



NATIONAL INFORMATION TECHNOLOGY DEVELOPMENT AGENCY FEDERAL
MINISTRY OF COMMUNICATIONS

28, Port Harcourt Crescent, Off Gimbiya Street, Area 11, Garki, Abuja.

GUIDELINES FOR REGISTRATION OF ICT SERVICE PROVIDERS/CONTRACTORS FOR DELIVERY OF IT SERVICES TO MDAS

I. Preamble and Objectives

The National Information Technology Development Agency (NITDA) is empowered by Section 6 of its enabling Act (National Information Technology Development Agency Act 2007) to regulate and promote the use and development of Information Technology (IT) in all spheres of Nigeria through the development of IT framework, standards, guidelines, regulations, and policies.

In line with the above and the **Executive Orders 003 and 005** issued by the **Federal Government**; for the **Promotion of Local Content in ICT Procurement by MDAs** and the for the **Planning and Execution of Projects, Promotion of Nigerian Content in Contracts and Science, Engineering and Technology** respectively, NITDA hereby issues these guidelines for the registration of IT service providers/contractors in Nigeria.

The registration and certification of all indigenous IT service providers/contractors will ensure the delivery of quality and sustainable IT projects to the government, deepen professionalism in IT services provisioning and to ensure the development of quality indigenous IT companies, which is germane to the development of IT in Nigeria.

II. Definitions of Terms

The following terms in this document shall have the following meaning.

1. **Agency** mean the National Information Technology Development Agency

2. **Applicants** are Indigenous firms, companies or organizations registered with the Corporate Affairs Commission (CAC) seeking registration with NITDA.
3. **Expatriate** shall refer to a non-Nigerian employed by an indigenous IT Service company as staff in any capacity.
4. **Expatriate Quota** shall mean permit obtained on behalf of expatriate to work in Nigeria as issued by the Federal Ministry of Interior.
5. **Indigenous Information Technology Providers** refers to a company registered in Nigeria by the Corporate Affairs Commission to provide IT services. The company must have Nigerians holding shareholding above 51% of the total issued shares of the company.
6. **Principal Officer** refers to a person on the applicants' management team or a member of the executive management of an IT Service Provider Company.
7. **Information Technology** means a combination of equipment and services that enable the remote gathering, processing, storage, conveyance, and delivery of various forms of information.
8. **IT Service Providers/Contractor** includes IT consulting firms, IT software development and deployment firms, Business Process Operating firms etc.
9. **Verifiable Competence** connotes academic or professional qualifications as well as relevant work experience.

III. Scope of Application

This document shall serve as a guide to IT Services Providers within Nigeria that provide service to any Ministry, Department or Agency (MDA) of the Federal Government, either through procurement process or via Public Private Partnerships (PPP). This document shall guide the registration process for such companies.

However, this document shall not guide the Agency's registration and licensing of Local Original Equipment Manufacturers (OEMS) as NITDA has published a certification process and requirements for registration as OEMs on its website.

IV. Guidelines

1. Registration

The Agency shall only consider for registration, applicants;

- a. that are indigenous IT Services Providers;
- b. that have their website hosted on the .ng domain; and
- c. that have demonstrated through the application process capacity to provide service as IT service providers.

2. Minimum Requirement for Registration

All applicants must:

- a. Complete the required application form. A copy of the form is attached as Annex 1.
- b. Submit the completed application form with all required documents to the Director General's Registry of NITDA.
- c. Ensure that all required supporting documents specified in the application form are attached at the time of submission.
- d. Submit an application letter, indicating its request for registration as an IT service provider and addressed to the Director General of NITDA,

3. Proof of Competence

- a. All applicants must show that:
 - i. It possesses verifiable competence and capacity to be registered as IT Service Providers with NITDA.
 - ii. It possesses sufficient competent personnel on its payroll to carry out identified IT services.
 - iii. Its competent personnel are not substantially made up of transient/transitory staff i.e. consultant, contract staff or casual staff.
- b. All applicants' must have at least one of its Principal Officers' registered with the Computer Professionals (Registration Council) of Nigeria (CPN).
- c. The existence of a higher percentage of local competent full-time staff improves applicants' chances of obtaining NITDA's substantive certificate of registration.
- d. Failure to clearly show applicant's competence (with supporting documents and quality personnel) to carry out its identified IT services, will result in denial of registration.
- e. Where the Agency is unable to ascertain from documents submitted the capacity of the applicant, an interview meeting will be scheduled as soon as possible by the agency to verify the capacity of the applicant.

4. Expatriate Staff

- a. All applicants who have expatriate(s) as staff must clearly show proof of their approved expatriate quota.
- b. Expatriate staff shall only be considered as proof of applicants' competence where there is sufficient proof that skill(s) required cannot be provided by Nigerians; and
- c. Expatriate staff shall only be considered as proof of applicants' competence where the Agency is satisfied that the skill of the expatriate is relevant to the job description disclosed.
- d. Applicant must also demonstrate a succession plan for Nigerians to replace expatriate staff at the expiration of the term of issued quota.

5. Notice of Change of Information

Where there is any change in facts or information provided by applicants, either during the registration or verification processes or after the issuance of registration certificates, the Agency must be notified within 45days from any such change.

6. Certificates of Registration

- a. Where the Agency is satisfied that the applicants have met all registration requirements and that the document provided in support of the application appears to be valid/legitimate, the Agency shall issue a provisional certificate of registration.
- b. The provisional certificate shall be valid for a period of 6 months from the date of issue.
- c. Within the validity period of the provisional certificate, the agency shall take steps to ascertain the veracity of all information supplied by the applicant.
- d. If satisfied that the information provided are true, the Agency shall before the expiration of the provisional certificate, issue a substantive certificate.
- e. The substantive certificate shall be valid for a period of 2 years commencing from the date of issuance of provisional certificate by the Agency

7. Renewal of Registration

All Applications for renewals must be submitted to the Agency at least 3 months before the expiration of issued substantive certificate of registration.

8. IT Related R&D, Incubation or Start-up

To aid the Agency in its identification and classification of firms with active capacity development and innovation programs, applicants are required to willingly provide information of its activities in support of IT related Research and Development, Incubation Program(s) and start-up companies focusing on IT service or IT enabled services, if any.

9. Right of Agency to Register IT Services

- a. The Agency reserves the right to register or deregister any service indicated by applicant firm on Part D of Application forms;
- b. Service provider must prove its capacity and relevant personnel capacity before any IT service areas (as indicated in part D of Application Forms for Registration as an IT Service provider) is approved by the Agency.
- c. The Agency reserves the right to refuse registration or deregister any firm where such firm is in contravention of conditions for registration or any other regulation of the Agency.

10. Standardized Service Level Agreements (SLA)

- a. All applicants must submit the standardized SLAs issued to clients.
- b. The SLAs must clearly indicate the following:
 - i. Standards of service
 - ii. Delivery time scales
 - iii. Responsibilities of each party
 - iv. Monitoring and reporting of the service
 - v. Legal and regulatory compliance
 - vi. Payment terms
 - vii. Dispute resolution
 - viii. Confidentiality and non-disclosure provisions
 - ix. Termination of the agreement

