

## EDITORIAL BOARD

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## AIRPORT CONCESSION: FG EXTENDS DEADLINE FOR THE RFQ

**T**he Ministry of Aviation has extended the deadline for the collection of request for qualification (RFQ) for the concession of four airport terminals and related services to 25th October 2021. This was said to allow all interested and consortia to finalize their submission per Section 2.3.3 of the published RFQ document.

According to the addendum published in the national dailies on 16th September 2021, the Ministry said "In view of the number of enquiries arising from the earlier advertisement on the 16th August 2021, from both local and international parties interested in concession programme of the four international airports terminals in Nigeria, the Federal Ministry of Aviation, in collaboration with the Infrastructure concession Regulatory Commission (ICRC) has decided to extend the deadline for RFQ stage by 4 (four) weeks. i.e the new submission date is now October 25th 2021 at 15:00hrs local time".

It further said that an addendum to the RFQ document will be available in the Data Room along with responses to all the



enquiries in the FAQ section of the portal. It requested that whoever is interested to access the Data Room, please send their name, organization and contact details (phone number and email) to [enquiry@nacp.aviation.gov.ng](mailto:enquiry@nacp.aviation.gov.ng). All interested parties are advised to sign up for access to Data room and visit the portal <https://nacp.aviation.gov.ng/> where all relevant documentation will be published alongside regular updates.

## NCAA EMBARKING ON COST-INTENSIVE CERTIFICATION OF FIVE INTERNATIONAL AIRPORTS

**P**ort Harcourt, Enugu and Kano Airports will undergo initial certification while the Murtala Muhammed International Airport Lagos and Nnamdi Azikiwe International Airport Abuja will embark on recertification according to the Director-General of the Nigeria Civil Aviation Authority (NCAA), Captain Musa Nuhu.

Nuhu also says the process is highly cost-intensive for the Federal Airport Authority of Nigeria (FAAN) but hopes the project will be done as soon as possible with the airport managers closing open items at the nation's major gateways.

He also said that NCAA is working closely with FAAN on the certification of the Port Harcourt International Airport, Omagwa; Akanu Ibiam International Airport Enugu and the Mallam Aminu Kano International Airport, Kano.

He said that there were insinuations from certain quarters on the Port Harcourt Airport but many were not accurate but still appreciated the messages to keep the NCAA on its toes but urged stakeholders to clarify and update their knowledge on issues before making certain remarks.



■ Capt. Musa Nuhu, Director-General, Nigeria Civil Aviation Authority (NCAA)

*contd. in pg 2*

## ...NCAA EMBARKING ON COST-INTENSIVE CERTIFICATION OF FIVE INTERNATIONAL AIRPORTS contd. from pg 1

He said, "issue of airport certification: Lagos and Abuja were certified and we are working with FAAN on recertification and three others, there has been some progress. The initial certification of Lagos and Abuja were provisional based on understanding that they needed to close some gaps, they've closed some gaps, some have not been closed and new gaps have come so we are working closely

with the management of FAAN to close those gaps so that the certification process can be concluded as soon as possible. The DG acknowledged the humongous cost of these certifications stressing, "Some of the projects they have to do are quite capital intensive but we are working with them and are getting some kind of assistance from the Ministry of

Aviation to deal with some of the heavy items.

"Apart from that we are also talking about initial certification of PH, Enugu, Kano airports, all the international airports have to be certified so it is quite a big project, the certification of five airports, three initial and two recertification and it's quite huge but hopefully we'd get this done as soon as possible".

## FG GRANTS NiMet APPROVAL TO COMMENCE ACADEMIC ACTIVITIES IN MIST

**T**he Federal Government through the Ministry of Aviation has granted approval to the Nigerian Meteorological Agency, NiMet, for the commencement of academic activities in its Meteorological Institute of Science and Technology, MIST, in Katsina State.

The approval was given in a letter dated 9th September 2021 following a request by the Agency to commence academic activities.

The letter, which was signed by the Deputy Director, Rabi .N. Abubakar for the Hon. Minister Hadi Sirika, conveyed the approval of the Honorable Minister for the commencement of full academic session and activities at the newly established Meteorological Institute of Science and Technology, Katsina. Consequently, lectures have commenced for National Diploma in Meteorology and National Diploma in Climate Change Science at the

Institute.

The students were admitted through the JAMB Central Admission Processing System (CAPS). These National Diploma programmes have already been duly approved by the National Board for Technical Education (NBTE) with two streams of 30 students each.

The MIST, Katsina was commissioned by the Minister of Aviation, Senator Hadi Sirika on the 21st of May 2019. The Institute was established to serve as a centre of training and research on meteorology and climate change sciences.

