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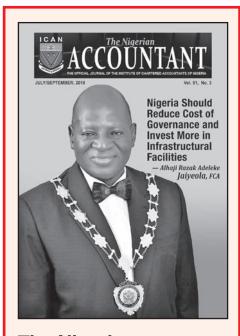
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#### THE INSTITUTE OF CHARTERED ACCOUNTANTS OF NIGERIA

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To be a leading global professional body.

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To produce world-class chartered accountants, regulate and continually enhance their ethical standards and technical competence in the public interest.

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From The Editor

he 54<sup>th</sup> President of the Institute, **Alhaji Razak Jaiyeola**, **BSc**, **ACFE**, **CRISC**, **FCA**, did not set out to become a Chartered Accountant initially. He actually had a BSc. degree in Chemistry from the University of Ife (now Obafemi Awolowo University) Ile-Ife, Osun State in 1974.

After his mandatory National Youth Service Corps (NYSC), he got a job in the food and drugs administration department under the federal ministry of health, but he wasn't too satisfied with what he was doing then. So he kept looking for better opportunities. As he was looking for vacancies in the newspapers, he discovered that most of the vacancies he came across were for Accountants, and the position goes with good salary, official car and other emoluments.

He began to think of how to change his career to Accounting. Without wasting time, he enrolled and passed all the successive stages of the ICAN examinations in record time. During his professional examination days, he won a prize in Auditing at intermediate level and First Merit Position prize at the final level in 1980 when he qualified.

He started his Accounting career in 1977 at Coopers and Lybrand, an international accounting firm (Now PriceWaterhouseCoopers). To date, he has a total of 38 years' experience spanning all areas of Accounting, Financial Information Technology Consulting, Information Systems Auditing, IFRS/IPSAS Training, Consulting and Implementations, Taxation, Secretarial, Insolvency and Management Practice.

Alhaji Jaiyeola is also very passionate about information technology. He is a member of the Information Systems Audit and Control Association (ISACA), Institute of Software Practitioners of Nigeria (ISPON), Association of Certified Fraud Examiners (ACFE) and Certified in Risk and Information System Control (CRISC).

In his interview with *The Nigerian Accountant* team comprising of **Bunmi Owolabi** (Editor) and **Muyiwa Dare** (Assistant Editor), the 54th ICAN President was firm and explicit in his answers to the questions, supporting his claims with facts and figures on any issue raised.

He spoke extensively on national issues, especially about what ICAN is doing to support government's anti-corruption crusade and how to improve the nation's economy. He spoke on the "ICAN Accountability Index" embarked upon by the Institute to assess the performances of all the three tiers of government and make their financial statements public for the sake of transparency and integrity.

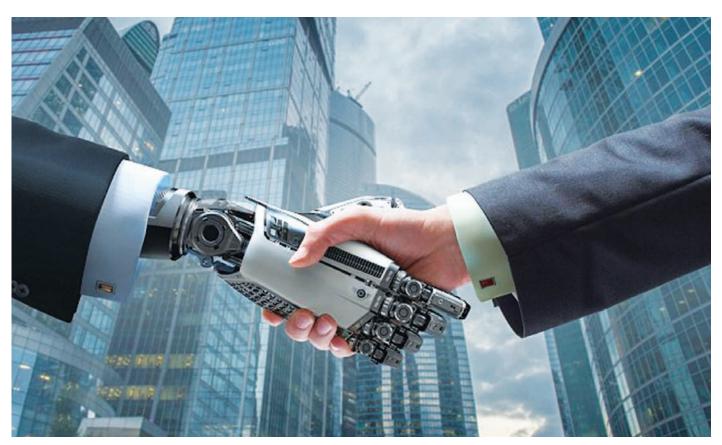
You will also read in this edition some interesting articles such as: **Power of Appropriation**, **Budget Padding and Its Economic Implications**; **Resource Roundup: Implementation Support for Small and Medium-Sized Practices**, etc.

Under the health column, there was extensive report on **Dangerous Killers and Most Common Diseases in Africa**.

Your comments on the various articles, news and other items published in this edition are welcome. Please write to: corporateaffairs@ican.org.ng or editor@ican.org.ng

# Fourth Industrial Revolution: Will Accountancy Survive the Rise of Artificial Intelligence?

By EMMA SMITH



Will the increasing prominence of machine learning and artificial intelligence in the accountancy industry threaten the survival of the profession?

