

NATIONAL DEVELOPMENT PLAN (NDP) 2021-2025 Volume III

Legislative Imperative

© Federal Ministry of Finance, Budget and National Planning

1. CHAPTER 1: COMMUNICATING THE PLAN

Introduction

The Nigerian Government recognizes the importance of effective communication and stakeholder engagement in mobilising the Nigerian citizenry to participate in the medium-term national planning process. Effective communication is required to ensure Nigerian citizens and stakeholder groups such as Civil Society Organizations are aware of their roles, responsibilities, risks, benefits, opportunities, and stake at every stage of the plan implementation process. Furthermore, communication helps in the management of stakeholder expectations, serves as a feedback channel, and helps in conflict prevention, management and resolution.

Development communication is key to the success of the policies of the government and must be used to generate ownership of key strategies through citizen's involvement and participation. However, most Nigerian citizens are usually not aware of the plans and policies of the government. Historically, attempts to involve citizens in the decision-making process have been inadequate. The result is sometimes a disconnect between the government and the citizens leading to a misunderstanding of government actions and a trust deficit. The following are some of the challenges with development communication in Nigeria:

- Absence of a known national communication policy and comprehensive communication strategy to educate and mobilise the citizens
- Poor stakeholders' mapping and engagement policy to secure citizens' ownership from the primary stage of planning
- Trust–deficit challenge between the media/civil society over government policies
- The poor state of government-owned media organizations
- Absence of regular robust, constructive engagements and dialogue with the media, civil society, social commentators and influencers on the objectives and spirit of the plan.

Communication Strategy

To ensure broad participation, by 2025, at least 60% of Nigerians would be aware of the spirit, content, principles, objectives, and benefits of the MTNDP. The goal is for the majority of Nigerians to take ownership and actively participate as stakeholders in the implementation of the Plan through the establishment of foundational structures for strong, efficient and effective communication and stakeholders' engagement systems.

The objective therefore would be to:

1. Create awareness about the MTNDP.

2. Create a unique identity for the initiative and help sustain the identity from policy conception to implementation.
3. Highlight the benefits of the policy to the stakeholders and eventual targets.
4. Work in conjunction with other stakeholders to mobilise support for the successful implementation of the plan.

To achieve these strategic objectives, the following activities will be carried out:

Table 1-1: Communication Plan

Strategic measures	Activities	Targets
Develop the National Development Communication Strategy/Policy	• Review communications, stakeholder policy and strategic plan, with lessons learned, of previous plans by the MFBNP • Use the learnings to develop a comprehensive communications and stakeholders' engagement strategy/ policy • Provide adequate budgetary provision for national development communication to support the implementation of the strategy • Introduce appropriate laws to back the communication strategy/policy. The MFBNP will work with the National Assembly to push for legislation on Communication	More than 60% of citizens are aware of the Communication Strategy/Policy

	Strategy/Policy for National Plans	
Domesticate the Freedom of Information Act	• Review the current challenges/impediments to the Freedom of Information (FOI) Act with the key stakeholders by the MFBNP and the Ministry of Information and Culture • Use results from the review to drive a deepened Freedom of Information Act with the National Assembly • Conduct awareness and domesticate the Freedom of Information Act across the Country	Increased willingness and interest of citizens and stakeholders to actively participate in government programmes and plans
Initiate reforms process in the Information/Communication Sector	• Commence comprehensive reforms to re-position key FG public media establishments • Reposition the FG media houses to meet the challenges of modern digital broadcasting using their wide networks to disseminate the plan effectively to Nigerians at home and abroad • Initiate reforms that reorganise and strengthen the	At least 60% of stakeholders should be actively communicating the plan

	National Orientation Agency ● Strengthen the national council on communication and citizens engagement ● Reinforce constant/periodic regional and state-level citizens-government engagement forum	
Facilitate Citizens Awareness Campaign	● Develop citizens-government engagement channel/ platform that constantly provides accountability of government actions and also seeks feedback from citizens ● Encourage the independence of private media houses while encouraging a bilateral flow of information ● Engage traditional and social media spaces to actively educate citizens	At least 60% of planned and targeted stakeholders are effectively engaged in government plans

Institutional Framework

The Planning Implementation Unit will have a National Plan Communications Team (NPCT) consisting of FRCN, NTA, VON, NAN, NOA, FMIC that will be responsible for effective communication and stakeholders engagement at all stages; from conception through development and entire value chain of the plan. The NPCT will develop a comprehensive communication strategy aligned with stakeholders mapping to drive communications and stakeholders engagement. This is premised on the conclusion

that effective communication is required to educate, inform, enlighten as well as mobilise the citizens and multi-stakeholders on their roles, responsibilities, risks, benefits, opportunities, and stake at every stage of the process. Communication is equally required to help manage multi-stakeholders expectations, provide feedback, help in conflict prevention, management and resolution. The NPCT will maintain a national communications architecture that supports every level of communications.

