



## KOGI STATE GOVERNMENT OF NIGERIA

### KOGI STATE INVESTMENT PROMOTION AND PUBLIC PRIVATE PARTNERSHIP AGENCY (KOSIPPPPA)

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

25TH AUGUST 2025

ENACTED by the authority vested in the Kogi State Investment Promotion and Public Private Partnership Agency (KOSIPPPPA) pursuant to Section 9 of the Kogi State Investment Promotion and Public Private Partnership Agency Law, 2022 (<https://kosippppa.kogistate.gov.ng/wp-content/uploads/KOSIPA-LAW-as-signed-by-HE.pdf>), and in furtherance of the Executive Order No. 009, 2023 on Establishment, Adoption, and Implementation of a Framework for Responsible and Inclusive Land-Intensive Agriculture, 2023 and all other powers enabling it in that behalf, the following Regulations are hereby made:

### PART I: PRELIMINARY

#### Article 1: Citation and Commencement

These Regulations may be cited as the Kogi State Large-Scale Agricultural Investment Approval Regulations, 2025, and shall come into force on 25<sup>th</sup> August 2025 and apply throughout Kogi State.

#### Article 2: Interpretation

Unless the context otherwise requires:

- a. “Ministry/Department/Agency” shall denote the Kogi State Investment Promotion and Public Private Partnership Agency (KOSIPPPPA) established under the Kogi State Investment Promotion and Public Private Partnership Law, 2022.
- b. “Stakeholder” means any person, group, institution, or community with an interest in or affected by an agricultural investment, including Investors, Investment Host Community, Community Town Union, a civil Society Organization, Banks and Credit Lenders, etc.

c. “FRILIA” means the Framework for Responsible and Inclusive Land-Intensive Agricultural Investments adopted by Kogi State and shall be constructed in accordance with the Kogi State Governor's Executive Order 009 of 2023 (<https://kogistate.gov.ng/wp-content/uploads/KOGI-STATE-EXECUTIVE-ORDER-ON-FRILIA-2023.pdf>).

d. “Large-scale agricultural investment” means any agricultural project exceeding 10 hectares or involving capital investment above 10 hectares in land area or requiring capital investment above Fifty Million Naira (N50,000,000.00) monetary units.

e “ESIA” means Environmental and Social Impact Assessment conducted in accordance with the Kogi State Environmental Protection Agency Edict No 3,1995, and the Federal Act CAP E12 LFN 2004, and any guidelines issued by the Kogi State Ministry of Environment and Ecological Management.

f. “FRILIA Toolkits/Guidelines” means the toolkits or guidelines developed by the Kogi State FRILIA Technical Committee and approved by the Kogi State FRILIA Steering Committee as established by the Kogi State FRILIA Executive Order.

### **Article 3: Application and Scope**

These Regulations apply to:

- a. All persons or entities seeking to undertake large-scale agricultural investments in Kogi State;
- b. All agricultural investments involving land, water, or natural resources;
- c. All stages of project development, from conception to decommissioning.

Nothing in these Regulations shall limit any obligation imposed by other applicable laws.

## **PART II: APPROVAL MECHANISM**

### **Article 4: Responsible Authority**

The Kogi State Ministry of Agriculture and Food Security shall be the lead authority responsible for administering and enforcing these Regulations.

### **Article 5: Mandatory Use of FRILIA Toolkits**

In furtherance of enhancing 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. All large-scale agricultural investments shall comply with the following FRILIA-aligned toolkits.

- Stakeholder Engagement Toolkit

<https://kogistate.gov.ng/wp-content/uploads/Kogi-State-Stakeholder-Engagement-Toolkit.pdf>

**Objective:** The Toolkit captures a range of approaches and methodologies to identify and proactively enable the participation of all stakeholders, empowering them to make informed decisions throughout FRILIA implementation.

- Communication Strategy Toolkit

<https://kogistate.gov.ng/wp-content/uploads/KOGI-COMMUNICATION-STRATEGY.pdf>

**Objective:** Introduce the FRILIA toolkits to stakeholders, sensitize stakeholders on the toolkits and their applicability, ensure stakeholder buy-in, and ensure access to the toolkits during FRILIA implementation.

- Environmental and Social Risk Management Toolkit

<https://kogistate.gov.ng/wp-content/uploads/KOGI-STATE-ENVIRONMENTAL-AND-SOCIAL-RISKS-TOOLKITS.pdf>

**Objective:** The toolkit provides an investor guide to implementing the various safeguards for environmental and social sustainability, including the health and safety of its stakeholders.

- Land Access, Easement and Voluntary Resettlement Toolkit

<https://kogistate.gov.ng/wp-content/uploads/Kogi-STATE-FRILIA-Resettlement-Toolkit.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 Compensation Toolkit

<https://kogistate.gov.ng/wp-content/uploads/Kogi-State-Valuation-and-Compensation.pdf>

**Objective:** The toolkit describes processes to identify, enumerate objectively, 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.

