



YOBE STATE REGULATION FOR THE APPROVAL AND OVERSIGHT OF LARGE-SCALE AGRICULTURAL INVESTMENTS.

8/08/2025

ENACTED by the authority vested in the Yobe State Agency for Public-Private Partnership and Investment Promotion (YAPPPIP) under Section 54 of Miscellaneous Provisions of the YAPPPIP Law 2023, and in furtherance of the provisions articulated in the Yobe State FRILIA Executive Order/State Agricultural Development Policy 2024, and by all other powers enabling it in that behalf, the following Regulations are hereby made:

PART I: PRELIMINARY

Article 1: Citation and Commencement

1. These Regulations may be cited as the Large-Scale Agricultural Investment Approval Regulations 2025.
2. These Regulations shall come into operation on 08/08/2025, and shall apply throughout the territorial jurisdiction of Yobe.

Article 2: Interpretation

In these Regulations, unless the context otherwise requires:

- a. "Ministry/Department/Agency" shall denote the [insert Full Official Designation of responsible MDA] established under [Establishing Law];
- b. "Stakeholder" shall denote the [identified persons, group, or organisation that has a vested interest
- c. "FRILIA Principles" shall be construed by the framework of FRILIA as promulgated by [insert name of State] under [Relevant Legislation/Executive Order];
- d. "Large-scale agricultural investment" shall mean and include any agricultural enterprise exceeding one (1) hectare in land area or requiring capital investment above **two million naira (₦ 2,000,000)** monetary units;
- e. "ESIA" shall refer to a comprehensive Environmental and Social Impact Assessment or other environmental and social analysis required by and conducted per the Environmental Impact Assessment Decree of 1992 law of the Federation of Nigeria, as amended CAP e 12 LFN 2004.
- f. "FRILIA Toolkits/Guidelines" shall refer to toolkits or guidelines developed by the Yobe State FRILIA Technical Committee and approved by the [insert] state FRILIA steering committee as established by the Yobe State FRILIA Executive Order 001.

Article 3: Application and Scope

1. The provisions contained herein shall apply to:

- a) All natural persons, corporate entities, and consortia seeking to undertake large-scale agricultural investments within the territorial boundaries of [insert name] State;
- b) All large-scale agricultural investment transactions involving land use, water rights, or natural resource exploitation for agricultural purposes;
- c) All phases of project development from conception through implementation to decommissioning.

2. Nothing in these Regulations shall be construed as limiting or abrogating any existing rights, obligations, or remedies available under any other enactment.

PART II: APPROVAL MECHANISM

Article 4: General Provisions

The YAPPIP shall serve as the authority responsible for administering, overseeing, and enforcing these Regulations.

Article 5: Approval Conditions

To further enhance the efficiency, transparency, and accountability of the State's Investment Approval Process, the following toolkits, which incorporate FRILIA principles, shall be mainstreamed into the Investment Approval Process (IAP) established by this Regulation.

StakeholderEngagement:Toolkit/Guideline

[<http://cpanel.egov.yb.gov.ng/documents/608312ee-d002-4146-84cc-16f8a9ec990d.pdf>]

Objectives: The Toolkit captures a range of approaches and methodologies to identify and proactively enable the participation of all stakeholders towards empowering them to make an informed decision throughout FRILIA implementation

Environmental and Social Risk Management Toolkit/Guideline

[<http://cpanel.egov.yb.gov.ng/documents/74c8fe90-0c0d-442f-bb22-f5d055f5554a.pdf>]

Objective: The toolkit provides a guide for the investor on implementing the various safeguards for environmental and social sustainability, including the health and safety of its stakeholders

Land Access, Easement and Involuntary Resettlement Management Toolkit/Guideline

[<http://cpanel.egov.yb.gov.ng/documents/368c0228-cc12-470e-9ca4-9f50a78c2e9f.pdf>]

Objective: The toolkit supports the consultative process of physically and/or economically displaced Project Affected Entities (PAEs) and Project Affected Communities (PACs) to help ensure improved livelihoods post-displacement

