



**FCCPC**

**Federal Competition & Consumer  
Protection Commission**

**2019**  
Annual  
Report



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## NATIONAL ANTHEM

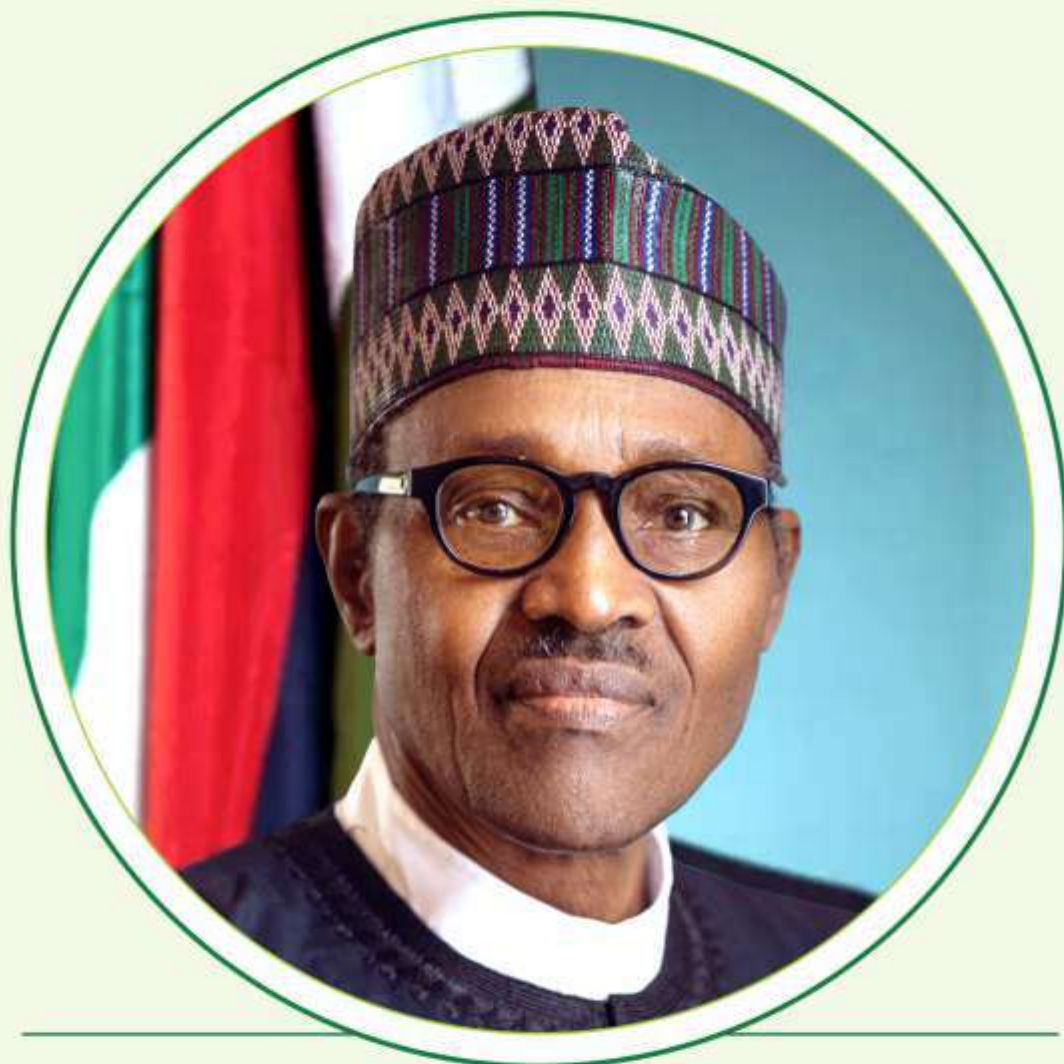
Arise, O compatriots! Nigeria's call obey  
To serve our fatherland  
With love and strength and faith  
The labour of our heroes past  
Shall never be in vain  
To serve with heart and might  
One nation bound in freedom, peace and unity.

Oh God of creation, direct our noble cause  
Guide our leader's right  
Help our youth the truth to know  
In love and honesty to grow  
And living just and true  
Great lofty heights attain  
To build a nation where peace and justice shall reign.



## NATIONAL PLEDGE

I pledge to Nigeria my country.  
To be faithful, loyal and honest.  
To serve Nigeria with all my strength.  
To defend her unity,  
and uphold her honour and glory.  
So help me God.



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HIS EXCELLENCY,  
**MUHAMMADU BUHARI,** *GCFR*  
PRESIDENT AND COMMANDER IN CHIEF OF THE ARMED FORCES,  
FEDERAL REPUBLIC OF NIGERIA

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HIS EXCELLENCY,  
**PROFESSOR YEMI OSINBAJO**, *SAN, GCON*  
VICE PRESIDENT  
FEDERAL REPUBLIC OF NIGERIA

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OTUNBA **RICHARD ADENIYI ADEBAYO** *CON*

HON. MINISTER OF INDUSTRY, TRADE AND INVESTMENT  
FEDERAL REPUBLIC OF NIGERIA

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**AMB. MARIAM YALWAJI KATAGUM**  
HON. MINISTER OF STATE FOR INDUSTRY, TRADE AND INVESTMENT  
FEDERAL REPUBLIC OF NIGERIA

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**BARRISTER **BABATUNDE IRUKERA****

CHIEF EXECUTIVE OFFICER,  
FEDERAL COMPETITION AND CONSUMER PROTECTION COMMISSION (FCCPC)

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## FOREWORD

**T**he mandate of the Federal Competition and Consumer Protection Commission (FCCPC) is in reality the protection of Nigeria's most valuable assets – Nigerians; and the largest and most attractive market in Africa.

In January 2019, President Muhammadu Buhari signed the Federal Competition and Consumer Protection Act into law as a further step to boost the economy, expand opportunity and shared prosperity.

This new legislation therefore shaped FCCPC's priorities for the year. The drastic changes and broadening of scope of the new law necessitated engagement and sensitisation. Promoting a level playing field in the Nigerian marketplace and providing necessary clarity for industry and other stakeholders as well as ensuring regulatory stability are key drivers of the FCCPC.

In addition to market surveillance, complaints resolution, and investigations, in 2019, FCCPC's work focused on promoting industry responsiveness to consumers, strengthening existing relationships with sector regulators and other stakeholders, while also fostering new relationships. Further, FCCPC developed relevant infrastructure to improve public access to its services.

With respect to competition, 2019 was a year for foundation laying, learning and defining relationships as well as future course. Keeping industry engaged and providing clarity to stakeholders remain key priorities as we

progress to build on the foundational work done so far.

I am therefore pleased to introduce the 2019 Annual Report. The Report provides an overview of our work in 2019 with respect to both consumer protection and competition regulation in Nigeria.

A handwritten signature in black ink, appearing to read 'BAI'.

**Babatunde Irukera**

Executive Vice Chairman/CEO



## BACKGROUND OF THE COMMISSION



President Muhammadu Buhari, GCFR, assented to the Federal Competition and Consumer Protection Act (FCCPA) in January 2019. The law repealed the Consumer Protection Council (CPC) Act, Chapter C25, Laws of the Federation of Nigeria (LFN), 2004 (Decree No. 66 of 1992) as well as sections 118-128 of the Investments and Securities Act, 2007. The law also established the Federal Competition and Consumer Protection Commission (FCCPC) and its adjudicating instrument, the Competition and Consumer Protection Tribunal.

FCCPC is responsible for the administration and enforcement of the provisions of the FCCPA and any other enactment concerning competition and protection of consumers.

The Commission commenced operations with nine offices across Nigeria, inherited from its predecessor, Consumer Protection Council (CPC). These are the Head Office in Abuja, six zonal offices in Awka, Port-Harcourt, Osogbo, Minna, Bauchi and Katsina; and two state offices in Lagos and Kano.

The Commission has a total staff strength of 245 and is structured into seven (7) departments and four (4) units.



## OUR VISION

A market that is a model for ease, innovation, dynamism, responsiveness and satisfaction.

## OUR MISSION

To foster a just and vibrant market while ensuring consumers are the core of, not ancillary to business.



## CORE VALUES

- Competence
- Responsiveness
- Ethics
- Sensitivity
- Transparency
- Stability



## MANDATE OF FCCPC

The Commission is mandated to, among others, develop and promote fair, efficient and competitive market in the Nigerian economy, facilitate access by all citizens to safe products, and secure the protection of rights for all consumers in Nigeria.

The objectives of the Commission include:

- (a) Promote and maintain competitive markets in the Nigerian economy
- (b) Promote economic efficiency
- (c) Protect and promote the interests and welfare of consumers by providing consumers with wider variety of quality products at competitive prices
- (d) Prohibit restrictive or unfair business practices which prevent, restrict or distort competition or constitute an abuse of a dominant position of market power in Nigeria; and
- (e) Contribute to the sustainable development of the Nigerian economy

To achieve its objectives, the FCCPA 2018 provides the legislative enablement as well as other governance instruments, as highlighted in the following functions and powers of the Commission:

- i. Initiate broad based policies and review economic activities in Nigeria to identify anti-competitive, anti-consumer protection and restrictive practices which may adversely affect the economic interest of



- consumers and make rules and regulations under (the FCCPA) and any other enactment with regards to competitions and protection of consumers
- ii. Advise the Federal Government generally on national policies and matters pertaining to all goods and services and on the determination of national norms and standards relating to competition and consumer protection
  - iii. Carry out investigations or inquiries considered necessary or desirable in connection with any matter falling within the purview of (the FCCPA)
  - iv. Eliminate anti-competitive agreements, misleading, unfair, deceptive or unconscionable marketing, trading and business practices
  - v. Resolve disputes or complaints, issue directives and apply sanctions where necessary
  - vi. Give and receive advice from other regulatory authorities' or agencies within the relevant industry or sector on consumer protection and competition matters
  - vii. Create public awareness through seminars, workshops, studies and make available information with regard to the exercise of its powers and performance of its functions to the public
  - viii. Authorise, with or without conditions, prohibit or approve mergers of which notice is received
  - ix. Advise the Federal Government on any matter relating to the operation of (the FCCPA), including making recommendations to the Federal Government for the review of policies, legislation and subsidiary legislation as considered appropriate or as may be requested by the Federal Government or any of its ministries, departments or agencies for the eradication of anti-consumer protection and anti-competitive behaviour.



## DEPARTMENTS AND UNITS

### DEPARTMENTS

1. Administration
2. Consumer Education
3. Finance and Accounts
4. Legal Services
5. Planning, Research and Strategy
6. Quality Assurance and Development
7. Surveillance and Enforcement

### UNITS

1. Public Relations
2. Procurement
3. Internal Audit
4. Mergers and Acquisition

### ZONAL OFFICES

1. North-East Zonal Office, Bauchi
2. North-West Zonal Office, Katsina
3. North-Central Zonal Office, Minna
4. South-East Zonal Office, Awka
5. South-South Zonal Office, Port-Harcourt
6. South-West Zonal Office, Osogbo

### STATE OFFICES

1. Lagos Office
2. Kano Office



## SURVEILLANCE AND ENFORCEMENT OPERATIONS

In the period under review, the Commission expanded the scope of its surveillance and enforcement operations in line with its mission of ensuring that consumers are the core of, not ancillary to business.

The Commission used its data gathering, data analysis and market trend intelligence to carry out routine and unscheduled surveillance and enforcement actions.

These included:

### A. RAIDS AND SEIZURES

#### i. Food and Beverage Sector

A review of the data of the preceding year and trends in consumer complaints indicated pervasive abuse of consumer rights in the food and beverage sector, which accounts for products that directly impact the safety and well-being of consumers. As a result, the Commission carried out significant work in the industry.