Speaking to the BBC this week, chief economist at the Bank of England Andy Haldane said that disruption caused by the Fourth Industrial Revolution would be "on a much greater scale" than that experienced during the First Industrial Revolution in the Victorian period. Advising that the UK required a skills revolution to counteract individuals becoming "technologically unemployed", Haldane said that

training was necessary to ensure workers could leverage new job opportunities as they became available in the era of artificial intelligence.

The accountancy industry is one sector primed to capitalise on the rise of artificial intelligence and machine learning. The sector has already embraced automation, with intelligent software removing the traditional compliance aspect of the

#### TECHNOLOGY

accountant role. And, as the government's Making Tax Digital initiative edges ever closer, the implementation of a digital tax system has encouraged accountants across the UK to confront how they view and employ technology on a day-to-day basis.

For some individuals, these developments have presented the perfect opportunity to automate manual tasks, provide added value for clients, and set up practices or businesses for the future. But for others, technological advancements have thrown up significant obstacles, including increased costs, time commitments and training requirements.

Yet, whatever the degree of individual enthusiasm or reluctance for the rise of machine learning and artificial intelligence, all the signs indicate that accountancy will continue its journey down the revolutionary path. But what does this mean for the role of the accountant? How can accountants stay relevant in the digital era? And ultimately, will Accountancy survive – and thrive – amid the Fourth Industrial Revolution?

#### What is Artificial Intelligence?

Artificial intelligence is the presence of intelligent behaviour in machines, with computers able to conduct intelligent processes akin to those of humans. Examples of artificial intelligence in the accountancy industry include leveraging technology to sift and analyse data, including the use of Predictive Analytics in audit cases; process client accounts by the way of speech recognition; or review legal document and contracts.

#### What is Machine Learning?

Machine learning is a branch of artificial intelligence. It develops computers to think in the same way as humans and is the process of enabling machines to learn over a period of time. Through machine learning, computers are not programmed to act in a particular way, but instead learn how to do so based on previous interactions and data feeds.

#### Survival of the Accountant

While in recent years the accountancy industry has grappled with the question of whether accountants will be replaced by technology, the discussion has now shifted to focus on adaption to the digital era. It's no longer a question of if the role will change – it's now widely accepted that it will, to varying degrees – but rather how it will change, and to perhaps a greater extent, how do accountants equip themselves with the necessary skills to thrive in the changing world.

As Haldane has argued, new skills are required to comfortably work alongside artificial intelligence and machine learning. He has suggested that while technological advances might result in job losses, numbers will be mitigated by the creation of new roles as we transition to fully embrace technology in the workplace.

For accountants, this transition involves shifting towards the role of business adviser and offering value added services to clients. Analytics and reporting may eventually be entirely assumed by machines, but accountants in industry and practice need to have the capabilities to use the data generated by technology to help clients and company management inform

business decisions, including growth strategy, pricing models, and risk identification.

As such, new skills are critical. Accountants need to be confident with technology and develop business acumen outside of the traditional "numbers" responsibilities. They need to be able to think about the wider business picture rather than limiting themselves to the finances of an organisation.

Communication skills will also take on increasing importance. As accountants begin to spend more time with either clients or the wider organisation focusing on business strategy, they will require excellent communication and interpersonal skills, instilling a sense of trust and confidence in the businesses and departments they advise.

No doubt this will be what some accountants are already putting into practice. With automation reducing the amount of time spent on manual tasks, accountancy professionals around the UK are already seizing the opportunity to offer something extra to clients, positioning themselves at the forefront of the competition.

#### The Human Element

But does artificial intelligence and machine learning signal the beginning of the end for accountants, sparking a gradual demise in the profession?

No, or at least, not any time soon.

We are still very much in the early days of adopting artificial intelligence and machine learning for day-to-day activities of businesses and accountancy practices in the UK.

While the speed of technological developments can be alarming, machines are not a replacement for human intelligence in accountancy, or any other industry. And when it comes to clients, a good number of businesses still prefer the human element of communication and advice.

Previous indication as to the readiness of the accountancy industry for a profession seamlessly integrated with the use of artificial intelligence would suggest that the sector is not yet quite there.

Yes, it has taken considerable steps forward by adopting automation, but there is still a long way to go.

Take Making Tax Digital, for example. The initiative has been amended and delayed numerous times and while it is now full steam ahead for April 2019, the process by which it has taken to get to this stage indicates that technological advancements cannot be rushed or implemented without careful consideration of the consequences.

Increased efficiency and productivity are two key goals for the accountancy profession and technology must play a leading role in achieving those objectives. But in order for it to do so, collaboration across the industry – between practices, businesses, clients, accountancy bodies, software companies, and government – is crucial to ensure the sector thrives in collaboration with technology rather than faltering in opposition to it.