Valuation and CompensationToolkit/Guideline

[<http://cpanel.egov.yb.gov.ng/documents/9470df5f-fbab-4421-964a-eae207dd0a8c.pdf>]

Objective: The toolkit describes processes to objectively identify, enumerate, and assess replacement values, assign eligibility, and undertake gender-sensitive valuations of immovable assets, loss of access to natural resources, and any other forms of valuable unexhausted improvements within and around a defined project area

Global Memorandum of Understanding Toolkit/Guideline
[<http://cpanel.egov.yb.gov.ng/documents/b911919c-44e8-4d05-bf31-18e506ebd475.pdf>]

Objective: The toolkit provides a range of culturally appropriate and user-friendly agreements that are inclusive and explanatory for all the parties involved in a varied range of accords between stakeholders

Grievance Redress Mechanism (GRM) Toolkit/Guideline
[<http://cpanel.egov.yb.gov.ng/documents/cf9e42b5-a408-4c78-9eff-559c98c422cc.pdf>]

Objective: The toolkit provides an avenue for stakeholders to understand the concept of grievances, capturing grievances, responding to grievances, monitoring, aggregation of grievances, including the grievance escalation procedure, and exploration of alternative dispute resolution media or the open court systems

Community Needs Assessment and Development Toolkit/Guideline
[<http://cpanel.egov.yb.gov.ng/documents/5279fe18-ce6d-478f-8a27-629d4f3e9a18.pdf>]

Objective – This toolkit supports the commitment of investors to Community Social Responsibility (focus on women and youth empowerment, utilisation of local content, minority and vulnerable groups, knowledge transfer, and improved community infrastructure) and helps investors to identify and analyse the needs of the community that will be affected by the investment

Out-growers and Food Security Toolkit/Guideline
[<http://cpanel.egov.yb.gov.ng/documents/694e045e-6e2d-4f14-b911-c2043adf71fa.pdf>]

Objective: The toolkit presents a series of process models that would support the expanded growth of investors and economically empower local communities to participate in large-scale agribusiness development. Additionally, it includes a food security framework for participating communities.

Article 6: Stakeholder Engagement

Stakeholder engagement shall be by the procedures and processes set out in the approved FRILIA stakeholder engagement toolkit

/Guideline [<http://cpanel.egov.yb.gov.ng/documents/608312ee-d002-4146-84cc-16f8a9ec990d.pdf>]

Article 7: The approval process for large-scale agricultural investments shall comprise six (6) distinct stages as hereinafter prescribed.

Stage One - Preliminary Application and Due Diligence

1. Prospective investors shall submit to the YAPPIP in the prescribed form and manner:

- a) A duly executed application form as outlined in Schedule 1;
- b) Certified copies of constitutional documents, including but not limited to certificates of incorporation and memorandum of association;
- c) Audited financial statements demonstrating financial capacity;
- d) A comprehensive project concept note detailing:

- i. Project objectives and scope;
 - ii. Proposed land requirements;
 - iii. Anticipated employment creation;
 - iv. Proposed value chain integration.
 - v. Potential risks and benefits for the affected community.
- e) Such other information as may reasonably be required by YAPPPIP and outlined in Schedule 1.
2. The YAPPPIP shall, within fourteen (14) working days of receipt of a complete application:
- a) Conduct thorough screening and due diligence on the applicant and investment using the [insert name] state screening toolkit, including but not limited to:
 - i. Verification of corporate standing;
 - ii. Assessment of financial viability;
 - iii. Examination of previous investment track record;
 - b) Initiate preliminary community engagement where the proposed project area has been identified.
 - c) Determine whether the proposed investment is reasonably likely to comply with all applicable FRILIA principles.
3. Failure to submit complete documentation as prescribed shall render the application null and void.