Due to the persistent nature of the issues involved and the urgency required in stemming the tide, the Commission raided producers and sellers of substandard cereals, bread, bottled drinks, dairy products and unregistered sachet water. The Commission also seized and evacuated unlabeled and underweight products, including expired and unwholesome frozen foods.



Based on the gravity of the violation, the Commission either sealed or placed the implicated business under supervision to ensure compliance with any corrective measure(s) it may have imposed.

In the course of the Commission's interventions, it seized sub-standard food and beverage products worth over ₦210, 147,350 from malls, supermarkets, open markets, shops and warehouses.

## **ii. *Electrical/Electronics Sector***

Based on intelligence, the Commission carried out enforcement activities on fake and substandard batteries, inverters, fridges, television sets, solar panels, electrical cables and accessories.

The Commission raided different markets and outlets, including Gudu market in Abuja, Alaba International and Ladipo markets in Lagos, Sabon-Gari market in Kano and Onitsha main market. It identified and removed from the said markets large quantities of fake and substandard electrical/electronic products to protect unsuspecting consumers from purchasing them. Distributors and retailers found wanting were sanctioned accordingly.

The value of the confiscated substandard electrical/electronic products was about ₦55,000,000.

## **B. CONSUMER COMPLAINTS RESOLUTION**

The year under review witnessed a sharp increase in consumer complaints across all sectors, following the Commission's deployment of an automated complaint redress system. The automated system created an enhanced interactive experience, thereby improving the Commission's interface with consumers. It introduced a web portal and added the FCCPC Consumer Complaint App, currently on Google and iOS App Store, to existing consumer complaints channels, such as email, in person, hotlines and social media platforms.





*Electricity town hall meeting in Kano.*

Consequently, consumers now have more channels to file and obtain speedy redress for their complaints and dissatisfaction.

The Commission resolved over 70 percent of the complaints received in 2019.

The most affected sectors included electricity, financial services, food and beverage, telecommunications, electrical/electronics, e-commerce, Pay-TV, hospitality, aviation and real estate/mortgage.

#### ***i. Electricity Sector***

Some of the recurring consumer complaints handled by the Commission in the electricity sector were:

- Wrong/estimated/overbilling
- Non provision of prepaid meters
- Indiscriminate /unlawful disconnection of consumers
- Harassment of consumers by electricity distribution companies (DisCos)
- Non provision of infrastructure (electric poles, transformers and accessories)
- Poor customer service

The Commission also enforced some consumer related regulations made by the Nigerian Electricity Regulatory Commission (NERC).

The monetary value of consumer complaints resolved in this sector was over ₦49,000,000

## **ii. Financial Services Sector**

The prevalent complaints in the financial services sector were:

- ATM dispense errors
- Online platform issues
- Indiscriminate application of interest rates on loans at variance with the Central Bank of Nigeria (CBN) guidelines
- Illegal bank charges and deductions
- Unauthorised withdrawals and transfer of funds from customers' accounts

The Commission intensified efforts to ensure that banks adhered to the Central Bank of Nigeria (CBN) guidelines on bank charges and customer complaints redress procedures. In cases where excess charges were reported, investigations were carried out and the affected banks were directed to provide appropriate redress.

The monetary value of consumer complaints resolved in the financial services sector was ₦49,509,870.20.

## **iii. Food and Beverage Sector**

Consumer complaints received in the food and beverage sector bordered on the following:

- Fake, substandard and expired products
- Improper –
- Improper storage and handling of products
- Under-measured products
- Non-compliance with labelling standards, amongst others

The Commission recorded a substantial reduction in the number of complaints in this sector.

The monetary value of consumer's complaints resolved in terms of replacement, refund and compensation was over ₦25,000,000

#### **iv. Telecommunication Sector**

During the period under review, the telecommunications sector recorded consumer complaints in the following areas:

- Prolonged downtime of data (internet) networks without compensation
- Spurious internet speed claims
- Undue depletion of internet data
- False claims about unlimited data plan
- Frequent call drops
- Undue suspension of services on mobile phones
- Unlawful deduction of credit balance
- Illegal/unauthorised SIM swap
- Credit balance wipe off
- Deceptive advertising/sales promotions
- Poor customer service

The Commission's interventions and close collaboration with the sector regulator, Nigerian Communications Commission (NCC), brought some relief to the large consumer population in the industry

The total value of resolved cases in the telecommunications sector was about N15,000,000.

#### **v. Electrical/Electronics Sector**

The Commission's main areas of intervention in the electrical/electronics sector included:

- Sale of fake, substandard and defective electrical/electronic products such as television sets, fridges, microwaves, and other household items
- Non-honouring of product warranties/guarantees by businesses
- Poor after-sales services



The Commission's complaints resolution team ensured that consumers accessed repair, replacement or refund for affected items, particularly those that were within their warranty period.

The monetary value of complaints resolved in the electrical/electronics sector was over ₦24,000,000.

#### **vi. Electronic Commerce (E-Commerce)**

In Nigeria, e-commerce is evolving rapidly and gaining consumer patronage. However, the mode of operation of the trading platform has created some dissatisfaction amongst consumers. Consumer complaints received in this service area included:

- Delayed delivery of products
- Outright non-delivery of products
- Misleading advertisements
- Sale of substandard products
- Refusal to refund customers whose orders were not fulfilled
- Refusal to replace defective products, and
- Issues with cancelled orders



*Electricity town hall meeting held at a network area of Eko Electricity Distribution Company*



*FCCPC partners FRSC on the safety, comfort, and welfare of road transport passengers.*

The Commission reviewed online marketing policies on return, refund, replacement, delayed delivery and product testing and introduced guidelines which served as a guide for modified industry behaviour. As a result, e-commerce businesses now comply more with their service agreements, warranty/ guarantee and obligations to consumers.

The monetary value of complaints resolved in the e-commerce sector was over ₦10,000,000.

### **C. MONITORING OF SALES PROMOTIONS**

The Commission registered and monitored sales promotions initiated by various producers and service providers. It also ensured that sales promotion advertisements were neither deceptive nor exploitative of consumers, and that gifts or rewards promised participants/consumers were redeemed timeously.

During the year under review, the Commission approved and monitored 50 sales promotions and achieved considerably the objective of ensuring that sales promos were transparent, fair, honest and reliable.



## CONSUMER EDUCATION



*FCCPC-organised Quality and Consumer Education Campaign held at the International Conference Centre, University of Ibadan.*

The Commission embarked on different campaign activities, including town hall meetings, institutional interface, Catch Them Young school programmes, workshops and the use of publications – handbooks, flyers, posters and booklets, all of which led to increased consumer awareness.

It also held awareness campaign engagements with social commentators, professional bodies, trade associations and undertook campaigns in social media and print/electronic media.



## PRINT AND ELECTRONIC MEDIA

Highlights of the Commission's consumer awareness activities on electronic media included:

**Television Programmes:** Nationwide airing of a television commercial on "Patients' Bill of Rights" (PBoR) on NTA and AIT.

**Radio Programmes:** The Commission featured in different programmes of the following radio stations:

- Human Rights Radio 101.1 FM, Abuja
- Federal Radio Corporation of Nigeria (FRCN) 92.9 FM, Abuja
- Rainbow 94.1 FM, Lagos
- Wazobia 95.1 FM, Lagos
- Ogene 98.3 FM, South East, Awka
- Wazobia 94.1 FM, Port Harcourt
- Vision 92.5 FM, Kano
- Vision 92.1 FM, Katsina
- Katsina State Radio Service 106.5 FM

## BREKETE FAMILY RADIO AND TELEVISION PROGRAMME

The Commission featured every Thursday in "Brekete Family" radio programme on Human Rights Radio 101.1 FM Abuja. The Commission's participation was part of its partnership with MacArthur Foundation to curtail retail corruption in the electricity sector.

The programme reached approximately 60 million viewers and listeners during the period under review.



## GRASSROOTS OUTREACHES

The Commission used multi-faceted approaches, methods, strategies and platforms to create consumer awareness at the grassroots. These included engaging traditional, religious and opinion leaders, the 774 local government council executives and trade associations in Abuja, Awka, Kano, Minna, Port Harcourt and Lagos.

Additionally, the Commission held grassroots awareness meetings with NYSC CDS Groups in FCT Abuja, Kano, Katsina, Awka and resuscitated the collaboration with the NYSC volunteer executive members.

Also, the Commission visited NYSC Orientation Camps across Nigeria's six geopolitical zones to sensitise/ enlighten Corps members on the statutory mandate of the Commission and distributed educational materials.

## TOWN HALL MEETINGS

The Commission held town hall meetings to sensitise consumers to their rights and responsibilities in the electricity sector. These included:

- Two town hall meetings in Lagos
- Two town hall meetings in Kano



*Electricity town hall meeting at Ikeja, Lagos.*

## SCHOOLS' SENSITIZATION

The Commission carried out consumer awareness campaigns in different schools, hosted several students on excursion and encouraged the formation of consumer clubs in schools.

The schools included:

### (a) FCT, Abuja

1. Whiteplains British Academy, Abuja
2. Government Junior Secondary School, Gwagwalada
3. Government Junior Secondary School, Paiko Kore, Gwagwalada
4. Star Field Schools, Kubwa
5. Government Day Secondary School, Karu
6. Visit to NTA to commemorate Children's Day

### (b) Other States:

1. Essence Model Kids Academy, Umuebulu, Rivers State.
2. Obio Comprehensive Secondary School, Rumuomasi, Port Harcourt
3. Navy Command School, Borokiri, Rivers State
4. Anglican School, Osogbo, Osun State
5. Attah School of Science, Osogbo, Osun State
6. St. James Secondary School, Osogbo, Osun State
7. AUD Middle Secondary School, Osogbo, Osun State
8. St. Monica Girls' Secondary School, Ondo, Ondo State
9. St. Joseph College, Ondo, Ondo State
10. Triplecross High Secondary School, Wemco Road, Ogba, Lagos
11. Government Girls' Secondary School, Minna, Niger State
12. Government Secondary School Limawa, Minna, Niger State
13. Kwado Primary School, Katsina, Katsina State
14. YCC Dolphin Maria College, Bauchi, Bauchi State



## 2019 WORLD CONSUMER RIGHTS DAY (WCRD)

The Commission organised advocacy programmes to commemorate the annual World Consumer Rights Day, themed “Trusted Smart Products”. These included:

- Advocacy visits to major producers, distributors and marketers to discuss consumer concerns about smart products e.g. durability, security, safety, sustainability (power), support (after sales services) maintenance, disposals, privacy, warranties and guarantees etc.
- Meetings with electronic dealers in Abuja and other States of the Federation
- Phone-in radio programmes in Lagos, Kano and zonal offices
- The chief executive's media discussion on Human Rights Radio (Brekete Family programme)



## EDUCATIONAL MATERIALS

Commission developed, printed and disseminated a number of educational materials. These included:

- The Power Pack – an illustrated guide on electricity consumer issues
- Patients' Bill of Rights (PBoR)
- Manuals for Establishment of Young Ambassadors Clubs in Tertiary Institutions
- Guidelines for Registration of Consumer Protection Groups (CPGs)
- Demand & Insist posters on "Patients' Bill of Rights" (PBoR)
- Quality is Everything
- Z-Card on Electricity Consumer Rights and Obligations
- Important Consideration in Purchase or Use of Smart products
- Electricity Disconnection
- Tips on Being a Sustainable Consumer
- Check What You Buy
- Demand and Insist
- Guidelines for Purchasing Goods & Services
- Do You Know? Ripening Fruits with Chemical is Dangerous
- Pull-up Banners on Patient's Bill of Rights
- Obtain a Genuine Driver's Licence through Legitimate Process (in collaboration with Federal Road Safety Corps (FRSC))
- Speed Kills (produced in collaboration with FRSC)
- Check Your Tyres Daily (produced in collaboration with FRSC)
- Drive Safely: Preserve Life (produced in collaboration with FRSC)
- Customised Notebooks (with a public enlightenment message)



## COLLABORATIONS WITH CONSUMER PROTECTION GROUPS (CPGs)



*Joint seminar by Holler and FCCPC on the growth of competition and consumer protection in Nigeria.*

The Commission collaborated with some Consumer Protection Groups (CPGs) during the period under review. These included Save the Consumer for a Customer Service Workshop, Association of Public Policy Analysis and the 2nd Annual Insurance Colloquium organised in conjunction with the Insurance Consumer Education Foundation.

