SMALL AND MEDIUM SCALE ENTERPRISES (SMES) IN NIGERIA AND THE REGIME CHANGE IN TAX

Anthonia Omosefe Ugowe*
Oluwaseye Thompson Adeboye*
Hamza Abdulazeez-Okene*

Abstract

Fiscal reforms and the objective of promoting ease of doing business are some of the key campaign promises of the Tinubu-led administration in Nigeria. Since the attainment of the leadership in May 2023, there have been fundamental changes in economic policies, with rising concerns about the benefits or otherwise of these changes. Of significant mention is the overhaul of Nigeria's tax system. Nigeria's tax regime was changed during the previous government to usher in fresh economic perspectives, especially as it relates to incentivising small businesses. The new tax regime is significantly hinged on curbing tax leakages within the Nigerian economy, unifying revenue collection agencies, and harmonising taxes, which have often led to multiple taxation. Notably, recent interventions have led to the enactment of the Nigeria Tax Act, 2025 (NTA), the Nigeria Tax Administration Act, 2025 (NTAA), the Nigeria Revenue Service (Establishment) Act, 2025 (NRSA), and the Joint Revenue Board of Nigeria (Establishment) Act, 2025 (JRBA). Considering the various

* Corresponding Author LL.B (Hons.) (Ilorin), BL (N.L.S - Abuja), LL.M (Manchester), Ph.D (Dundee); Senior Lecturer at the Department of Business Law, Faculty of Law, University of Ilorin. Email addresses: anthonia_ugo@yahoo.com and ugowe.ao@unilorin.edu.ng. Mobile Telephone: +2348086392152.

* LL.B (Hons.) (Ilorin), BL (N.L.S – Lagos), LL.M (Ilorin); Lecturer at the Department of Public Law, Faculty of Law, University of Ilorin.

* LL.B (Hons.) Maiduguri), BL (N.L.S - Lagos), LL.M (Ilorin), Ph.D (Ilorin); Senior Lecturer at the Department of Public Law, Faculty of Law.

alterations to taxes under this regime, it has become expedient to examine how these changes and novel provisions affect individual citizens and businesses (small and large). Hence, this article investigates the impact of Nigeria's new tax regime, especially the NTA 2025 and the NTAA 2025, on SMEs in Nigeria. It makes due reference to previous tax practices, highlighting some of the milestones recorded so far and the way forward.

Keywords - Small and Medium Scale Enterprises (SMEs); Tax, and Nigeria

1.0 INTRODUCTION

The tax regime in Nigeria has witnessed significant changes in recent times. This, on the part of the government, is part of its fiscal policy reforms, which seek to curb tax leakages within Nigeria's growing economy while also scaling revenues. A 2024 report from the Organisation for Economic Cooperation and Development (OECD) shows that Nigeria's tax-to-GDP ratio was 7.9%,[1] an exceptionally low figure compared to the 36 other African countries considered in the report. The poor performance of taxes in Nigeria has been attributed to the gross inefficiency of revenue administration systems, particularly the multiplicity of tax regimes and revenue collection agencies.[2] Previous research shows that the years preceding 2025 were categorised by fragmented statutes that sought to

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[1] OECD, 'Revenue Statistics in Africa 2024' (2024) <https://www.oecd.org/en/publications/2024/12/revenue-statistics-in-africa-2024_a51701c6.html> accessed 2 March 2026.

[2] Augustine Odion, Michael Amedu and Francis Udeh, 'Tax multiplicity dimension and growth of small and medium enterprises in South Eastern Nigeria' (2022) 8(3) Journal of Global Accounting, 173-187; Onyinye Ucheagwu-Okoye, and Anene Nwadukwe, 'Tax Laws: Synergy for Infrastructural Development in Emerging Economies' (2021) 3 IRLJ, 19.

administer tax in Nigeria.[3] This predominantly occasioned ambiguities in practice, creating leeway for legal contradictions. Similarly, concerns have also been raised about non-compliance and tax evasion in Nigeria.[4] Non-compliance, however, is linked to citizens' dissatisfaction with the government's handling of accrued revenues.[5]

While all the above highlight some of the factors militating against tax administration in Nigeria, they are not exhaustive due to the interplay of political, social, and economic issues. It is against this background that the Nigerian government has embarked on a national tax reform. In 2023, Nigerian President, Bola Ahmed Tinubu, established the Presidential Fiscal Policy and Tax Reforms Committee (the Committee).[6] One of the