Table 1-2: National Communication Architecture

National Communications Architecture			
Level 1	Office of the President	Presidential Level Communications for citizen awareness political support, sponsorship, directive, and national leadership mobilisation + Presidential Media Team	International, regional, federation-level national and subnational engagement and messages
Level 2	Office of the Vice-President	Presidential Level Communications for citizen engagement, ministerial mobilisation, accountability, and action + Presidential Media Team	National Economic Council Federal Executive Council
Level 3	Secretary to the Government of the Federation	Ministerial Level Communications for Heads of MDAs awareness and information + OSGF and FEC Cabinet Media Team	Federal Executive Council Federal Ministry for Information and National Orientations, Agencies, Press Houses
Level 3	HMFBNP	Ministerial Level Communications for Heads of MDAs awareness, information, engagement, mobilisation, action, accountability and reporting	All Federal and State MDAs, All Citizens

Level 4	HMSBNP	All dimensions of Planning Communications	All Levels and Categories of audiences + Federal Ministry for Information and National Orientations, Agencies, Press Houses
Level 4	Planning Delivery Unit	MDA and Citizen-Level Engagement Coordination, Information, awareness, mobilisation, action, accountability, and reporting	Across all Media Platforms

Conclusion

Communication to different stakeholders is critical to eliciting maximum levels of interest and participation for realizing plan objectives and targets at all levels. As part of the MTNDP, a wide range of stakeholders will be engaged to ensure the acceptability of the Plan and enable stakeholders to participate in the implementation.

2. CHAPTER 40: LEGISLATIVE IMPERATIVE

Introduction

The MTNDP will be rooted on legislative pillars to insulate it from inter-administration policy and budgetary distortions and reversals. This will require a series of sweeping policy and legislative reforms that will provide the needed framework to meet the Plan's objectives.

Assessment of Existing Legislations by Sectors

Nigeria has enacted a series of legislation to foster macroeconomic stability, improve the enabling environment, strengthen governance, and enhance the quality of public services available to Nigerian citizens. However, legislative gaps challenge meeting Nigeria's development objectives by 2025. The summary of gaps that would be addressed through appropriate legislation is as follows:

Table 2-1: Legislative Gaps to be Addressed

Sector	Legislative Gap
MTNDP Implementation	• Legislate to ensure policy and projects continuity from one administration to another

	• No institutionalized government-wide monitoring and evaluation system for effective tracking of the performance of national development plans • Absence of a comprehensive communication strategy in national development planning anchored on relevant MDAs
Agriculture	• Unregulated seed quality available on the market, leading to low productivity for farmers and the loss of millions of dollars on foreign export of seeds • Absence of a legislative framework to incentivize local sourcing of food crops and reduce post-harvest losses • Limited financial support available for public agricultural research institutions to drive innovation
Manufacturing	• The absence of harmonized taxation at the state and local government levels remains an administrative and financial burden for businesses • Absence of a legislative framework that incentivizes the expansion of current industrial clusters and boosts exports across the continent
Oil and Gas	• Pending reform bills to harmonize multiple policies within the sector have not been passed • Legislation on gas pricing framework that will promote transparent pricing that is not benchmarked on the international pricing system
Solid minerals, mining and exploration	• Absence of a legislative framework to manage revenue efficiently and transparently from the minerals sector • Outdated legislations that do not support gender parity in the sector or the development of modern research institutions to build up local capacity
Infrastructure	• Limited availability of clear partnership frameworks to support private investments in the infrastructure sector • Absence of legislation to facilitate access to government land to be used for infrastructure projects
Culture, Creative Industry, Tourism and Hospitality	• No legislative framework in place to support and regulate the CCTH sectors