Given this approval, the Institute had embarked on an aggressive expansion of its manpower and boasts of eight (8) PhD holders, among



■ Dr. Bishir Gambo, Registrar of the Meteorological Institute of Science and Technology, Katsina.

whom are five (5) professors; seven (7) other lecturers hold Master's Degree in related disciplines amongst others.



## NiMet TO GENERATE MORE REVENUE WITH WEATHER FORECAST SERVICES - MATAZU

**W**eather forecast is a very critical service to the aviation sector and air travel safety. This is the reason why the Nigerian Meteorological Agency (NIMET) contribution to air travel is invaluable and in addition to forecasting weather to the aviation industry, NIMET makes a significant contribution to agriculture because it predicts the weather for the farmers to know when to cultivate their farms and when to reap their produce.

The Director-General of NIMET, Professor Mansur Matazu said that the agency plans to commercialise some aspects of its services to earn more revenue, saying there were too many responsibilities carried out by NIMET that are not recompensed.

Like aviation, weather is critically important to the maritime sector; that ships on voyage must rely on 24 hours weather reports and feedbacks from its radar.

Due to the vast responsibility bestowed on NIMET, it needs more revenues to attract the right technical personnel, fund its offices located at operational airports and also acquire the needed equipment for weather reading and the training of its personnel.

“I always tell stakeholders that weather is life and life is weather. Weather has a lot of things to do with human beings and in the socio-economic sector of our country, all of them are weather-sensitive and NIMET is the only agency that can advise on the weather. We do this advisory in three tiers: one, we provide public weather service at no cost. For instance, the daily weather forecast, seasonal climate prediction, monthly, weekly and the three days update we are giving to water, road and air services are under this public service,” he said.

He explained that the second tier is the support service, which NIMET offers to Ministries, Departments and Agencies (MDAs) of the government in agriculture or any major project, disclosing that before these agencies do anything, they must revert to NIMET for weather predictions and the agency does this at no cost.

He said the third tier is tailor-made



■ Professor Mansur Matazu, Director-General, Nigerian Meteorological Agency (NiMet)

**“I always tell stakeholders that weather is life and life is weather. Weather has a lot of things to do with human beings and in the socio-economic sector of our country, all of them are weather-sensitive and NIMET is the only agency that can advise on the weather.”**

because it is demand specific based on stakeholder, client and sector, which is the provision of tailor-made services to agriculture, including downscale seasonal information and updates.

He disclosed that NIMET has deployed a lot of instruments and it has also empowered its crew to handle point forecasts, which has helped to improve farm production and reduced a lot of risks in the system.

“We also partner with the Nigerian Communications Commission (NCC) for all service providers in the sector, but we have not yet started implementation. We are just at the beginning stage. We, however, started with a pilot scheme whereby we developed a weather mobile meteorology by providing specific forecasts to farmers.

“Also, we do a service that we call

cutting calendar for farmers, in each local government, we can give a calendar based on the forecast of the year; what you should do from land clearing and harvesting. This has helped farmers; every year we invite farmers and other stakeholders especially from rural communities to testify to the public on the advantages of this,” he said.

Matazu said that some of these services presently offered freely to the aforementioned would soon be paid for, as the agency has kicked off the plan to commercialize some of these services.

He said that with the aid of NIMET, Nigerian farmers have increased their yield by 30 per cent and such important service should be paid for to sustain the provision of the service, as the agency sustains the increasing number of person.

## “NIGERIA HAS NO ISSUE WITH EMIRATES, RATHER AGAINST THE PREFERENTIAL TREATMENT” - SIRIKA

The Hon. Minister of Aviation, Sen. Hadi Sirika has said the Federal Government has no issue with the United Arab Emirates (UAE), rather against the preferential treatment of adopting double standards in enforcement of its COVID-19 protocol for visitors, saying the government just decided to prevent Nigerians from travelling straight from the country to Dubai and other cities.

Speaking at the Presidential Steering Committee (PSC) on the COVID-19 briefing in Abuja, the minister said the COVID-19 protocol set for Nigeria was not the same as what the Arab nation announced for other nations despite the achievements recorded in the fight against the virus in the country.

According to him, investigations revealed that the protocol set for the country was different from other West African nations and this is the reason

many Nigerians now travel through the country's neighbours, Benin Republic and Ghana airports.

“Nigeria has no issue with Emirates, rather against the preferential treatment that the UAE government gave to other countries aside from Nigeria,” he added.

Recall that the UAE government allowed other countries including Benin Republic and Ghana citizens to travel directly from their country to its commercial capital, Dubai, as against Nigerians.

Meanwhile, the secretary to the government of the federation (SGF) and chairman of PSC on COVID-19, Boss Mustapha said the federal government would continue to dialogue with the representatives of the UAE.

Mustapha stated that the dialogue would be centred on resolving the issue of the Emirates flights movement of passengers between

Nigeria and the UAE. According to him, the protection of the interest of Nigerians remains the primary focus.



