

**FEDERAL COMPETITION AND CONSUMER PROTECTION  
COMMISSION**  
**PUBLIC NOTICE**  
**EXPOSURE DRAFTS AND INVITATION FOR PUBLIC COMMENTS**  
**FEDERAL COMPETITION AND CONSUMER PROTECTION  
(CONSUMER PROTECTION) REGULATIONS, 2026**  
**AND**  
**CONSUMER PROTECTION REGULATIONS GUIDANCE NOTES, 2026**

*Dated: April 13, 2026*

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## **1. INTRODUCTION**

The Federal Competition and Consumer Protection Commission (“the Commission”) hereby issues, for public consultation and comment, exposure drafts of two complementary instruments:

- (a) the Consumer Protection Regulations, 2026 (“the Regulations”); and
- (b) the Consumer Protection Regulations Guidance Notes, 2026 (“the Guidance Notes”).

The Regulations are a binding regulatory instrument made pursuant to Parts XV, XVI and XVII, and sections 17, 163(1) and 163(2)(e) of the Federal Competition and Consumer Protection Act, 2018 (“the Act”). They establish a comprehensive framework for consumer protection in commercial transactions across the Federal Republic of Nigeria.

The Guidance Notes are interpretive instruments issued under sections 17 and 18 of the Act. They do not themselves create rights or obligations; they articulate, in a single integrated series, the Commission’s position on the application of the Act and the Regulations to specific categories of emerging commercial practice.

This Notice is issued in furtherance of the Commission’s commitment to transparency, regulatory due process and evidence-based rule-making. The Commission accordingly invites comments from all interested stakeholders on the exposure drafts.

## **2. LEGAL BASIS AND SCOPE**

The Regulations give operational effect to the substantive consumer protection regime in Parts XV (Consumer Rights), XVI (Unfair, Unreasonable, Unjust or Improper Contract Terms) and XVII (Enforcement of Consumer Rights) of the Act, together with the Commission’s general powers under sections 17 and 163. They apply to all undertakings engaged in the supply of goods or services to consumers in or affecting markets in Nigeria.

The Guidance Notes sit alongside the Regulations as an interpretive companion directed at specific areas of technological and commercial change. Where there is any inconsistency between the Guidance Notes and the Regulations or the Act, the Regulations and the Act prevail.

### 3. PURPOSE OF THE INSTRUMENTS

The Regulations and the Guidance Notes are intended, together, to:

- (a) consolidate and modernise the framework for consumer information and disclosure, including digital consent, price transparency and labelling;
- (b) codify the procedural protections applicable to consumer transactions, including bundling, cancellation, returns and distance contracts;
- (c) establish clear standards of fair dealing and marketing, including advertising substantiation, unfair contract terms, commercial influence disclosure, environmental claims and protections for vulnerable consumers;
- (d) strengthen product safety and quality procedures, including hazard notification, recall, and certification;
- (e) set out the liability and redress framework applicable to defective goods and services;
- (f) establish a structured enforcement, evidence and investigations regime, with a clear interface with sector regulators and with the Competition and Consumer Protection Tribunal; and
- (g) give authoritative interpretive guidance on four areas of particular contemporary importance - AI-generated content, consumer data protection, commercial influence, and environmental and sustainability claims.

### 4. STRUCTURE OF THE REGULATIONS

The Regulations comprise 52 regulations organised in nine Parts, together with five Schedules. They are arranged progressively, from scope and information requirements through the substantive transaction, marketing, safety and redress provisions, to enforcement, evidence and miscellaneous matters:

- **Part I** — Scope and Objectives (Regulations 1–2).
- **Part II** — Consumer Information and Disclosure Procedures (Regulations 3–8).
- **Part III** — Consumer Transaction Procedures (Regulations 9–13).
- **Part IV** — Fair Dealing and Marketing Standards (Regulations 14–19).
- **Part V** — Product Safety and Quality Procedures (Regulations 20–23).
- **Part VI** — Liability and Redress Procedures (Regulations 24–27).
- **Part VII** — Enforcement Procedures (Regulations 28–41).
- **Part VIII** — Evidence and Investigations Protocol (Regulations 42–46).
- **Part IX** — Miscellaneous Provisions (Regulations 47–52).

