

## CIRCULAR

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Office of the Secretary to the  
Government of the Federation,  
The Presidency,  
Shehu Shagari Complex,  
Three Arms Zone,  
Abuja.

14<sup>th</sup> September, 2020

Chief of Staff to the President,  
Deputy Chief of Staff to the President, Office of the Vice-President,  
Honourable Ministers/Ministers of State,  
Head of the Civil Service of the Federation,  
Permanent Secretaries,  
National Security Adviser,  
Special Advisers/Senior Special Assistants,  
Chief of Defence Staff/Service Chiefs/Inspector-General of Police,  
Governor, Central Bank of Nigeria,  
Chairman, Federal Civil Service Commission,  
Chairman, Police Service Commission  
Chairman, Code of Conduct Bureau,  
Chairman, Code of Conduct Tribunal,  
Chairman, Revenue Mobilization, Allocation and Fiscal Commission,  
Chairman, Federal Inland Revenue Service,  
Chairman, Independent National Electoral Commission,  
Chairman, National Population Commission,  
Chairman Independent Corrupt Practices & Other Related Offences Commission,  
Chairman, Economic & Finance Crimes Commission,  
Chairman, National Drug Law Enforcement Agency,

Chairman, National Salaries, Incomes & Wages Commission,  
Chairman, National Assembly Services Commission,  
Surveyor-General of the Federation,  
Directors-General/Executive Secretaries/Managing Directors.

**ADMINISTRATION OF CONCESSION PROGRAMME OF THE FEDERAL  
GOVERNMENT OF NIGERIA**

Following the absence of clear distinction between the functions of the Infrastructure Concession Regulatory Commission (ICRC) and Bureau of Public Enterprises (BPE) and its consequences on Investors' confidence in the Nigerian Economy, the Federal Government has approved the following guidelines for use in applying the National Policy on Public Private Partnership (PPP) vis-à-vis the extant laws guiding the operations of the Infrastructure Concession Regulatory Commission (ICRC) and Bureau of Public Enterprises (BPE) in the administration of PPP processes. The guidelines are:

- a. The **BPE**, in line with the provisions of the Public Enterprises (Privatization and Commercialisation) Order 2012 (as amended) shall:
  - i. Be responsible for the concession of Public Enterprises and Infrastructure already listed in the First and Second Schedules of the Public Enterprises (Privatization and Commercialisation) Act; and
  - ii. Act on behalf of the Federal Government, either alone or in conjunction with relevant Ministry, Agency, Corporation or body, as the counterparty on all infrastructure projects being developed on a Public Private Partnership basis;
- b. The **ICRC** shall act as the regulatory Agency for PPP transactions, with powers to inspect, supervise as well as monitor the projects and process, in order to ensure compliance with relevant laws, policies and regulations; and

- c. In processing any PPP transaction under paragraph (a) above, BPE and the relevant Agency of Government shall ensure compliance with the provisions of the Infrastructure Concession Regulatory Commission (Establishment, Etc.) Act, 2005.
2. This Circular, which supersedes any previous directive on this subject, shall take immediate effect and should be read in conjunction with all Extant Laws, Regulations, Orders and Guidelines.



**Boss Mustapha**

Secretary to the Government of the Federation