Sen. Hadi Sirika, Hon. Minister of Aviation

## ETHIOPIAN AIRLINES RESUMES FLIGHTS TO ENUGU AIRPORT FROM OCTOBER

Ethiopian Airlines will be resuming its Flight to Enugu the Enugu Airport State on October 1st, 2021. The flight service will be operated three times a week with B787 Dreamliner aircraft. Initially, the Flight will operate on Wednesday, Friday and Saturdays of every week for now.

In a statement issued to announce the resumption of flights to Enugu airport, the Ethiopian Airlines General Manager, Nigeria, Shimeles Arage said “October 1 is the Nigerian Independence Day and the Flight to Enugu on that day will reinforce Ethiopian Airlines Good relationship with Nigeria since the First Flight to

Nigeria in 1960”.

Ethiopian Airlines stopped flights to Enugu in 2019 when the Federal Government closed the airport for rehabilitation and reconstruction of the runway.

The airport was officially opened to domestic flights in 2020 and to international flights in August 2021.



Akanu Ibiyam International Airport Enugu

## FAAN MD HARPS ON TRAINING, RETRAINING OF STAKEHOLDERS IN AIR TRANSPORT

**T**he Federal Airports Authority of Nigeria (FAAN) has reiterated its commitment to passenger safety and the need to ensure stakeholders in the air transport chain receive constant training.

This was disclosed by FAAN MD, Captain Rabiú Yadudu, at the 2021 Safety Week organized by the Airports Council International (ACI) and held on Tuesday at the Murtala Mohammad International Airport (MMIA) Lagos.

Yabudu, represented by the Airport Manager, Murtala Mohammad International Airport (MMIA) Lagos, Mrs Victoria Shin-Aba, noted that safety is key and can only be guaranteed when everyone observes safety practices.

He explained that trained staff are guaranteed to prevent accidents at airports, adding that a well-trained staff equals safe passengers.

In her speech, the regional general manager, South West /Airport Manager, MMIA, Mrs Victoria Shin-

Aba, said the safety week theme, 'Training, Key for Resuming Activity' is apt and consistent with challenges faced globally following the COVID-19 pandemic. Mrs Shin-Aba disclosed that ACI Africa chose September 2021 to celebrate Safety Week in all airports in Africa.

She said the objectives for this year's ACI safety week were to adopt an inclusive approach by involving all internal and external stakeholders whose activities impacted safety directly or indirectly and promote the airport's safety culture by sharing experiences and knowledge.

The MMIA boss noted that the safety week is unique. It has provided the opportunity to collectively confront and address safety concerns resulting from the activities on the airside for the safety and regularity of aircraft operations.

Shin Aba said the airport was leveraging on the safety week to bring people together, inspire learning, and share values and experiences in a pleasant

atmosphere.

Training, according to her, remains a critical requirement in the aviation industry, noting that training was also instrumental to the airport restart operations after the lockdown.

She disclosed that all returning staff went through training after the long period of lockdown due to the global pandemic, adding that stakeholders in the aviation industry must be regularly and adequately trained for safety and business sustainability.

She explained that after successfully managing airport operations after the lockdown, MMIA achieved the airport health accreditation from the ACI international, an endorsement aligned with the FAAN commitment to protecting passengers, staff, and stakeholders' health and safety during the pandemic and beyond.

Shin-Aba urged stakeholders to uphold aviation safety as part of their responsibilities because safety remained everybody's business.



■ Group photograph of participants at the 2021 Safety Week organized by the Airports Council International (ACI) at the Murtala Mohammad International Airport (MMIA) Lagos.

## NCAA REFUTES BAN ON TRAVELLERS WITHOUT PROOF OF VACCINATION CLAIM

**T**he Nigerian Civil Aviation Authority (NCAA) has refuted a report by some local tabloids and social media, including "The Street Journal" that the Federal Government through NCAA has given a directive that from 1st December 2021 travellers without proof of vaccination would not be permitted to board both local and international flights.

We want to state categorically that no such directive emanated from the Federal Government through NCAA. Therefore, the Authority is calling on the public to discountenance such

news as there is no iota of truth in it. On the other hand, we want to enjoin purveyor of such unfounded news to cross-check facts before publishing. Meanwhile, the Authority will continue to support all Federal Government initiatives to curb the spread of the Delta variant. However, we expect strict adherence to safety protocols in and out of the airports by wearing our facemask, washing our hands periodically, using alcohol-based hand sanitizer, maintaining social distance and avoiding crowded space.



## FG CONSIDERS AEROTROPOLIS (ECO-CITY) AT NIGERIAN AIRPORTS

**T**he Federal Government has conceived the idea of building an aerotropolis in the country's airports which will showcase Nigeria's rich cultural heritage and tourism potential while boosting businesses and investment. This was made known when the convener of the EnjoyNigeria Expo 2021, Mr Isa Yusuf Sago, paid a visit to the Ministry of Aviation to seek collaboration ahead of the exposition.

