



Nigeria: State Action on Business Enabling Reforms (SABER) Program (P177442)

WESTERN AND CENTRAL AFRICA | Nigeria | Finance, Competitiveness and Innovation Global Practice | Requesting Unit: AWCW2 | Responsible Unit: EAWF2
IBRD/IDA | Program-for-Results Financing | FY 2023 | Team Leader(s): Bertine Kamphuis, Karim Ouled Belayachi

Seq No: 2 | ARCHIVED on 05-Sep-2023 | ISR57661 | Created by: Karim Ouled Belayachi on 23-Aug-2023 | Modified by: Karim Ouled Belayachi on 31-Aug-2023

Program Development Objectives

Program Development Objective (from Program Appraisal Document)

The Program Development Objective (PDO) is to improve (1) the efficiency of land administration, (2) the regulatory framework for private investment in fiber optic infrastructure, (3) services provided by investment promotion agencies and public-private partnership units, and (4) the efficiency and transparency of government-to-business services in participating states.

Overall Ratings

Name	Previous Rating	Current Rating
Progress towards achievement of PDO	<input type="checkbox"/> Satisfactory	<input type="checkbox"/> Satisfactory
Overall Implementation Progress (IP)	<input type="checkbox"/> Satisfactory	<input type="checkbox"/> Moderately Satisfactory

Implementation Status and Key Decisions

The Nigeria State Action on Business Enabling Reforms (SABER) Program became effective on June 14, 2023 after the government met all the effectiveness conditions per the Financing Agreement (FA), namely: (i) issuing a satisfactory legal opinion on the FA, (ii) engagement of the independent verification agent (IVA) for the Prior Results, (iii) establishment of the SABER Program Coordination Unit (PCU) through the hiring and appointments of key personnel, and (iv) adoption of the Operations Manual.

To support states towards achieving the Year 1 disbursement-linked results (DLRs) and the remaining Eligibility Criteria (EC), sensitization events, ad-hoc technical assistance (TA) sessions and training programs for the states were facilitated by the PCU, the Presidential Enabling Business Environment Council- Enabling Business Environment Secretariat (PEBEC-EBES), and the Nigeria Governors' Forum (NGF). The PCU in collaboration with NGF and PEBEC-EBES led the state sensitization events on the ECs and the Year 1 results for Disbursement Linked Indicator (DLI) 2 (Improved regulatory framework for private investment in fiber optic infrastructure). The NGF led the sensitization event on DLI 1 (Improved efficiency in property registration and sustainability of the land-based investment process), DLI 3 (Development of an effective PPP framework) and DLI 7 (Simplified state and local business tax regimes), while the PEBEC-EBES led the state workshops on DLI 4 (Improved investment promotion environment), DLI 5 (Increased transparency of official fees and procedures), DLI 6 (Increased transparency of fees and levies for inter-state trade and increased exporter certification) and DLI 8 (Quick determination of commercial disputes).

The primary objectives of these workshops were to: (a) sensitize state officials on the SABER Program; (b) disseminate comprehensive information on the ECs, DLI matrix and the Program Verification Procedures, and (c) showcase successful state examples to serve as an example to other participating states. The sensitization sessions included sharing templates and key documentation to support states in achieving the ECs and the DLRs. Customized feedback was provided to individual states to guide their progress towards the achievement of results. On August 24, 2023, PEBEC-EBES conducted a state sensitization workshop on effectively preparing and monitoring state-level Business Enabling Reform Action Plans (BERAP), one of the ECs for states to be eligible for financing under SABER. Additional TA sessions are scheduled to commence after the completion of the sensitization meetings. NGF extended bilateral TA to states on the preparation and publication of one of the ECs - the Annual Fiscal Year (FY) 22 State Audited Financial Statement (AFS) due to be completed by July 31, 2023.

The assessment by the IVA for the Prior Results is currently underway and is anticipated to conclude by early October. The procurement process of the annual IVA assessment for the Program (eligibility criteria + years 1-3) has also been initiated by the PCU.

