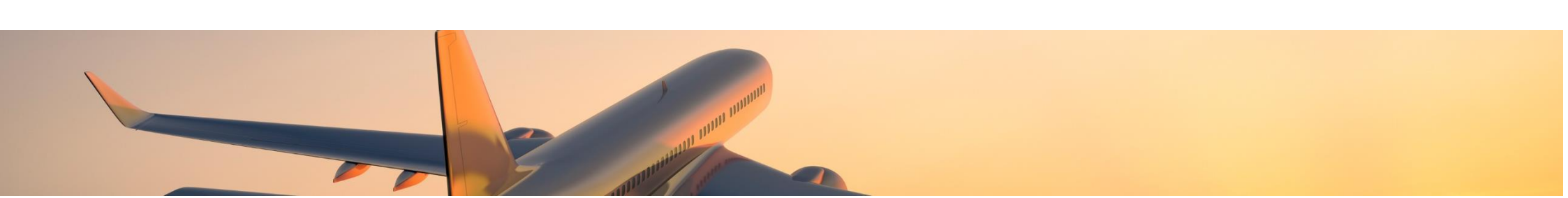




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OVERVIEW OF THE NIGERIAN VISA POLICY 2020

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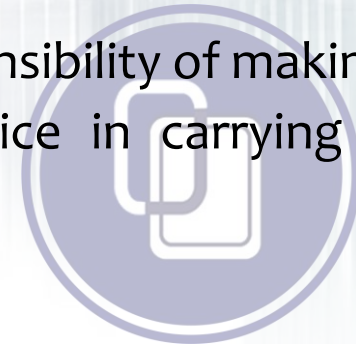


INTRODUCTION

Immigration has always been in tandem with human existence, however, the concept gained more recognition in the later part of the 17th century when migration was ascribed to issues such as war, or other social upheavals, lack of employment, economic instability and natural disasters.

In recent times, Migration has doubled by a significant percentage as people have identifiably migrated for reasons such as cross border transactions, tourism, security, marriage, education etcetera. This increased migration has raised the need for the creation of regulations to control these movements, such as the establishment of certain requirements for granting access to foreign nationals that wish to enter another country.

The Nigeria Immigration Service is saddled with the responsibility of making these regulations in Nigeria. The Nigerian Immigration Service in carrying out its





mandate to support the country's economic recovery and growth plan, expand opportunities and promote tourism, launched the Nigerian Visa Policy 2020.

With the introduction of the Nigerian Visa Policy to the Immigration space two years ago, there is a need to properly examine some of the key innovations of the Nigerian Visa Policy, and discuss how the innovations have impacted the immigration process in Nigeria.

This speech aims at giving a succinct overview of the Nigerian Visa Policy, discussing some key innovations introduced by the policy, and state recommendations that should be explored by the Nigerian Immigration Service.





DUTIES OF THE NIGERIAN IMMIGRATION SERVICE (NIS)

The Nigerian Immigration Service (NIS) initially started as a department within the Nigerian Police Force (NPF). Hence, the policing duties of the NPF decided the tide of the Visa policies in Nigeria until 1958, when the Department was separated from the NPF. Since the Separation, the department has gone through several reforms and policies, all seeking to make the Nigerian immigration service meet international standards.

The NIS caters to a number of issues ranging from Border Patrol Management, the issuance of all kinds of travel documents such as Visas, and International Passport, the establishment of the ECOWAS and African Affairs/Bilateral division amongst others.



Since 1958, several Immigration Acts have been made which have all outlined the Nigerian Visa Policy differently. However, the current legal regime is under the **Immigration Act (IA) of 2015**.

The Immigration Regulations, 2017, was released to ensure the effective implementation of the 2015 Act, as well as the consolidation of existing Immigration Regulations in Nigeria.

Since then, the Nigeria Immigration Service has succeeded in issuing several guidelines, regulations and policies in order to efficiently and effectively discharge its core duties. Some of the guidelines include the ECOWAS Residence Card and Travel Certificate Application Guidelines, Visa Application Guidelines, International Passport Application Guidelines, Immigration Facilities Handbook and the Nigerian Visa Policy.





ENACTMENT OF THE NIGERIAN VISA POLICY 2020

The Nigerian Immigration Service in carrying out its mandate to support the country's economic recovery and growth plan, expand opportunities and promote tourism, launched the Nigerian Visa Policy 2020. The launch of the Nigerian Visa Policy 2020 was necessitated to address some of the lapses that existed in the pre-existing Nigerian Visa Policy 2012 and other Immigration Regulations, and to expand the categories of visas available. The Nigerian Visa Policy also reflects international best practices on migration.



Objectives of the Nigerian Visa Policy 2020

The Nigerian Visa Policy 2020 seeks to enhance the ease of doing business in Nigeria, boost tourism, address current immigration-related challenges, and expand opportunities regarding bilateral and multilateral relations with other countries.

What is Visa?

The word "**Visa**", according to **section 116** of the **Immigration Act 2015**, means *“an impress or endorsement by any means on a travel document, purporting to be signed and dated by an officer appointed for that purpose by or on behalf of the Government of Nigeria, and authorizing entry into or transit across Nigeria subject to compliance with any special requirements prescribed by the immigration authorities*



at a port of entry, and valid for specified time and for the number of journeys stated therein."