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[3] Daniel Simeon, Edori Simeon and Idatoru Roberts, 'Issues and challenges inherent in the Nigerian tax system' (2017) 2(4) *American Journal of Management Science and Engineering,* 52-57; James Abiola and Moses Asiweh, 'Impact of tax administration on government revenue in a developing economy-a case study of Nigeria' (2012) 3(8) *International Journal of Business and Social Science*; Adesoji Adenugba and Chike Ogechi, 'The effect of internal revenue generation on infrastructural development. A study of Lagos State internal revenue service' (2013) 3 *Journal of Educational and Social Research*, 2.

[4] Abdulrasaq Mustapha and Abdullah Babatunde, 'Tax enforcement strategy: The antidote to non-tax compliance in North-West Nigeria' (2024) 14(1) Journal of Business Management and Accounting (JBMA), 67-89; Kehinde Salawu, Sunday Okesina and Babatunde Ololade, 'Determinants of Tax Non-Compliance Behaviour Among Small and Medium Enterprises in Oyo State, Nigeria' (2023) 18(4) TWIST, 344-353; Tom Moerenhout and Joonseok Yang, 'Tax evasion attitudes of small firms in low-and middle-income countries: Evidence from Nigeria' (2022) 40(6) Development Policy Review, e12616.

[5] Mohammed Sanusi, 'An Analysis of Citizens' Perceptions of Fairness in the Nigerian Tax System and Its Influence on Trust in Government: A Case Study of North Western State of Nigeria' (2025) 13(3) International Journal of Innovative Finance and Economics Research, 163-174.

[6] Mary Izuaka, 'FG inaugurates Committee on Fiscal Policy, Tax Reforms' *Premium Times* (Abuja, 8 August 2023) <https://www.premiumtimesng.com/business/business-

Committee's overarching mandates was to improve the efficiency of revenue collection in Nigeria by unifying revenue collection agencies and consolidating the various tax statutes in effect at the time. At the core of this mandate was achieving an 18% GDP ratio by 2030. While the Committee's mandate may appear overly ambitious, the pathways to achieve the deliverables were clear and abundantly so. Following this, four tax laws were enacted and disseminated to the public in 2025. These laws are – the Nigeria Tax Act, 2025 (NTA), the Nigeria Tax Administration Act, 2025 (NTAA), the Nigeria Revenue Service (Establishment) Act, 2025 (NRSA), and the Joint Revenue Board of Nigeria (Establishment) Act, 2025 (JRBA).

Since the enactment of these laws, there have been varying concerns, especially about their implications on citizens' livelihoods and businesses. In expounding the implications of the Nigerian Tax Act 2025 on personal income tax, Sandey and Chinwendu noted that the new Act brought significant changes in the way taxable income is computed;[7] they suggested that some parts of the Act are shrouded in complexities, potentially requiring more clarification and public orientation. On corporations, the research of Sandey and Chiwendu shows that though the new regime signals a paradigm shift in the corporate tax regime, there are growing

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news/615253-fg-inaugurates-committee-on-fiscal-policy-tax-reforms.html?tztc=1> accessed 16 March 2026; Dele Alake, 'President Tinubu sets up Committee on Tax Reform' (Presidential Villa State House, 7 July 2023) <https://statehouse.gov.ng/president-tinubu-sets-up-committee-on-tax-reforms/> accessed 16 March 2026.

[7] Sandey, Samuel, and Sopulu Divine Chinwendu. "Analysis of the Nigeria Tax Reforms of 2025: Effect on Individuals and Corporations." *Available at SSRN 6010696* (2025)<https://papers.ssrn.com/sol3/papers.cfm?abstract_id=6010696> accessed 3 March 2026.

concerns about double taxation. This is particularly so for indirect transactional businesses, which are now to be subject to the capital gains tax, which has now been increased from 10% to 30%.[8] While there have been quite a number of commentaries on how the new tax laws affect citizens and corporations, the effect of these laws on Small and medium-sized enterprises remains largely nascent.

