety and health of workers in a workplace cannot be overemphasized. To this end, the ILO Convention 187 is aimed at providing a coherent and systematic treatment of occupational safety and health and promoting recognition of existing conventions on occupational safety and health, including the Occupational Health and Safety Convention of 1981 (No. 155).

The Convention further promotes the protection of workers against sickness, disease and injury arising from employment, and recognizes that occupational injuries, diseases, and deaths, have a negative effect on productivity as well as economic and social development.

Considering its international application, the Convention mandates its members to take

appropriate measures to ensure that the laws are enforced, and employers create measures which are adequate for occupational health and safety in the workplace.

Occupational health and safety are aspects of a wide range which cuts across the physical, mental, social, and psychological well-being of workers. It has to do with preserving and protecting human resources in the workplace. In recent times, attention has been drawn to "employer-employee" treatment and steps that are taken to the actualisation of making the workplace safer.

### The Import of ILO Convention No. 187

Following the ILO Conference held in June 2006, it became imperative for the ILO to intensify efforts on the health and safety of workers in the workplace, hence establishing a framework for the actualisation of same. The ILO then passed Convention No. 187 which aims at promoting a preventive health and safety culture and progressively achieving a safe and healthy work environment. Convention No. 187 became one of the fundamental conventions of the ILO in 2022 having been added to the area of Fundamental Principles and Rights at Work.

Furthermore, the Convention probes into a culture in which the right to a safe and healthy work environment is respected at all levels, where government, employers and

workers actively participate in securing a safe and healthy work environment, through a system of defined rights, responsibilities, and duties, and where the principle of prevention is accorded the highest priority. Convention No 187 reinforces the point that the safety and health conditions of workers are important. In view of this, it promotes the continuous improvement of occupational health and safety to prevent occupational injuries, diseases, and deaths. By this development, representative organizations of employers and workers are enjoined to take measures for the advancement of health and safety. The Convention requires Member States, working together, to take specific measures in consultation with the social partners and industry stakeholders, towards the progressive achievement of a safe and healthy work environment, through the formulation of a national system, policy and programmes on occupational health and safety, by taking into account, the principles set out in the instruments of the International Labour Organization (ILO) relevant to the promotional framework for occupational health and safety.

Convention No. 187 reaffirms the dedication of Member States to maintain and progressively include occupational health and safety structures in their national system and to set up bodies to oversee such responsibility. In line with this, Member States are required to review, formulate, implement, and monitor a national programme on occupational health and safety in the workplace with representation from employers and workers

respectively. Thus, Member States are to make efforts towards the achievement of these goals and implement them in their respective countries.

Conclusively, it can therefore be inferred that the protection of workers in the workplace is germane, and Member States need to emulate the best practice, moving forward. Consequently, employers are now required to adopt or put in place such practices and procedures that would ensure the safety of the workplace and protection of the employee from occupational hazards.

### Nigeria Ratifies Violence and Harassment Convention, 2019 (ILO Convention No. 190)

Workplace harassment and violence remains an important conversation around the world. This is because there have been various situations where employees have been subjected to harassment or violence from their superiors or co-employees – with women and girls being the major victims. To this end, the ILO Convention No. 190 recognizes that all human beings, irrespective of their race or sex, have the right to pursue both material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity.

The Convention further promotes the right to work and be free from violence and harassment, including gender-based violence and

harassment. It ensures mutual respect and dignity of human beings, to prevent violence and further highlights that gender-based violence and harassment affects women and girls disproportionately. Considering its international application, the Convention mandates its members to take appropriate measures to ensure that the laws are enforced, and employers are required to create measures commensurate to ensuring that workplace harassment and violence does not occur.

### What is the ILO Convention No. 190?

ILO Convention No. 190 (or C190) is the first international treaty to recognize the right of everyone to a world of work, free from violence and harassment, including gender-based violence and harassment. In June 2019, at the Centenary Conference of the International Labour Organization (ILO), the Violence and Harassment Convention (No. 190) and its accompanying Recommendation (No. 206) were adopted. The Convention was adopted in June 2019, by the International Labour Conference of the International



Labour Organization (ILO) and came into force on June 25, 2021. The global community has made it clear that violence and harassment in the world of work will not be tolerated.