Simply put, it is the document that grants access into a country and stipulates the duration of stay in that country. A Visa Policy is therefore the strategy adopted by a State, in the grant and refusal of visas to foreigners.





CATEGORIES OF VISA

The Nigerian Visa policy provides for categories of visas for travellers to Nigeria; They include the Free Visa/ Visa Exemption and the Visa Mandatory.

a. Category of Free Visa/ Visa Exemption

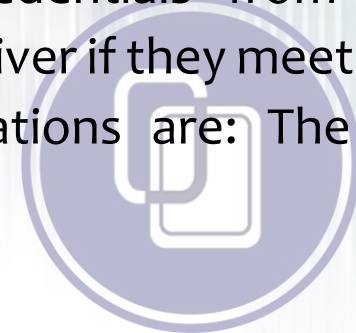
Certain travellers can access entry to Nigeria without stringent application procedures or rules. The category of travellers under this exemption is provided for in the Nigerian Visa Policy 2020. These travellers can acquire four (4) classes of Visa which includes: F1A, F1B, F1C, and F1D.

- i. F1A is for citizens of **Economic Community of West African States (ECOWAS)** member countries, who do not require a Nigerian visa to enter the country under the ECOWAS free movement protocol.



These travellers, however, must have valid travel documents, enter through a recognized entry port, and not fall into the category of prohibited immigrants. A residence permit must also be obtained from the Nigeria Immigration Service in order to start a business or work.

- ii. F1B visas are available to citizens of Cameroon and Chad, whose governments have signed Visa Abolition Treaties with Nigeria. Based on a bilateral agreement, they can travel to Nigeria for a maximum of 90 days (not for employment or business), without obtaining a visa. They must, however, obtain the appropriate visa for employment or business purposes.
- iii. F1C visas are for holders of official travel credentials from several international organizations are eligible for a visa waiver if they meet specific entrance requirements. Some of these organizations are: The United



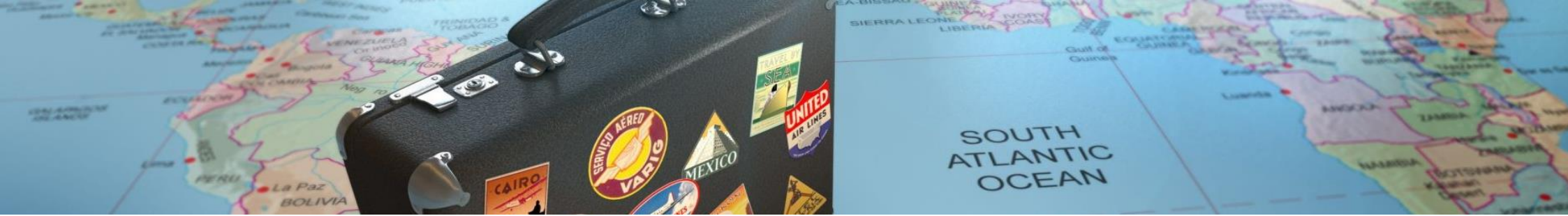
Nations, ECOWAS, African Union Commission, African Development Bank and Commission.

Travellers in this group must have a valid passport, official travel document, and permission to travel. The maximum length of stay in Nigeria is 90 days and only for single entry purposes.

- iv. F1D is for holders of diplomatic and/or official passports from specific nations, based on a bilateral or multilateral reciprocity agreement and specified entry requirements. The following 13 nations are included in this group, according to the NVP 2020: Brazil, China, Cuba, Kenya, Namibia, Mauritius, Rwanda, South Africa, Singapore, Sudan, Tanzania, Turkey and Venezuela.

Citizens of these countries who meet the criteria can visit Nigeria without a visa for up to 90 days and only once. The visa-free entry, however, is not valid for job purposes.





b. The mandatory visa category

Travellers who require a visa can choose from any of the other 75 visa classifications and kinds, which are further divided into Short Visit Visas (SVV); Temporary Resident Visas (TRV), and Visas for Permanent Residency (PRV).

The SVV allows visitors to visit Nigeria for a maximum of three months (90 days). It has 24 visa classes, ranging from F2A for non-accredited diplomats to F9A for Nigerians in Diaspora who want to enter the country but do not have Nigerian passports.

Under the TRV, individuals are granted residence for a maximum of two years. There are 36 different visa classifications, ranging from R1A for authorized diplomats to R11 for Temporary Work Permit holders, with multiple entry visas within six months.



Under the PRV, certain classes of people are granted permanent residency status. It has 15 visa classes, including the N1A (for foreigners who are spouses of Nigerian residents), N6D (for parents 65 and older who are dependents of Permanent Residence visa holders), investors, highly qualified immigrants, and retirees who desire to move to Nigeria.