The Regulations are supported by five Schedules: Schedule 1 (Indicative Grey List of Presumptively Unfair Contract Terms); Schedule 2 (Product Recall Plan); Schedule 3 (Consumer Complaint Form); Schedule 4 (Hazard Notification Form); and Schedule 5 (Settlement Agreement Form).

The following sections describe the substantive content of the Regulations Part by Part, followed by a summary of the Guidance Notes.

## 5. KEY FEATURES OF THE REGULATIONS — PART BY PART

### 5.1 Part I — Scope and Objectives (Regulations 1–2)

Part I sets out the scope, application and objectives of the Regulations. It identifies the Regulations as a binding instrument of general application, clarifies the relationship between the Regulations and the Act, and states the consumer protection objectives that inform the interpretation of subsequent Parts.

### 5.2 Part II — Consumer Information and Disclosure Procedures (Regulations 3–8)

Part II establishes the information base on which informed consumer choice depends. Its principal features are:

- (a) **Plain language.** A requirement that consumer communications be in plain language, with sector-appropriate calibration and an emphasis on clarity over formal legal terminology.
- (b) **Digital consent.** A detailed framework for consent to terms in digital transactions, including express prohibitions on pre-ticked boxes, consent by inaction, bundled data consent, and dark patterns in consent interfaces.
- (c) **Price display and unit pricing.** Requirements for the display of prices, including unit pricing for comparable goods, to enable meaningful price comparison at the point of sale.
- (d) **Labelling and trade descriptions.** Standards for labelling and trade descriptions, including country of origin, material composition, and product identification.
- (e) **Second-hand and reconditioned goods.** Specific disclosure requirements for second-hand, refurbished and reconditioned goods.
- (f) **Transaction records.** Requirements for the provision and retention of transaction records in a form accessible to the consumer.

### 5.3 Part III — Consumer Transaction Procedures (Regulations 9–13)

Part III regulates the lifecycle of consumer transactions from formation to post-purchase obligations. Its principal features are:

- (a) **Bundling of goods and services.** Rules on the permissible bundling of goods and services, including safeguards against coercive or tied offers.
- (b) **Cancellation of reservations, bookings and orders.** Standards applicable to the cancellation of advance reservations, bookings and orders, including associated refund obligations.
- (c) **Return of defective or non-conforming goods.** A clear regime for the return of defective or non-conforming goods, aligned with the liability provisions in Part VI.
- (d) **Goods examination standards.** Standards for the examination of goods at and after delivery.

- (e) **Distance contracts.** A dedicated regime for distance contracts, including pre-contractual information requirements and cancellation rights, designed for the Nigerian digital commerce environment.

#### 5.4 Part IV — Fair Dealing and Marketing Standards (Regulations 14–19)

Part IV articulates the substantive standards applicable to fair dealing and marketing. Its principal features are:

- (a) **Advertising substantiation.** A substantiation standard for advertising claims, with specific protections for advertising directed at children under the age of sixteen.
- (b) **Misleading and deceptive representations.** Rules on false, misleading and deceptive representations, including material omissions, environmental and sustainability claims, and extended liability across the supply chain.
- (c) **Unfair contract terms and the indicative Grey List.** A fair-terms framework supported by an indicative Grey List of presumptively unfair terms set out in Schedule 1, together with notice of material terms.
- (d) **Commercial influence disclosure.** Obligations on undertakings, influencers and online platforms in respect of commercial influence content, tracked by Guidance Note No. 3.
- (e) **Fair dealings in consumer transactions.** A general fair dealing provision directed at preventing exploitation of vulnerable consumers and at unconscionable conduct in consumer transactions.

#### 5.5 Part V — Product Safety and Quality Procedures (Regulations 20–23)

Part V establishes the product safety and quality regime, providing for:

- (a) quality assessment standards applicable to goods supplied to consumers;
- (b) hazard notification obligations, supported by the Hazard Notification Form in Schedule 4;
- (c) product recall procedures, supported by the Product Recall Plan in Schedule 2; and
- (d) safety certification and testing requirements.