Thus, this study explores the dynamics of Nigeria's new tax regime, particularly as they relate to SMEs. It considers how the NTA 2025, NTAA 2025, and NRSA 2025 affect SMEs in Nigeria. It is important to note that SMEs have more often than not been burdened with high-end taxes.[9] They are usually treated the same as big companies.[10] However, the new tax laws provide a number of reliefs and incentives to support small-scale enterprises. For example, section 202 of the NTA 2025 stipulates that companies with a gross turnover of 50 million or less in a year, alongside a total fixed assets not exceeding 250 million Naira, are exempted from paying Companies Income Tax, Capital Gains Tax, and even the Development levies as required of big businesses. While this is a step in the right direction, this supposed new dawn is still not a one-size-fits-all solution to promoting ease of doing business for SMEs. This study examines the applicability of Nigeria's new tax reforms. It examines key areas where recent improvements have been made and recommends potential development.

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[8] Nigeria Tax Act 2025, s 4.

[9] Rita Tabet and Pauline Onyeukwu, 'Multiple taxation and small and medium scale enterprises (SMEs) financial performance in Abuja, Nigeria' (2019) 6(2) World Journal of Innovative Research, 65-8.

[10] Judith Imaobong, Amara Maduabuchi, Ekete Igwe, Okeke Ehis and Chukwunwike David, 'Taxation practices and the survival of small and medium-sized enterprises (SMEs)' (2022) 10(2) Journal of Accounting and Finance, 399-410.

2.0 SMEs AND TAX IN NIGERIA

As the name implies, SMEs are businesses that operate within a limited threshold of asset base, turnover, and number of employees. Section 394 of the Companies and Allied Matters Act 2020 provides that an SME is, in essence, a private company that has limited shares and has a purported annual turnover of about 120 million Naira, a cumulative asset value of about 60 million naira and has no foreign or public shareholder. The Act provides that where the company possesses a share capital, the directors in the company are required to hold a minimum of 51% of the available share capital.[11] Due to constrained engagements as small businesses, SMEs are known to employ between 10 and 49 persons,[12] while medium enterprises employ between 50 and 199 persons, subject to asset limitations excluding land and buildings.[13]

SMEs play a vital role in Nigeria's economy by contributing significantly to employment generation, innovation, and poverty reduction. According to a recent report by the Small and Medium Enterprises Development

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[11] See generally Companies and Allied Matter Act 2020, s 394.

[12] Oladunni Alao, Oshireku Onivefu, Christiana Onivefu-Bello and Kofoworola Raji, 'The influence of small-scale businesses in employment generation and economic growth in Nigeria: A case study of selected business in suburban Lagos' (2025) 6(1) African Journal of Commercial Studies, 53-64.

[13] Theophilus Adeosun and Ayodele Ibrahim Shittu, 'Small–medium enterprise formation and Nigerian economic growth' (2022) 79(4) Review of Economics and Political Science, 286-301; Muhammad Sulaiman, Fatima Isa, Lawal Tanimu, Bello Rilwan and Mahmood Moukhtar, 'The effect of Naira redesign policy on the wellbeing of nano and micro scale enterprises in northern Nigeria' (2023) 5(1) Jalingo Journal of Social and Management Sciences, 182-199.

Agency of Nigeria (SMEDAN),[14] SMEs created more than 90,000 direct and indirect jobs in the first quarter of 2025.[15] As a country fueled by oil revenues, Nigeria's SMEs are known for creating alternative economic windows, especially through non-oil enterprises that seek to drive the economy at the local level. Although small in operational size, SMEs have long been burdened by a wide range of taxes, most of which are levied by federal, state, and local tier authorities. As such, both the Nigerian Revenue Service (NRS) and other state and local revenue agencies exercise their tax-collection powers over SMEs. With these, the NRS administers the Company Income Tax, Value Added Tax, and Tertiary Education Tax;[16] whereas, the state government administers personal income tax,[17] and the local government administers local levies and such tax forms that it deems

[14] SMEDAN is government regulator saddled with the primary responsibility of advancing the operations of Micro, Small, and Medium Enterprises (MSMEs) in Nigeria. See SMEDAN, 'A one stop shop for MSMEs' (2026) <https://smedan.gov.ng/about-us/> accessed 23 March 2026.

[15] SMEDAN, 'SMEDAN Creates Over 90,160 Jobs in Q1, Empowers 116,661 Entrepreneurs Nationwide' (2025)<https://smedan.gov.ng/smedan-empowerment-and-impact-report/#:~:text=ABUJA%2C%20NIGERIA%20%E2%80%93%20The%20Small%20and,empowerment%20programs%20and%20strategic%20collaborations.> accessed 23 March 2026.