Data on Financial Performance**Disbursements (by loan)**



Project	Loan/Credit/TF	Status	Currency	Original	Revised	Cancelled	Disbursed	Undisbursed	% Disbursed
P177442	IDA-72090	Effective	USD	750.00	750.00	0.00	0.00	756.19	0%

Key Dates (by loan)

Project	Loan/Credit/TF	Status	Approval Date	Signing Date	Effectiveness Date	Orig. Closing Date	Rev. Closing Date
P177442	IDA-72090	Effective	29-Sep-2022	06-Jan-2023	14-Jun-2023	31-May-2026	31-May-2026

Program Action Plan

Action Description	Hire qualified Environmental and Social Officers at the PCU and provide capacity building/system strengthening program to strengthen their skills.				
Source	DLI#	Responsibility	Timing	Timing Value	Status
Environmental and Social Systems		PCU	Due Date	13-Sep-2023	Not Yet Due
Completion Measurement	Inclusion of the listed specialist in the team and maintained throughout the Program implementation; and Training Module and Implementation Support Supervision Report of World Bank Task team.				
Comments					

Action Description	Inclusion of E&S considerations in PPP framework for participating states in DLI3.				
Source	DLI#	Responsibility	Timing	Timing Value	Status
Environmental and Social Systems	DLI 4	PCU	Due Date	31-Dec-2024	Not Yet Due
Completion Measurement	Published on state's official website: the PPP legal and institutional framework, including E&S considerations.				
Comments					

Action Description	Include in the Program Operational Manual, E&S guidelines for participating states to explore core social inclusion activities such as gender, SEP, SEA/H, and protection of the vulnerable groups including OHS, etc.				
Source	DLI#	Responsibility	Timing	Timing Value	Status
Environmental and Social Systems	DLI 3	PCU	Due Date	13-Dec-2023	Not Yet Due
Completion Measurement	Completed guidelines disseminated to stakeholders, training provided, and the guidelines operationalized				
Comments					

Action Description	Develop e-waste management strategy for managing e-waste result from the program.				
---------------------------	---	--	--	--	--



Source	DLI#	Responsibility	Timing	Timing Value	Status
Environmental and Social Systems		PCU	Due Date	13-Dec-2023	Not Yet Due
Completion Measurement	E-waste management strategy document.				
Comments					

Action Description	Protocol adopted and implemented for reporting, management and investigation of fraud and corruption allegations operationalized in MDAs implementing SABER Program.				
Source	DLI#	Responsibility	Timing	Timing Value	Status
Fiduciary Systems		PCU	Due Date	13-Jul-2023	Delayed
Completion Measurement	Protocol adopted by PCU one month after effectiveness				
Comments	The timing value is 1 month after effectiveness, which is currently estimated at mid-July, 2023				

Action Description	Reporting, management and investigation of fraud and corruption allegations operationalized in MDAs implementing SABER Program.				
Source	DLI#	Responsibility	Timing	Timing Value	Status
Fiduciary Systems		PCU	Recurrent	Semi-Annually	Not Yet Due
Completion Measurement	Report on fraud and corruption allegations submitted twice a year as part of Program implementation progress report.				
Comments					

Action Description	Assignment of Project Accountants and internal auditor to PCU				
Source	DLI#	Responsibility	Timing	Timing Value	Status
Fiduciary Systems		OAGF/ FPFMD	Due Date	13-Sep-2023	Not Yet Due
Completion Measurement	Accountants and Internal Auditor assigned				
Comments					

Action Description	Compile data on recurrent expenditures of the relevant MDAs for the participating states, certified by the OAuGF and an opinion provided.				
Source	DLI#	Responsibility	Timing	Timing Value	Status
Fiduciary Systems		PCU	Recurrent	Yearly	Not Yet Due
Completion Measurement	PCU submitted compiled data on recurrent expenditures certified by OAuGF with an opinion expressed, within 9 months of the end of fiscal year.				



