

Business Law Conference as Catalyst for Economic Growth

Every year conferences, seminars and workshops are held the world over in all imaginable disciplines. In recent years the numbers have increased as some are considered money-spinners for the organisers or mere talk shops with nothing else to offer while others are with all sincerity set out to impact upon their profession and the host country at large. With a new dawn in our country, good governance will be key to creating an enabling environment for businesses to thrive in and for investor confidence to be renewed through policies, laws and regulations that have positive effect on them. It is hoped that the days of important communiqués being left to lie fallow and gather dust on shelves are indeed behind us. From June 7th to June 9th 2015 local and international stakeholders from various sectors convened to brainstorm and debate issues of critical importance to the Nigerian economy at the 9th Annual Conference organised by the Nigerian Bar Association Section on Business Law which was declared open by Vice President Professor Yemi Osinbajo SAN with the keynote speaker being Dr. Ekwow Spio-Garbrah, Hon. Minister for Trade and Industry, Ghana.

The sessions range of topics included 'Long-term Global Economic Trends and Implications for Nigeria,' 'Improving Nigeria's Ease of Doing Business Index,' 'Raising Money for Projects: Latest Trends in Nigerian Financing,' 'Nigeria's Power Privatisation Process: Learning Curve and Next Steps,' 'Value-based Pricing for Legal Services,' 'Nigerian Content and the Service Industry' and 'Chinese Lending in Africa,' to mention but a few salient ones.

Doing business in Nigeria for years has been a harrowing experience for both Nigerian and foreign businesses alike and progress appears to have been rather too slow. The World Bank in 2014 ranked Nigeria 170th among 189 countries in terms of the ease of doing business whilst interestingly enough Ghana ranks 70th and Kenya 136th. Ghana is said to be the best destination for ease of doing business in West Africa as per the Bank's World Doing Business Report 2014.

At the 1st session of the conference on "Improv-

ing Nigeria's Ease of Doing Business" The CEO of Ghana Investment Promotion Centre Mawuena Trebah in her presentation said that significant economic reforms were introduced between 2008-2015. Such reforms included "computerisation at the company registry reducing time required for business registration. Streamlining property registration, upgrading Port infrastructure to reduce congestion in the ports. Introduction of modern and automated commercial courts to improve efficiency of commercial dispute resolution, enhancing access to credit by licensing a credit bureau and establishing a centralised collateral registry." She further identified the following steps in obtaining economic growth, "generous investment incentives, benefits and guarantees. Development of a diversified portfolio of infrastructural projects for national development. Partnership with the private sector to drive the development agenda. Institutional reform and capacity building for improved service delivery by public sector institutions." She went on to add that in Ghana certain types of economic activities had been reserved for Ghanaians, which included hairdressing and production of scratch cards among many others. The country also has a well-established transparent legal and regulatory framework in place with Bilateral Investment Treaties (BITs) and Double Taxation Agreements (DTAs) to deepen international cooperation and encourage technology transfer and foreign direct investment. Ghana's growing reputation as the most stable political environment in West Africa is without doubt also a big plus. There is certainly a great deal we could learn from Ghana.

Back here on the home front, the Corporate Affairs Commission (CAC) headed by its Registrar General Mr. Mahmud Bello is still battling with the registration of companies online. He also decried the use of middlemen in dealings with the CAC stating that lawyers can successfully begin and conclude the company registration process in their various states without necessarily going to Abuja or using a middleman. I must add though middlemen cannot be wished away so easily as little success has been derived from online registration since it was introduced, frustration has been the order of the day and that was

evident from the questions from participants at the conference. On the ongoing port reforms Mr. Hassan Bello, Executive Secretary/CEO Shippers' Council intimated that the automation of the ports would soon be introduced so that goods can be cleared within 24hours. The Nigerian ports now have a central electronic payment process and when all mooted changes are finally introduced and properly implemented there would be a significant increase in Government's revenue and foreign investments he opined.

The 9th and final session of the conference was a premium plenary session titled Global Economic Trends and Implications for Nigeria which I coordinated with Mr. Godwin Samuel. The chair of the session was Mrs. Elisabeth Proust the Managing Director of Total E&P Nigeria Limited. Other distinguished panelists included Segun Agbaje Managing Director/CEO Guaranty Trust Bank PLC, Dharnesh Gordhon Managing Director/CEO Nestle Nigeria Plc, Laoye Jaiyeola Director General Nigerian Economic Summit Group and Wale Tinubu Group Chief Executive, Oando Plc. John Hawksworth an economist and specialist in global macroeconomics and public policy issues was the speaker. He gave a presentation on his study of the world in 2050 which identifies challenges and opportunities for growth for Nigeria. According to the study Nigeria has been predicted to have the highest growth rate based on our population. The only setback highlighted by the study is the fact that Nigeria will lag behind in the quality of political and economic institutions. The challenges identified by the study include political stability, corruption and the rule of law, infrastructure investment, energy, transport, communications, water, sanitation, education, poverty and income inequality jobs and economic diversification. The opportunities for growth exist in retail and consumer, agriculture, manufacturing, construction, financial and professional services. John Hawksworth advises that strategies need to be tailored to the strengths of individual states.

He further added that on corruption institutionalised graft poses perhaps the greatest challenge to Nigerian productivity and as such planned and concerted efforts need to be implemented to comprehensively rout it out



MAY AGBAMUCHE-MBU

LEGAL
EAGLE

may.mbu@thisdaylive.com

from Nigerian life. Regarding the rule of law adequate and effective legal frameworks would be needed to regulate various facets of life in Nigeria. Attending to the ease of doing business Mr. Hawksworth felt that many of the above factors contribute to raising many obstacles to entering the Nigerian market, staving off the benefits foreign investments attract.

In discussing the issues raised by the study Dharnesh Gordhon cleverly pointed out that stakeholders should not consider the impact of global trends on Nigeria but the impact of Nigeria on global trends. According to him Nigeria has great potential for development if only these are properly harnessed. He informed the other panelists that Nestle had built a very large, state of the art factory in Agbara Ogun state and that this shows the potential that exists in Nigeria.

All in all it cannot be over emphasised that corruption is the root cause of so many of the difficulties experienced in the doing of business in this country and must be tackled head on. All hands therefore should be on deck to contribute to nation building by supporting government's efforts and advocating for new and better ways of doing business. Government it is said must have a strong will and desire to drive the needed reforms.