The Minister, represented by Director Planning, Research and Statistics, Shehu Mohammad, said the Ministry had introduced and collaborated on many programmes to showcase Nigeria's rich cultural and tourism heritage and potential.

He pledged the Ministry cooperation and support to the success of the event, said one of the programmes introduced was aerotropolis, which means "eco-city."

Explaining further about the concept of aerotropolis, he said: "If you go India, Singapore, Dubai, or Qatar, their airports are surrounded with international hotels, recreational centres, tourism industry.

"This is what we want to establish in the international airports in Abuja, Lagos, Port-Harcourt and Kano."

On his part, the convener, EnjoyNigeria Expo 2021, Mr Sago,

said the trade and cultural exhibition being organised by the Federal Ministry of Industry, Trade and Investment (FMITI) is designed to benefit the nation's Micro, Small and Medium Enterprises (MSMEs) sub-sector.

He said the international exhibition would go a long way to showcase

Nigerian products and entry to the world.

He explained that MSMEs operators and entrepreneurs in the country have not been given enough platform to showcase their products both locally and internationally, hence there was an urgent need to bridge the existing gap.



■ Sen. Hadi Sirika, Hon. Minister of Aviation

# Frequently Asked Questions (FAQs)

## About Airport Concession

### 1. Why concession these airports?

The delivery of this project helps Nigeria achieve its objective in terms of air transport value chain growth by developing and profitably managing customer-centric airport facilities for safe, secure and efficient carriage of passengers and goods at world-class standards.

Nigeria is Africa's largest economy and most populous nation, with a broad range of investment and tourism opportunities. Investing in and continuously developing the asset up for concession is key to unlocking these opportunities. Our airports have huge potential, but they are currently operating at a suboptimal level due to a myriad of factors that will be addressed through their concession.

### 2. Why are you not concessioning all the airports?

Infrastructure concessions are very complex and sensitive programmes. They often requiring years of planning and preparation to secure the requisite inputs and approvals from the relevant regulatory bodies. We are starting with the most strategic assets because successful delivery of this concession programme will give all stakeholders the confidence required to consider other possibilities in the sector.

### 3. What parts or sections of the 'airport' are to be concessioned?

The concession applies to the non-aeronautic assets of the airports located in the Passenger and Cargo terminals. They are thus comprised of the assets from the entry door of the airport to the point of embarking a plane, and from deplaning to the exit doors. This space commonly referred to as the Passenger terminal is comprised of retail spaces, waiting and seating areas, airport and airline lounges, baggage collection, check-in counters as well as administrative offices. The Cargo terminals are comprised of the facilities between the point of entry and up to loading and offloading points, including administrative offices within said facilities.

### 4. Are you selling the airports?

No, there shall be no change in the ownership structure of the airports involved in this programme. What has been mandated by the Federal Executive Council is a Concession programme. A concession is governed by a concession agreement whereby two parties – A private sector investor and a Public sector owner of an asset enter into an agreement that gives the Private sector investor the right to operate said asset for a specific business and within the Governments jurisdiction, subject to certain

terms that are agreed upon by both parties during the negotiation and contracting phase. It is thus a form of Public-Private Partnership whereby there is no transfer of equity between the contracting parties.

### 5. Is there a conflict between this concession programme and the terms of the EXIM Bank loan agreement entered into between the FG and the Peoples Republic of China which has seen CCECC build new passenger terminals in Lagos, Abuja, Kano, Port Harcourt and Enugu Airport?

There is no conflict. China Civil Engineering Construction Corporation (CCECC) was contracted to deliver a number of infrastructure projects throughout Nigeria in 2013. The Passenger Terminal development works are a small part of this, and the Federal Government has every intention to service its obligation.

### 6. Why are you concessioning as opposed to selling or fully privatising these facilities?

The Passenger and Cargo terminals of each airport, although separated for the purpose of the concession programme, are within the various federal airport complexes and as such, are of tremendous national importance from an economic and security perspective. We believe it remains in Nigeria's best interest to maintain ownership for this reason. Furthermore, as is often the case with large, multifaceted infrastructure developments, the scale of investment required to build the airport complexes envisaged in the aviation sector roadmap will require the support of the Sovereign Wealth Fund in a way that an outright privatisation will not allow at this time.

### 7. Why concession only the passenger terminals?

We are not. The cargo terminals for all the four (4) airports will also be part of the programme.

### 8. Who are the ideal concessionaires/ partners?

We are looking for partners who have the financial, technical and operational capabilities to manage these assets profitably and responsibly.