## WORKSHOPS

- Workshop for electronic dealers in Abuja in commemoration of 2019
- World Consumer Rights Day (WCRD)
- Engagement with professional bodies on FCCPC and the new law, in Lagos
- Stakeholders Forum on “Ember Months” in collaboration with FRSC.

## CATCH THEM YOUNG PROGRAMME

The Commission held a National Young Consumer Contest on the theme, Making Digital Market Place Fairer - Young Consumer Perspectives, for secondary schools across the country's six geopolitical zones.

Over 101 schools contested and won laurels in the video and flyer categories of the competition. The Commission presented prizes, including computers, television sets, standing fans, customised notebooks and cash to the winners.



*Visit to Redeemer International School, Apapa, Lagos.*



*Dabatuade Iruekera, CEO, FCCPC, honoured as a "Protector of the Nigerian Child and Ambassador, Whiteplains British School, Abuja" by students and management of the school.*



## UNIVERSITY OUTREACH

The Commission carried out a Quality Campaign in Ibadan, Oyo State, where students and lecturers of various tertiary institutions and the University of Ibadan community were sensitised to its "Demand and Insist" (on quality) advocacy message.



## MERGERS & ACQUISITIONS (M&A)

The Commission created a Mergers and Acquisitions Unit, following the assent of President Muhammadu Buhari to the Federal Competition and Consumer Protection Act (FCCPA) 2018. The Act mandates the Commission to review and analyse all mergers and other business combinations or arrangements to ensure that they do not distort or impede the efficiency of the markets in Nigeria.

### CREATION OF TRANSITIONAL JOINT REVIEW DESK WITH THE SECURITIES AND EXCHANGE COMMISSION (SEC)

Prior to the enactment of the FCCPA in January 2019, the Securities and Exchange Commission (SEC) was responsible for regulating mergers and acquisitions in Nigeria. To ensure a smooth transition of the merger review role of SEC to FCCPC (in line with Section 17(k) and Part XII of the FCCPA) and to preserve market stability, the chief executives of both organisations, in May 2019, agreed to create a transitional review desk tagged 'Joint SEC/FCCPC Merger Review Desk' which was jointly announced to the public on Friday, May 3, 2019. In the same spirit of cooperation, on September 5, 2019, the Commission executed a bilateral Memorandum of Understanding (MoU) with SEC to formalise their working relationship. Pursuant to the said MoU, the Joint Review Desk was sunset by the end of December 2019.

### MERGER REVIEW REGULATIONS AND GUIDELINES

Pursuant to Section 93 of the FCCPA, the Commission developed and published in the Federal Gazette its Notice of Threshold for Merger Notification on 9th September, 2019. The Threshold Regulation stipulated





Stakeholders meeting on "The Changing Landscape - FCCPC" organised by Jackson, Etti & Edu

that a merger shall be notifiable before implementation if, in the financial year preceding the merger: the combined annual turnover of the acquiring undertaking and the target undertaking (combined figure) in, into or from Nigeria equals or exceeds one billion Naira (NGN 1,000,000,000.00); or the annual turnover of the target undertaking in, into or from Nigeria equals or exceeds five hundred million Naira (NGN 500,000,000.00).

The Commission also initiated and published Guidelines on Simplified Process for Foreign-to-Foreign Mergers with Nigerian Component. This was to enable efficient and timely review of foreign to foreign merger notification that were less than likely to prevent or lessen competition.

Furthermore, the Commission commenced the development of its Merger Review Regulations and Merger Review Guidelines and exposed draft copies to key stakeholders, international organisations and academia, amongst others, for feedback.

## MERGER REVIEW CHECKLIST

The Commission developed an Interim Checklist for Merger Notifications. An essential document on the checklist was an Information Memorandum which provided information on the following:

- i. *Background of the transaction, including any preliminary and final studies (if available) regarding the subject of consideration*
- ii. *Detailed information about products and all stock keeping units of Target, Acquirer and Holder specifying products, imported or exported*
- iii. *Identify specific competitor products that are considered equivalent, substitute or otherwise interchangeable with products between Target, Acquirer and/or Holder and other competitors*
- iv. *List of competitors*
- v. *Market share of the Target, Acquirer and competitors*
- vi. *Turnover/revenue of Target, Acquirer, and/or Holder*
- vii. *Any business relationships between Target, Acquirer and/or Holder currently existing*
- viii. *Competition Analysis*
- ix. *Effect of the transaction on the relevant market, including, any material post transaction changes to the market position and share of emergent organization*
- x. *Structure and organization of the Target and Acquirer*
- xi. *Geographic market segment/areas in Nigeria with specific products of Target, Acquirer and/or Holder*
- xii. *Any goods or ancillary goods or service providers or suppliers that are mutual to Target, Acquirer and Holder*
- xiii. *Market analysis and*
- xiv. *Any interest in/or relationship with goods or service providers or suppliers*



*FCCPC participates in a meeting of international consumer protection and competition enforcers hosted by the Federal Trade Commission in Washington D.C.*



## MERGER REVIEW FEE SCHEDULE

The Commission introduced the fee schedule for the review of mergers notifications as follows;

APPLICATION FEE	PROCESSING FEE (DOMESTIC)	PROCESSING FEE (FOREIGN-TO-FOREIGN MERGER (FFM))	EXPEDITED FEE
N50,000 per company/per notification	Is based on the value of the transaction using the graduation below; 1 <sup>st</sup> N500 million = 0.3% 2 <sup>nd</sup> N500 million = 0.225% Any sum thereafter = 0.15%	Combined turnover of 1 billion Naira = N3,000,000 or 0.1% of the combined turnover whichever is higher. Target undertaking has turnover between 500 million-1 billion Naira = N2,000,000	N5,000,000



FCCPC signs MoU with Securities and Exchange Commission (SEC) on Mergers and Acquisitions.



FCCPC participates in a panel session at the Conference of African Telecommunications Regulators on Consumer Affairs organized by the Nigerian Communications Commission (NCC) in Abuja.

## AN OVERVIEW OF MERGER NOTIFICATIONS IN 2019

In line with the Federal Government policy on ease of doing business, the following merger notifications were received and reviewed expeditiously by the Commission.



DATE RECEIVED	SUBJECT MATTER AND PARTIES	RECOMMENDATION
13/5/19	Anti-competitive conduct by Bolt.	Concluded 10/2/2020
25/4/19	Acquisition: 100% in Telluria by Ellah Lakes	Approved 03/05/19
10/5/19	Divestment: Forte Oil to Gbonka Oil & Gas	Approved 13/05/19
30/5/19	Acquisition: Certain subsidiaries of seven energy international	Approved 10/06/19
8/4/19	Transfer of TAEL to HHPL (Exempt)	Approved 09/05/19
16/5/19	Acquisition: Dangote Flour by Olam Int'l	Approved 18/08/19
12/7/19	Merger: Trustbond Mortgage Bank and FBN Mortgages Ltd.	Approved 25/07/19
30/05/19	Asset Purchase Agreement: Fastrade logistics and Medlog(exempt)	Approved 10/06/19
14/05/19	Acquisition: Forte Oil by Calvados Global	Approved 15/05/19
22/5/19	Acquisition: Metropolitan Insurance by Verod	Approved 6/09/19
3/7/19	Acquisition: Lucky by Societe Bic	Approved 18/07/19
8/07/19	Acquisition: Bevpak by Indorama	Approved 08/08/19
24/6/19	Acquisition: UTL Trust by Beth-Adorn.	Approved 27/06/19
18/06/19	Acquisition: Business Connexion ICT by IP&Cloud	Approved 2/7/19
3/7/19	Acquisition: Vodacom by Synergy Comms	Conditional Approval 25/2/2020
8/7/19	Acquisition: Nile by MBU capital holding and Edco	Approved 15/07/19
5/7/19	Acquisition: 51% of C Tolaram by Colgate-Palm Olive	Approved 16/07/19

22/7/19	Acquisition: 70% of trust microfinance by LOLC Mauritius holding LTD	Approved 30/09/19
2/08/19	Acquisition: assets of Nigerian-German chemicals by Sygem Pharmaceuticals	Approved 12/11/19
11/07/19	Acquisition: 60% of E'clat healthcare by Interswitch	Approved 27/09/19
14/06/19	Merger: Cement Company of Northern Nigeria Plc and Obu Cement Company Plc	Approved 28/08/19
14/08/19	Corporate restructuring of Interswitch	Approved 29/08/19
21/08/19	Acquisition: Nampak Cartons Nigand Nampak Properties Nig by A&R Cartons Austria GMBH	Approved 9/12/19
27/08/19	Merger: PMC Nig Ltd and SolcomInv Ltd	Approved 9/9/19
3/09/19	Acquisition: Grand Petroleum by Gulf.	Approved 29/10/19
9/09/19	External restructuring: African Steel Mills Ltd. and African Oxygen & industrial gases Ltd.	Approved 18/12/19
13/9/19	External restructuring: Frigoglass industries Nigeria Ltd. and Frigoglass West Africa Ltd.	Approved 03/10/19
27/9/19	Acquisition: 51% Equity Stake in Nile by MBU capital holding	Approved 9/12/19
27/9/19	Corporate restructuring among OVH Energy Marketing, OVH Energy Supply & Trading Ltd, OVH Energy Trippmart Ltd, HV Copper Ltd and Clean Cooking Fuel Investment Ltd.	Approved 29/10/19
18/9/19	Acquisition: Indirect controlling equity interest in Osapa-Lekki SPV Ltd.	Approved 31/10/19
18/9/19	Request no-objection to offshore reorganization of offshore entities of Bourbon group	Approved 4/12/19



21/9/19	Acquisition:Pepsico INC of Pioneer food group.	Approved 17/2/2020
17/10/19	Subscription for 15,750,000 ordinary shares in Africa Data Ltd. by Colo West Holdings	Approved 7/11/19
20/11/19	Acquisition: Share of frontier car group	Approved 3/12/19
9/10/19	Acquisition: Additional 8,000,000 shares of MDS logistics Ltd. by imperial capital Ltd.	Approved 23/12/19
12/11/19	Acquisition: Arm Life by metropolitan life insurance	Approved 12/1/2020
13/12/19	Acquisition: 19% equity interest Interswitch holdings	Approved 24/03/2020
23/12/19	Acquisition: Orkil holding SAC by Azelis UK holdings.	Approved 9/1/2020

## QUALITY ASSURANCE AND DEVELOPMENT (QAD)

Quality assessment was carried out on different consumer goods and services. The details are outlined below:

### A. Quality Assessment of Goods and Services

Quality assessment was carried out on different consumer goods and services. The details are outlined below:

#### i. Verification of declared measure of some goods

Different brands of beverages, cosmetics, beauty products (hair dye, hair attachment) and over-the-counter (OTC) medicines (Vitamin C, Vitamin B complex etc) were sampled for declared measure verification. Some of them turned out to be under-measured. For example, the measure verification carried out on 31 samples of carbonated drinks in PET and returnable bottles. 32.3% of the samples assessed did not meet the declared volume. The Commission issued corrective measures and monitored compliance.