YAPPPIP may invite other identified stakeholders, including but not limited to (BEE Ministries) Environment, Agric, Water Resources, Commerce, YIRS, Housing, and YOGIS to participate at this stage. The participating stakeholders shall collaborate and share responsibilities as follows:

Shared Responsibilities:

- The environment shall verify the Environmental and Social Impact Assessment
- Agric shall verify the suitability of land
- Water Resources shall verify
- Commerce shall verify business registration and licences
- Yobe Inland Revenue Service shall verify taxes and levies
- Housing shall verify permits and compliance
- YOGIS shall allocate land and verify documents

Stage Two - Site Identification and Community Consultation Upon satisfactory completion of Stage One, the YAPPPIP shall:

- A. Continue to provide information and resources that the potential investor may need to proceed with the investment.
- B. Coordinate the investor's interaction with other government agencies and help the investor locate service providers.
- C. Arrange for site visits for the investor after notifying local officials and communities of investor interest.
- D. Notify local government officials, other ward and community stakeholders to engage in internal consultations and then to respond preliminarily whether they might welcome the investment.

YAPPIIP may invite other identified stakeholders, including but not limited to (BEE Ministries) Environment, Agric, Water Resources, Commerce, YIRS, Housing, and YOGIS to participate at this stage. The participating stakeholders shall collaborate and share responsibilities as follows:

Shared Responsibilities:

- The environment shall verify the Environmental and Social Impact Assessment
- Agric shall verify the suitability of land
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- Commerce shall verify business registration and licences
- Yobe Inland Revenue Service shall verify taxes and levies
- Housing shall verify permits and compliance
- YOGIS shall allocate land and verify documents

Stage Three: Potential Investor Proceeds or Withdraws Upon satisfactory completion of Stage two:

- A. The investor reacts to the community's initial response to the potential investment and the investor's assessment of the viability of the investment and the possible site. If the investor decides to withdraw, the process stops. If the investor wishes to consider a different location within the State, the process reverts to Stage 2. The process also ends if the community decides not to proceed.
- B. If the potential investor decides to proceed and the community is supportive, the investor should engage further, build relationships with the community, and get them fully involved. The investor and the community (with legal assistance provided by YAPPIIP) should begin to discuss a community engagement plan to guide the ongoing consultations.

YAPPIIP may invite other identified stakeholders, including but not limited to (BEE Ministries) Environment, Agric, Water Resources, Commerce, YIRS, Housing, and YOGIS to participate at this stage. The participating stakeholders shall collaborate and share responsibilities as follows:

Shared Responsibilities:

- The environment shall verify the Environmental and Social Impact Assessment
- Agric shall verify the suitability of land
- Water Resources shall verify
- Commerce shall verify business registration and licences
- Yobe Inland Revenue Service shall verify taxes and levies
- Housing shall verify permits and compliance
- YOGIS shall allocate land and verify documents

Stage Four: Investor Enters into a Memorandum of Understanding ("MoU") with YAPPIIP and Representative of the Affected Communities

- A. YAPPPIP does more in-depth due diligence on the investor and shares additional due diligence findings with other stakeholders.
- B. Consultations with the community continue, and a community engagement plan may be agreed to.
- C. If all parties continue to support the proposed investment, they attempt to agree on an MoU that covers the framework of the investment, how much land is required, benefits that may accrue to the community, commitments to ongoing consultation, preparation of an ESIA, etc. The MoU does not legally commit any party to enter into a final agreement on the proposed investment.

The YAPPPIP may invite other identified stakeholders, including but not limited to (BEE Ministries) Environment, Agric, Water Resources, Commerce, YIRS, Housing, and YOGIS to participate at this stage. The participating stakeholders shall collaborate and share responsibilities as follows:

Shared Responsibilities:

- The environment shall verify the Environmental and Social Impact Assessment
- Agric shall verify the suitability of land
- Water Resources shall verify
- Commerce shall verify business registration and licences
- Yobe Inland Revenue Service shall verify taxes and levies
- Housing shall verify permits and compliance
- YOGIS shall allocate land and verify documents

Stage Five: Investor Completes and Shares a Feasibility Study, Business Plan, and an Independent Environmental and Social Impact Assessment (ESIA)

- A. The Ministry of Environment determines whether the ESIA is acceptable and notifies the investor within fourteen days (14) of receiving it.
- B. If not already completed, a community engagement plan should be finished in this stage.
- C. Land lease discussions can continue (if begun in a previous stage) or begin. Leases should not be finalised and signed until Stage 6.