SVV, TRV, and PRV visas, as well as those accessible through the visa on arrival and E-visa channels, can be processed and obtained in Nigerian diplomatic posts (Embassies, Consulates, and High Commissions), and designated Visa Application Centers (VACs). Travellers would be required to submit to biometric data capture at all Nigerian missions and VACs before receiving appropriate visas, according to the NVP 2020.



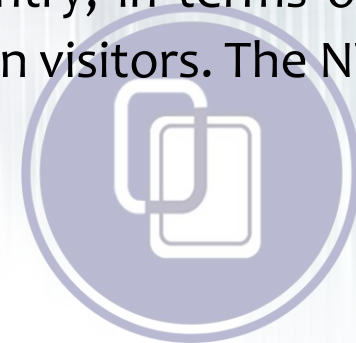


KEY INNOVATIONS OF THE NIGERIAN VISA POLICY 2020

1. Creation of more classes of Visa to accommodate a larger range of travel purposes:

The NVP 2020 covers a wide range of travel purposes that were previously lumped together under the headings of transit, tourist, business and work. For example, business travellers can now apply for and get various types of business visas that provide varying degrees of benefits, depending on the purpose of their trip.

Visitors planning to come for a variety of reasons, including tourism, medical and religious purposes, family and friend visits, journalism, clergy-related activities, athletic events, and so on, can now obtain visas tailored to their unique needs. This classification of visa classes is advantageous to the country, in terms of visitor profiling and data analytics on the demographics of foreign visitors. The NVP 2020 increased the classes of visa from 6 to 79.



2. Creation of more Visa Application Channels:

The NVP 2020 introduced additional channels of Visa application such as;

- **Visa on Arrival:** Visa on Arrival process allows a foreigner with an African Union passport, who is visiting Nigeria for a short time to process and acquire his or her visa, on arrival at the Nigerian airport. It only applies to four types of short-term visas. Foreigners who are not citizens of AU countries, on the other hand, can only get a Visa on Arrival for tourism purposes. This is the most popular NVP 2020 development. This portion of the strategy is also supported by **Section 20** of the **Immigration Act of 2015**, which states:
"At the point of entry, the Comptroller General of Immigration shall authorize the issuing of Short Visit Visas."
- **Electronic Visa (e-Visa):** For foreigners who desire to visit the nation for less than three months, the e-Visa process is accessible for visa applications under



the Short Visit Visa Category. Unlike the Visa on Arrival, however, it must be applied for online through the Immigration Service Website and requires online pre-approval (Travel Authorization Letter), which is issued to the applicant at least 48 hours before the visitor arrives at the port of entry.

- **Application at the Embassy:** All classes of visa (including those eligible for Visa on Arrival and e-Visa) can be applied for through this channel, according to the Nigerian Visa Policy 2020 policy, by visiting Nigerian embassies and authorized Visa Application Centres, which will be responsible for collecting and submitting visa applications on behalf of applicants, to the Nigerian Embassy for processing and approval.



3. Creation of Permanent Residence Visa Category:

The NVP 2020 provides for various kinds of people to get Permanent Residence in Nigeria for a minimum of five years. Spouses of Nigerian nationals, Nigerians by birth who have renounced their Nigerian citizenship, and investors with proof of importing and retaining a minimum capital of US\$250,000 are among those eligible.

4. Introduction of a Special Visa Category for Nigerians in Diaspora

A new visa category has been established for Nigerians born in the Diaspora, who have dual citizenship and do not have Nigeria visas on their passports (of other countries) when entering Nigeria. They will now be granted indefinite residence and numerous visas under this new policy, allowing them to enter Nigeria whenever they choose. It also covers Nigerians by birth who have given up their Nigerian citizenship since their naturalized nations do not allow dual citizenship. The spouses of such Nigerians can also apply for this type of visa.



Implications of the Nigerian Visa Policy

The Investment Sector:

The NVP 2020 has expanded the provisions of the **Nigerian Investment Promotion Commission Act, Chapter N117, 2004**, particularly on Expatriate Quota. The Expatriate Quota system which is an incentive for foreign investors, now include spouses and dependents of the expatriate as part of the incentives.

It is general knowledge that there is a problem of multi- regulators in the Investment sector in Nigeria. The NVP 2020 does not directly resolve this problem as regulatory authorities such as the National Office for Technology Acquisition and Promotion, the Nigerian Investment Promotion Commission, the Corporate Affairs Commission, etcetera, still poses a challenge in the administration of licenses and permits for smooth transitioning of investment in Nigeria.



However, the One Stop Investment Centre under the NIPC Act may resolve this concern, as all regulators with roles necessary for foreign investors to do business in Nigeria may be present at one physical location.

The Tourism Sector:

In the tourism sector, with the introduction of visa for tourism, there is an increase of tourists which consequently affects the economy positively.





CONCLUSIONS AND RECOMMENDATIONS

The Nigerian Visa Policy 2020 was a long-overdue welcome development as it creates more classes of visas and ensures ease in the application of same. Visa applicants can now apply for specific visas that are tailored specifically for their purpose of entry into Nigeria. It is expected that the Nigerian Government will ensure full implementation of this policy through the relevant ministries and government agencies. Also, measures should be put in place to prevent abuse and misuse by government officials and visa applicants.

