



CHARTING NIGERIA'S DIGITAL FUTURE: A LEGAL PERSPECTIVE ON TECHNOLOGY, REGULATION, AND VISION

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Nigeria is at a pivotal stage in its technology and digital development. With Africa's largest population, a predominantly youthful workforce, and a resilient startup ecosystem, technology has become central to Nigeria's economic growth, governance reform, and social development. The National Bureau of Statistics, revealed in their Nigerian Gross Domestic Product Report Q3 2024, the Information and Communications Technology (ICT) sector contributed over 11% to Nigeria's Gross Domestic Product in 2024, with projections indicating sustained growth in the coming years.¹

This article examines Nigeria's technology trajectory from a legal and regulatory perspective. It explores Nigeria's current technology jurisprudence, considers emerging legislation and policy reforms, and explores Nigeria's vision for the future of technology through policy initiatives and regional integration efforts. It also attempts a comparative review of global frameworks such as the European Union's (EU) Digital Single Market. It also suggests recommendations for the future of technology regulation in Nigeria, and how Nigeria can position as a leading digital economy on the African continent through deliberate law making and policy coordination.

NIGERIA'S CURRENT DIGITAL REGULATORY LANDSCAPE: OVERVIEW OF PROGRESS AND CHALLENGES

Nigeria's digital regulatory landscape has witnessed rapid growth in recent times. We examine some of the governing laws below:

1. Nigeria Data Protection Act (NDPA) 2023 and General Application and Implementation Directive (GAID) 2025:² The Nigeria Data Protection Act 2023 is Nigeria's primary legislation governing the protection of personal data. It establishes a clear legal framework for how personal data must be collected, used, stored, shared, and protected. The Act affirms the rights of individuals (data subjects), defines the responsibilities of organisations that process personal data, and empowers the Nigeria Data Protection Commission (NDPC) as the supervisory authority responsible for enforcement. While the NDPA establishes the legal obligations, the GAID provides the practical framework for implementation. GAID operationalises the Act by detailing how organisations are expected to comply in practice. It addresses issues such as registration with the NDPC, appointment of Data Protection Officers, staff training, audit requirements, data protection impact assessments, and data breach reporting timelines. Together, the NDPA and GAID form a unified and enforceable data protection regime in Nigeria.

2. Nigeria Startup Act 2022:³ This Act creates a supportive legal framework for innovation by offering tax incentives, regulatory sandboxes and investment opportunities. It signals the legislature's recognition that innovation thrives when regulatory burdens are balanced with targeted support.

3. The Securities and Exchange Commission's (SEC) New Rules on Issuance, Offering Platforms and Custody of Digital Assets:⁴ The Rules form a key part of Nigeria's evolving regulatory framework for technology, particularly fintechs. The Rules establish a structured regime for the issuance of digital assets as securities and the registration and licensing of digital asset offering platforms, exchanges, custodians, and virtual asset service providers, with a strong emphasis on investor protection, transparency, and market integrity.

¹ National Bureau of Statistics, Gross Domestic Product Report (Q3 2024) (NBS 2024) 25.

² Nigeria Data Protection Act 2023 (Federal Republic of Nigeria) Act No 37 of 2023 <https://placng.org/i/wp-content/uploads/2023/06/Nigeria-Data-Protection-Act-2023.pdf> accessed 2 January 2026.

4. The Cybercrimes (Prohibition, Prevention, etc.) Act 2024:⁵ This Act establishes a comprehensive legal and institutional framework for the prohibition, prevention, detection, prosecution, and punishment of cyber-related offences. It establishes a framework for the prosecution of offences such as hacking, identity theft, cyber fraud, and unauthorised access to computer systems. The Act also mandates the protection of critical national information infrastructure and promotes the operational resilience of information systems, electronic communications, data, and related intellectual property and privacy rights.

5. Critical National Information Infrastructure Order 2024:⁶ The Federal Government issued the “Designation and Protection of Critical National Information Infrastructure Order,” which designates telecom towers, fibreoptic cables, data centres, government platforms and other ICT systems as critical infrastructure. Willful damage of such infrastructure now attracts criminal liability, punishable by up to ten years’ imprisonment. This move aligns Nigeria with jurisdictions that treat telecom assets as strategic and impose strict penalties for their sabotage.