- Memorandum of Understanding Toolkit

<https://kogistate.gov.ng/wp-content/uploads/KOGI-STATE-GMOU-TOOLKIT.pdf>

**Objective:** The Global Memorandum of Understanding (GMOU) toolkit provides legal guidelines and regulatory compliance for land acquisition and implementation of agricultural and development activities pertinent to the operationalization of FRILIA.

- Grievance Redress Mechanism Toolkit

<https://kogistate.gov.ng/wp-content/uploads/KOGI-STATE-GRM-Toolkits.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 medium or the open court systems.

- Community Needs Assessment and Development Toolkit

<https://kogistate.gov.ng/wp-content/uploads/KOGI-STATE-COMMUNITY-NEED-ASSESSMENT-TOOLKIT.pdf>

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

- Out-Grower and Food Security Toolkit

<https://kogistate.gov.ng/wp-content/uploads/KOGI-STATE-OUT-GROWER-FOOD-SECURITY-TOOLKIT.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.

These toolkits operationalize the principles of transparency, inclusiveness, sustainability, accountability, and conflict sensitivity.

## **Article 6: Stakeholder Engagement**

Stakeholder engagement shall be conducted in accordance with the FRILIA Stakeholder Engagement Toolkit and shall ensure inclusive, informed, and continuous participation of affected communities.

## **Article 7: Investment Approval Process**

Stage One – Preliminary Application and Due Diligence

Applicants shall submit:

- Completed application form;
- Corporate registration documents;
- Audited financial statements;
- Project concept note detailing scope, land needs, employment, value chains, risks, and benefits;
- Any other information required by the Ministry of Lands.

Within 14 working days, the Ministry shall conduct screening and preliminary due diligence in line with FRILIA principles and may engage relevant MDAs, including KOSIPPPPA, Bureau of Lands, Local Governments, and traditional institutions.

#### Stage Two – Site Identification and Community Consultation

The Ministry shall:

- Coordinate site visits and stakeholder consultations;
- Notify relevant local authorities and communities;
- Facilitate preliminary community feedback;
- Complete this stage within one month.

Participating institutions may include KOSIPPPPA, the Bureau of Lands, the Local Governments, the traditional rulers, CSOs, and the host communities.

#### Stage Three – Investor Decision to Proceed or Withdraw

Where community and investor interest align, engagement continues, and a community engagement plan is developed with legal guidance. This stage shall not exceed six weeks.

#### Stage Four – Memorandum of Understanding (MoU)

The Ministry shall facilitate negotiation of a non-binding MoU covering land needs, community benefits, safeguards, and ESIA requirements.

The MoU shall involve:

- Ministry of Agriculture and Food Security
- Ministry of Livestock Development
- Secretary to the State Government
- Ministry of Justice
- Bureau of Lands
- KOSIPPPPA
- Local Governments and Traditional Institutions
- Host Communities

#### Stage Five – Feasibility Study, Business Plan, and ESIA

The investor shall submit feasibility studies, business plans, and ESIA.

The Ministry shall review submissions within 14 days.

Relevant MDAs include the Ministry of Environment and Ecological Management, KOSIPPPPA, Kogi State Internal Revenue Service, and host communities.

This stage shall be concluded within two months and one week.

#### Stage Six – Final Agreements

Final agreements may include:

- Land lease agreements
- Out-grower agreements
- Community development agreements
- Environmental and social compliance instruments
- Monitoring and reporting frameworks
- Dispute resolution mechanisms

Execution shall involve:

- Secretary to the State Government
- Ministry of Agriculture and Food Security
- Ministry of Livestock Development
- Ministry of Environment and Ecological Management
- Ministry of Justice
- Bureau of Lands
- KW-IPA
- Kogi State Internal Revenue Service
- Local Governments
- Traditional Rulers
- Host Communities

The entire approval process shall not exceed three (3) months from initial engagement.

#### **Article 8: Investment Screening**

The Ministry shall conduct continuous screening in line with FRILIA tools to assess risks, opportunities, and compliance.

#### Article 9: Grievance Redress Mechanism

Every investor shall establish a GRM consistent with the FRILIA GRM Toolkit to ensure:

- Accessible grievance channels;
- Timely resolution;
- Transparent procedures;
- Monitoring and reporting of grievances.

### **PART III: FINAL PROVISIONS**

#### Article 10: Offences and Penalties

Any person who:

- a. Submits false or misleading information;

- b. Violates approval conditions; or
- c. Undertakes unauthorized large-scale agricultural investment commits an offence and is liable upon conviction to:
  - A fine not exceeding ₦5,000,000 or imprisonment not exceeding two (2) years, or both;
  - Suspension or revocation of approval;
  - Disqualification from future investment participation for up to five (5) years.

#### **Article 11: Severability**

If any provision of this Regulation is declared invalid, the remaining provisions shall remain in force.

SIGNED this 25<sup>th</sup> day of August 2025.



**Aliyu Inda Salami**

*Chief Executive Officer*

Kogi State Investment Promotion and Public-Private Partnership Agency