★ The author, Emma Smith, is the Managing Editor of *AccountancyAge*. This article was culled from <a href="https://www.accountancyage.com">https://www.accountancyage.com</a>

# Resource Roundup: Implementation Support for Small- and Medium-Sized Practices

#### By CHRISTOPHER ARNOLD and DAWN McGEACHY

or small and medium-sized practices (SMPs) implementing international standards poses unique challenges. To support this critical constituency, IFAC has a long history of developing implementation support for international standards and offers an extensive suite of material for SMPs.

#### **International Standards on Auditing**

IFAC has just released an updated publication — *The Guide to Using ISAs in the Audits of SMEs, Fourth Edition* (the ISA Guide), to help firms apply the International Standards on Auditing (ISAs) proportionately and efficiently for SME audits. The ISA Guide has been updated to reflect recent changes to the ISAs, including International Auditing and Assurance Standards Board (IAASB) projects on:

- Auditor reporting;
- Disclosures;
- The auditor's responsibilities relating to other information; and
- Using the work of internal auditors.

The ISA Guide is designed for use by all practitioners. In fact, since its publication in 2007, it has been downloaded over 100,000 times and has generated demand for translation in 22 languages.

Volume 1 covers the fundamental concepts of a risk-based audit in conformance with the ISAs. Volume 2 contains practical guidance on performing SME audits, including two illustrative case studies – one of an SME audit and one of a micro-entity audit. Both volumes explain and illustrate

the three phases of performing a risk-based audit – risk assessment, risk response and reporting.

In addition, a recent article *Auditor Reporting Standards Implementation: Key Audit Matters* provides further support and includes links to publicly available audit reports grouped by KAM covering matters such as goodwill, provisions, litigation, revenue recognition, etc.

#### **Quality Control**

Quality control (QC) is important component to deliver consistent, high-quality services to clients. A system of quality control essentially consists of policies designed to achieve the objectives of the firm and the procedures necessary to implement and monitor compliance with those policies. Quality control encompasses the firm and its objectives, the services provided, the delivery of those services, the quality of work, the processes and policies adopted, and the staff and management.

The benefits of an effective QC system include:

- Reduced risk of error reduces exposure to complaints from clients and possible litigation or professional indemnity claims;
- Enhanced reputation and brand value in the marketplace;
- Enhanced risk management;
- Improved client relationships;
- Improved recruitment and retention of employees; and
- Improved efficiencies in the provision of services.

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The Guide to Quality Control for Small- and Medium-Sized Practices, Third Edition (QC Guide), published in 2011, provides non-authoritative guidance on applying the International Standard on Quality Control (ISQC 1) Quality Control for Accounting firms that Perform Audits and Reviews of Financial Statements and Other Assurance and Related Service Engagements. The QC Guide has been downloaded nearly 50,000 times and 20 translations have been completed or in progress.

The QC Guide contains the requirements set out in ISQC 1 in addition to implementation guidance, including discussion material and an integrated case study that can be used as the basis for education and training. It features two sample quality control manuals – one for a sole practitioner and another for a 2-5 partner firm.

The QC Guide takes a modular approach to the elements of ISQC 1 and covers:

- Leadership responsibilities for quality within the firm;
- Relevant ethical requirements;
- Acceptance and continuance of client relationships and specific engagements;
- Human resources;
- Engagement performance;
- Monitoring; and
- Documentation.

Practitioners should also be aware that the IAASB currently has a project to revise and update ISQC 1 and ISA 220, Quality Control for an Audit of Financial Statements, which will result in significant changes to the current standards. Exposure Drafts on each standard are intended to be released in December 2018 and it will be important for all SMPs to review and provide feedback on the proposals.

#### **Compilation Engagements**

A compilation engagement, which is used in the preparation and presentation of annual historical financial statements, can be tailored to meet the unique needs of a small business client. It can help SMPs broaden their service offerings and strengthen their practices.

The *Guide to Compilation Engagements* was published in 2015 and is intended to both help practitioners understand the value of a compilation engagement and to assist them in implementing the International Standard on Related Services (ISRS) 4410 (Revised) Compilation Engagements, which is one of the International Standards on Related Services developed exclusively by the IAASB. Three translations of the Compilation Guide are in progress.

Practitioners can use the Compilation Guide as an introduction to compilation engagements or to deepen their prior understanding and knowledge of a compilation engagement conducted in compliance with ISRS 4410 (Revised).