### 9. How will you select the successful bidders?

The Infrastructure Concession Regulatory Commission (ICRC) – the institution that oversees all concession and Public-Private-Partnerships in Nigeria has clearly laid out processes governing a transaction like this. The Transaction Advisors – a coalition of independent and reputable organisation have been mandated by the Ministry of Aviation (having received approval from the

Bureau of Public Procurement for their appointment) to drive this process transparently, ensuring that regulations laid out by the ICRC are followed whilst also ensuring that Nigeria gets the best partner(s) and deal possible given the unique attributes of the assets to be concessioned.

#### **10. When will the public procurement process go live?**

We now have OBC Certificates of Compliance from the Infrastructure Concession Regulatory Commission. We are currently finalizing the documents required for the procurement phase, after which we will commence the next stage of the process, i.e. publishing a Request for Qualifications (RFQ) – a critical phase of the public procurement process. The RFQ will give interested parties, local and international, ample time to prepare their submissions. Once the deadline for submission has been crossed, we will then begin the pre-qualification process. Only Pre-qualified parties will be invited to respond to a Request for Proposal (RFP), which will also be published as per ICRC guidelines and general best practice in Public Procurement.

#### **11. Will you invite foreign firms to participate?**

We are looking for partners who have the financial, technical and operational capabilities to manage these assets profitably and responsibly. We envisage a competitive process and as such we will be advertising broadly. All qualified companies or consortiums shall be allowed to submit proof of relevant qualifications once we have published a request for qualifications (RFQ).

#### **12. What is the tenure of the concession?**

Infrastructure concessions of this nature come with a significant financial obligation which any responsible concessionaire will no doubt be keen to recoup. To this end we envisage a minimum of twenty (20) to thirty (30) years for the programme, which may be extended depending on performance and Nigeria's best interests. That said – the duration is not set in stone and will be subject to negotiation and then final approval by the Federal Executive Council.

#### **13. How might issues related to the MM2 concession affect this process?**

These are two entirely independent concession programmes and as such we are not at liberty to comment or join issues. We do however hope that all stakeholders appreciate that the concession programme we are focused on right now operates in an environment of enhanced Governance with enabling structures and processes. At the time the MM2 Concession programme was initiated there was no ICRC. We are now operating in a much more evolved and mature environment as regards governance related to infrastructure concession

programmes.

#### **14. How much does the FG intend to generate through this process?**

A typical airport concession transaction might rely on a deal structure comprised of an investment commitment by the concessionaire for a minimum duration, an annual concession fee and a share of net operating income.

These are prized aviation assets and as such we expect to generate a significant amount of direct investment in what we intend to be an equitable deal for all parties. That said, the initial or short-term objective is to deliver significant cost savings to the Federal Government. FAAN will no longer be solely responsible for maintenance, investments and day to day management into these airports.

#### **15. Is this concession programme legal?**

The concession programme, its stakeholders and the Transaction advisors appointed to deliver it have followed all relevant laws and procedures. The Infrastructure Concession Regulatory Commission (ICRC) – the institution that regulates all infrastructure concession programmes and Public-Private-Partnerships in Nigeria has clearly laid out processes governing a transaction like this. The Transaction Advisors – a coalition of independent and reputable organisation have been mandated by the Ministry of Aviation (having received approval from the Bureau of Public Procurement for their appointment) to drive this process transparently, ensuring that procedures prescribed out by the ICRC are followed to the letter. The Ministry of Aviation has also supported the process by consulting widely with all stakeholders, paying particular attention to organised labour who are a critical stakeholder group and very much supportive of this process.

#### **16. Can the Ministry of Aviation / FAAN procure PPPs directly?**

In Nigeria, all Federal Government Ministries, Departments and Agencies (MDAs) as well as State Governments can legally procure PPP projects.

#### **17. Has the National Council on Privatisation (NCP) approved this programme? OR Is there overlapping jurisdiction with BPE?**

The National Council on Privatisation, which is chaired by His Excellency, Vice-President Yemi Osinbajo, is a policymaking and advisory council enabled by the Public Enterprise (Privatisation and Commercialisation) Act of 1999. It operates through a secretariat - the Bureau of Public Enterprise (BPE). BPE's function is thus to implement the NCP's policies on privatisation and commercialisation. This programme is a concession programme that follows the principles of Public-Private-

Partnerships (PPP). This model will see concessionaires sign contracts for the management, development, operation and maintenance of these airports with the Federal Government of Nigeria. There will be no change in the ownership structure of the assets to be concessioned.

