

Telecommunications - Nigeria

Telecoms sector takes great strides forward

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Introduction

Inauguration of Broadband Council

Cybersecurity Bill

Development of telecommunications infrastructure

Introduction

Over the past few months there have been some major developments in the Nigerian telecommunications sector, including the inauguration of a new council that will monitor and facilitate the implementation of the Nigerian National Broadband Plan 2013-2018. The broadband plan aims to achieve a fivefold increase in broadband penetration in Nigeria by 2018. Two other major developments have been the raising of finance to enable telecommunications operators to provide telecommunications services efficiently across the country and the presentation of the Cybersecurity Bill 2013 to the National Assembly.

Inauguration of Broadband Council

The 19-member Broadband Council is headed by the minister of the federal Ministry of Communication Technology and comprises stakeholders and their representatives, including:

- Eugene Juwah, executive vice chairman and chief executive officer of the Nigerian Communications Commission;
- Juwah's predecessor, Ernest Ndukwe;
- Jim Ovia, chairman of Visafone (a leading Code Division Multiple Access operator);
- Funke Opeke, chief executive officer of Main One Cable Company;
- Gbenga Adebayo, chairman of the Association of Licensed Telecommunications Operators in Nigeria;
- Abdullahi Maikano, secretary of the Universal Service Provision Fund;
- Juliet Ehimuan-Chiazor, country manager of Google Global Services Nigeria Limited;
- Junaid Dikko, a director of Etisalat Nigeria;
- Mohammed Rudman, chief executive officer of Internet Exchange Point of Nigeria;
- Emmanuel Onyeje, a representative of Microsoft; and
- John Ayodele, a director in the Federal Ministry of Communication Technology.

The council members will take measures in order to implement the broadband plan. Their responsibilities include:

- providing periodic reports on the progress of the plan's implementation;
- facilitating the coordination and collaboration of various stakeholders during the implementation period;
- ensuring that stakeholders - including the relevant agencies, institutions and the general public - are actively engaged and involved in the implementation process; and
- where necessary, recommending changes or amendments to the strategy for the implementation of the plan.

Cybersecurity Bill

Despite the efforts of a few stakeholders to ensure that cybersecurity legislation is passed by the National Assembly (the federal legislative body, comprising the House of Representatives and the Senate), there have been several setbacks over the years. The

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latest setback in 2012 led to withdrawal of the 2011 version of the Cybersecurity Bill, and to its subsequent review by the Office of the National Security Adviser and the Ministries of Justice and Communication Technology. However, stakeholders have persisted in their efforts to ensure that Nigeria has cybersecurity legislation and this has resulted in the Cybersecurity Bill 2013, which has now been presented to the National Assembly.

The bill aims to:

- provide an effective, unified and comprehensive legal, regulatory and institutional framework for the prohibition, prevention, detection, prosecution and punishment of cybercrime in Nigeria;
- ensure that computer systems, networks and information infrastructure that are designated as critical national information infrastructure⁽¹⁾ are protected; and
- promote cybersecurity and the protection of IP and privacy rights.

Before this latest development, six private members bills had been introduced to both parts of the National Assembly in different bids to provide a legal framework for cybersecurity. These bills were:

- the Computer Security and Critical Information Infrastructure Protection Bill 2005;
- the Cybersecurity and Data Protection Agency Bill 2008;
- the Electronic Fraud Prohibition Bill 2008;
- the Nigeria Computer Security and Protection Agency Bill 2009;
- the Computer Misuse Bill 2009; and
- the Economic and Financial Crimes Commission Act (Amendment) Bill 2010.

Development of telecommunications infrastructure

Minister of Communications Technology Omobola Johnson has reportedly confirmed⁽²⁾ that the federal government is working towards securing a total investment of \$6 billion for the development of the telecommunications infrastructure in order to provide telecommunications services efficiently across the country. It is expected that the process will be completed before the end of 2013. The investment will be used for, among other things, the deployment of more base stations across the country to meet the national target of an increase from the present 27,000 base stations in 2013 to 60,000 by 2018. The report of the Presidential Committee on Broadband estimates that Nigeria requires about \$795 million to ensure that the necessary fibre cables and other facilities are installed across the country – this figure is exclusive of rights of way fees and other project administration costs.

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Endnotes

(1) According to the draft Cybersecurity Bill:

"the President of Nigeria may on the recommendation of the National Security Adviser, by Order published in the Federal Gazette, designate certain computer systems, networks and information infrastructure vital to national security of Nigeria or the economic and social well being of its citizens, as constituting Critical National Information Infrastructure."

(2) Published in *ThisDay*, June 19 2013, and *BusinessDay*, July 2 2013.

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