#### 5.6 Part VI — Liability and Redress Procedures (Regulations 24–27)

Part VI sets out the liability and redress regime for defective products and for failures in service provision, including:

- (a) defect notification;
- (b) the statutory remedies of repair, replacement and refund;
- (c) refund procedures; and
- (d) first-line consumer complaint handling by undertakings.

#### 5.7 Part VII — Enforcement Procedures (Regulations 28–41)

Part VII sets out the Commission’s enforcement framework. It provides a structured, progressive escalation from informal complaint through mediation and investigation to formal decision and appeal. Its principal features are:

- (a) **Consumer complaints to the Commission.** Requirements for the making and handling of consumer complaints to the Commission, supported by the Consumer Complaint Form in Schedule 3.
- (b) **Interface with sector regulators.** A structured interface with industry sector regulators to avoid duplication and forum-shopping, including a review pathway in respect of sector regulator decisions.
- (c) **Mediation and conciliation.** Mediation and conciliation procedures as a first-line dispute resolution mechanism, supported by the Settlement Agreement Form in Schedule 5.
- (d) **Investigations.** Initiation and conduct of investigations, including document production, hearings and decisions.
- (e) **Consent orders, interim orders and compliance.** Consent orders, interim orders and ongoing compliance monitoring.
- (f) **Penalty assessment.** A structured penalty assessment framework, calibrated to the gravity and duration of the contravention, the benefit obtained, and the size of the undertaking.
- (g) **Appeals.** An appeal pathway to the Competition and Consumer Protection Tribunal.

### **5.8 Part VIII — Evidence and Investigations Protocol (Regulations 42–46)**

Part VIII establishes procedural protections applicable to the Commission’s investigative and evidence-gathering powers, including:

- (a) inspection and search of premises;
- (b) the handling and admissibility of digital evidence;
- (c) chain of custody;
- (d) expert evidence; and
- (e) legal professional privilege.

### **5.9 Part IX — Miscellaneous Provisions (Regulations 47–52)**

Part IX addresses matters of general application, including protections for vulnerable consumers, alternative dispute resolution, transitional provisions, savings and repeal, interpretation (including definitions) and citation.

## **6. THE GUIDANCE NOTES**

The Guidance Notes comprise four instruments, each directed at a distinct area of contemporary commercial practice in which the application of the Act and the Regulations benefits from authoritative Commission guidance. The Notes are interpretive and do not themselves create rights or obligations.

## **6.1 Guidance Note No. 1/2026 — AI-Generated and Digitally Altered Content in Consumer Communications**

Guidance Note No. 1 addresses the application of sections 123, 125 and 126 of the Act to commercial communications incorporating content generated or materially altered by artificial intelligence. It sets out the Commission’s position on:

- disclosure of AI-generated content;
- disclosure of material digital alterations;
- AI-generated testimonials and reviews;
- deepfake content;
- AI chatbots and automated conversational agents;
- AI-generated product imagery;
- internal governance for undertakings deploying AI in consumer communications; and
- specific protections for advertising directed at children.

## **6.2 Guidance Note No. 2/2026 — Consumer Data Protection in Commercial Transactions**

Guidance Note No. 2 addresses the intersection between consumer protection under the Act and data protection under the Nigeria Data Protection Act, 2023 (“NDPA 2023”). It delineates the Commission’s consumer protection jurisdiction from that of the Nigeria Data Protection Commission and sets out the Commission’s position on:

- data minimisation;
- pre-collection disclosure;
- consent for secondary use;
- tying of data consent to the supply of goods or services;
- dark patterns in consent interfaces;
- cookie consent and tracking technologies; and
- data practices involving children.