ICRC and BPE share information and collaborate regularly (The Director-General, ICRC, is a member of the NCP's Technical Committee). Infrastructure concession programmes are complex transactions involving several stakeholders. In this particular case there is no overlapping jurisdiction with the BPE. The BPE implements the privatisation and commercialisation policies of the National Council on Privatisation. This is not a privatisation project because we are not transferring any ownership of equity in these airports. The mandate is to deliver private sector participation in the management, development, operation and maintenance of the Passenger and Cargo terminals of airports that will remain under the ownership and overall management of the Federal Airports Authority of Nigeria. The Infrastructure Concession Regulatory Commission (ICRC) Act 2005 is the Act of law governing Public-Private-Partnerships involving infrastructure in Nigeria. The ICRC's enabling act permits Government Ministries, Departments and Agencies, under the guidance of the ICRC, to engage private sector organisations for the development, financing and operation of infrastructure assets. This Act, being a more recent and specific law created especially for the purpose of regulating infrastructure concessions, supersedes the Public Enterprise (Privatisation and Commercialisation) Act of 1999.

**18. What potential issues do you foresee based on the FAAN Act 2004, provisions of the Act No. 52 of 1999 (Amended) and Decree No.9 of 1996?**

There are no limitations placed on the intended outcomes of this concession process vis-à-vis the FAAN Act 2004 and subsequent amendments.

**19. Are there any plans to amend FAAN's enabling legislation to unbundle the organisation as has been proposed by some lawmakers?**

We are aware of some proposals to this effect that consider unbundling FAAN with a view to repositioning it as an asset manager. We are unable to comment further at this stage.

**20. Have there been broad-based stakeholder consultations?**

The Ministry has from the very start worked in partnership with all relevant stakeholders within and outside of government. ICRC's process allows the Ministry some discretion as regards participation of

external stakeholders and this was exercised at the Honourable Ministers request when he invited organised labour to participate in the Project Delivery Team. The decision to bring Labour into the Project Delivery Team came about as a result of a deep appreciation of role Labour has to play in delivering the best possible outcome for the Nation. The Ministry continues to engage proactively with all relevant stakeholders in spite of the challenges caused by the ongoing COVID-19 global pandemic.

**21. Is the FMA handling the process?**

The process is driven by the Transaction advisor who are comprised of independent and reputable private sector companies appointed by the Ministry of Aviation, having gone through a rigorous process as laid out by the Bureau of Public Procurement (BPP). The Transaction advisor has been mandated to manage the technical aspects of the process – working with key stakeholders such as ICRC, FAAN and the Ministry of Aviation to design and deliver the concession programme. The Transaction advisor will continue to work independently with oversight from the Ministry of Aviation and ICRC. Their recommendations will then be submitted to ICRC and the Ministry of Aviation before being forwarded for review and final approval by the Federal Executive Council.

**22. What role will FEC, ICRC, BPP and the Presidency play in this process?**

**FEC** – The Federal Executive Council is the final approving body for this programme.

**ICRC** – The ICRC regulates all infrastructure concessions and public-private-partnerships involving infrastructure in Nigeria and as such has oversight of this process in partnership with the Ministry of Aviation.

**BPP** – The Bureau of Public Procurement has no role to play at this point having concluded its role by having oversight of the public procurement process that led to the appointment of the Transaction advisor.

**BPE** – The Bureau of Public Enterprise has no role to play in this process as there will be no change in the ownership structure of the assets involved in this concession programme.

**The Presidency** – President Muhammadu Buhari (GCFR) chairs the Federal Executive Council.

**National Council on Privatisation** – The NCP implements its policies through the BPE, which has no role to play in this process as this is a Concession / Public-Private-Partnership and not Privatisation. There will be no change in the ownership structure of these assets.

**23. Will preference be given to indigenous investors?**

We are focused on driving a transparent and competitive

process that will deliver the very best long-term partner(s) and outcomes for Nigeria. There are not many companies with the qualifications, experience and financial resources required to run assets like the ones up for concession so whilst we do expect Nigerian companies, or consortiums comprised of groups of Nigerian investors, we expect the process to receive significant attention from the international community, perhaps in partnership with qualified and capable local companies and investors.

**24. What role will FAAN play once the assets are handed over to Private sector management?**

The Federal Airport Authority of Nigeria (FAAN) remains responsible for overseeing the management of Nigeria's airports. FAAN will continue to play this role broadly.

**25. Will the FG continue to invest in these airports?**

The concessionaires will be responsible for the day-to-day management of the airport passenger and cargo terminals. The FGN, as the owner and partner to the concessionaires will make strategic investments in these assets alongside others from the private sector and development finance sector. Any investment contributions made by the FGN will be based on robust medium to long-term investment and expenditure plans to be developed by the concessionaires with oversight from the Ministry of Aviation.

**26. Will the airports be concessioned to one or several private sector partners?**

We envisage a competitive process and our focus is on partnering with the right organisation(s).

**27. Will this process affect incumbent operators and tenants within the affected facilities?**

All tenants within the assets subject to the concession have entered into legal agreements with FAAN. FAAN will ensure that it respects and acts within the rules articulated in agreements with tenants and operators within the assets.