*Addressing the 2019 Nigerian Local Government Development Summit on the mandate and operations of the FCCPC.*



*Babatunde Irukera, CEO, FCCPC led the Commission's team on a visit to HE Dr. Ibijoke Sanwo-Olu, First Lady of Lagos State, and advocated the propagation of the "Patients' Bill of Rights" (PBoR) as a baseline standard for the provision of health care services in Nigeria.*

## **ii. Investigation of unwholesome products:**

In a continued investigation that began in 2018, twenty-two (22) samples out of about one million (1,000,000) suspected unwholesome and re-bagged rice of various weights were analysed. All the samples failed physical characteristics and labelling checks. Also, microbial tests carried out on the entire sample showed a 100 % failure. The Commission commenced prosecution of the suspects in June 2019.

## **B. Compliance to Safety Standards**

The Commission conducted quality inspections of eateries within FCT, Port-Harcourt, Minna, Lagos, Osogbo, Bauchi and Kano using a checklist, which revealed some safety failures in their operations. Such failures included improper storage of raw materials, inappropriate disposal of wastes, unhygienic environment and poor water supply. Corrective measures with timelines were issued to the operators and the Commission monitored compliance.

The Commission tested samples of bread (for bromate) and flour from select bakeries and flourmills within FCT, Abuja and across the six (6) geopolitical zones. The result of these analyses showed that some samples were bromate free. However, the companies whose products tested positive were directed to stop production.

The Commission directed Johnson & Johnson Powder in Nigeria to issue a statement on the status of a recall on alleged corn starch powder purportedly found in the market. This was based on a product recall Intel on Johnson & Johnson Powder brand (Calming Lavender & Chamomile) in the U.S. The company claimed the corn starch variant seen in the market was from parallel import and not from them. The Commission, however used the opportunity to advise the company on good trading practices.

### **C. Quality Assessment of Health Services**

The Commission received consumer complaints on the quality of services provided by some hospitals. Letters of inquiry were sent to the implicated hospitals as well as the Medical and Dental Council of Nigeria (MDCN). The Commission is monitoring the sector for future updates.

### **D. Generation of Scientific / Technical Information**

Various scientific and technical information were developed in collaboration with stakeholders for consumer enlightenment. These included:

- Public advisories on disposal of empty product packaging materials and Extended Producer Responsibility (EPR) in collaboration with the National Environmental Standards & Regulations Enforcement Agency (NESREA).
- Public advisories for consumers and farmers on what they need to know about Genetically Modified (GM) cowpea seedlings.
- Technical information for surveillance and enforcement activities on recalcitrant / uncooperative manufacturers that had refused to comply with safety standards / regulations after issuing corrective actions for follow-up.

### **E. Collaborations with Agencies / Bodies**

The Commission took part in technical collaborations with various Ministries,



Departments and Agencies (MDAs) and private organisations. Some of such collaborations include:

- Standards Organisation of Nigeria (SON) - For the development / elaboration of various Nigerian Industrial Standards (NIS) and Codes of Practice (CoP) for some consumer goods and services
- National Biosafety Management Agency (NBMA) - To ensure the validation of some permits for the authorisation of Genetically Modified Maize for Food, authorisation of Genetically Modified Maize and Soybean for Food, Feed or Processing and application review meeting for Confined Field Trial (CFT) of Genetically Modified (GM) cassava.
- National Agency for Food and Drug Administration and Control (NAFDAC) - For the development of the country's position papers for Codex Alimentarius Commission (CAC) meetings on food hygiene
- Federal Ministry of Environment - in the development of National Policy and Guidelines for the environmentally sound management of used batteries in Nigeria
- Federal Ministry of Health and representatives of the Association of Food Beverage and Tobacco Employers (AFBTE), NAFDAC, Distillers and Blenders Association of Nigeria (DIBAN) - To deliberate on plans to reduce the production and ban the sale of small volume alcohol in sachets and PET bottles in order to stem the tide of abuse of drugs and other substances in the country
- Federal Ministry of Industry, Trade and Investment - On the validation and development of various policies and participation in the maiden edition of the Nigerian Artisans and Technician Conference and Exhibition, aimed at reorganising Nigerian artisans and technicians for better input to the country's economy. The Commission enlightened the informal sector on the need to adhere to standards to ensure availability of safe, quality goods and services



- National Fortification Alliance (NFA), Global Alliance for Improved Nutrition (GAIN), Helen Keller International (HKI) - On how to put an institutional framework in place for food fortification in Nigeria, to ensure consumer health and safety.

#### **F. Workshops, Seminars and Symposia:**

The Commission in collaboration with GAIN organised a one-day Stakeholders Enlightenment Workshop on Food Fortification for Non-Governmental Organisations (NGOs) / Consumer Protection Associations (CPAs). The essence was to build the capacity of the NGOs /CPAs as foot soldiers to enable them sensitise consumers, especially in rural areas, to demand for fortified foods.

In collaboration with Barns Connect (an NGO), the Commission organised a dialogue on Genetically Modified (GM) Foods in Nigeria. The forum presented an enabling avenue for the pro- and anti - GM groups to present scientific facts to support their views on GM foods. The essence of the dialogue was to enlighten the participants and the public in general to be able to make informed choices.



*Interactive session with social commentators in Lagos and Abuja on "A Level Playing Field", occasioned by assent to the FCCPA.*

## LEGAL SERVICES



Legal services undertaken by the Commission in the year under review included the following:

### Litigation

The Commission commenced criminal trial in the case of the Federal Republic of Nigeria V. Joy Nduka and four others with respect to the sale of various brands of rice suspected to be sub-standard, seized in Uyo in 2018. The Commission also successfully defended two of the three civil suits filed by the suspects arrested in this case, in which judgments were awarded in favor of the Commission to wit:

- a) John Chukwuemeka Egbe V. CPC – FHC/UY/CS/190/18
- b) Elder Eno Edet Effiong V. CPC – FHC/UY/CS/187/18

### Investigations

The Commission concluded its investigation into possible violations of consumer rights by Multichoice Nigeria Ltd, wherein the Commission issued an Order and monitored compliance by Multichoice.

### Regulations

The Commission commenced the process of promulgation of some Regulations as well as Guidelines and Forms as provided for in the FCCPA 2018. The Regulations were:

- i. Regulations on fees, fines, penalties and administrative charges, pursuant to Sections 18(h) and 163(1)(c) of the FCCPA
- ii. Regulations on Product Recall pursuant to Section 135 of the FCCPA



- iii. Regulations on the review of merger notifications pursuant to Section 93 of the FCCPA
- iv. Regulations on leniency programme, pursuant to Section 163 (2)(g) of the FCCPA
- v. Regulations on appeals to the Federal Competition and Consumer Protection Tribunal, pursuant to Section 38 of the FCCPA
- vi. Regulations on applications for the exemption of restrictive agreements, pursuant to Sections 59, 60 and 163 (2)(a) of the FCCPA
- vii. Sales Promotion Regulations
- viii. E-commerce consumer protection regulations
- ix. Regulations on Warranty/Guarantees

### **Memorandum of Understanding (MoU)**

During the year under review, the Commission negotiated and concluded an MoU with Securities and Exchange Commission (SEC) in line with S. 104 and 105 of the FCCPA 2018. Others with Nigerian Communications Commission (NCC), Central Bank of Nigeria (CBN), Nigerian Stock Exchange (NSE) and some Non-Governmental Organisations (NGOs) were at various stages of conclusion.

### **Interface with the National Assembly**

The Commission presented position papers to the National Assembly at several public hearings on commerce, telecommunications and other sectors of the economy with regards to issues of competition and consumer protection.

### **Issuance of Legal Advisories, Summons and Orders**

The Commission issued several Legal Advisories, Summons and Orders in line with its mandate.





## PUBLIC RELATIONS

The Commission's public relations activities in the year under review comprised the following:

### Corporate Identity Designs and Materials

Following the transition from CPC to FCCPC, the Commission designed and adopted a new logo, colour palette (brand colours), tagline / slogan, vision, mission and core values as part of its new corporate identity.

### Media Relations

The Commission used various media platforms; electronic, print, wire and social media, to inform consumers and businesses about its activities.

The key focus of the Commission's media engagement included information dissemination, consensus building on competition and consumer protection issues, fairness in the marketplace, consumer rights and responsibilities, and obligations of businesses under the FCCPA.

### Social Media Reach

Below are tables showing the Commission's reach on Twitter and Facebook during the period under review.

## Twitter

	Tweets	Impressions	Profile visits	Mentions	New followers
Jan		99,600			983
Feb	3	141,000	158	111	1,647
Mar	126	308,000	8,590	4,770	2,213
April	102	116,000	5,998	4,237	1,538
May	68	122,000	5,489	3,396	1,387
June	134	368,000	15,500	2,490	2,005
July	178	76,200	5,729	1,755	1,955
Aug	370	144,000	8,651	2,482	2,066
Sept	185	142,000	6,586	2,829	1,916
Oct	120	149,000	17,600	3,792	3,079
Nov	316	128,000	8,652	2,675	1,970
Dec	316	528,000	19,300	3,999	2,756
<b>TOTAL</b>	<b>1,918</b>	<b>2,321,800</b>	<b>102,253</b>	<b>32,536</b>	<b>23,515</b>

## Facebook

	Posts	Reach	Engagement
Jan	7	17,600	713
Feb	1	1,700	70
Mar	5	12,500	479
April	6	20,300	939
May	5	53,317	2,687
June	15	49,045	3,406
July	5	12,305	587
Aug	6	44,463	2,128
Sept	9	13,474	574
Oct	5	9,242	550
Nov	5	7,876	389
Dec	13	71,701	14,915
<b>TOTAL</b>	<b>82</b>	<b>313,523</b>	<b>27,437</b>

## Video and Photography

The Commission ensured optimum photography and video coverage of its events, operational activities and meetings during the period under review. This enhanced its media exposure tremendously.

## Press Releases

In fulfillment of its mandate to undertake campaigns and other forms of activities capable of promoting increased private and public consumer awareness, the Commission issued the following releases, advisories and updates:

### Releases

- (1) Recall and Engine Software Update by Hyundai Motor Company for Certain Sonata and Santa Fe Sports Utility Vehicle - 24th January 2019
- (2) President Buhari Assents to the Federal Competition and Consumer Protection Bill – 6th February 2019.
- (3) Recall by the United States Consumer Product Safety Commission of Fisher Price Rock 'n' Play Sleeper Due to Death Reports - 3rd May 2019
- (4) FCCPC, SEC Sign MoU on Statutory Collaboration - 9th September 2019
- (5) Termination of Employment of 15 Staff of Ahmadu Bello University (ABU) for Alleged Sexual Harassment and Corruption - 4th October 2019
- (6) FCCPC, NAFDAC Investigate Operations of Skin Care Business - 5th December 2019
- (7) FCCPC Welcomes NCAA's Suspension of Turkish Airlines Operations for Unacceptable Treatment of Passengers - 15th December 2019.
- (8) N50 Stamp Duty PoS Charge - 24th December 2019
- (9) FCCPC: 3rd Best Performing Agency in Ease of Doing Business Report- 22nd November 2019.



