

A BILL

FOR

AN ACT TO AMEND NIGERIAN INVESTMENT PROMOTION COMMISSION ACT
 CAP. N117, LAWS OF THE FEDERATION OF NIGERIA, 2004 IN ORDER TO
 RESERVE CERTAIN KINDS OF RETAIL BUSINESSES FOR NIGERIANS AND
 STIPULATE CONDITIONS FOR FOREIGNER'S PARTICIPATION SO AS TO
 ENHANCE WEALTH CREATION AND EMPLOYMENT GENERATION FOR
 NIGERIANS AND FOR RELATED MATTERS

Sponsored by Hon. Francis Ejiroghene Waive

[] Commencement

ENACTED by the National Assembly of the Federal Republic of
 Nigeria as follows:

1 1. The Nigerian Investment Promotion Commission Act, Cap.117 Amendment of
 2 Laws of the Federation of Nigeria, 2004 (in this Bill referred to as lithe the Principal Act
 3 Principal Act") is amended as set out in this Bill.

4 2. Section 17 of the Principal Act is amended by substituting for Substitution of
 5 the existing Section 17 a new Section "17": Section 17

6 "17. The enterprises specified in the Second Schedule are reserved
 7 for Nigerians and shall not be undertaken by a person who is not a Nigerian."

8 3. Section 19 of the Principal Act is amended by substituting for Substitution of
 9 the existing Section 19 a new Section "19": Section 19

10 "19 (1) subject to the provision of section 17, 18 and any other law,
 11 a non-Nigerian may invest and participate in the operation of any enterprise
 12 in Nigeria.

13 (2) An enterprise in which foreign participation is permitted in Sub
 14 clause (1) of this Clause, shall not commence business, except:

15 (a) It is incorporated or registered under the Companies and Allied
 16 Matters Act;

17 (b) Obtained such licence, lease, permit or any other approval as

1 may be required for the establishment or operation of the enterprise;

2 Commission (c) In case of a joint enterprise with a Nigerian partner, there is
3 investment by the foreign partner of a capital of not less than N10, 000.000
4 (Ten Million Naira) or its equivalent worth in capital goods by way of equity
5 participation; or

6 (d) If the enterprise is wholly owned by a foreigner there is an
7 investment of a capital of not less than N20,000.000 (Twenty Million Naira) or
8 its equivalent worth in capital goods.

9 (3) Notwithstanding the provisions of sub clause (2) of this Clause, in
10 case of a trading enterprise involving only the purchasing and selling of goods
11 which is wholly or partly owned by a person who is not a Nigerian, there shall
12 be:

13 (a) an investment of foreign capital or its equivalent in goods worth at
14 least US\$500,000.00 by way of equity capital; and

15 (b) at least fifteen Nigerians under the employment of the enterprise
16 amongst which shall be at least 30% Senior and Management Staff."

17 4. The Principal Act is amended by inserting a Second Schedule after
18 paragraph 5 of the existing Schedule:

19 "SECOND SCHEDULE

20 [Section 17]

21 Enterprises Wholly Reserved for Nigerians

22 1. The sale of anything whatsoever in an open market, petty trading,
23 hawking or selling from a kiosk.

24 2. Operation of taxi services and car hire service. (A non- Nigerian
25 may undertake this service where there is a minimum fleet of ten new vehicles).

26 3. Services of Artisans, Masons, Bricklayers, Iron benders, welders
27 and Fabricators.

28 4. Operation of beauty salons and barber shops

29 5. Bakeries."

1 5. This Bill may be cited as Nigerian Investment Promotion Citation
2 Commission Act (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend Nigerian Investment Promotion Commission Act Cap.N117, Laws of the Federation of Nigeria, 2004 in order to reserve certain kinds of retail businesses for Nigerians and stipulate conditions for foreigner's participation so as to enhance wealth creation and employment generation for Nigerians.