Comments					
Action Description	Timely transfer of Program funds from the federal to the participating states towards achievement of DLIs				
Source	DLI#	Responsibility	Timing	Timing Value	Status
Fiduciary Systems		PCU	Recurrent	Continuous	Not Yet Due
Completion Measurement	Service standard of 14 days to be established in the PIM; States' share of funds received in the Special Fund Account (part of TSA) at the federal level are transferred to the States' accounts within 14 days.				
Comments					

Risks

Systematic Operations Risk-rating Tool

Risk Category	Rating at Approval	Previous Rating	Current Rating
Political and Governance	☐ Substantial	☐ Substantial	☐ Substantial
Macroeconomic	☐ Moderate	☐ Moderate	☐ Moderate
Sector Strategies and Policies	☐ Substantial	☐ Substantial	☐ Substantial
Technical Design of Project or Program	☐ Substantial	☐ Substantial	☐ Substantial
Institutional Capacity for Implementation and Sustainability	☐ High	☐ High	☐ High
Fiduciary	☐ Substantial	☐ Substantial	☐ Substantial
Environment and Social	☐ Moderate	☐ Low	☐ Low
Stakeholders	☐ Moderate	☐ Moderate	☐ Moderate
Other	--	--	--
Overall	☐ Substantial	☐ Substantial	☐ Substantial

Results

PDO Indicators by Objectives / Outcomes

Improved land administration and land-based investment process				
▶ States with at least 50% of Certificates of Occupancy (CofOs) issued and duly registered since 01 January 2012 digitized and indexed in accordance with international good standards. (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target



Value	0.00	0.00	0.00	10.00
Date	30-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2025
Comments	States (number) with at least 50% of existing Certificates of Occupancy (CofOs) digitized and indexed in accordance with international good standards (as defined by the DLI Verification Protocol). Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			
Improved regulatory framework for private investment in fiber optic infrastructure				
▶ States adopting aggregate fees for broadband deployment on a per linear basis at a maximum of NGN 145 per meter (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	20.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2025
Comments	States adopting aggregate fees for broadband deployment on a per linear basis at a maximum of NGN 145 per meter. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			
Improved services provided by investment promotion agencies and public-private partnership units				
▶ States that establish an IPA performing the key functions of Marketing, Information, Assistance and Advocacy. (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	15.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2025
Comments	States (number) that establish an IPA performing the key functions of Marketing, Information, Assistance and Advocacy. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			
▶ States that establish a PPP coordinating unit mandated to facilitate PPPs and that has publicly disclosed their PPP pipeline projects on a portal. (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	12.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2025
Comments	States (number) that establish a PPP coordinating unit mandated to facilitate PPPs, that has publicly disclosed its PPP pipeline projects on a portal. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			
Improved efficiency and transparency of government-to-business services				
▶ States in which all state-level and local government taxes, levies, and fees from businesses can be paid electronically (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	20.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2025



Comments	States (number) in which all State-level and local government taxes, levies, and fees from businesses can be paid electronically. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			
► States in which fees, procedures, and service delivery timelines of five key business-enabling environment State-level MDAs are published on a website. (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	10.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2025
Comments	States (number) in which fees, procedures, and service delivery timelines of five key business-enabling environment State-level MDAs are published on a website. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			

Intermediate Results Indicators by Results Areas

Improved land administration and land-based investment process				
► States with at least 90% of new CofOs registered during 2025, digitized and indexed, with 15% increase in share of female-owned or co-owned (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	10.00
Date	31-Dec-2021	29-Dec-2022	29-Dec-2022	31-Dec-2025
Comments	States (number) in with at least 90% of new CofOs registered issued during 2025 (1 January 2025 to 31 December 2025) digitized and indexed on an ongoing basis and a 15% increase from 2021 to 2025 in the share of total CofOs registered per year issued between 2021 and 2025 that are female owned or joint/co-owned. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			
► States adopting a Framework for Responsible Investment in Land-Intensive Agriculture (FRILIA), or equivalent, through a State Executive Order. (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	7.00
Date	31-Dec-2021	29-Dec-2022	29-Dec-2022	31-Dec-2024
Comments	States (number) adopting a Framework for Responsible Investment in Land-Intensive Agriculture (FRILIA), or equivalent through a State Executive Order. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			

