

Introduction of Visa Extension Fees for Visitors to Nigeria



On Monday, 14 September, 2015, the Federal Ministry of Interior (FMI), the supervising ministry for the Nigeria Immigration Service (NIS), announced through a publication in some national dailies, new guidelines for the control and monitoring of non-resident expatriates who are not covered by the Combined Expatriate Residence Permit & Alien Card (CERPAC) regime.

According to the circular, with effect from 22 September, 2015, any holder of an entry visa would only be allowed to stay for an aggregate period of fifty six (56) days in a year, where an extension request has not been made. However, citizens of the Economic Community of West African States (ECOWAS) are exempted.

The new scheme is part of the e-Pass project, which is expected to enhance the capacity of the NIS towards entrenching a more effective and efficient mechanism for monitoring the movement of visitors to Nigeria.

Why This Matters

Organizations who invite expatriates into the country now have to make provision for payments for extension of the stay of all their non-resident visitors. They would also be required to now put in place appropriate control measures to monitor the duration of stay of their expatriate employees in order to avoid unnecessary penalty of 100% of the related fee.

Provisions for Extension, Fees and Sanctions for Violations – The new rules provide for extension of stay, the relevant fees and stipulated sanctions for violation as analysed in the table below:

PERIOD OF STAY	EXTENSION FEES	PENALTY
57-90 days	\$200 or the Naira Equivalent	\$400
91-180 days	\$1,000 or the Naira Equivalent	\$2,000
181-365 days	\$2,000 or the Naira Equivalent	\$4,000

¹ Prior to now, only American and South African nationals were required to pay a fee for the extension of the visitor's pass, in order to continue their stay in Nigeria

The implication of the new scheme is that organizations would now be required to make appropriate provisions for the statutory visa extension fees as and when required for their non-ECOWAS visitors.

Also, the introduction of these fees may limit expatriate mobility to Nigeria, for non-resident expatriates due to cost implications for the visa extension.

Limitation on the period of stay – Based on the new rules, any period of stay in Nigeria by non-ECOWAS nationals beyond fifty-six days aggregate in a year and where payment has not been made for an extension, is an 'overstay' for which appropriate sanctions would be imposed.

Data Capturing Exercise – A data capturing exercise would commence from 22 September, 2015. Every holder of a Nigerian visitor's visa arriving Nigeria or already present would have his/her data captured. According to the FMI, the purpose is to create a unique identity and secure travel records for non-resident expatriates in Nigeria.

KPMG Note

There are certain areas on the publication which the Ministry needs to clarify. The notice does not clearly identify the locations for processing extension requests for expatriates requiring extension. It also does not specify where the data capturing exercise would take place for expatriates already present in the country.

In addition, there is no clarity with respect to the 'one year' period for calculating the aggregate number of days for which an expatriate has stayed in Nigeria: Is the one year period 'a calendar year' or 'any twelve months period'?

Hopefully, the Ministry would provide clarification with respect to these grey areas as soon as possible in order to ensure the successful implementation of the scheme

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