The YAPPPIP may invite other identified stakeholders, including but not limited to (BEE Ministries) Environment, Agric, Water Resources, Commerce, YIRS, Housing, and YOGIS to participate at this stage. The participating stakeholders shall collaborate and share responsibilities as follows:

Shared Responsibilities:

- The environment shall verify the Environmental and Social Impact Assessment
- Agric shall verify the suitability of land
- Water Resources shall verify
- Commerce shall verify business registration and licences
- Yobe Inland Revenue Service shall verify taxes and levies

- Housing shall verify permits and compliance
- YOGIS shall allocate land and verify documents

Stage Six: The parties enter into the Final Agreement

A. The final agreement is likely to be contained in several individual agreements or could be combined into one document. While the precise requirements will vary, an approved investment is expected to include some or all of the following:

1. Land lease agreement
2. Outgrower contract(s)
3. Community impact and benefit agreement
4. Community engagement plan
5. Environmental and Social Compliance
6. Monitoring plan
7. Inclusive, accessible, and equitable dispute resolution mechanisms

The YAPPIIP shall review the final agreement(s) and determine whether they and the investment comply with all applicable FRILIA principles.

The YAPPIIP may invite other identified stakeholders, including but not limited to (BEE Ministries) Environment, Agric, Water Resources, Commerce, YIRS, Housing, and YOGIS to participate at this stage. The participating stakeholders shall collaborate and share responsibilities as follows:

Shared Responsibilities:

- The environment shall verify the Environmental and Social Impact Assessment
- Agric shall verify the suitability of land
- Water Resources shall verify
- Commerce shall verify business registration and licences
- Yobe Inland Revenue Service shall verify taxes and levies
- Housing shall verify permits and compliance
- YOGIS shall allocate land and verify documents

Article 8: INVESTMENT SCREENING

The YAPPIIP shall conduct investment screening throughout the approval process described in Article 7 by the FRILIA investment screening toolkit to assess the potential impacts of investments approved under this Regulation.

The YAPPIIP shall ensure that the investment screening process is transparent and based on a thorough assessment of potential risks and opportunities.

Article: 9 Grievance Redress Mechanism (GRM)

The investor shall establish a GRM under an agreement with the affected community, which shall be by the FRILIA GRM toolkit to address complaints and grievances related to investments under this Regulation.

The GRM shall:

- Provide accessible channels for stakeholders to submit grievances, as outlined in the FRILIA GRM Toolkit
- Ensure timely and effective response by the procedures set out in the FRILIA GRM Toolkit
- Investigate grievances and work towards resolving them, using the guidelines provided in the FRILIA GRM Toolkit

Monitor and evaluate the effectiveness of the GRM, using metrics and indicators specified in the FRILIA GRM Toolkit.

PART III: FINAL PROVISIONS

Article 10: Offences and Penalties 1.

Any person who:

- a) Wilfully provides false or misleading information in any application;
- b) Fails to comply with any condition of approval;
- c) Undertakes any agricultural investment without proper authorisation; shall be guilty of an offence and liable on conviction to:
 - i. A fine not exceeding **₦ 1,000,000** or imprisonment for a term not exceeding two (2) years, or both;
 - ii. Suspension or revocation of investment approval;
 - iii. Disqualification from future investment opportunities for a period not exceeding ten (10) years.

Article 11: Severability

If any provision of this regulation is held invalid, the remaining provisions shall remain in effect.

SCHEDULES

Schedule 1: Prescribed Application Form

Schedule 2: Schedule of fees

Schedule 3: Standard Reporting Templates

Signed this 8th day of August, 2025.

Director, YAPPPIP

[Seal of Office]

Signature:

A handwritten signature in black ink, appearing to be 'Dmyi'.

Yobe State FRILIA Technical Committee
Chairman