

Extraordinary



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EXECUTIVE ORDER NO. 003 OF 2017

BY THE ACTING PRESIDENT OF THE FEDERAL REPUBLIC OF NIGERIA
ON SUPPORT FOR LOCAL CONTENT IN PUBLIC PROCUREMENTS BY MINISTRIES,
DEPARTMENTS AND AGENCIES OF THE FEDERAL GOVERNMENT OF NIGERIA

[18th Day of May, 2017] Commence-
ment.

WHEREAS, there is the need to promote economic diversification and boost non-oil exports in the face of global economic realities, promote the local industry and stimulate the national economy ;

WHEREAS, the Federal Government of Nigeria (FGN) is committed to the support for the “*Made-in-Nigeria*” initiative with a view to increasing demand for locally manufactured goods and services ;

WHEREAS, the support of the FGN for local content in public procurements will strengthen the Naira, create jobs, expand the country’s entrepreneurial capacity and lead to greater competition among local manufacturers and service providers, thereby driving down costs and improving quality ; and

WHEREAS, His Excellency, Muhammadu Buhari, GCFR, the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria has made a public declaration of this policy to the effect that Nigeria must be a Nation “in which we grow what we eat and consume what we make” ;

NOW THEREFORE, PURSUANT TO THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AS THE ACTING PRESIDENT OF THE FEDERAL REPUBLIC OF NIGERIA, I HEREBY ORDER AS FOLLOWS :

1. All Ministries, Departments and Agencies (MDAs) of the Federal Government of Nigeria shall grant preference to local manufacturers of goods and service providers in their procurement of goods and services.

2. Any document issued by any MDA of the Federal Government of Nigeria (FGN) for the solicitation of offers, bids, proposals or quotations for the supply or provision of goods and services (Solicitation Document), in accordance with (1) above, shall expressly indicate the preference to be granted to domestic manufacturers, contractors and service providers and the information required to establish the eligibility of a bid for such preference.

3. All Solicitation Documents shall require bidders or potential manufacturers, suppliers, contractors and consultants to provide a verifiable statement on the local content of the goods or services to be provided.

4. Made-in-Nigeria products shall be given preference in the procurement of the following items and at least 40% of the procurement expenditure on

these items in all MDAs of the Federal Government of Nigeria shall be locally manufactured goods or local service providers :

- (a) Uniforms and Footwear ;
- (b) Food and Beverages ;
- (c) Furniture and Fittings ;
- (d) Stationery ;
- (e) Motor Vehicles ;
- (f) Pharmaceuticals ;
- (g) Construction Materials ; and
- (h) Information and Communication Technology.

5. Within 90 days of the date of this Order, the Heads of all MDAs of the Federal Government of Nigeria shall :

(a) assess the monitoring, enforcement, implementation and compliance with this Executive Order and local content stipulations in the Public Procurement Act or any other relevant Act within their agencies ;

(b) propose policies to ensure that the Federal Government's procurement of goods and services maximises the use of goods manufactured in Nigeria and services provided by Nigerian citizens doing business as sole proprietors, firms, or companies held wholly by them or in the majority ; and

(c) submit such findings to the Honourable Minister of Industry, Trade and Investment.

6. Within 180 days of the date of this Order, the Minister of Industry, Trade and Investment in consultation with the Director-General of the Bureau for Public Procurement shall submit to the President, a report on the Made-in-Nigeria initiative that includes findings from paragraph 4 above. This report shall include specific recommendations to strengthen the implementation of Local Content Laws and local content procurement preference policies and programmes.

7. For the purpose of this Order, "local content" means the amount of Nigerian or locally produced human and material resources utilised in the manufacture of goods or rendering of services.

8. This Executive Order shall take effect immediately.

DATED this 18th day of May, 2017.

PROF. YEMI OSINBAJO, SAN, GCON
*Acting President of the
Federal Republic of Nigeria*