[16] Innocent Jooji, Margaret Oyekan, Zekeri Momoh and Samuel Onuh, 'The Federal Inland Revenue Service (FIRS), tax compliance and the fight against corruption in Nigeria' (2023) 8(9) International Journal of Professional Business Review, 4; Deborah Adedeji, Henry Kehinde Fasua and Oluwafemi Michael Sunday, 'Federal Inland Revenue Services, Tax Systems and National Economic Development in Nigeria' (2023) 23(22) Asian Journal of Economics, Business and Accounting, 264-274.

[17] Matthew Abata, 'The impact of tax revenue on Nigerian economy: Case of Federal Board of Inland Revenue'(2014) 289(1849) Journal of Policy and Development studies, 1-13.

fit, provided that such tax does fall within the premise of those administered by the federal and state governments.[18]

Prior to 2019, small businesses were burdened by a bulging tax regime, which saw SMEs paying 30% Companies Income Tax (CIT), notwithstanding their clear capital and operational size. It was through the Finance Act 2019 that taxes were considerably capped for SMEs, allowing businesses with low turnover to be exempted or incentivised in taxation. To put it in clear perspective, in the bid to cushion the impact of high taxation on small businesses, section 38 of the Finance Act 2019 introduced a tax threshold for businesses with a turnover of 25 million or less. Section 40 of the Finance Act 2019 reduced the CIT to 20% for small businesses with turnovers between 25 million Naira and 100 million Naira. In the same vein, the Finance Act 2020 amended the provision in section 1(2) of the Tertiary Education Trust Fund Act, which mandated that businesses in general pay the Tertiary Education Tax. Thus, section 40 of the Finance Act 2020 underscored that SMEs within the contemplation of section 394 of CAMA 2020 are exempted from paying the Tertiary Education Tax as hitherto required.

Despite these policy incentives, SMEs in Nigeria face several taxation challenges. These include multiplicity of taxes, overlapping regulatory demands, informal sector dominance, and limited tax awareness.[19]

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[18] Although, there have been frictions as to the propriety or otherwise of the NRS (the erstwhile Federal Inland Revenue Service.

[19] Alfred Ilemona, Sunday Nwite and Godwin Emanuel Oyedokun, 'Effects of multiple taxation on the growth of small and medium enterprises in Nigeria' (2019) 18(2) Journal of taxation and economic development, 1-8; Rita Tabet and Pauline Onyeukwu, 'Multiple taxation and small and medium scale enterprises (SMEs) financial performance in Abuja, Nigeria' (2019) 6(2) World Journal of Innovative Research, 65-8.

According to a qualitative study conducted by Adebisi and Gbegi,[20] multiple taxation has continued to cripple small businesses' ability to scale and reach their full potential. They noted that multiple taxation and a heavy tax burden are spectacularly disincentivising. In another quantitative study conducted by Fatogun and Balogun,[21] it was found that multiple taxation posed an overwhelming effect on the survival of small businesses in Lagos, Nigeria. Okolo et al.[22] also noted that multiple taxation is one of the most fundamental problems small business owners wrestled with in their bid to scale up.

Meanwhile, many small businesses struggle with compliance due to inadequate accounting systems and a lack of awareness of tax obligations.[23] Additionally, the presence of various levies imposed by different tiers of government often creates confusion and increases the cost of doing business. This sometimes discourages formal registration and pushes businesses into the informal economy. Informal economy is often unregistered, and transactions thereto are usually excluded from national economic statistics.[24] Hence, all the above shows that taxation of SMEs in

[20] Femi Adebisi and Daniel Gbegi, 'Effect of multiple taxation on the performance of small and medium scale business enterprises. (A study of West African Ceremics Ajeokuta, Kogi State)' (2013) 4(6) Mediterranean journal of social sciences, 323-334.
[21] Ibukun Fatogun, 'Effect of Multiple Taxation on Business Survival in Lagos, Nigeria' (2024) 25 Nigerian Journal of Management Sciences, 1.
[22] Ebere Okolo, Eunice Okpalaojiego and Chimobi Okolo, 'The Effects of Multiple Taxation on Investment in Small and Medium Scale Enterprises in Enugu State, Nigeria' (2016) 10(1) International Journal of Economics and Management, 378-385.
[23] Winnie Atawodi and Stephen Ojeka, 'Factors that affect tax compliance among small and medium enterprises (SMEs) in North Central Nigeria'(2012) 7(2) International Journal of business and management, 87.
[24] Roberto Dell'Anno, 'Theories and definitions of the informal economy: A survey' (2022) 36(5) Journal of Economic Surveys, 51610-1643.

