GUIDELINES FOR CLEARANCE OF INFORMATION TECHNOLOGY (IT) PROJECTS BY PUBLIC INSTITUTIONS

2018

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1.0   PREAMBLE

1.1   These guidelines are issued to ensure a coordinated, standardized and an orderly approach to the deployment of Information Technology (IT) systems by Public Institutions (PIs). PIs are required to obtain clearance from the National Information Technology Development Agency (NITDA) for their IT projects.

1.2   The purposes of these guidelines are to ensure:

a) that IT projects are not unduly duplicated;

b) integration of IT systems and services by PIs to save costs, promote shared services, interoperability and improve efficiency;

c) that the technology and services procured are suitable for the country from the point of view of security and the environment, among others;

d) that there is indigenous capacity for after-sales-service to sustain the project beyond the initial deployment;

e) that the project promotes indigenous content and preference shall be given to indigenous companies where capacity or the product or service exists; and

f) that the technology being implemented is up-to-date.

2.0   AUTHORITY

These guidelines are issued pursuant to:

a) chapter 3.1 of the National Information Technology Policy of 2000 which states that the nation shall use IT as the major driving force to re-engineer and rapidly transform governance to interface with the needs of its citizenry by establishing transparent *'Government Wide Information System'* at all levels.

b) section 6 of the NITDA Act 2007 which mandates the Agency to do the following:

   i) create a framework for the planning, research, development, standardization, application, *coordination, monitoring, evaluation and regulation* of Information Technology practices, activities and systems in Nigeria and all matters related thereto and for that purpose…;

   ii) develop guidelines for electronic governance and *monitor the use of electronic data interchange and other forms of electronic communication transactions as an alternative to paper-based methods in government*, commerce, education, the private and public sectors, labour, and other fields, where the use of electronic communication may improve the exchange of data and information;

   iii) render advisory services in all information technology matters to the public and private sectors;

iv) perform such other duties, which in the opinion of the Agency are necessary or expedient to ensure the efficient performance of the functions of the Agency under this act.

3.0   SHORT TITLE AND COMMENCEMENT

This Guidelines shall be cited as 'Guidelines for Clearance of IT Projects by PIs' and shall come into effect when it is signed by the Director General of NITDA.

4.0   DEFINITIONS

Information Technology (IT): encompasses all forms of technology used to create, store, process, transmit and use information in its various forms (business data, voice, conversation, still images, motion pictures, multimedia presentation and other forms including those not yet conceived).

Information Technology (IT) Projects: any governmental activity relating to information technology which involves direct or indirect costs and includes the creation/development, acquisition and/or distribution of IT products, applications and services.

Public Institutions (PIs): any organisation established or owned by the Federal, State or Local government in Nigeria

OSGF: Office of the Secretary to the Government of the Federation

NITDA Requirements: checklist as created by NITDA from time to time for the purpose of accessing and evaluating projects prior to clearance

Clearance: approval to a project issued by NITDA upon evaluation of a proposed project or service to be deployed by any PI.

FORM ITC.1: an instrument for gathering relevant data or information about the proposed IT project for the purpose of evaluation and clearance.

5.0   GUIDELINES

5.1   PIs shall obtain approval from NITDA for all their IT projects. Such approval may be through automatic electronic system or a formal letter signed by an authorized person appointed by the Director General.

5.2   PIs requesting for approval from NITDA, with respect to their IT projects shall fill a copy of **FORM ITC.1** and shall comply with the following requirements:

i)   describe in detail each proposed IT project and the designated location for such project;

ii) describe in detail the service(s) or specification(s) and configuration of the IT products and services required for such project;

iii) specify the current market prices of all products or estimated cost of services needed to actualize each project;

iv) specify the expected duration for each project implementation;

v) comply with the provisions contained in the Regulatory Guidelines for Nigerian Content Development in ICT 2013 (or as amended); and

vi) provide justification and deliverables for the proposed IT project.

5.3   Upon submission of the above application, NITDA shall carry out technical evaluation of the proposed IT projects to determine if the project conforms with the objectives listed in section 1 of this Guidelines and decide.

5.4   a) NITDA shall ensure that approvals are given within 20 working days, from the date of submission of the application for the request of advice and/or approval by PIs.

b) Where NITDA is unable to carry out a conclusive technical evaluation of the IT project within 20 working days, it shall:

   i) write to such PI informing it of the delay; and
   ii) request for any further information the PI may provide to complete the process.

c) Where NITDA is unable to reach a decision within 20 working days and further fails to write to the PI as specified in section 5.4(b) and 5.4(a) respectively, it shall be assumed that the IT project has been approved for execution.

d) Notwithstanding section 5 above, NITDA may withhold approval for IT projects where the proposed project does not satisfy or meet the requirements of this Guidelines or other extant laws and regulations of the Federal Government.

e) Refusal of approval for any IT project shall be done in writing and shall:

i) specify in detail the reason for the refusal; and

ii) give advice to the PI on how NITDA's requirements can be met.

5.5   a) NITDA shall from time to time, set thresholds for IT projects clearance, taking into consideration the type of PI, the volume and value of IT procurement, the type of technology or system being sought to be procured among others. Appendix 1 of this Guidelines outlines the thresholds for IT projects clearance.

b) The set thresholds in Appendix 1 are subject to change from time to time by NITDA. When the thresholds are changed, it becomes effective 90 days after publication on NITDA's website.

6.0   COMPLIANCE AND MONITORING

a) NITDA is responsible for ensuring compliance with the provisions of this Guidelines.

b) NITDA shall monitor PIs to ensure compliance with the provisions of this Guidelines.

c) Upon a written request, PIs shall permit NITDA officials or agents to carry out inspection of any IT project being undertaken by the organisation.

d) Upon completion of the cleared IT project, the PI shall notify NITDA in writing to obtain a certificate of compliance.

7.0   BREACH

Any breach of this Guidelines is a criminal offence under sections 17 and 18 of the National Information Technology Development Agency Act of 2007.

8.0   ENFORCEMENT

NITDA shall enforce compliance with the provisions of this Guidelines in accordance with the National Information Technology Policy 2000 and the National Information Technology Development Agency Act of 2007.

9.0   REVIEW AND AMENDMENT

This Guidelines may be reviewed and amended as the need arises. Any such reviews shall be guided by the developmental aspirations of the country, the development of PIs and improvement of overall efficiency in public service delivery.