**28. What are the implications of this process for national security?**

There are no national security implications. The Federal Airports Authority, Nigerian Civil Aviation Authority, Nigerian Aerospace Management Agency and all other public authorities tasked with collaborating with the Nations security apparatus will continue to perform their duties in close collaboration with the concessionaires. All relevant agencies have been carried along including the National Security Advisor.

**29. Why has the FMA decided to maintain direct control and management of the aeronautical assets**

**of the airports?**

At this time, we feel it is best to focus on the non-aeronautical assets of the airports.

**30. What are the timelines for completion of this process?**

From the date of publication of the Request for Qualifications (RFQ) we envisage 6 – 8 months to transaction close.

**31. Will the Government bundle Tier 2 airports into this deal at any stage?**

ICRC has issued OBC Certificates of Compliance for four (4) assets only. These airports are Murtala Mohammed International Airport - Lagos, Nnamdi Azikiwe Airport – Abuja (International & Domestic), Port Harcourt Airport (International & Domestic) and Mallam Aminu Kano Airport (International & Domestic). Our scope is thus limited to these specific airports.

**32. What is the current status of the dispute involving Bi-Courtney?**

This programme is exclusively focused on the concession effort at hand. If you have specific questions about this particular concession programme we would be happy to answer them.

**33. Does the FG intend to dissolve FAAN?**

No, the FAAN will continue to play its role as statutorily required. Any material changes to FAAN will need to come via an act of law.

**34. Who are the transaction advisors for this programme?**

The Transaction advisors (TAs) is comprised of a team of seasoned executives put forward by Dentons (a multinational law firm with global operations), Infrata (a global infrastructure investment advisory firm), Proserve Energy and Infrastructure Consulting Services (an indigenous advisory firm focusing on energy and infrastructure projects), Templars (a leading law firm headquartered in Nigeria) and Rebel Group ( a global leader in infrastructure, transportation and mobility advisory services).

**35. How were the transaction advisors recruited?**

The Transaction advisors, comprised of independent and reputable private sector companies, were appointed by the Ministry of Aviation, having gone through a rigorous process as laid out by the Bureau of Public Procurement (BPP). BPP's laid down process for good governance in public procurement is available on their website.

**36. Do the transaction advisors have the requisite experience to drive this programme?**

All members of the Transaction advisory team have a proven track record of delivering positive outcomes in complex infrastructure projects. Their credentials were rigorously interrogated by the Ministry of Aviation, BPP, ICRC and the FEC. The international partners who form a core part of the team have deep aviation sector experience spanning several countries.

### **37. Why is FMA working with foreign transaction advisors?**

The international partners who form a core part of the transaction advisory team have deep aviation sector experience spanning several countries. Their vast network of relationships is comprised of some of the most credible investors and operators of major infrastructure assets, which includes airports, anywhere in the world.

### **38. Have there been expressions of interest prior to the formal launch of this process?**

There has always been some level of interest in these assets.

### **39. How does the FMA aim to demonstrate transparency and good governance?**

The FMA has thus far demonstrated that it places great emphasis in transparency and good governance. FMA widely publicised its intention to seek approval to concession these airports as far back as 2017. It also went through BPP's rigorous public procurement process which culminated in the appointment of the Transaction advisors. FMA's intention to deliver the most transparent infrastructure concession programme to date is also evidenced by the extensive stakeholder engagement carried out prior to making its OBC submission to ICRC. FMA also publicised the issuance and handover of the OBC Compliance Certificates to the Ministry by the ICRC. FMA is briefing you right now and will continue to brief you as we approach and achieve key milestones. We invite you to visit [www.faan.gov.ng](http://www.faan.gov.ng) for regular updates.

### **40. How much does the FG think it can generate through this process?**

We expect to generate significant cost savings and operating income over the period of the concession. Airports continue to be prized assets in the global logistics sector which is projected to grow.

### **41. Will the Central Bank give these new investors assurances for capital importation and repatriation?**

The Federal Government of Nigeria will work closely with the successful bidders to ensure that they have access to whatever resources and support required to successfully run these assets on behalf of Nigeria.

### **42. Where can we go to find up to date information on this programme?**

We invite you to visit [www.faan.gov.ng](http://www.faan.gov.ng) for regular updates.

### **43. What is the prescribed process for Infrastructure concessions in Nigeria?**

Each sector will have its own peculiarities; however, the broad process is as follows:

There are 4 phases: Project Identification, Project Development and Preparation, Procurement and Implementation.