Nigeria reflects an interplay of revenue generation and economic development. While government policies increasingly aim at supporting small businesses through tax reliefs and incentives, structural challenges remain in administration and enforcement.[25] In much more recent times, efforts have been geared towards streamlining the tax system, improving taxpayer education, and harmonising federal, state, and local levies. These are largely essential for enhancing compliance, fostering business sustainability, and strengthening SMEs' contribution to Nigeria's economic growth.

3.0 SMES AND TAX REGIME CHANGE IN NIGERIA

The need for a tax regime change, in Nigeria has been a going concern. This is contingent upon the continued need to promote the ease of doing business for small businesses. In view of this, the enactment of the NTA 2025, NTAA 2025, and the NRSA 2025 are targeted at providing relief and incentivising small businesses. While the NRSA is a statutory instrument establishing the Nigerian Revenue Service, the NTA 2025 and NTAA are exclusively focused on setting out the framework for taxation in Nigeria and how this framework will be administered. As such, this section provides valuable details on what the recent laws provide, how such provisions can be leveraged for growth, and possible challenges (if any) with implementation.

It is noteworthy that there have long been variations in the scope of identifying a small business. While the provision of section 394 of CAMA 2020 identifies an SME as having an annual turnover of about 120 million Naira, a cumulative asset value of about 60 million Naira, the new tax

[25] Andrew Agbu and Friday Magaji, 'Challenges of Tax Administration and Enforcement of Tax Laws in Nigeria' (2024) 6 IRLJ, 55.

regime shifts this further. CAMA 2020, NTA 2025, and NTAA 2025 measure small business threshold by turnover and asset value; the inherent values are distinct. According to section 147 of the NTAA 2025, a small business is one "that earns gross turnover of ₦100,000,000 (One Hundred Million Nair) or less per annum with a total fixed assets less than ₦250,000,000 (Two Hundred and Fifty Thousand Naira), provided that any business providing professional services shall not be classified as a small business." On the other hand, section 202 of the NTA 2025 refers to an SME as "a company that earns gross turnover of ₦50,000,000 (Fifty Million Naira) or less per annum with total fixed assets not exceeding ₦250,000,000 (Two Hundred and Fifty Thousand Naira), provided that any business providing professional services shall not be classified as a small company." The classification of these thresholds is mostly essential for tax compliance.

Section 56 of the NTA 2025 provides that a company pays 0% tax on profit if it earns a gross turnover of ₦50,000,000 (Fifty Million Naira) or less per annum and has total fixed assets not exceeding ₦250,000,000 (Two Hundred and Fifty Thousand Naira). This provision clearly sustains the position of the Finance Act 2019, which sought to promote the scaling and growth of small businesses. As such, where a business fits within this scope of statutory definition, it is exempted from paying corporate income tax. In contrast, Section 147 of the NTAA 2025 stipulates that a company pays 0% Value Added Tax (VAT) if it earns gross turnover of ₦100,000,000 (One Hundred Million Naira) or less per annum and has total fixed assets of less than ₦250,000,000 (Two Hundred and Fifty Thousand Naira). The sheer implication of these thresholds is that a given SME, which may be a small company within the contemplation of NTAA 2025, may be exempted from paying VAT but liable for company income tax payment.[26]

Further, companies that fall under section 59 of the NTA 2025 are now excluded from paying the development levy, which was hitherto mandated for companies that generally pay corporate income tax. This development levy profit is pegged at 4% of a business's profit and is usually from assessable profit, which is generally not tax deductible and paid in addition to the company's income tax. Usually, the implication of this is that small businesses, before now, pay multiple taxes ranging from the NITDA levy to the Tertiary Education Tax; by virtue of the provision of section 59 of the NTA 2025, these taxes have now been integrated into the development levy, and small businesses are exempted from the payment of this tax. In the same vein, the NTA 2025 retains the payment of withholding tax as provided under the previous tax regime; however, it provides a relief for small businesses by stipulating that small businesses with a valid tax identification number are exempted from the payment of the withholding tax. In addition, small businesses to be exempted are expected to have not surpassed 2 million in cumulative transactions within a month. In this case, while exemptions exist for withholding, it is not automatic and can only be enjoyed by compliant small companies, pursuant to the NTA 2025.