	• Absence of robust intellectual property and copyright legislation to capitalize on the sector's creativity
Business Environment, trade and Competitiveness	• Need to strengthen the legal framework to facilitate access to credit • Align national legislation and trade policies with international standards and treaties
Power and alternative energy	• Absence of legislative provisions to facilitate competition in the power sector • Current legislations do not sufficiently support the development of the renewable energy sector
Housing and urban planning	• Adjust current legislation to facilitate social housing development and ease the process of mass housing construction • No legislative framework in place to regulate the digitalization of public land or incentivize the use of locally produced building materials • Financial instruments used in the housing sector need to be regulated to protect investors and homeowners
Transportation	• Absence of a robust partnership framework in place to encourage private investments in transport infrastructure development
Digital economy, bio-economy, science, tech and innovation	• The current legal provisions do not easily grant patents to private citizens, businesses, or research institutions for innovations
Communication	• The Freedom of Information Act in its current form does not go far enough to facilitate citizens access to information due to many exception clauses
Governance, institutions, administration of justice, anti-corruption and national orientation	• Absence of legislation protecting Nigerians personal data from abuse or theft • Need to strengthen the mandate of institutions in charge of national orientation initiatives • Current legal provisions do not facilitate access to legal aid for low-income Nigerians
Defence, Peace and Security	• Provide a legislative framework to reorganize and modernize the Nigerian armed forces • Need to update legislation on cybersecurity to reflect current threats • Absence of clear legislative guidelines regarding the role of state Governors in case of terrorist attacks

Education and human capital development	• Limited enforcement of the compulsory primary education law • The absence of a legal framework regulating and certifying the teaching profession prevents the professionalization of the education sector • Absence of a digital literacy policy to improve access and use of technology
Health	• No law requiring the provision of health insurance coverage for people not in employment
Water and sanitation	• Limited legal and regulatory framework to strengthen the governance structure of water and sewage utilities to allow for private investment and the adoption of a commercial approach to water management • Absence of a clear definition of the relationships and responsibilities of all sectors involved in water resources usage
Employment	• Existing labour laws do not prevent gender discrimination in employment
Environment and disaster management	• Disaster relief agencies currently have a limited mandate to effectively respond to disasters
Population and identity management	• Legislate on the management of National Identity Numbers
Women's Affairs	• Strengthen legislation protecting women's property rights • Current legislations need to be strengthened to ensure gender parity particularly in political representation
Youth and Sports Development	• Absence of legislation to incentivize and regulate private investments in sports-related businesses and infrastructure

List of Legislations/Laws Requiring Review

The summary of the proposed legislative and policy reform action includes the passage of the following Bills that are already presented to the National Assembly. These are:

Table 2-2: Laws Requiring Review

Sector	Legislation to review/pass
MTNDP Implementation	● Pass the Development Plan Implementation Bill (Nigeria Agenda 2050) ● Introduce and legislate on a Performance Accountability Bill to ensure MDA accountability for plan objectives ● Enact legislation on a communication policy for National Plans
Agriculture	● Enact the Plant Variety Protection (PVP) Bill to curtail marketing of fake seeds ● Amend the National Agricultural Insurance Corporation (NAIC) Law to facilitate greater private sector participation in agricultural insurance cover ● Introduce legislation for commodity exchange operation, warehousing, and reselling of produce to reduce post-harvest losses ● Develop and implement a local produce sourcing bill, with a focus on 30-40% for multinationals, school feeding programs, restaurants to improve market linkages ● Reform the Agricultural Research Council of Nigeria Act and adopt the Brazilian Agricultural Research Corporation model for commercialization of research findings
Manufacturing and Industrialization	● Introduce legislation that will facilitate the expansion of existing industrial clusters and the creation of new ones in the six geo-political zones of Nigeria ● Amend and pass to law the Customs and Excise Management Acts that makes the customs service more accountable to the Minister of Finance and includes severe sanctions for corrupt officers and smugglers ● Pass legislation to incentivize export of manufactured products with specified eligibility criteria, employment creation and CSR project targets for exporters ● Enact a law that will promote the establishment of Nigerian Trade Houses and export products aggregation boards along with border posts in