Convention No. 190 and Recommendation No. 206 are the first international labour standards to provide a common framework to prevent, remedy and eliminate violence and harassment in the world of work, including gender-based violence and harassment. The Convention includes the specific recognition, for the first time in international law, of the right of everyone to a world of work free from violence and harassment, and sets out the obligation to respect, promote and realize this right.

Convention No. 190 builds on the understanding that no one should be subjected to violence and harassment in the world of work and provides a scope of protection against such in the workplace. The Convention is based on a concept of the "world of work" which takes into account, the fact that conduct of work does not primarily mean within the place of work alone but expands the scope to include other occurrences linked with or arising out of work. Convention No. 190 seeks to set out the obligation to respect, promote and realize the right of everyone to a world of work free from violence and harassment. Thus, it is imperative that in the world of work, individuals' rights should be protected. Member States are enjoined to eliminate violence and harassment in the

world of work, and as such, shall respect, promote, and realize the fundamental principles and rights at work, namely freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in respect of employment and occupation, as well as promote decent work.

Regarding equality and non-discrimination, the Convention requires Members to adopt laws, regulations and policies that ensure the right to equality and non-discrimination for people who are likely to be subjected to discrimination, including female workers, as well as persons belonging to one or more vulnerable group(s) or groups in situations of vulnerability that are disproportionately affected by violence and harassment.

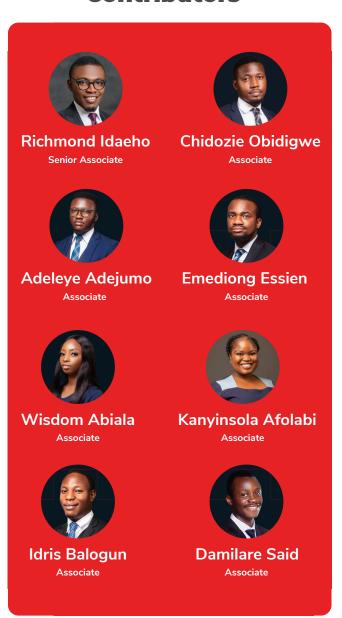
Member States shall adopt laws and regulations to define and prohibit violence and harassment in the world of work, including gender-based violence and harassment as well as take appropriate measures to prevent violence and harassment in the world of work. In addition, Articles 7, 8, 9 and 10 of Convention No. 190 address issues such as, the appropriate measures to take and remedies available, should an employee suffer discrimination or harassment in the workplace.

It is therefore important for employers to review their employment policies and ensure that there are provisions bordering on harassment (especially sexual harassment) and discrimination, and protective measures put in place for addressing same, with the ultimate goal of promoting a world of diversity, equity, and inclusion.

### Application of Conventions Nos. 187 and 190

Nigeria has ratified both Conventions, and on the 8th of November 2022, the Federal Government deposited with the Director-General of the ILO, the instruments of ratification of the Conventions, thereby becoming the 29th country in the world to ratify Convention No. 187 promoting a safe and healthy working environment and the 22nd in the world and 6th African country to ratify Convention No. 190 on violence and harassment in the world of work. By virtue of Section 254C (2) of the 1999 Constitution, as amended, these Conventions now form part and parcel of the Nigerian labour laws and can be applied and enforced directly by the National Industrial Court of Nigeria to deserving cases, without the requirement of domestication as provided in section 12 of the same Constitution. Business owners are therefore advised to familiarise themselves with the provisions of these instruments and comply with their requirements, failure of which could create room for possible liabilities.

### **Contributors**



Jackson, Etti & Edu is a full-service law firm with a sector focus, rendering legal services to Nigerian, Pan-African, and International Clients in diverse juris dictions. With valuable experience in excess of 25 years, our lawyers have gained extensive insight in advising and representing clients on a wide range of subject matters as well as providing advocacy and sectoral reviews of laws towards legislative amendments, advisory, and transactional legal services

The Firm consists of fourteen (14) Partners, sixty (60) fee earners, and over fifty (50) paralegal and support staff. The size of our dedicated team is indicative of our rich human resource base and our capacity to effectively and efficiently assist our clients to achieve their goals.

The Firm has three functional offices in Nigeria, strategically located in Victoria Island (the corporate and financial center of Nigeria), Ikeja and Abuja; as well as associate offices in Accra, Yaounde and Harare.

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