Improved regulatory framework for private investment in fiber optic infrastructure				
► States with approved Right of Way (ROW)-related requests published on state official website. (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	20.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2024



Comments	States (number) with approved Right of Way (ROW)-related requests published on state official website. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.
----------	--

Improved services provided by investment promotion agencies and public-private partnership units				
► States that adopted (a) a PPP legal and institutional framework and (b) a PPP Fiscal Commitment and Contingent Liability (FCCL) framework. (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	12.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2024
Comments	Number of new State-level technical PPP coordination unit/agency mandated as the lead organization tasked with facilitation of PPPs. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			

Improved efficiency and transparency of government-to-business services				
► States that publish schedule of trade related fees and levies on inter-state movement of goods on a state website (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	17.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2023
Comments	Number of states reporting at least a 10% increase in the number of firms in the state that obtained export certificates from NEPC from the baseline year (2021). Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			
► States in which inventory of all investment incentives (Federal and State) available in the State are published on a state website (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	15.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2023
Comments	States (number) in which inventory of all investment incentives (Federal and State) available in the State are published on a state website. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			
► States with at least a 10% increase in the number of firms in the state that obtained export certificates from NEPC (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	12.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2024
Comments	States (number) with at least a 10% increase in the number of firms in the state that obtained export certificates from NEPC from the baseline year (2021). Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			



► States that adopted presumptive turnover tax regime for small businesses, and subsumed business-related local government charges into a consolidated demand notice. (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	16.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2025
Comments	States (number) that amended existing legislation or passed new legislation to adopt presumptive turnover tax regime for small businesses, and that subsumed business-related local government charges/fees/taxes into a consolidated demand notice. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			
► States that established at least two small claims courts having tried at least one case each. (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	20.00
Date	31-May-2022	29-Dec-2022	29-Dec-2022	31-Dec-2024
Comments	States (number) that established at least two small claims courts having tried at least one case each. Only states having achieved this target during the Program duration will be counted. This will be captured by the number of States achieving the DLI.			

Disbursement Linked Indicators

► DLI 1 Improved efficiency in property registration and sustainability of the land-based investment process (Outcome, 104.00, 0%)				
	Baseline	Actual (Previous)	Actual (Current)	January 1, 2025 - December 31, 2025
Value	0.00	0.00	0.00	1.1.4 Published on state official website: (i) the process for obtaining CofO including all relevant MDAs, time frames and costs; (ii) the process for obtaining Construction Permits including all relevant MDAs, time frames and costs; AND 1.1.4 New CofOs registered during 2025 (1 January 2025 to 31 December 2025) digitized and indexed on an ongoing basis in accordance with international good standards as established in the TOR meets target:



				<p>Target: At least 90% of new CofOs registered; AND 15% increase from 2021 to 2025 in the share of CofOs registered per year that are female owned or joint/co-owned.</p> <p>1.2.2 FRILIA, or equivalent, under satisfactory implementation with at least 1 pilot investment materialized under FRILIA and as confirmed by a social audit.</p>
Date	--	29-Dec-2022	29-Dec-2022	--
Comments				

► DLI 2 Improved regulatory framework for private investment in fiber optic infrastructure (Intermediate Outcome, 108.00, 0%)				
	Baseline	Actual (Previous)	Actual (Current)	January 1, 2025 - December 31, 2025
Value	0.00	0.00	0.00	<p>2.3 State maintained aggregate per linear meter fees for broadband deployment, online publication of ROW processes and fees, and online publication of approved ROW-related requests; AND</p> <p>Increase in total deployed non-Gigabit Passive Optical Network (GPON) fiber optic cable kilometers against 2022 baseline meets target: Basic target: 20-99% Stretch target: >100%</p>
Date	--	29-Dec-2022	29-Dec-2022	--



