

A PRECIS OF BUSINESS AND WORK-RELATED VISAS UNDER THE NEW NIGERIA VISA POLICY (NVP) 2020

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It is no longer news that the Federal Government of Nigeria, in February 2020, rolled out a new regime of visas with 79 classes to replace the erstwhile 6 classes in what appears to be a desirable revolution in the country's immigration policies. In the preface to the new Nigeria Visa Policy (NVP) 2020, the minister of interior – H.E. Rauf Aregbesola states that:

"It is significant to note that the Nigeria Visa Policy (NVP) 2020 aims to support the attainment of the Economic Recovery and Growth Plan (2017-2020) and our adoption of Security, Economy and Transparency (SET), as the thrust of the Federal Government Policy on ERGP of Nigeria. Its operationalisation is cardinal to the ease of doing business in Nigeria, boosting tourism and expanding opportunities to meaningfully apply the principle of reciprocity in visa policy in our bilateral and multilateral relations." (Emphasis ours)

Our intervention here centers on the classes of business/work-visas available to Nigerian and foreign businesses under the NVP 2020 and in doing this, we will briefly summarize the features of each class along the line of their peculiarities (if any).

e-Visas

Impressively, in their better-late-than-never realization of the World as a global village aided by technology, the government has introduced an online visa regime which enables intending visitors to apply and obtain electronic approval for short visas for not more than three (3) months online. The reference to this as "short visas" will be seen as a bit confusing considering the 90-day validity of all visas issued under the policy.

The application for e-visa which is subject to online pre-approval known as "e Travel Authorization Letter" (eTAL) is inter alia applicable to:

- a) F4A Business visa (single entry)
- b) F4C Business (frequently travelled executives)
- c) F7L staff of International NGO visa
- d) F7M Staff of NGO visa

As noted earlier, application for the foregoing visas can now be made online and eTAL promises to be issued within 48 hours of submission of application.

Business single entry visa (F4A)

This type of visa is for those visiting Nigeria for business meeting, contract negotiation, marketing, sales procurement of Nigerian goods/services etc.

It must be noted that this visa does not permit the applicants/holders to take up any employment in Nigeria and it is only valid for 90 days with single entry to participate in the activities listed above. (See page 15 of the NVP 2020)

Business multiple entry visa (F4B)

This visa is only issued on the basis of reciprocity to citizens of countries that offer similar multiple entry business visas to Nigerian citizens.

Like F4A, it is valid for 90 days but with multiple entries and also restricted to participation in business meetings, contract negotiation, marketing, sales procurement of Nigerian goods/services, trade fairs etc to the exclusion of employment. Unlike F4A that can be obtained online, this can only be obtained at the embassy. (p.16)

Business - frequently travelled executives visa (F4C)

This class is for the frequently travelled business persons of international repute with investments up to the tune of USD 250, 000 in Nigeria.

Visas issued to this class of travelers are immediately valid but not for more than 90 days with multiple entries for same activities under F4A and F4B but excluding employment.

The advantage of this class over its counterpart appears to be the immediate validity of the visa i.e. the applicant can travel on the same date the visa is issued while for others, the validity date is expressly specified on the visas. (p.17)

Staff of International NGO visa F7L

Staff of international NGO who desire to visit Nigeria to perform NGO related activities but not to seek employment here, are eligible to apply for this class provided there is an MoU between Nigeria and such INGO among other regular requirements. This is also valid for 90 days with single entry to perform NGO related activities apart from seeking employment in Nigeria. (p.32)

Staff of NGO F7M

The difference between this class and F7L above is that, unlike the latter, this does not require an MoU between the federal government and the NGO but other requirements remain the same. (p.33)

It is, to our mind, contradictory that the policy states that the visa is not issued for employment but refers to same as temporary work permit to perform specialized skilled services for 90 days of single entry. It is however an authorized visa that can only be obtained at the embassy after the approval of the Comptroller General of Immigration. (p.34)

emporary work permit (6 months) visa. (R11)

This is a variation of F8A above only in terms of restriction on employment and entry. While F8A prohibits employment, and allows only single entry, this class is suitable for persons desiring to obtain employment in Nigeria on temporary basis with a non-renewable work permit of 6 months but multiply entries. It must be noted that this also attracts other fees not applicable to F8A. (p.36)

