

# LEGAL AND PPP DISCLOSURE FRAMEWORK IN OYO STATE, NIGERIA



# OYSIPA

OYO STATE INVESTMENT AND PUBLIC  
PRIVATE PARTNERSHIP AGENCY

## **Introduction**

This report provides an overview of the legal and Public-Private Partnership (PPP) disclosure framework in Oyo State, Nigeria. It covers the existing legal provisions, institutional frameworks, and best practices for transparency and disclosure in PPP projects within the state.

### **Legal Framework**

#### **Constitution of the Federal Republic of Nigeria (1999) as amended**

- The constitution provides the overarching legal basis for governance in Nigeria, including the responsibilities of state governments like Oyo State.
- It outlines the division of powers and the concurrent jurisdiction over certain sectors where both federal and state governments have legislative authority.

#### **Oyo State Public Procurement Law (2010)**

- Establishes the regulatory framework for public procurement in the state.
- Aims to ensure transparency, accountability, and value for money in public procurement processes.
- Mandates the publication of procurement plans, contract awards, and procurement audit reports.

#### **Oyo State Public-Private Partnership Law (2014)**

- Provides the legal basis for the establishment and operation of PPPs in Oyo State.
- Defines the roles and responsibilities of the government and private sector partners.
- Establishes guidelines for the selection, negotiation, and management of PPP projects.
- Includes provisions for the disclosure of information related to PPP projects, including contracts, project milestones, and performance reports.

### **Institutional Framework**

#### **Oyo State Bureau of Public Procurement (BPP)**

- The BPP is responsible for regulating and overseeing public procurement processes in the state.
- It ensures compliance with the Oyo State Public Procurement Law.
- Publishes procurement information and ensures the dissemination of procurement-related data to the public.

#### **Oyo State Office of Public-Private Partnerships (OPPP)**

- The OPPP is responsible for the development and implementation of PPP projects in the state.
- Facilitates the identification, preparation, and execution of PPP projects.
- Ensures compliance with the Oyo State Public-Private Partnership Law.
- Manages the disclosure of information related to PPP projects, ensuring transparency and accountability.

## PPP Disclosure Framework

### Key Principles

1. **Transparency:** Ensuring that all stakeholders have access to comprehensive and accurate information about PPP projects.
2. **Accountability:** Establishing mechanisms for holding all parties accountable for their roles and responsibilities in PPP projects.
3. **Public Participation:** Engaging the public and other stakeholders in the decision-making process and providing avenues for feedback.

### Disclosure Requirements

- **Project Identification:** Information on potential PPP projects, including feasibility studies and project objectives, should be disclosed.
- **Procurement Process:** Details of the procurement process, including requests for proposals, selection criteria, and the bidding process, must be made public.
- **Contract Information:** Full disclosure of signed PPP contracts, including financial terms, risk allocation, and performance standards.
- **Performance Monitoring:** Regular updates on project progress, performance against benchmarks, and any issues or changes in project scope or timelines.
- **Financial Reports:** Disclosure of financial statements and audit reports related to the PPP project to ensure financial transparency.

### Best Practices

- **Open Data Portals:** Establishing and maintaining online portals where all relevant PPP information can be accessed by the public.
- **Stakeholder Engagement:** Conducting regular consultations with stakeholders, including civil society organizations, to gather feedback and ensure public interests are considered.
- **Independent Audits:** Commissioning independent audits of PPP projects to provide unbiased assessments of project performance and compliance.

## Conclusion

Oyo State has established a robust legal and institutional framework to support transparency and accountability in PPP projects. By adhering to best practices in disclosure and engaging with stakeholders, the state can ensure that PPP projects deliver maximum benefits to the public and

contribute to sustainable development. Continued efforts to enhance the PPP disclosure framework will further strengthen governance and public trust in PPP initiatives.

## **Recommendations**

1. **Enhance Online Disclosure:** Improve the accessibility and user-friendliness of online portals for PPP information.
2. **Regular Training:** Provide continuous training for public officials and private sector partners on best practices in PPP disclosure and transparency.
3. **Public Awareness Campaigns:** Increase public awareness of PPP projects and the importance of transparency through targeted communication campaigns.
4. **Strengthen Legal Provisions:** Review and update the legal framework to address emerging challenges and incorporate international best practices in PPP disclosure.

By implementing these recommendations, Oyo State can further solidify its commitment to transparency and accountability in public-private partnerships, ultimately fostering a more inclusive and sustainable development environment.



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