

E-FILING OF EXPATRIATE QUOTA RETURNS WITH THE FEDERAL MINISTRY OF INTERIOR IN NIGERIA: FREQUENTLY ASKED QUESTIONS (FAQS) AND ANSWERS

INTRODUCTION

On 24 January 2022, the Federal Ministry of Interior (FMOI), released new guidelines and requirements which include the mandatory electronic submission of Expatriate Monthly Returns. Subsequently, the Federal Ministry of Interior published a compliance update on 8 November 2023 on its website informing the public that all companies with a valid Expatriate Quota are required to submit their monthly expatriate Quota Returns promptly via the eCITIBIZ portal. This article aims to provide answers to the frequently asked questions on the electronic submission of Expatriate Quota Returns.

Q: What is an Expatriate Quota Returns?

The "Expatriate quota returns" refers to the reporting or documentation related to the utilization of expatriate quotas. The returns is to detail the names, age, gender, qualifications, National Identification Number, phone numbers, e-mail addresses, and other relevant information of such expatriates and Nigerian understudies. These returns help the FMOI to monitor and enforce the expatriate quota system, ensuring that it is being implemented as intended.

Q: Who are those mandated to file Expatriate Quota Returns?

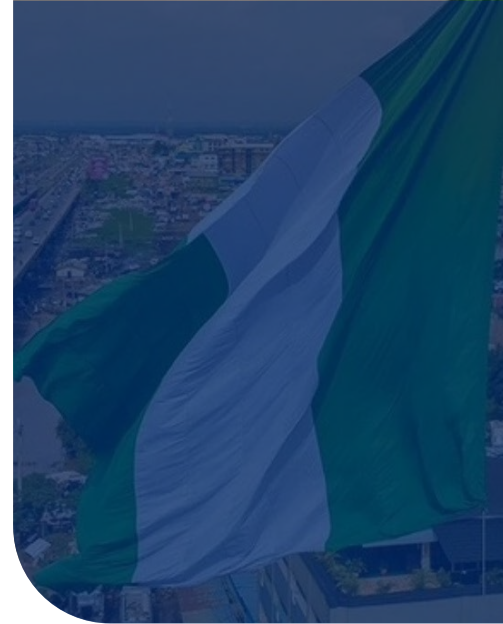
The wholly foreign, joint venture or indigenous companies/organizations registered as limited by shares, limited liability partnership, business name, limited partnership, limited by Guarantee, or Incorporated Trustees that have satisfactorily met the specified requirements and have obtained an expatriate quota approval are mandated to file Expatriate Quota returns.

Q: How often should the returns be filed?

Companies are required to submit returns to the Federal Ministry of Interior within three months of obtaining approval and subsequently monthly. The returns for the preceding month must be submitted within the initial ten days of the following month.

Q: How can the returns be filed?

In the past, the Expatriate Quota returns was filed manually to the Federal Ministry of Interior. However, by the Guidelines issued on January 22, 2022, and the compliance update published by the FMOI on November 8, 2023, the Expatriate Quota returns are now required to be submitted electronically via the eCITIBIZ portal for all companies with a valid Expatriate Quota.



Q: Are there any penalties for late filing or failure to file?

To encourage seamless compliance, the Federal Ministry of Interior has introduced a penalty fee structure effective from December 2023 for defaulting companies. The penalty schedule is as follows:

After the first 10 Days: N100,000 (One Hundred Thousand Naira)

After 20 Days: N150,000 (One Hundred and Fifty Thousand Naira)

After 25 Days: N200,000 (Two Hundred Thousand Naira)

In addition, the Expatriate Quota Handbook, 2022 stipulates a penalty for failing to file monthly expatriate returns as a fine of N3,000,000 (Three Million Naira).

CONCLUSION

The recent compliance update of the FMOI reflects the ministry's dedication to ensuring compliance. To avoid inconveniences and penalties, all concerned parties should adhere to this requirement and ensure timely submission. While acknowledging the newness of the process and potential difficulties, employing an immigration expert to assist in navigating the online procedure is highly recommended.

Our team is available to provide further clarification or assistance:

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