6. The National Information Technology Development Agency (NITDA) Act 2007:⁷ The NITDA Act, established the institutional foundation for digital governance by establishing NITDA as the regulatory authority responding for the development of Nigeria’s Science, Technology and Innovation sector. The Act provides guidelines on the operation of e-government services, cloud computing, data protection, blockchain adoption, digital identity, and the regulation of internet platforms. This demonstrates Nigeria’s willingness to accommodate technology-driven innovation without constraining it through rigid statutory limits.

7. Code of Practice for Interactive Computer Service Platforms (2022):⁸ The Code seeks to set best practices, combat harmful online content and adopt a coregulatory approach. Developed with the NCC and NBC and input from major platforms, it emphasises protecting the fundamental rights of Nigerians and non Nigerians online. The Code defines the platforms subject to its obligations, interactive computer service platforms, internet intermediaries and “large platforms” with over 100,000 users. Commendable provisions include removing nonconsensual content, protecting children from harmful material, implementing notice and take down procedures and publishing platform rules. Large platforms must incorporate in Nigeria, maintain a physical presence and appoint a liaison officer to communicate with regulators.

3 Nigeria Startup Act 2022 s 1 <https://placng.org/i/wp-content/uploads/2023/01/NIGERIA-STARTUP-ACT-2022.pdf> accessed 3 January 2026.

4 Securities and Exchange Commission, Rules on Issuance, Offering Platforms and Custody of Digital Assets (SEC Nigeria 2022) <https://sec.gov.ng/documents/8/Rules-on-Issuance-Offering-and-Custody-of-Digital-Assets.pdf> accessed 8 January 2026.

5 Cybercrimes (Prohibition, Prevention, etc.) Act 2015 s 1 <https://www.nfiu.gov.ng/images/Downloads/downloads/cybercrime.pdf> accessed 3 January 2026.

6 <https://cert.gov.ng/ngcert/resources/cnii-gazette.pdf>

7 National Information Technology Development Agency Act 2007 (Nigeria) <https://nitda.gov.ng/wp-content/uploads/2020/11/NITDA-ACT-2007-2019-Edition1.pdf> accessed 4 January 2026.

8. Nigerian Communications Act 2003:⁹ This provides the legal backbone for Nigeria's telecommunications and digital communications ecosystem. By liberalising the communications sector and empowering the Nigerian Communications Commission (NCC) to license, regulate, and supervise communications services, the Act enabled the rapid expansion of mobile telephony, broadband internet, and digital connectivity. Its technology neutral drafting has enabled the regulation of modern digital services (such as broadband networks, data transmission services, and value-added digital platforms) through subsidiary legislation and codes of practice.

Collectively, these laws illustrate an early legislative intent to adopt technology and the reinstatement of the pivotal role of digitalisation in the future of Nigeria's economic development. They continue to serve as flexible legal tools for the regulation of emerging technologies, promoting innovation while maintaining regulatory oversight.

Despite these advances, structural challenges persist. Regulatory overlaps, enforcement inconsistencies, infrastructure deficits, and skills shortages continue to test the effectiveness of Nigeria's technology governance framework.

EMERGING LEGISLATIVE REFORMS

Nigeria's digital ambitions are increasingly reflected in proposed legislation and policy reforms. We will discuss below, proposed key policy and legislative reforms affecting Nigeria's digital future.

1. National Digital Economy and E-Governance Bill:¹⁰ Currently before the Nigerian National Assembly, seeks to promote and regulate Nigeria's digital economy through innovation, digital transformation, fair competition, international trade, and efficient, accountable public service delivery, while providing legal certainty for electronic transactions, digital signatures, e-government services, and cross-border digital trade. Unlike the Nigeria Startup Act, which focuses on incentivising startups and innovation-driven enterprises, the Bill establishes a comprehensive regulatory and institutional framework for the entire digital ecosystem, effectively serving as the legal backbone for Nigeria's technology and innovation landscape to operate securely and at scale.

2. The Electric Vehicle (EV) Transition and Green Mobility Bill 2025:¹¹ The bill demonstrates the legislature's intent to accelerate the adoption of EVs by establishing standards, incentives, and regulatory structures to promote sustainable transportation and reduce environmental impact.

3. Lagos Innovation Bill:¹² Lagos State is pioneering a legislative framework to nurture innovation hubs, incubators and startups. Such subnational efforts complement federal laws and illustrate how Nigeria's federated structure can be leveraged to create technology clusters.

