



NIGERIAN BAR ASSOCIATION

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CAC DIRECTIVE ON RE-VALIDATION OF ACCREDITED AGENTS: THE POSITION OF THE NIGERIAN BAR ASSOCIATION

The attention of the Nigerian Bar Association (“NBA”) has been drawn to a directive credited to the Registrar-General of the Corporate Affairs Commission (“CAC”) to the effect that accredited agents of the CAC, including lawyers, are to revalidate their status as agents with the CAC and pay the sum of Ten Thousand Naira (₦10,000), failing which the defaulting agents may be unable to access the CAC’s Portal.

Since the news broke out, the NBA has been engaging with the CAC on this subject. The ostensible reason given by the CAC for this directive is to checkmate the spate of proxy interactions with the Portal and to weed out from the CAC’s Database, accredited agents who are either now deceased or have emigrated out of the country and/or changed their location.

Whilst this objective may be well intended, the position of the NBA on the issue is as follows:

1. The NBA takes the view that it is both insensitive and smacks of utter bad faith on the part of the CAC to proceed with this policy without due consultation with the NBA whose members make up over 80% of the customer base of the CAC. This is in spite of the fact that the NBA-CAC Task Force has been in constant touch with the CAC regarding improving efficiency and processes at the CAC.
2. While we appreciate that following engagements with the CAC, the Commission has extended the deadline from 31st March 2021 to 10th June 2021 and has also clarified that the payment will be one-off fee, the NBA remains of the view that it is possible to achieve a clean database of accredited agents by requiring those who had been previously accredited by the CAC to simply update and revalidate their records on the CAC portal (at no cost) or lose their accreditation by the new deadline. The obligatory charge imposed by the CAC should not apply to existing users but only to those customers who have never been accredited by the CAC and who now seek to be part of the system.
3. The NBA is deeply concerned about the timing of this policy, which is coming at a time when many lawyers have endured epileptic services from the CAC and have either lost the faith of their clients or have been de-briefed by clients who believe that the lawyers treat their instructions with levity. This state of affairs is what has led to the establishment of the NBA-CAC Taskforce to facilitate regular interface with the CAC in resolving issues associated with the its services. Available reports from the Taskforce indicate that in spite of its engagement with the CAC, the service levels are still quite abysmal.
4. The NBA strongly urges the CAC to reconsider its position with respect to the payment of the revalidation fee by existing users, and more importantly to continue to work assiduously towards improving customer experience by resolving the several complaints by users of the system and enhancing efficiency. Resolving these issues will not only be beneficial to the CAC and its customers but will significantly advance the Federal Government’s Policy on Ease of Doing Business in Nigeria.

Members of the NBA can be assured that we will continue to engage the CAC on these and other related issues that affect their dealings with the Commission.

OLUMIDE AKPATA
NBA PRESIDENT
12th March, 2021

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