



## Legislation Review Deck (LRD) – Enforcement Processes Regulations 2019

LRD Legend	
New Provisions/Additions	
Significant Changes to Existing Provisions	
Minor Changes to Existing Provisions	
No changes to existing provisions	

Nature of Review	Part/Section- & Thematic Area	Brief on Review/Changes	Regulatory Justification/Basis
	<b>Part II</b>  <i>General processes and procedure for exercising monitoring and enforcement powers</i>	<p>The review made the following changes to the Regulations:</p> <ol style="list-style-type: none"> <li>1. A new <b>Regulation 7</b> that sets criminal liability for the obstruction, blockade and denial of access to any communications facility.</li> <li>2. A new <b>Regulation 8</b> that sets criminal liability for the destruction, distortion or tampering with any communications facility.</li> <li>3. A new <b>Regulation 10</b> that sets criminal liability for preregistration of SIM or selling of preregistered SIMs.</li> <li>4. A minor addition to <b>Regulation 11 (1)</b> by including compliance with the Nigerian Data Protection Act 2023.</li> </ol>	<p>This review and changes is to provide the regulatory clarity and set out some communications offences that are not currently covered by existing provisions of the Nigerian Communications Act 2003 and its subsidiary legislations.</p>
	<b>Part III</b>  <i>Consumer Affairs and Technical Regulations</i>	<p>The review made the following changes to the Regulations:</p> <ol style="list-style-type: none"> <li>1. A new <b>Regulation 15</b> that sets criminal liability for call masking, call refile and call termination related breaches.</li> </ol>	<p>This review and changes is to provide the regulatory clarity and set out some communications offences that are not currently covered by existing provisions of the Nigerian Communications Act 2003 and its subsidiary legislations.</p>

	<p><b>Part IV</b> <i>Administrative Fines</i></p>	<p>The review made the following changes to the Regulations:</p> <ol style="list-style-type: none"> <li>1. A new <b>Regulation 21 (2)</b> that sets out administrative actions against Senior Management and Board of licensees in continual noncompliance with the provisions of the Act and its subsidiary legislations.</li> <li>2. A new <b>Regulation 21 (3)</b> that sets out the actual administrative actions that can be taken against Senior Management and Board of licensees in continual noncompliance with the provisions of the Act and its subsidiary legislations.</li> </ol>	<p>This is to ensure that in instances of persistent and continual call masking breaches and refusal to settle interconnect payments, the Commission may consider taking some administrative actions against its Senior Management and Board.</p>
	<p><b>Part V</b> <i>Grounds and Procedure for Revocation of Licence</i></p>	<p>The review made the following changes to the Regulations:</p> <ol style="list-style-type: none"> <li>1. A minor addition of <b>Regulation 22 (e)</b> that includes call masking infractions and refusal to settle interconnect payments as grounds for licence revocation.</li> </ol>	<p>This is to ensure that in instances of persistent and continual call masking breaches and refusal to settle interconnect payments, the Commission may consider the revocation of the licence of such an entity.</p>
	<p><b>Second Schedule</b></p>	<p>The review made the following changes to the Regulations:</p> <ol style="list-style-type: none"> <li>1. Amended Items (6), (9), (10), (12) and (13) and added a new Item 16 In <b>Part A</b> of the Schedule.</li> </ol>	<p>This is to align the specific administrative fines to current realities.</p>

	<i>Specific Administrative Fines</i>	2. Amended Items (3), (5), (8) and (11) in <b>Part B</b> of the Schedule	
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