10 National Digital Economy and E-Governance Bill 2024 (Federal Republic of Nigeria, Draft) <https://fmcide.gov.ng/wp-content/uploads/2024/07/National%20Digital%20Economy%20and%20E-Governance%20Bill%2C%202024%20-%20Draft.pdf> accessed 6 January 2026.

11 Electric Vehicle Transition and Green Mobility Bill 2025 (Bill, National Assembly of the Federal Republic of Nigeria 2025).

12 The Lagos State Innovation Bill (Draft, Lagos State, 2025) <https://innovationbill.lagosstate.gov.ng/lagos-innovation-bill-draft.pdf> accessed 7 January 2026.

13 An Act to Ensure Proper Control of Usage of Artificial Intelligence (AI) Technology in Nigeria and for Related Matters, 2023 (Bill sponsored by Hon. Sada Soli, National Assembly of the Federal Republic of Nigeria, 2023).

4. An Act to Ensure Proper Control of Usage of Artificial Intelligence (AI) Technology in Nigeria and for Related Matters, 2023:¹³ Nigeria's approach to Artificial Intelligence also reflects a growing commitment to proactive and responsible regulation of AI. This Bill seeks to establish a legal framework for the ethical use of AI by safeguarding individual rights, safety, and societal wellbeing, while promoting confidence among businesses and communities. It aims to harmonise legal rules on AI transactions across borders and facilitate the appropriate use of AI in both private sector activities and government transactions, signalling Nigeria's intention to balance innovation with accountability in its evolving digital ecosystem.

5. Nigeria's Block Chain Policy:¹⁴ Nigeria's commitment to emerging technologies is further demonstrated by the National Blockchain Policy implemented in 2023, which articulates a clear vision for leveraging blockchain to drive economic growth, transparency, and innovation. The policy promotes the adoption of blockchain across key sectors such as finance, governance, identity management, and supply chains, while encouraging local capacity building, research, and responsible innovation. It reflects Nigeria's intention to position itself as a competitive participant in the global digital economy by proactively harnessing transformative technologies rather than merely responding to their impact.

6. NITDA's Strategic Roadmap and National Digital Economy Policy and Strategy (2020–2030):¹⁵ The NITDA's roadmap collectively articulates Nigeria's long-term vision for a digitally driven economy by providing a coordinated framework for developing digital infrastructure, fostering innovation and indigenous technology, building digital skills and capacity, and strengthening cybersecurity and data protection. Together, these policies guide government action and private sector participation in positioning Nigeria as a competitive digital economy over the next decade.

7. The National AI Strategy:¹⁶ Nigeria's forward-looking vision for emerging technologies is further reflected in the National AI Strategy, which sets out a coordinated national approach to the development, adoption, and governance of artificial intelligence. The Strategy prioritises capacity building, research and innovation, ethical and responsible AI use, and the deployment of AI across key sectors such as healthcare, education, agriculture, and public service delivery. By aligning AI development with national economic and social objectives, it demonstrates Nigeria's intention to move beyond consumption of AI technologies toward becoming a regional hub for AI innovation and regulation.

8. The African Continental Free Trade Area (AfCFTA) Protocol on Digital Trade:¹⁷ This continental protocol presents a historic opportunity for Nigeria's digital and economic future. Through early adoption, Nigeria was the first country to ratify the protocol¹⁸ and this shows that Nigeria positions itself as a leading digital economy on the continent. Through this, Nigeria is strategically positioned to influence harmonisation efforts, export digital services, and shape shared regulatory standards across the continent; mirroring, in part, the EU's Digital Single Market model.

¹⁴ National Information Technology Development Agency, National Blockchain Policy (Federal Republic of Nigeria 2023) <https://nitda.gov.ng/wp-content/uploads/2023/05/National-Blockchain-Policy.pdf> accessed 8 January 2026.

¹⁵ National Digital Economy Policy and Strategy (Federal Ministry of Communications and Digital Economy, Nigeria, 2020) <https://nitda.gov.ng/wp-content/uploads/2020/06/National-Digital-Economy-Policy-and-Strategy.pdf> accessed 8 January 2026.

¹⁶ National Centre for Artificial Intelligence and Robotics, National Artificial Intelligence Strategy (Federal Republic of Nigeria 2025) <https://ncair.nitda.gov.ng/wp-content/uploads/2025/09/National-Artificial-Intelligence-Strategy-19092025.pdf> accessed 8 January 2026.