	Nigeria and strategic economic hubs across the continent
Oil and Gas	• Pass all pending Petroleum Industry Bills to modernize the Nigerian petroleum sector by harmonizing all legislation and restructuring the industry (Petroleum Industry Governance Bill, Petroleum Industry Fiscal Bill, Petroleum Industry Administration Bill, and Petroleum Host Community Bill)
Solid minerals, mining and exploration	• Repeal section 56 of the Labour Law that prohibits women from working in mines • Upgrade the Nigeria Geological Survey Agency into a world-class public geoscience institution that is well-equipped and adequately resourced • Enact a Mining Income Tax Act to finance initiatives within the sector (Tax income from mining activities must be treated like tax income from other sectors). • Repeal 100% foreign ownership of mines in the Nigerian Minerals and Mining Act, 2007 to preserve partial local ownership • Update the legislation establishing the National Metallurgical Development Centre (NMDC), Metallurgical Training Institute, and the Nigerian Institute of Mining and Geosciences to enable them to function as world-class institutions • Enact legislation and regulations to channel mineral rents, potentially royalty, to minerals development (geo-survey), capital accumulation, the development of STEM skills and infrastructure development
Infrastructure	• Broaden the scope of the Infrastructure Concession Regulatory Commission (ICRC) Act, 2005 beyond concessions to include other forms of PPP. Then upgrading the ICRC to the National Infrastructure Regulatory Commission (NIRC) • Review the Public Enterprises (Privatization and Commercialization) Act, 2004 to empower the Bureau of Public Enterprises with the mandate for concession and sale of public infrastructure assets while the ICRC serves as the regulator

Culture, Tourism, Creative Industry and hospitality	• Pass the Copyright Bill, the Nigerian film Commission Bill and the Tourism Bill • Review laws related to Intellectual Property to align them with international best practices • Amend CBN regulations to affirm Intellectual Property as a form of collateral to facilitate access to capital
Business Environment, trade and Competitiveness	• Pass the Factorization and Assignment Bills and the Warehouse Receipts bills to enhance access to credit and financial inclusion that will boost Nigeria's Doing Business Report Ranking • Domesticate the ratified AfCFTA • Update the National Trade Policy to include product space mapping • Review existing trade and investment agreements to ensure alignment with the Nigeria Industrial Revolution Plan • Pass the Nigeria Office of Trade Negotiations (NOTN) Act and the Trade Remedies and Malpractices Act to support trade policies
Power and alternative energy	• Review the Electric Power Sector Reform Act (2005) to remove every form of monopoly and open up the Nigerian Electricity Supply Industry (NESI) for healthy competition • Revise the Domestic Gas Supply Obligation Regulations 2008 to give absolute priority to gas-to-power projects and help rapidly rebuild production capacity • Revise the National Renewable Electricity Policy Guidelines (2006) to roll out critical manpower policies targeted at equipping NERC & SON with human and resource capacity to effectively regulate Renewable Energy development
Housing and urban planning	• Review the Constitution to accommodate Urban and Regional Development matters under the Concurrent List rather than the current Residual List • Review and harmonization of the Urban and Regional Planning, Federal Housing Authority & Federal Mortgage Bank of Nigeria Acts and relevant State laws on Housing & Urban Development

	• Enact legislation to create Agencies such as the National Urban and Regional Planning Commission, State Urban Development Boards, Local Planning Authorities, Housing Corporations/Associations to support programme implementation • Adjust the Land Use Act to better define and prioritise Social Housing, decentralise land allocation and the allotment of abandoned government properties or projects to be repurposed for social housing • Review the Urban and Regional Planning Act to take a holistic national and regional view of social housing and its supporting social infrastructure such as sports centres, leisure facilities, art centres • Review the Federal Lands Registry/Miscellaneous (Provisions) Act to facilitate the digitalisation and geo capture of Nigeria's landmass • Amend the Pensions Act to allow individuals access to 30% of their pension towards the acquisition of plots • Pass a Model Mortgage and Foreclosure Law to regulate the housing mortgage sector • Enact legislation encouraging the use of locally manufactured building materials
Transportation	• Facilitate passage of the Transport sector reform bills (National Inland Waterways Authority Bill, the Nigerian Railways Authority Bill, Nigerian Ports and Harbours Authority Bill & National Transport Commission Bill) to enable private participation in the development of transportation services and infrastructure which can improve efficiency and effectiveness of the sector • Domesticate all Ratified International Maritime Organization (IMO) conventions/protocols
Digital economy, bio-economy, science, tech and innovation	• Enact a Patent Registration Act allowing patents to be given freely, and efficiently to scientists, innovators and developers
Communication	• Amend the Freedom of Information Act to address gaps and facilitate public access to information • Evaluate and analyse the Social Media Bill meant to regulate Nigeria's online space