#### **I. PPP Project Identification**

- I. ICRC receives a concept note from a government Ministry, Department or Agency (MDA)
- ii. If approved, a Steering Committee, Project Delivery Team and PPP Project officer are set up
- iii. The project is put into the pipeline for approval for the Federal Executive Council (FEC)

#### **II. PPP Project Development and Preparation**

- I. Initiating organization approaches BPP, begins the process of recruiting Transaction Advisers through a public procurement process regulated by BPP
- ii. Transaction advisors approved and receive their mandate
- iii. Outline Business Case (OBC) is drafted
- iv. ICRC reviews the OBC and issues a certificate of compliance
- v. Ministry of Finance assesses risk and liabilities

#### **III. PPP Procurement**

- I. Publishing a Request for Qualifications (RFQ)
- ii. Pre-qualification
- iii. Tendering process - Request for Proposal (RFP) and Bid submission
- iv. Bid evaluation and recommendations
- v. Negotiate concession agreements and other documentation
- vi. The submission of the Full Business Case (FBC) to the ICRC and issuance of the certificate
- vii. Full Business Case certificate presented to the FEC for approval
- viii. Signing of the PPP Contract

#### **IV. PPP Implementation**

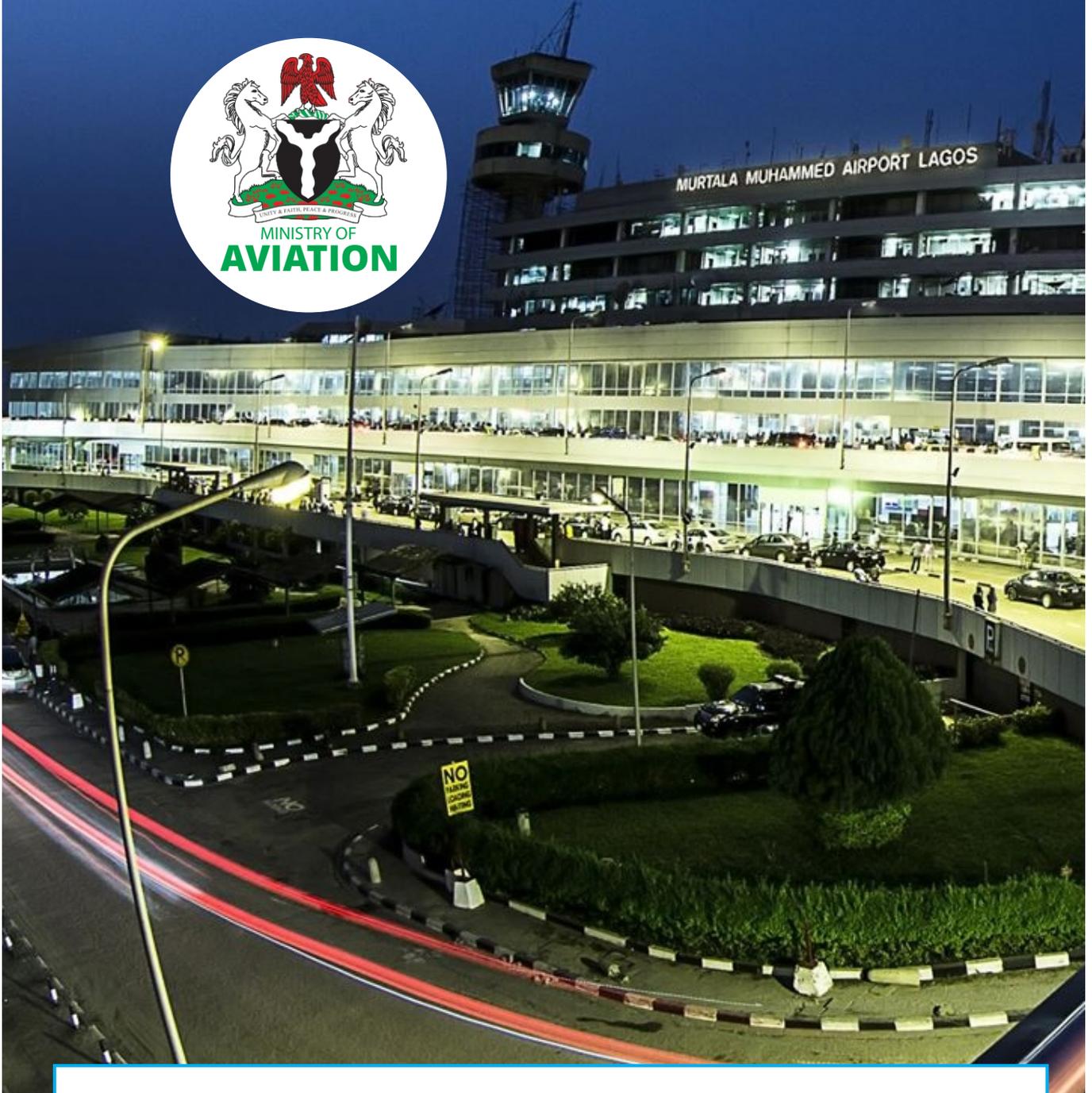
- i. Financial Close is achieved and work begins with regular inspections of the project by the ICRC and MDA in accordance to law.

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# MINISTRY OF AVIATION



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