### **Advisories**

- (1) Recall and Replacement of Certain HP Manufactured Notebook Computer and Mobile Workstation Batteries - 28th January 2019
- (2) Suspected Contaminated Johnson & Johnson (J&J) Baby Powder - 6th February 2019.
- (3) Security and Exchange Commission (SEC) and Federal Competition and Consumer Protection Commission (FCCPC) Joint Advisory and Guidance on Mergers, Acquisitions, and Other Business Combinations Notifications Pursuant to Federal Competition and Consumer Protection Act (FCCPA) - 3rd May 2019
- (4) Use of Calcium Carbide to Ripen Fruit - 9th May 2019

### **Updates**

- (1) Final Order and Judicial Resolution of Investigation of MultiChoice and Federal Government of Nigeria v MultiChoice Nigeria Limited Suit No. FHC/ABJ/CS/894/18 - 12th June 2019.
- (2) Addressing Sexual Harassment and Exploitation in Tertiary Institutions - 6th October 2019.

### **Media/Public Engagements**

The Commission held regular engagements with the media, regulatory authorities, industry, sub-regional, regional and international bodies and the public. These included:

- (1) NAFDAC, CPC, SON DGs joint regulatory engagement to promote food fortification - 10th January 2019
- (2) Channels TV Business Morning to speak on the FCCPA - 8th February 2019
- (3) The Briefcase on Greetings 105.7FM - 11th February 2019
- (4) 2019 Consumer Protection Conference organised by Save the Consumer Initiative - 14th March 2019

- (5) Brekete Family radio programme on Human Rights Radio 101.1FM – 15th March 2019
- (6) World Consumer Rights Day Workshop at Banex Plaza, Abuja – 15th March 2019
- (7) Consultative Meeting with social commentators tagged “A Level Playing Field” – 20th March 2019
- (8) Interactive Session of the Association of Food, Beverages and Tobacco Employers (AFBTE) on the new FCCPA – 21st March 2019
- (9) Meeting of International Consumer Protection and Competition Enforcers organised by the Federal Trade Commission (FTC) in Washington DC, USA – 27th March 2019
- (10) ABA Antitrust Spring Meeting, Washington, DC: Fireside Chat with Selected Regulators – 29th March 2019
- (11) Brekete Family radio programme on Human Rights 101.1FM Radio – 31st March 2019
- (12) 2019 Aviation Stakeholders Conference – 5th April 2019
- (13) One on One Chat with Babatunde Irukera at the Launch of the SME Access Mentorship Series organised by Civic Foundation for Innovation – 9th April 2019
- (14) A Level Playing Field: Interactive session with social commentators in Lagos – 13th April 2019
- (15) Consumers International Summit in Portugal – 30th April 2019
- (16) World No Tobacco Day Press Conference – 31st May 2019
- (17) Forum of the Nigeria Bar Association Section on Business Law ICT Committee – 11th June 2019
- (18) One Day Stakeholders Engagement on Food Fortification – 19th June 2019
- (19) Nigeria-France Business and Investment Forum, Abuja – 20th June 2019

- (20) Electricity Town Hall Meeting in Lagos – 20th June 2019
- (21) Interview with Blueprint and Nigeria News Direct – 22nd June 2019
- (22) 2019 National Insurance Conference – 2nd July 2019
- (23) NTA Good Morning Nigeria – 1st August 2019
- (24) Brekete Family radio programme on Human Rights 101.1FM - 6th August 2019
- (25) Nigeria Local Government Development Summit 2019 – 4th September 2019
- (26) Intellectual Property Symposium organised by the United States Embassy in Nigeria – 17th September 2019
- (27) FCCPC Quality Campaign, Ibadan – 18th September 2019
- (28) Kano Electricity Town Hall Meeting – 25th and 26th September 2019
- (29) 47th National Convention of the Junior Chamber International (JCI) Nigeria in Lagos – 11th October 2019
- (30) Media Interview on the prosecution of dealers of hazardous rice products at the Federal High Court, Uyo, Akwa Ibom State – 29th October 2019
- (31) Seminar on Competition and Consumer Growth in the Nigerian Business Landscape organised by Holler! and FCCPC – 30th October 2019
- (32) Meeting with HE Dr. Ibijoke Sanwo-Olu, First Lady of Lagos State, to advocate the propagation of the Patients' Bill of Rights (PBoR) as a baseline standard for the provision of health care in Nigeria – 9th November 2019
- (33) Breakfast meeting organised by Rand Merchant Bank, Lagos – 13th November 2019
- (34) Stakeholders Engagement on the Impact of FCCPA on the Oil and Gas Industry – 14th November 2019



- (35) One Day Dialogue on Genetically Modified Foods – 28th November 2019
- (36) Aviation Roundtable – 6th December 2019
- (37) FCCPC/FRSC Joint Press Conference on the Maiden Ember Month Stakeholders Forum – 3rd December 2019
- (38) FCCPC/FRSC Ember Months Stakeholders Forum – 6th December 2019
- (39) FCCPC National Young Consumer Contest 2019 (5th Edition) – 9th December 2019
- (40) Consultative Meeting with Professional Bodies and Associations organised by FCCPC – 12th December 2019
- (41) Strategic Media Engagement for Business Editors in Lagos – 17th December 2019
- (42) TVC News, Business Nigeria – 17th December 2019
- (43) Strategic Media Engagement with Business Editors in Abuja – 20th December 2019
- (44) Channels TV Hardcopy – 20th December 2019
- (45) Channels TV Sunrise Daily – 24th December 2019



*Speaking on the rights and welfare of consumers during the yuletide*

## IMPLEMENTATION OF MACARTHUR FOUNDATION FUNDED ACTIVITIES

The Commission continued the implementation of MacArthur Foundation funded activities in support of reducing retail corruption in the electricity sector. This enabled the Commission to prioritise consumer issues in the electricity sector, sensitise electricity consumers to their rights and responsibilities, build synergy and consensus with electricity regulators and distributors and provide practical solutions to consumer complaints.

Programmes undertaken in this respect included:

- i. Engagement of consumers on social media
- ii. Hosting of town hall meetings
- iii. Participation in Brekete Family radio and television programme
- iv. Production and dissemination of The Power Pack - an illustrated guide on Nigeria's power journey, consumer safeguards and energy saving tips
- v. Production and dissemination of Z-Cards on electricity consumer rights and responsibilities
- vi. Production of video skits on electricity consumer issues
- vii. Plug-in of Ikeja and Eko Electricity Distribution companies into FCCPC automated complaint system



*Strategic media engagement in Abuja.*

## INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT)

### A) Transition from the CPC to FCCPC domain

The Commission migrated and moved all the resources on its [cpc.gov.ng](http://cpc.gov.ng) domain to the [fccpc.gov.ng](http://fccpc.gov.ng) domain. A redirect was also configured, which automatically redirected all [cpc.gov.ng](http://cpc.gov.ng) visitors to access the resources at [fccpc.gov.ng](http://fccpc.gov.ng).

### B) Automation of the Consumer Complaint Management System

The Commission commenced the use of its automated consumer complaints management system.

The platform comprises:

- The core automation system
- Embedded mobile apps for Android and iOS
- A web interface for submitting complaints
- A dashboard that facilitates communication among the Commission, complainants, industries and/or respondents



## C) Key Accomplishments

The following were achieved in the year 2019:

- Creation of a web-interface where consumer complaints can be submitted as well as an admin panel for management and industry plug-in.
- A reporting interface to view and export reports to Excel file format.
- An Android and iOS App for management of consumer complaints.
- A brand arrest dashboard was developed and integrated into the platform to allow FCCPC view public opinion on issues, monitor real time public thoughts and conversations about the Commission.
- Migrating the network devices from the server to a new network rack to enhance information sharing.
- Installation of a new router and reconfiguration of the network, segmenting them into Virtual Local Area Networks (VLANs) for overall efficiency.
- Installation of a Sophos Firewall and configuration of same to protect the network from external and internal attacks.
- Installing a HP Generation 10 Server and configuring it as ESXI Host, Active Directory, File and Antivirus Servers for data safety and security.
- Installing a video conferencing solution for virtual meetings

## ADMINISTRATION ACTIVITIES

Highlights of the operations of the general administration and human resource programmes geared towards harnessing human and material resources for effective functioning of the Commission's mandate were as follows:

1. **Prompt updating of the Commission's nominal roll:** The nominal roll was properly managed to ensure that confirmation, conversion, promotion, advancement and exit of staff are reflected in line with the relevant sections of the Public Service Rules (PSR). In addition, statutory submissions were made to relevant stakeholders, including Office of the Accountant General of the Federation (OAGF), Office of the Head of the Civil Service of the Federation (OHCSF), and Federal Character Commission (FCC) as at when due
2. **Manpower Budget:** The Commission prepared a personnel budget and defended same at the Office of the Head of the Civil Service of the Federation in which additional 87 vacancies for promotion across cadres were approved
3. **Conduct of the 2019 Senior and Junior Staff Promotion Exercises:** 2 officers were converted, 5 junior and 108 senior staff who passed the promotion examination were promoted
4. **The Commission interfaced with the IPPIS HR Operations** in the Office of the Accountant General of the Federation (OAGF) to ensure prompt

payment of staff salary/allowances, processing of 2018/2019 promotion arrears for junior and senior officers

5. The Commission liaised with the National Health Insurance Scheme (NHIS) and facilitated about 40% of its staff's registration, migration and resolution of emerging cases
6. Besides processing pension payment for seven (7) families of deceased staff, enrollment of two (2) retiring Directorate Cadre staff and one (1) junior staff, the Commission also ensured prompt response to issues relating to staff pension scheme such as non-remittance of staff contributions and clarification sought by Pension Fund Administrators (PFAs)
7. Provision and proper maintenance of modern infrastructure and office equipment for the smooth operations of the Commission's Headquarters, zonal and state offices.



## PLANNING, RESEARCH AND STRATEGY



### Highlights of Accomplishments

The Commission actualised its strategic programmes and projects towards the formulation, designing and implementation of comprehensive policy plans in a systematic, integrated and coordinated manner.

Research into the internal organisation and operational modalities produced periodic corporate Weekly, Monthly, Quarterly, Mid-Term, and Annual Reports. Such reports explain market trends, practices, programmes, behavioural patterns, which are supported with evidential statistics/ data, pictorial and media interface. These have become veritable resources to highlight the implications for consumer choices and competitions in the marketplace for inter-Ministerial briefs as well as Government anniversary progress calibration.

By instituting an effective Monitoring and Evaluation (M&E) strategy, the Commission is able to measure participation and tracking of Consumer Feedback Mechanism (CFM) in its implementation of set goals and outputs for optimum Overall Efficiency (OE).

Development, analysis and effective management of the Commission's data bank for programmes that meet consumers' needs, ensure retrieval and release of the data whenever it is required for internal and external utilisation by our corporate clients.

## Advocacy on FGN Policy Thrusts

In line with its advisory roles to the Federal Government of Nigeria (FGN), the Commission initiated and formulated broad-based policies to review economic activities, identify anti-competitive and anti-consumer practices which may adversely affect the economic interest of the nation. Thus, the following key inputs were submitted towards shaping FGN policies during this period:

- The Commission's Status Report on Policies, Programmes and Projects to the Presidential Audit Committee by Ministries, Departments and Agencies from June 2015 – March 2019
- The Nigerian Expo 2020 Exhibition Sub – Committee
- Ministerial Press Briefing on Continental Free Trade Agreement; Ease of
- Doing Business Since 2015 and Role of FCCPC in Quality Assurance and Consumer Protection.
- Memorandum on Housing Development and Consumer Credit as Strategy for National Prosperity. The Commission, in its submission, pointed out some staff housing challenges that made mortgage facilities inaccessible, to include: high cost of land and housing units, inadequate flexible housing financing plans, unfriendly mortgage loan terms and high-interest rate.
- The Groundnut Policy Development Review: Market Development and Competition Strategy.