Despite these fundamental changes, innovations, and targets brought about by Nigeria's tax regime change, public awareness remains relatively low.

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[26] Chinedu Anaje, Chinemeze Eze and Chidinma Ogbonnaya, 'Taxation of Small Companies Under the New the New Regime as 2026 Approaches: Overview of the Key Areas of Interest' (2025)<https://ao2law.com/taxation-of-small-companies-under-the-new-tax-regime-as-2026-approaches-overview-of-key-areas-of-interest/#elementor-toc__heading-anchor-8> accessed 2 March 2026.

Abdulmudalib opines that tax education is a defining precursor to compliance and, indeed, implementation.[27] It was noted that some clauses on the digitalisation of tax procedures need to be demystified to avoid confusion and promote public acceptance. Businesses are in need of counsel, and this is true for small businesses with no compulsory requirement to have a company secretary.[28] A company secretary would ordinarily be responsible for scrutinising legal frameworks to identify potential incentives and how they can be exploited, as well as pointing out possible risks. Yet, small businesses are not required to have a company secretary, making it sometimes herculean. It follows, therefore, that with the advent of a new tax regime in Nigeria, SMEs are in urgent need of expert intervention.

Ultimately, the implementation of laws has been a recurring challenge, and this appears no different. Given the current trajectory of a tax regime change in Nigeria, implementation has been relatively slow, though it has only just begun. The Nigerian government announced that it would begin implementation of the new tax laws on the 1st of January 2026. However, there are speculations about the validity of the laws, as reports have emerged of possible political manipulation of the laws. According to a letter obtained from KPMG (one of the frontier consultants in global financial advisory),[29] there are compelling omissions and errors in the new tax regime. The letter remarked that, notwithstanding the potential of the new

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[27] Abubakar, Abdulmudallib Salihu. "Tax Law Rewrite and Simplification; A Critical Assessment of the Nigeria Tax Reform Acts (2025) <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5580190> accessed 2 March 2026.

[28] Companies and Allied Matters Act 2020, s330(1).

[29] James Emejo, 'KPMG Flags Errors, Gaps In Nigeria's New Tax Laws' (9 January 2026)<https://www.arise.tv/kpmg-flags-errors-gaps-in-nigerias-new-tax-laws/#:~:text=d,Arise%20360> accessed 3 March 2026.

tax laws to increase government revenue, there is a need to balance revenue and sustainable growth.[30]

4.0 CONCLUSION

The current tax regime in Nigeria is in its nascent stages with little or no clear success or score cards reported at the time of writing this article. While the general provisions of the NTA 2025 and the NTAA 2025 provide ample opportunities for small businesses to grow, this article notes that it is practically impossible to measure their impacts, as full implementation has not yet begun. It is important to note that in January 2026,[31] there were verifiable reports of the possibility of halting implementation due to some inconsistencies with the original draft bill of the NTA 2025. It would appear that these claims have been dismissed as largely political and partly on the grounds of clerical alterations/errors, and have since been laid to rest. While considerable parts of the laws are undergoing implementation, no scorecards have been recorded yet. This article notes that the implementation of law has been a recurring challenge within the Nigerian polity. As such, the face value of a law, no matter how resourceful, becomes lightweight where implementation is slow or non-existent. It is upon this premise that this article calls for the strict implementation of the new tax laws to ensure that the intent of the law makers are followed. In addition, evidence shows that poor knowledge or awareness of the incentives obtainable from the Nigerian tax regimes has continued to undermine the application of some of these laws. Therefore, public tax education becomes

30 ibid.

31 Dulue Mbachu, 'Tampering allegations dog Nigeria's new tax laws' (26 January 2026)<https://african.business/2026/01/finance-services/tampering-allegations-dog-new-nigeria-tax-laws> accessed 4 March 2026.

indispensable, and this extends beyond the NRS to also include the National Orientation Agency (NOA).