## **6.3 Guidance Note No. 3/2026 — Influencer Obligations and Commercial Influence Disclosure**

Guidance Note No. 3 addresses the application of sections 123, 125 and 126 of the Act, and regulation 18 of the Regulations, to commercial influence activities conducted through social media, digital platforms and other electronic channels. It sets out the Commission’s position on:

- disclosure requirements for influencers, including micro-influencers and virtual influencers;
- truthfulness and substantiation obligations;
- required practices for commissioning undertakings;
- required practices for online platforms hosting commercial influence content, including the prohibition on review gating; and

- the scope of the definition of “undertaking” as applied to informal digital sellers.

#### **6.4 Guidance Note No. 4/2026 — Environmental and Sustainability Claims**

Guidance Note No. 4 addresses the application of sections 123, 124 and 125 of the Act, and regulation 15(5) of the Regulations, to environmental, ecological and sustainability claims. It sets out the Commission’s position on:

- generic environmental descriptors;
- the distinction between product-level and corporate-level claims;
- substantiation and independent verification standards; and
- partial truths and material omissions in sustainability communications.

### **7. INVITATION FOR COMMENTS — CONSULTATION QUESTIONS**

The Commission invites comments from all interested persons and organisations, including undertakings, digital platform operators, advertising agencies, influencers and content creators, consumer groups, data protection practitioners, technology companies, manufacturers, retailers, industry associations, academic institutions, civil society organisations and members of the public.

Respondents may address any aspect of the exposure drafts and are particularly invited to consider the following questions, which are grouped to track the Part structure of the Regulations and the Guidance Note series.

#### **7.1 General**

- (a) Do the exposure drafts, taken as a whole, provide a clear, coherent and workable framework for consumer protection in the Nigerian market?
- (b) Is the relationship between the Regulations (binding) and the Guidance Notes (interpretive) clearly articulated?

#### **7.2 Part II — Consumer Information and Disclosure**

- (a) Are the plain language requirements in regulation 3 proportionate and workable across different sectors and product categories?
- (b) Are the consent requirements for digital transactions in regulation 4 including the prohibitions on pre-ticked boxes, consent by inaction, bundled data consent and dark patterns clear and practically workable for undertakings of different sizes?
- (c) Are the price display, labelling, trade description and second-hand disclosure requirements appropriately calibrated?

#### **7.3 Part III — Consumer Transaction Procedures**

- (a) Are the bundling, cancellation, returns and goods examination provisions proportionate?

- (b) Are the distance contract provisions in regulation 13, including pre-contractual information requirements and cancellation rights, appropriate for the Nigerian digital commerce environment?

#### **7.4 Part IV — Fair Dealing and Marketing Standards**

- (a) Are the advertising substantiation standards, and the specific protections for advertising directed at children, appropriately calibrated?
- (b) Is the indicative Grey List of presumptively unfair contract terms in Schedule 1 appropriately calibrated? Are there additional terms that should be included, or terms that should be removed?
- (c) Are the commercial influence disclosure obligations in regulation 18 practicable for undertakings, influencers and online platforms of all sizes?
- (d) Are the fair dealing provisions, including protections for vulnerable consumers, appropriately framed?

#### **7.5 Part V — Product Safety and Quality Procedures**

- (a) Are the hazard notification and product recall provisions proportionate and workable?
- (b) Is the Product Recall Plan in Schedule 2, and the Hazard Notification Form in Schedule 4, appropriately designed?

#### **7.6 Part VI — Liability and Redress Procedures**

- (a) Are the defect notification requirements and the statutory remedies of repair, replacement and refund appropriately framed?
- (b) Are the first-line complaint handling obligations on undertakings proportionate?

#### **7.7 Parts VII and VIII — Enforcement, Evidence and Investigations**

- (a) Are the enforcement procedures in Part VII, including the interface with industry sector regulators in regulation 29, workable and consistent with existing sectoral arrangements?
- (b) Are the mediation, conciliation, investigation, consent order, interim order and compliance monitoring provisions proportionate and consistent with the requirements of procedural fairness?
- (c) Are the penalty assessment provisions in regulation 39 proportionate and appropriately calibrated to the gravity of the contravention and the size of the undertaking?
- (d) Are the evidence and investigations protections in Part VIII, including those relating to digital evidence, chain of custody, expert evidence and legal professional privilege, appropriate?