The Compilation Guide includes clear explanations and illustrative examples, covering four elements – accepting, planning, performing and reporting. It has direct extracts from the standard and consider points, including efficiency suggestions. It contains checklists, correspondence samples and reports that practitioners can adapt to meet

the requirements and circumstances in their particular jurisdiction.

#### **Review Engagements**

Many small- and medium-sized entities around the world are not required, or do not elect, to have an audit. They may, however, wish to enhance the credibility of, and confidence in, their unaudited financial statements among their users by soliciting some degree of independent assurance. A review engagement, which offers limited assurance, may be the ideal solution. The nature of the procedures in a review may be less time consuming than those in an audit and a review engagement is normally a lower cost for an entity than an audit (see previous article *Why Review Engagements Might Be a Perfect Fit for Your Small Business Clients*).

The *Guide to Review Engagements* (Review Guide) was published in 2013 and provides non-authoritative guidance on applying ISRE 2400 (Revised), Engagements to Review Historical Financial Statements. The standard addresses the practitioner's responsibilities when engaged to perform a review of historical financial statements and the form and content of the practitioner's report on the financial statements. The Review Guide includes clear explanations and illustrative examples. To help practitioners develop a deeper understanding of the standard, the Review Guide (with 8 translations completed or in progress) includes the following features:

- Relevant extracts from the standard;
- Practical points for practitioners' consideration;
- Tips on how to efficiently implement the standard;
- Checklists and forms that can be adapted to meet the particular requirements/circumstances of individual review engagements and jurisdictions.

#### **Agreed-Upon Procedures Engagements**

Agreed-Upon Procedures (AUP) engagements offer a great opportunity for SMPs to grow and provide a valued service to their clients (e.g. see previous article *Growing Your Practice: Agreed-Upon Procedures Engagements*). A wide range of stakeholders use reports of factual findings for a variety of reasons and the demand for AUP engagements continues to grow.

For many entities, the demand for AUP engagements may be driven in part by the growth in regulation and the need for increased accountability around funding and grants. For example, funding bodies may ask for a report of factual findings to support or complement information such as audited financial statements or grant applications.

For smaller entities, the increase in audit exemption thresholds in some jurisdictions may affect demand, prompting stakeholders to look for alternatives to audits.

The international standard that addresses AUP engagements is *International Standard on Related Services* 4400, Engagements to Perform Agreed-Upon Procedures Regarding Financial Information (ISRS 4400).

In 2017, IFAC produced *Agreed-Upon Procedures (AUP) Engagements – A Growth and Value Opportunity* which outlines

#### DEVELOPMENT

what an AUP engagement is, identifies the benefits to clients of offering such services and when it is appropriate for use. It covers examples of financial and non-financial information AUP engagements, six short case studies with example procedures that might be applied, and the illustration of an AUP report from ISRS 4400. The IAASB currently have a project to revise and update ISRS 4400.

#### **Choosing the Right Service**

As outlined above, there are many financial reporting services that may be provided that can be uniquely tailored to small- and medium-sized entities (SMEs). In 2016, IFAC produced a brochure *Choosing the Right Service: Comparing Audit, Review, Compilation and Agreed-Upon Procedures Services.* The brochure is intended to be co-branded with Member Organisations and targeted at SMEs.

It provides a basis for practitioners to facilitate conversation with clients around what service is appropriate for them. Factors to consider include the businesses specific needs, applicable laws or regulations, size, structure and complexity of the entity, financing requirements and future business plans. Consideration with the users of the financial statements may also be helpful.

The brochure outlines what each service financial reporting service is – Audit, Review, Compilation and AUP in accordance with relevant international standards, including the level of assurance, work effort and report that will be issued. It highlights the benefits of each and when the service may be appropriate for use.

#### **Practice Management**

IFAC has also recently launched an updated *Guide to Practice Management for Small- and Medium-Sized Practices*, providing comprehensive guidance to help SMPs operate more efficiently in the increasingly complex and competitive global marketplace for professional services. The revised Practice Management Guide addresses a comprehensive range of topics including:

- Strategic planning;
- Managing staff;
- Client relationship management;
- Risk management;
- Leveraging technology; and
- Succession planning.

#### Conclusion

The IFAC SMP Committee will continue to develop and share practical guidance with a focus on implementation of international standards and key aspects of practice management, such as technology developments, talent management and building advisory services. Be sure to check the IFAC Gateway often, or sign up for *The Latest* – the bi-weekly newsletter with all the new articles, videos and resources.