¹⁷ African Union, Protocol to the Agreement Establishing the African Continental Free Trade Area on Digital Trade (adopted 18 February 2024) <https://au.int/en/treaties/protocol-agreement-establishing-african-continental-free-trade-area-digital-trade> accessed 9 January 2026.

¹⁸ Federal Republic of Nigeria, 'AU Endorses Nigeria as AfCFTA Digital Trade Champion' (State House, Abuja, 17 February 2025) <https://statehouse.gov.ng/au-endorses-nigeria-as-afcfta-digital-trade-champion/> accessed 8 January 2026.

9. Beyond the above mentioned policies, the National Office for Technology Acquisition and Promotion (NOTAP) has implemented several policy initiatives to strengthen Nigeria's technology ecosystem such as the mandatory registration of foreign technology transfer agreements to protect local economic value and reduce capital flight, while promoting local innovation. 19 Other NOTAP initiatives include the Nigeria Outsourcing Value Acceleration (Project NOVA), which encourages indigenous participation in Information Technology projects and the promotion of a skilled technology workforce.

Collectively, these legislative initiatives signal Nigeria's intent to proactively govern emerging technologies, supporting economic growth and competitiveness while ensuring responsible adoption of disruptive innovations.

Global Context and Comparative Perspectives

Nigeria's digital laws do not operate in isolation. The NDPA draws heavily on the EU's General Data Protection Regulation, and the GAID's dataethics provisions encourage alignment with international best practice. The NITDA Code echoes elements of the EU Digital Services Act by imposing content moderation duties and requiring significant online platforms to appoint local representative. Nigeria's participation in the AfCFTA Digital Trade Protocol mirrors the EU's Digital Single Market, emphasising regional harmonisation, crossborder data flows and consumer protection. By engaging with these global frameworks, Nigeria ensures that its domestic regulation supports crossborder trade and attracts investment.

THE FIVE PILLARS OF A DIGITAL FUTURE

Nigeria's digital future rests on several interdependent pillars.

1. Predictable and Coherent Regulation: Clear and consistent regulatory frameworks are essential to encourage innovation while maintaining accountability. Policies should provide certainty for businesses, protect consumers, and create a level playing field for new entrants and incumbents alike.

2. Robust Digital Infrastructure: Investment in broadband networks, reliable power supply, and modern data centres is critical to enabling digital services. Adequate infrastructure ensures connectivity, resilience, and scalability of Nigeria's digital economy.

3. Human Capital Development: Building a globally competitive digital workforce requires sustained training, upskilling, and education initiatives. Developing technical, managerial, and entrepreneurial skills will empower citizens to participate fully in the digital economy.

4. Access to Innovation Financing: Availability of funding for early-stage ventures and local solutions is key to nurturing innovation. Financial support mechanisms, including venture capital, grants, and incubation programs, help turn ideas into scalable businesses.

¹⁹ Requirements for the Registration of Technology Transfer Agreements (National Office for Technology Acquisition and Promotion, Nigeria) https://www.notap.gov.ng/assets/docs/Registration_Technology_Transfer%20Agreements_%20Requirements.pdf accessed 8 January 2026.

5. Digital Trust: Trust builds adoption of digital services and long-term growth.

Strong data protection, cybersecurity measures, and consumer protection policies ensure confidence among users and businesses alike.

Together, these pillars reflect the understanding that technology-driven development is not purely technical, but legal, institutional, and societal.

CONCLUSION

Nigeria’s digital future will not emerge by chance. It will be shaped by the quality of its laws, the clarity of its policies, and effective implementation. With deliberate legal reform, coordinated regulation, and regional leadership under AfCFTA, Nigeria is on track to transition from a technology consumer to a continental digital powerhouse.

For businesses operating within Nigeria’s technology and innovation ecosystem, this evolving regulatory landscape presents both opportunity and responsibility. Legislative reforms in areas such as data protection, artificial intelligence, digital trade, cybersecurity, consumer protection and innovation policy will increasingly influence market access, investment readiness, and competitive positioning. In Nigeria’s evolving digital economy, regulatory awareness is no longer a reactive exercise, but a strategic business advantage.



Babalakin & Co is a firm with broad experience on the subject of energy and extractive and all matters related to it. If you have any questions or would like information on the issues discussed, please contact:



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