#### **7.8 Part IX — Miscellaneous Provisions**

- (a) Are the protections for vulnerable consumers appropriately framed?
- (b) Are the alternative dispute resolution, transitional, savings and repeal provisions clear and workable?

- (c) Are the definitions in regulation 51 clear and comprehensive?

## 7.9 The Guidance Notes

- (a) **Guidance Note No. 1 (AI-generated content).** Are the disclosure requirements appropriate and practicable? Is the threshold for “material” digital alteration sufficiently clear? Are the provisions on AI-generated testimonials, deepfakes, chatbots and AI-generated imagery appropriately framed?
- (b) **Guidance Note No. 2 (Consumer data protection).** Does the Commission’s approach appropriately delineate the Commission’s consumer protection jurisdiction from that of the Nigeria Data Protection Commission? Are the positions on data minimisation, secondary use, dark patterns and children’s data practically workable?
- (c) **Guidance Note No. 3 (Influencer obligations).** Are the disclosure requirements practicable for influencers of all sizes, including micro-influencers and informal digital sellers? Is the treatment of virtual influencers and AI-generated personas appropriate? Is the prohibition on review gating by platforms clearly articulated?
- (d) **Guidance Note No. 4 (Environmental and sustainability claims).** Are the substantiation and independent verification standards proportionate and workable for small and medium enterprises? Is the distinction between product-level and corporate-level claims appropriately drawn?

## 7.10 Cross-Cutting Issues

- (a) Are there additional categories of emerging commercial practice that the Regulations or the Guidance Notes should address?
- (b) Do any provisions impose a disproportionate burden on micro and small enterprises, informal traders or individual content creators?
- (c) Are the transitional arrangements, including the period between publication and commencement, adequate to enable compliance?

## 8. SUBMISSION OF COMMENTS

Comments should be submitted in writing to the Commission on or before May 4, 2026, being three (3) weeks from the date of this Notice.

Comments may be submitted by any of the following means:

- (a) Email: [regulatorycomments@fccpc.gov.ng](mailto:regulatorycomments@fccpc.gov.ng)
- (b) Post: The Executive Vice Chairman/Chief Executive Officer, Federal Competition and Consumer Protection Commission, No. 23 Jimmy Carter Street, Asokoro, Abuja, Federal Capital Territory, Nigeria. Attention the Head, Anti-Competitive Practices Department.
- (c) Online: via the Commission’s website at [www.fccpc.gov.ng](http://www.fccpc.gov.ng).

All submissions should clearly indicate:

- (i) the name and contact details of the respondent;
- (ii) the capacity in which the submission is made (for example, undertaking, digital platform operator, advertising agency, influencer or content creator, consumer group, data protection practitioner, manufacturer, retailer, academic institution, civil society organisation or individual);
- (iii) the specific provision(s) of the Regulations or the Guidance Notes to which the comment relates, with reference where possible to the relevant Part, Regulation and, in the case of the Guidance Notes, the Guidance Note number and paragraph; and
- (iv) whether any part of the submission is confidential and, if so, the reasons for the claim of confidentiality. A non-confidential version of the submission must be provided in all cases.

The Commission encourages respondents to organise their submissions to track the Part structure used in this Notice, as this materially assists in the orderly analysis and publication of responses.

## 9. ACCESS TO THE EXPOSURE DRAFTS

The exposure drafts of the Regulations and the Guidance Notes, together with this Notice, are available for download from the Commission's website at:

<https://fccpc.gov.ng/resources-library/regulations/>

## 10. NEXT STEPS

Following the close of the comment period, the Commission will:

- (a) review and consider all submissions received;
- (b) make such revisions to the exposure drafts as the Commission considers appropriate in light of the comments received; and
- (c) publish the final Regulations and the Guidance Notes.

The Commission reserves the right to extend the comment period if it considers this necessary to ensure adequate consultation.

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*Issued by the Federal Competition and Consumer Protection Commission  
April 13, 2026*