The Commission made the following suggestions:

1. Consultant to find out the ISO requirements for production and processing of groundnut
2. After meeting ISO requirements, intending exporters should obtain guidance from ISO/IEC Guide 17065 and shall obtain ISO certification to ensure standardisation of groundnut for hitch-free export
3. Collaborate with the Commission to ensure fair pricing of groundnut, such that farmers will not operate at a loss



4. Look for lucrative markets for the farmers
  5. Provide timely adequate modern farm implements at subsidised rates to farmers
  6. Utilise public/private partnership to ensure adequate provision of modern business and technological infrastructure
  7. Ensure safe and appropriate food packaging for processed groundnut
  8. Nigeria should implement integrated Aflatoxin Management Strategies such as continuous comprehensive sensitisation of small scale farmers and co-operatives as well as provide appropriate training for operators along the value chain. This sensitisation can be achieved in collaboration with FCCPC, SON, NEPC, NOA and Agricultural Extension officers
  9. Agricultural extension officers, SON, NEPC and FCCPC shall work hand in hand for monitoring, evaluation of compliance, implementation and traceability of non-compliance.
- 2017 –2018 Service Delivery Report for Public Ministries in Nigeria: A request under The Freedom of Information Act on 28th May 2019
  - The Nigeria Local Government Summit, 2019, Theme: "Emerging Issues in Local Government Administration in Nigeria" Operations of Zonal and State Offices of FCCPC
  - Authored a "Memorandum on the Need for Enhancement of Digital Protection in Internet Technology"
  - Sensitisation of the public on Freedom of Information (Fol) Act
  - Impactful Mandate Targets and Projections, Challenges and Recommended Solutions presented to the Presidential Economic Advisory Council (PEAC), October 2019.



## National Council Meetings

The Commission participated in several National Council Meetings, leveraging on such forum to advance key topical initiatives aimed at promoting its mandate.

At the 5th National Council on Communications and Digital Economy, the Commission was granted approval to drive the process of creating an Inter-Agency Task Force on E-Commerce at the request of the FCCPC. In order to ensure full operationalisation, the Commission collaborated with the National Information Technology Development Agency (NITDA) to enforce standards between technology partners in E-Commerce sector and consumers. Furthermore, the Commission organised a successful stakeholders' meeting with the chief executive officers of major E-Commerce key players in Nigeria. The meeting reached a consensus on Business Guidance (BG). This BG is known as **“Guiding Principles for the Protection of Online Market Consumers”**.

## Contribution to National Skills Development

As part of the collaborative effort towards ensuring national skills development, the Commission facilitated as well as responded to questionnaires from researchers, research institutes and other government educational agencies. The Commission's literature, information resources and library services were also made easily accessible for researchers in order to guide them. These included, amongst others, researchers from:

- Leadership Course Trainees from the National Institute for Peace and Strategic Studies (NIPSS), Kuru, Jos, Plateau State
- African Dialogue Internet Sweep on Disclosure of Terms and Condition (T&Cs)

## **Strategic Staff Capacity Building**

Through the lens of a robust Monitoring and Evaluation process sequel to the transition of the agency from a Council to a Commission, an appropriate internal organisational Strength, Weaknesses, Opportunities and Threats (SWOT) Analysis was undertaken. This resulted in a series of training workshops organised to hone the skills of the entire management and staff on relevant work-related efficiency, change management, top-notch performance, team building and professional office etiquette. The training workshops covered 9 different sessions at the Commission's Headquarters, 6 zonal offices and 2 state offices.

The Commission also organised a retreat with the theme, "Regulations Drafting Towards Operationalising the FCCPA 2018".

## **Zonal Office Accommodation, Port-Harcourt**

The Commission relocated its South-South Zonal Office to a befitting building complex. This has greatly enhanced the corporate image and operations of the Commission in that region.

## **Compliance with Executive Order 001 (EO1)**

FCCPC is one of the FGNs front-line MDAs that serve the business community and engage with the public at large. These frontline offices are those which vast majority of citizens relate with on a daily basis. They are therefore critical reform agencies to champion the creation of an enabling environment for ease of doing business through incorporating a culture of innovative measures and strategies aimed at promoting transparency and efficiency in public service delivery.

In the series of crosscutting surveys, fora and module carried out by PEBEC to appraise compliance with EO1 for the 960 MDAs under the Civil and Public Services, the FCCPC got the following inspiring ratings:

S/N	PARAMETERS	SCORE	RANK/ POSTION	EXPLANATORY NOTE
1.	Cumulative Compliance as at May 2019	79.37	3rd	PEBEC in collaboration with SERVICOM and the OHCSF tracking MDAs Co mpliance with the EO1 transparency and efficiency directives.
2.	Efficiency Compliance Ranking as at May 2019	84.16	4th	MDAs compliance to service delivery timelines and compliance to the Default Approvals and One Government directives in the EO1 (1-year)
3.	Transparency Assessment Ranking (3.0)	77	12th	Measured based on existence of a website, interactive online portal, detailed content of services, timelines, costs, requirements, customer service contact details, etc.

**Source:** 2019 EO1 Compliance Report

**See attached Annexure 1:** EO1 Detailed Compliance Report



SOURCE: 2019 EO1 COMPLIANCE REPORT

## CUMULATIVE COMPLIANCE

1		Oil & Gas Free Zone Authority (OGFZA)	88.37%	1 <sup>ST</sup>
2		Nigeria Electricity Regulatory Commission (NERC)	80.83%	2 <sup>ND</sup>
3		Consumer Protection Council (CPC)	79.37%	3 <sup>RD</sup>
4		Federal Inland Revenue Service (FIRS)	75.88%	4 <sup>TH</sup>
5		Nigerian Agricultural Quarantine Services (NAQS)	75.67%	5 <sup>TH</sup>
6		Standards Organization of Nigeria (SON)	73.76%	6 <sup>TH</sup>
7		Nigeria Export Promotion Council (NEPC)	73.59%	7 <sup>TH</sup>
8		Nigeria Electricity Management Service Agency (NEMSA)	73.14%	8 <sup>TH</sup>
9		National Office for Technology Acquisition and Promotion (NOTAP)	70.95%	9 <sup>TH</sup>
10		Federal Ministry of Foreign Affairs (FMOFA)	69.61%	10 <sup>TH</sup>
11		Nigerian Export-Import Bank (NEXIM)	69.02%	11 <sup>TH</sup>
12		Nigeria Export Processing Zone Authority (NEPZA)	64.65%	12 <sup>TH</sup>
13		Bureau for Public Procurement (BPP)	63.66%	13 <sup>TH</sup>
14		Nigerian Shippers Council (NSC)	62.57%	14 <sup>TH</sup>
15		Nigeria Content Development Management Board (NCDMB)	60.87%	15 <sup>TH</sup>
16		Nigeria Civil Aviation Authority (NCAA)	57.39%	16 <sup>TH</sup>
17		Nigeria Electricity Management Service Agency (NEMSA)	56.07%	17 <sup>TH</sup>

KEY: ● SCORE ● RANK

SOURCE: 2019 EOI COMPLIANCE REPORT

18		Federal Airports Authority of Nigeria (FAAN)	54.23%	18 <sup>TH</sup>
19		Central Bank of Nigeria (CBN)	53.16%	19 <sup>TH</sup>
20		National Agency For Food And Drug Administration (NAFDAC)	48.89%	20 <sup>TH</sup>
21		Nigeria Maritime Administration and Safety Agency (NIMASA)	47.43%	21 <sup>ST</sup>
22		Corporate Affairs Commission (CAC)	44.14%	22 <sup>ND</sup>
23		Nigeria Investment Promotion Commission (NIPC)	43.02%	23 <sup>RD</sup>
24		Nigeria Ports Authorities (NPA)	35.84%	24 <sup>TH</sup>
25		Nigerian Police Force (NPF)	35.37%	25 <sup>TH</sup>
26		Nigeria Immigration Services (NIS)	34.00%	26 <sup>TH</sup>
27		Federal Ministry of Environment (FME)	32.84%	27 <sup>TH</sup>
28		National Collateral Registry (NCR)	26.40%	28 <sup>TH</sup>
29		Nigerian Customs Services (NCS)	21.83%	29 <sup>TH</sup>
30		Security and Exchange Commission (SEC)	21.42%	30 <sup>TH</sup>
31		Commercial Law & Trademarks Department (Trademarks)	21.30%	31 <sup>TH</sup>
32		Special Control Unit for Money Laundering (SCUML)	16.20%	32 <sup>TH</sup>
33		Federal Ministry of Interior (FMI)	9.90%	33 <sup>TH</sup>
34		Federal Ministry of Finance (FMF)	---	34 <sup>TH</sup>



SOURCE: 2019 EOI COMPLIANCE REPORT

## EFFICIENCY COMPLIANCE RANKING

1	Nigeria Electricity Regulatory Commission (NERC)	96.33%	1 <sup>ST</sup>
2	Oil & Gas Free Zone Authority (OGFZA)	95.93%	2 <sup>ND</sup>
3	Standards Organization of Nigeria (SON)	85.82%	3 <sup>RD</sup>
4	Consumer Protection Council(CPC)	84.16%	4 <sup>TH</sup>
5	National Office for Technology Acquisition and Promotion(NOTAP)	79.44%	5 <sup>TH</sup>
6	Nigeria Electricity Management Service Agency (NEMSA)	76.49%	6 <sup>TH</sup>
7	NigeriaExportPromotionCouncil(NEPC)	74.01%	7 <sup>TH</sup>
8	Nigerian Shippers Council (NSC)	73.22%	8 <sup>TH</sup>
9	Nigerian Agricultural Quarantine Services (NAQS)	68.59%	9 <sup>TH</sup>
10	Bureau for Public Procurement (BPP)	68.22%	10 <sup>TH</sup>
11	NigeriaCivilAviationAuthority(NCAA)	65.27%	11 <sup>TH</sup>
12	Nigerian Export-Import Bank(NEXIM)	64.90%	12 <sup>TH</sup>
13	Federal Inland Revenue Service(FIRS)	62.09%	13 <sup>TH</sup>
14	NationalAgencyForFoodAndDrug Administration(NAFDAC)	59.63%	14 <sup>TH</sup>
15	Nigeria Maritime Administration and Safety Agency (NIMASA)	58.09%	15 <sup>TH</sup>
16	Pension Commission (PENCOM)	57.72%	16 <sup>TH</sup>
17	Nigeria Export Processing Zone Authority (NEPZA)	55.16%	17 <sup>TH</sup>