Comments

► DLI 3 Development of an effective PPP framework (Outcome, 62.00, 0%)				
	Baseline	Actual (Previous)	Actual (Current)	January 1, 2025 - December 31, 2025
Value	0.00	0.00	0.00	3.3 State-level technical PPP coordination unit/agency maintained; AND State Project Facilitation Fund is established with a minimum funding of 3% of the total pipeline estimated capital investment.
Date	--	29-Dec-2022	29-Dec-2022	--
Comments				

► DLI 4 Improved Investment Promotion Environment (Outcome, 105.00, 0%)				
	Baseline	Actual (Previous)	Actual (Current)	January 1, 2025 - December 31, 2025
Value	0.00	0.00	0.00	4.4 Published on state official website: Inventory of all investment incentives (Federal and State) available in the State and the number of entities receiving State investment incentives; AND An aftercare and retention program is adopted as per the verification protocols; AND The number of announced investments proactively supported by IPA meets target: Basic target: 1 to 4 Stretch target: At least 5



Date	--	29-Dec-2022	29-Dec-2022	--
Comments				

► DLI 5 Increased transparency of official fees and procedures (Outcome, 60.00, 0%)				
	Baseline	Actual (Previous)	Actual (Current)	January 1, 2025 - December 31, 2025
Value	0.00	0.00	0.00	5.4 Published on state official website(s): fees, procedures, and service delivery timelines of five key BEE State MDAs. AND GRMs at two key BEE State MDAs are operational and a minimum of 75% of grievances received are addressed within the specified SLAs. AND Publish at least on a monthly basis on state official website(s): compliance with SLAs of five key BEE State MDAs.
Date	--	29-Dec-2022	29-Dec-2022	--
Comments				

► DLI 6 Increased transparency of fees and levies for inter-state trade and increased exporter certification (Intermediate Outcome, 89.00, 0%)				
	Baseline	Actual (Previous)	Actual (Current)	January 1, 2025 - December 31, 2025
Value	0.00	0.00	0.00	6.1.4 Published on state official website: schedule of trade related fees and levies on inter-state movement of goods; AND report on complaints from traders and redress actions; AND A minimum of 75 percent of grievances received in the GRM are addressed within the



				specified service level agreements; AND Eliminated haulage fees and charges.
				6.2.3 At least 20% increase in firms in the state that obtained export certificates from NEPC from the baseline year (2021).
Date	--	29-Dec-2022	29-Dec-2022	--
Comments				

► DLI 7 Simplified state and local business tax regimes (Outcome, 122.00, 0%)				
	Baseline	Actual (Previous)	Actual (Current)	January 1, 2025 - December 31, 2025
Value	0.00	0.00	0.00	<p>7.1 State amended existing legislation or passed new legislation to adopt presumptive turnover tax regime for small businesses; AND, (b) State subsumed business-related local government charges/fees/taxes into a consolidated demand notice (one-time payment for year in which DLR is first achieved, up to Year 3)</p> <p>7.2.2 All State-level and local government taxes, levies, and fees from businesses can be paid electronically; and there is an adoption rate of: Basic target: At least 33% of State collection of taxes, levies, and fees from businesses Stretch target: At least 66% of State collection of taxes, levies, and fees from businesses.</p>



Date	--	29-Dec-2022	29-Dec-2022	--
Comments				

► DLI 8 Quick determination of commercial disputes (Intermediate Outcome, 80.00, 0%)				
	Baseline	Actual (Previous)	Actual (Current)	January 1, 2025 - December 31, 2025
Value	0.00	0.00	0.00	8.3 Monthly performance reports for small claims court for 2024 (Jan to Dec 2024) to be made available to the public on state Judiciary's website by 31 March 2025; AND 75% of cases disposed within 60 days as recorded by the time to disposition report; AND 75% of judgments executed within 30 days as recorded by the execution reports.
Date	--	29-Dec-2022	29-Dec-2022	--
Comments				