Employment visa (expatriate) (R2A)

The type of visa issued to persons who wish to take up employment in Nigeria, based on expatriate quota. Visa is valid for 90 days but renewable work permit valid for two (2) years. Subject to other labour laws and regulations, there are no restricted activities for this class but it can only be obtained at the embassy subject to expatriate quota approval. (p.42)

Spouse of expatriate visa-R2B

This class is issued to the spouse of employed expatriate placed on quota in Nigeria. Residence permit is issued in favour of such spouse subject to validity of principal immigrant's resident permit pursuant his/her letter and that of his/her institution accepting immigration responsibility. It is also valid for a maximum of 90 days and excludes employment. (p. 43)

Dependants of expatriates (Minor-R2C; 18 years & above-R2D; (Aged parents 65 years & above)-R2E

To be eligible under R2C, a dependant must be less than 18 years and accompanied by the expatriate on quota while R2D is issued to adults accompanying an expatriate. Same conditions in R2C apply to R2D but while an applicant here has two years' resident permit he/she not permitted to take up any employment in Nigeria. For expatriates' aged parents of 65 years and above (R2E), the visa issued is also valid for 90 days all other conditions applicable to R2C also apply. (p.44-46)

Employment visa – expatriate (Free zone) – (R3A)

Expatriates desiring to take up employment within the free zone are issued this class of visa with 90 days' validity and two years' work permit

Spouse of expatriates – Free zone visa R3B

Issued to spouses of expatriates employed in the free zone subject to validity of the principal's residence permit and also valid for 90 days but not permitted for employment. (p.48)

Dependants of expatriates of free zone (minor) visa –R3C), (18 years and above –R3D) aged parents 65 years

All visa here are issued to dependants of expatriates of free zones, valid for 90 days with same conditions as applicable to dependents of expatriates under R2C; R2D; and R2E. (p. 49 -51)

Employment visa – expatriate (Government officials) visa (R4A)

This class is issued to expatriates who wish to secure employment as government officials in Nigeria, it is also limited

to 90 days validity period with 2 years renewable work permit. An important feature of this visa is that it prohibits double employment. (p.52)

Spouses (R4B) and dependants (R4C, R4D, and R4E)

Eligible applicants for these classes are issued visas with 90 days' validity period, residence permit subject to the principal but not permitted for employment. (p.53 – 56)

Employment Visa (International NGO) (R5A)

Unlike the F7L which allows staff of INGO outside Nigeria to visit without taking up employment here, this class allows persons to visit the country with the aim of taking up employment with international NGOs in Nigeria. Valid for not more than 2 years renewable and applicants are only permitted to work for international NGOs based in Nigeria. (p.57)

Spouses and dependants of INGO staff

Eligible applicants for these classes are issued visas with 90 days validity with residence permit subject to the principal but not permitted for employment. (p.58-61)

Employment visa – Cleric R6A

Issued to persons who wish to obtain visa as a clerics in Nigeria. Valid for 90 days with renewable 2 years' work permit for employment as clergy and to perform clergy services. (p.62)

Spouse and dependant of clerics

Eligible applicants for these classes are issued visas with 90 days validity, residence permit subject to the principal but not permitted for employment. (p.63-66)

Conclusively, as laudable as the new visa policy appears, what seems to run through all the classes of visas is the validity period of 90 days. Although this writer is not privy to the thought process that went into such uniform time-limitation, what looks irreconcilable is the provision of 2 years' work permit in the case of employment but with a validity period of 90 days, meaning, invariably, an applicant must apply for visa 4 times in a year to remain in the country.

Sadly, it is not stated on the face of the policy, the length of renewal period, hence making the document incomprehensive at a glance, in our humble opinion since further clarification is required from the federal ministry on interior as it may be counterproductive to the objectives of the NVP which is meant to meet the reality of the ever-changing socio-economic and politically globalized world as opposed to making access to business opportunities in our country discouraging.

The writer hopes that the ministry can host a robust Q & A section on their website to provide prompt answers to exhaustive posers that are palpable on the face of the NVP 2020 which, to all intents and purposes, is a right step in a progressive direction.

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