Governance, institutions, administration of justice, anti-corruption and National orientation	• Legislate and enact a Data Protection Act to protect Nigerian citizens' privacy in the use of digital identity • Amend the Constitution to limit cases appealable at the Supreme Court of Nigeria • Amendment of the Statistics Act of 2007 to make the appointment and removal of the Statistician-General subject to the consent of the National assembly to enhance the independence of the National Bureau of Statistics • Review and update the National Justice Policy and ensure that there are provisions for legal aid for the needy and ensure it is adopted and instituted by the Executive Council of the Federation.
Defence, peace, and security	• Review and strengthen the National Cybersecurity Policy and Strategy NCPS 2015 • Amend the Constitution to reorganize and modernize Nigeria Armed Forces • Enact a law to strengthen the office of State and Federal Auditor General, and require the publication of periodic audit reports for improved transparency • Policy framework to define the role of the Governors in States under attacks by terrorists, bandits and arable/illegal emigrant pastoral farmers clash in security coordination, monitoring and evaluation
Education and Human Capital	• Review the Universal Basic Education law to expand the implementation scope of matching grant and strengthen enforcement • Enact a law that regulates the teaching profession in terms of registration, licensing and practice
Health	• Sign the National Health Insurance Coverage bill
Water and Sanitation	• Enact a National Water Resources Law to efficiently manage water resources in an environmentally sustainable way and ensure cross-sectoral collaboration
Employment	• Pass the Gender and Equal Opportunities Bill by the Senate to prevent employment discrimination
Population and identity management	• Implement adequate legislation, regulation and guidelines to mandate Storage of NIN with every functional ID record
Environment and Disaster Management	• Enact laws to transform the National Emergency Management Agency and State Emergency

	Management Agencies (SEMA) from mainly relief agencies to disaster management agencies
Women's Affairs	• Amend the Administration of Estate laws and other applicable legislation that govern the devolution of property • Amend the Constitution of 1999 on the meaning of non-discrimination as it affects women's appointment and participation in a leadership position • Amendment of the Electoral Act as Amended, to give INEC more powers to sanction political parties who fail to adhere to the implementation of minimum affirmative action • Review and strengthen the National Gender Policy to improve enforcement
Youth and sport development	• Review the regulation for the National School Sports Federation (NSSF) to promote private sector-led sports • Enact Executive Orders to make the provision of basic sports infrastructure and equipment mandatory in all schools • Amendment of the Corporate Tax laws in Nigeria to reflect tax incentives to invest in sports-related businesses • Amendment of the Nigeria Export Processing Zones Authority (NEPZA) Act and the Operational Guideline for Free Trade Zones to include manufacturing and production of sports-related goods and products as part of the approved activities in a zone • Amendment of the Customs & Excise Management Act (CEMA) to exempt sports-related goods brought into the territory from the Free Zones from Customs Duties and Value Added Tax (on importation)

Strategy to Reform/Address Legislative Imperative

The Federal Ministry of Finance, Budget and National Planning in coordination with the Federal Ministry of Justice, and in cooperation with key Ministries Departments and Agencies (MDAs) related to a legislative gap, will co-create a Medium-Term National Legislative Reform Agenda that defines:

(a) The status of these legislations and related bills in the National Assembly (some of the legislative proposals already have bills at different stages of the legislative process).

(b) The entry point into the reform process and the specific form of the legislative reform proposals which may include: Enactment of new legislation, where none exists; amendment of extant legislation for improvement; repealing of existing legislation and enacting new one or; repealing of obsolete legislation.

(c) The specific timeframe and the deadline by which these legislative reform proposals will be passed into law to support the implementation of Medium-Term Plan.

(d) The number of Executive Orders and Fiats that are required to enable immediate implementation of the Medium-Term Plan (where the Executive has administrative authority), while the legislative process is ongoing.

Conclusion

Nigeria made significant progress in recent years to ensure that sectoral reforms are underpinned by robust legislative instruments. The proposed sets of legislation will provide the necessary framework to fully unlock the potential of key sectors of the economy and promote inclusive growth. Additionally, the Government will prioritize the push to pass priority bills such as all pending Petroleum Industry Bills or strengthening local sourcing laws to boost local production and fidelity to development plans by successive Administrations. Passing these legislative measures will ensure that Nigeria gets one step closer to achieving its 2025 vision.