KEY: ● SCORE ● RANK



## SOURCE: 2019 EO1 COMPLIANCE REPORT

18	Nigeria Content Development Management Board (NCDMB)	53.39%	18 <sup>TH</sup>
19	Central Bank of Nigeria (CBN)	52.09%	19 <sup>TH</sup>
20	Nigeria Immigration Services (NIS)	48.30%	20 <sup>TH</sup>
21	Federal Ministry of Foreign Affairs (FMOFA)	42.88%	21 <sup>ST</sup>
22	Federal Airports Authority of Nigeria (FAAN)	41.30%	22 <sup>ND</sup>
23	Nigeria Investment Promotion Commission (NIPC)	34.90%	23 <sup>RD</sup>
24	Federal Ministry of Environment (FME)	26.62%	24 <sup>TH</sup>
25	Corporate Affairs Commission (CAC)	25.69%	25 <sup>TH</sup>
26	Nigerian Police Force (NPF)	24.47%	26 <sup>TH</sup>
27	Nigeria Ports Authorities (NPA)	---	27 <sup>TH</sup>
28	Nigerian Customs Services (NCS)	---	27 <sup>TH</sup>
29	Nigerian Export-Import Bank (NEXIM)	---	27 <sup>TH</sup>
30	Security and Exchange Commission (SEC)	---	27 <sup>TH</sup>
31	Commercial Law & Trademarks Department (Trademarks)	---	27 <sup>TH</sup>
32	Special Control Unit for Money Laundering (SCUML)	---	27 <sup>TH</sup>
33	Federal Ministry of Interior (FMI)	---	27 <sup>TH</sup>
34	Federal Ministry of Finance (FMF)	---	27 <sup>TH</sup>

SOURCE: 2019 EO1 COMPLIANCE REPORT

## TRANSPARENCY ASSESSMENT RANKING

1	Federal Inland Revenue Service (FIRS)	100%	1 <sup>ST</sup>
2	Nigeria Export Promotion Council (NEPC)	92%	2 <sup>ND</sup>
3	Standards Organization of Nigeria (SON)	89.5%	3 <sup>RD</sup>
4	National Office for Technology Acquisition and Promotion (NOTAP)	89%	4 <sup>TH</sup>
5	Nigeria Electricity Management Service Agency (NEMSA)	88.3%	5 <sup>TH</sup>
6	Corporate Affairs Commission(CAC)	88%	6 <sup>TH</sup>
7	National Collateral Registry(NCR)	88%	6 <sup>TH</sup>
8	National Agency For Food And Drug Administration(NAFDAC)	85%	8 <sup>TH</sup>
9	Nigeria Investment Promotion Commission (NIPC)	84%	9 <sup>TH</sup>
10	Nigerian Export-Import Bank(NEXIM)	82%	10 <sup>TH</sup>
11	Nigeria Ports Authorities(NPA)	79.8%	11 <sup>TH</sup>
12	Consumer Protection Council(CPC)	77%	12 <sup>TH</sup>
13	Nigerian Agricultural Quarantine Services (NAQS)	77%	12 <sup>TH</sup>
14	Federal Ministry of Foreign Affairs (FMoFA)	77%	12 <sup>TH</sup>
15	Nigerian Shippers Council (NSC)	76%	15 <sup>TH</sup>
16	Nigeria Immigration Services(NIS)	76%	15 <sup>TH</sup>
17	Federal Airports Authority of Nigeria (FAAN)	74%	17 <sup>TH</sup>

KEY: ● SCORE ● RANK






## SOURCE: 2019 EO1 COMPLIANCE REPORT

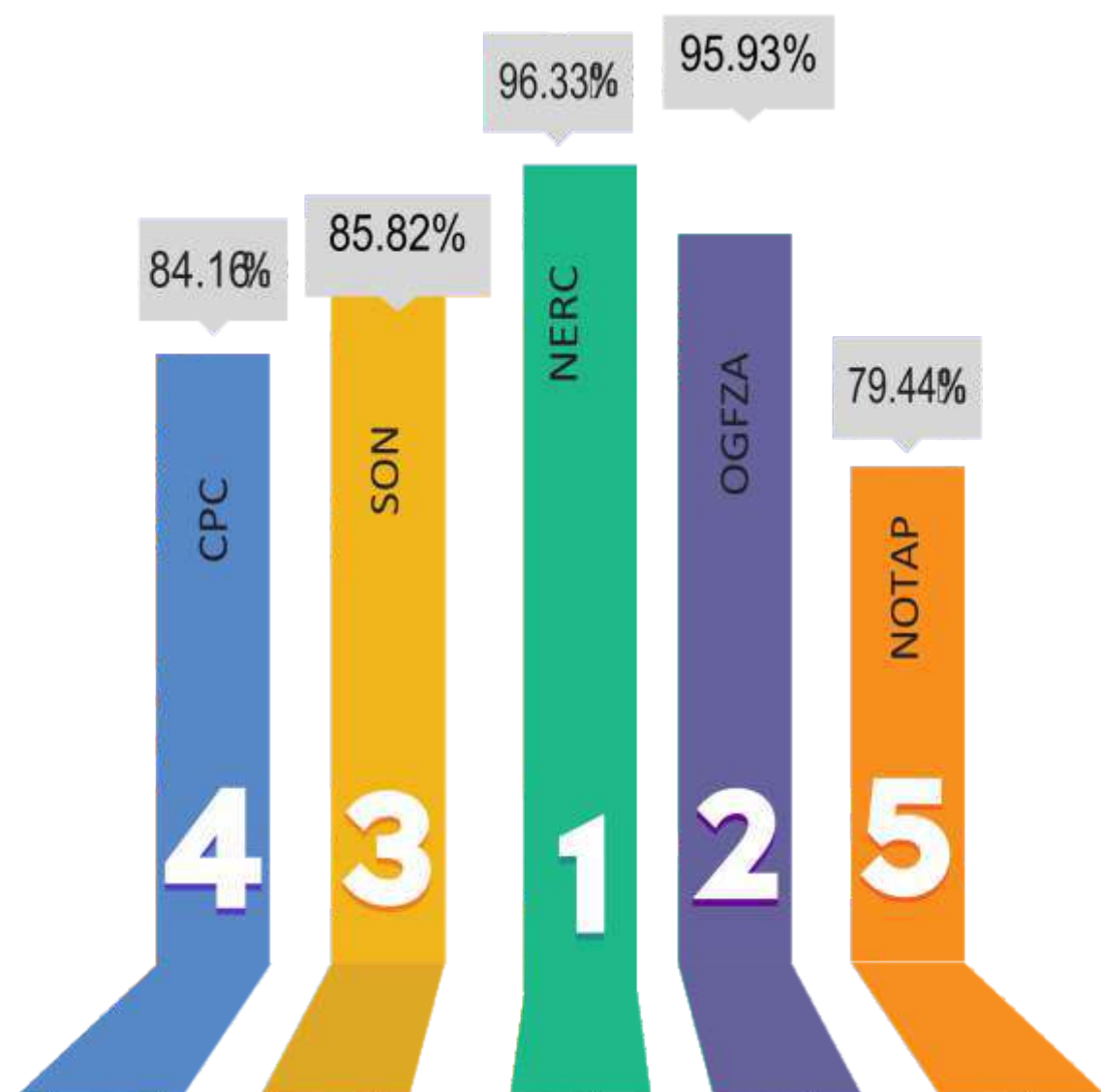
18	Oil & Gas Free Zone Authority (OGFZA)	73%	18 <sup>TH</sup>
19	Security and Exchange Commission (SEC)	71.4%	19 <sup>TH</sup>
20	Commercial Law & Trademarks Department (Trademarks)	71%	20 <sup>TH</sup>
21	Bureau for Public Procurement (BPP)	69.6%	21 <sup>ST</sup>
22	Nigeria Content Development Management Board (NCDMB)	68.5%	22 <sup>ND</sup>
23	Pension Commission (PENCOM)	64%	23 <sup>RD</sup>
24	Nigeria Electricity Regulatory Commission (NERC)	63%	24 <sup>TH</sup>
25	Nigeria Export Processing Zone Authority (NEPZA)	62%	25 <sup>TH</sup>
26	Nigeria Maritime Administration and Safety Agency (NIMASA)	56%	26 <sup>TH</sup>
27	Federal Ministry of Environment (FME)	56%	26 <sup>TH</sup>
28	Nigeria Civil Aviation Authority (NCAA)	55%	28 <sup>TH</sup>
29	Nigerian Customs Services (NCS)	54.8%	29 <sup>TH</sup>
30	Special Control Unit for Money Laundering (SCUML)	54%	30 <sup>TH</sup>
31	Central Bank of Nigeria (CBN)	53%	31 <sup>ST</sup>
32	Federal Ministry of Interior (FMI)	33%	32 <sup>ND</sup>
33	Nigerian Police Force (NPF)	30.8%	33 <sup>TH</sup>
34	Federal Ministry of Finance (FMF)	---	34 <sup>TH</sup>



SOURCE: 2019 E01 COMPLIANCE REPORT

**E01 Efficiency Compliance Ranking****(Top5 MDAs-Year 2)****KEY**


- |                                                                                                                                                    |                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
|  Nigeria Electricity Regulatory Commission (NERC)                 |  Standards Organization of Nigeria (SON) |
|  Oil & Gas Free Zone Authority (OGFZA)                            |  Consumer Protection Council (CPC)       |
|  National Office for Technology Acquisition and Promotion (NOTAP) |                                                                                                                           |

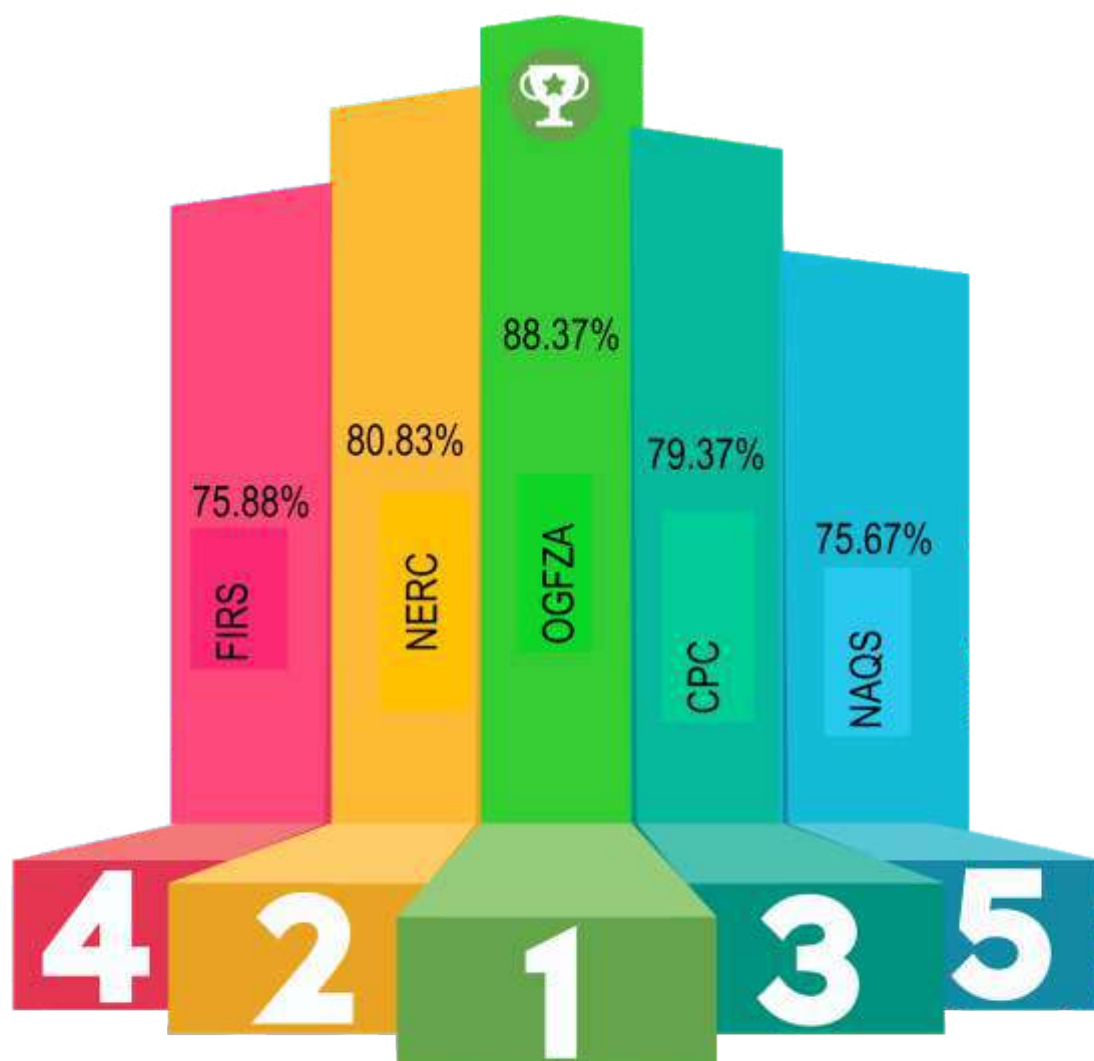


SOURCE: 2019 EO1 COMPLIANCE REPORT

**Top 5 Overall Performers (June 2017–May 2019)****KEY**

-  Oil & Gas Free Zone Authority (OGFZA)
-  Consumer Protection Council (CPC)
-  Nigerian Agricultural Quarantine Services (NAQS)

-  Nigeria Electricity Regulatory Commission (NERC)
-  Federal Inland Revenue Service (FIRS)

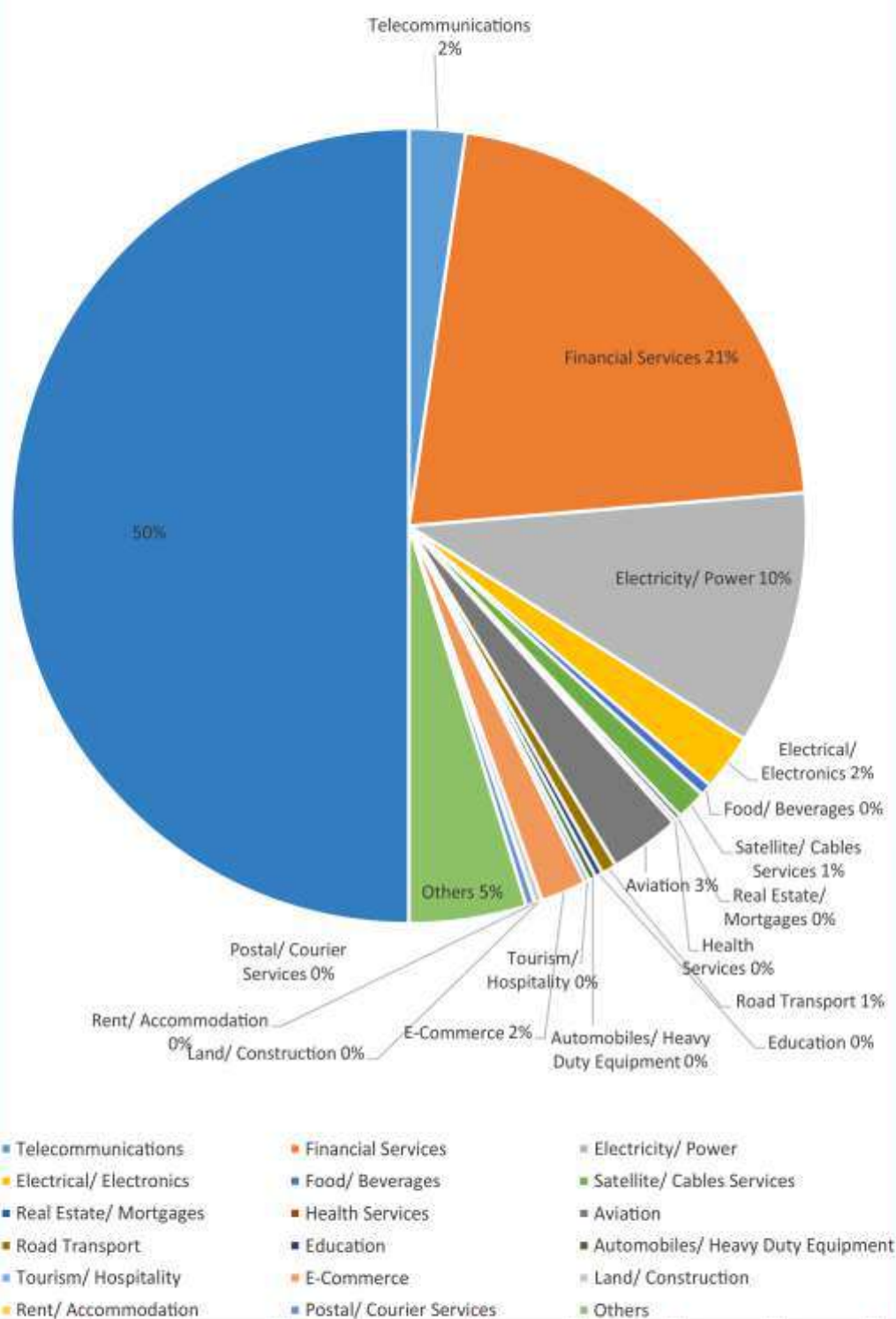


## STATISTICS REPORT

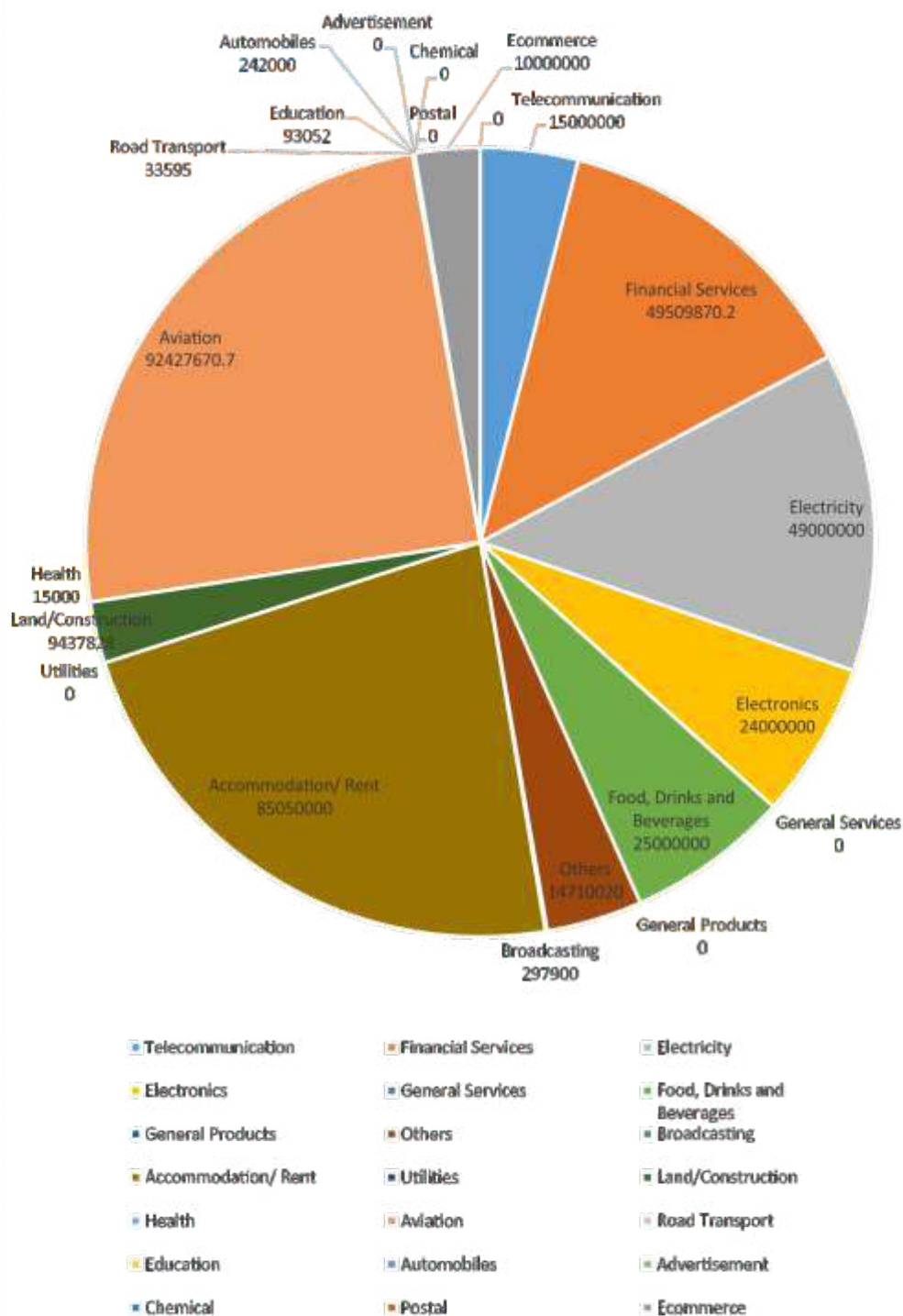
COMPLAINTS RECEIVED FROM JAN-DEC 2019		
S/NO	CLASSIFICATION OF COMPLAINTS	TOTAL
1	Telecommunications	425
2	Financial Services	3,956
3	Electricity/ Power	1,916
4	Electrical/ Electronics	427
5	Food/ Beverages	90
6	Satellite/ Cables Services	227
7	Real Estate/ Mortgages	40
8	Health Services	31
9	Aviation	533
10	Road Transport	113
11	Education	57
12	Automobiles/ Heavy Duty Equipment	52
13	Tourism/ Hospitality	40
14	E-Commerce	344
15	Land/ Construction	54
16	Rent/ Accommodation	5
17	Postal/ Courier Services	63
18	Others	885
<b>Total</b>		<b>9,258</b>



## 2019 Sectoral Complaints Received in Percentages



## 2019 Total Value of Redress for Consumer Complaints Per Sector in Naira



### 2019 Total Value of Redress for Consumer Complaints Per Sector in Naira

S/NO.	SECTORAL CLASSIFICATION	TOTAL (N)
1	Telecommunication	15,000,000.0
2	Financial Services	49,509,870.2
3	Electricity	49,000,000.0
4	Electronics	24,000,000.0
5	General Services	0
6	Food, Drinks and Beverages	25,000,000.0
7	General Products	0
8	Others	14,710,020.0
9	Broadcasting	297,900.0
10	Accommodation/ Rent	85,050,000.0
11	Utilities	0
12	Land/Construction	9,437,828.0
13	Health	15,000.0
14	Aviation	92,427,670.7
15	Road Transport	33,595.0
16	Education	93,052
17	Automobiles	242,000
18	Advertisement	0
19	Chemical	0
20	Postal	0
21	E-Commerce	10,000,000



## Our Viewpoint



## FCCPC OFFICE ADDRESSES

### 1. HEADQUARTERS:

No. 17 Nile Street,  
Maitama, Abuja  
E-mail: [contact@fccpc.gov.ng](mailto:contact@fccpc.gov.ng)  
Website: [www.fccpc.gov.ng](http://www.fccpc.gov.ng)  
Hotlines: 08056002020, 08056003030

### 2. NORTH-WEST ZONAL OFFICE:

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### 3. NORTH-EAST ZONAL OFFICE:

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### 5. SOUTH-EAST ZONAL OFFICE

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Tel: 080-3412-4060

### 6. SOUTH-WEST ZONAL OFFICE:

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Opposite Sweet Sensation,  
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Tel: 081-4717-0730

### 9. KANO OFFICE:

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Facebook: [fccpcnigeria](https://www.facebook.com/fccpcnigeria)

Instagram: [@fccpcnigeria](https://www.instagram.com/fccpcnigeria)