★ Christopher Arnold is the Head of SME/SMP and Research, IFAC while Dawn McGeachy is Principal, Colby McGeachy Professional Corporation.

### INSTRUCTIONS TO AUTHORS

Authors wishing to have their articles published in *The Nigerian Accountant* and *ICAN Students' Journal* are advised to adopt the following guidelines:

1. Articles must be well researched on contemporary issues in the field of: Accounting; Audit; Investigations; Forensic Accounting; Taxation and Fiscal Policy Management; Consultancy; Information Communication Technology; Insolvency and Corporate Re-engineering; Public Finance; Corporate Finance; Banking; Insurance; Manufacturing; Capital Market.

Articles from other disciplines e.g. Health/Medicine; Agriculture; Engineering; Education; Religion; Fashion; Construction; Oil and Gas; etc., are welcome.

**Opinion** articles would also be accommodated.

- **2.** All articles should be typed on standard A4 paper and must not exceed twenty pages in 12-point Times Roman font and double spacing.
- **3.** The title page should include the title and author's contact information (no other page should include author's information).
- **4.** The second page should include the title and an abstract of not more than 150 words.
- **5.** The research paper must be properly referenced. The American Psychological Association style should be used in the following format:
  - a) In-text referencing: Author's name and year of work e.g. Lucey (1997) or (Lucey, 1997) at the end of sentence. Page numbers must be included for direct quotations e.g. (Lucey, 1997, p.8).
  - b) List of references: Arranged in alphabetical order in the author-date format, e.g.

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Lucey, T. (1997), Management Information Systems (8<sup>th</sup> ed.), London: Letts Educational. Journal Article Reference

Wainer, H. (1997), Improving Tabular Displays: With NAEP Tables as Examples and Inspirations, *Journal of Educational and Behavioural Statistics*, 22, 1-30.

#### **Internet Reference**

Baker, F.M. & May, A.J. (2007), Survey Research in Accounting. Unpublished manuscript retrieved January, 2008 from

http://www.maybaker.org/journals/webref.html.

- **6.** Every page must be numbered.
- 7. Two Hard copies of the paper should be delivered to the Editor, Corporate Communications & Marketing, The Institute of Chartered Accountants of Nigeria, Plot 16, Idowu Taylor Street, Victoria Island, P.O. Box 1580, Lagos, while the Soft copy saved in Microsoft Word 2007 should be forwarded to corporateaffairs@ican.org.ng, dmuyiwa@ican.org.ng and aoowolabi@ican.org.ng

#### **ICAN Elects New President, Other Officers**

The Institute of Chartered Accountants of Nigeria (ICAN) has elected new officers to run its affairs for the next one year. **Alhaji Razak Jaiyeola, FCA** emerged as the 54th President. His investiture took place after an election on Friday, June 1, 2018 at the Institute's Secretariat in Victoria Island, Lagos.

Also elected are: Vice President, **Mazi Nnamdi Anthony Okwuadigbo**, **FCA** while **Mrs. Onome Joy Adewuyi**, **FCA** and **Mrs Comfort Olujumoke Eyitayo**, **mni**, **FCA** were elected 1<sup>st</sup> and 2<sup>nd</sup> Deputy Vice Presidents respectively. **Chief Oyemolu Olugbenga Akinsulire**, **FCA** became the Institute's Honorary Treasurer.

he President, Alhaji Razak Adeleke Jaiyeola, is a Fellow of the Institute of Chartered Accountants of Nigeria, and Chief Consultant of A.J. Silicon Consult.

He holds a Bachelor of Science Degree in Chemistry from University of Ife (Now Obafemi Awolowo University) in 1974. He enrolled and passed all the successive stages of the Institute of Chartered Accountants of Nigeria examinations in a record time. During his professional examination days, he won a prize in AUDITING at intermediate level and FIRST MERIT POSITION prize at the final level in 1980 when he qualified.

Alhaji Jaiyeola is very passionate about information technology. He is a member of Information Systems Audit and Control Association (ISACA), Institute of Software Practitioners of Nigeria (ISPON), Association of Certified Fraud Examiners (ACFE) and Certified in Risk and Information Systems Control.

He started his accounting career in 1977 at Coopers and Lybrand, an international accounting firm (Now PriceWaterhouseCoopers). To date, he has a total of 38 years experience spanning all areas of Accounting, Financial Information Technology Consulting, Information Systems Auditing, IFRS/IPSAS Training, Consulting and Implementations, Taxation, Secretarial, Insolvency and Management Practice.

He worked at A.C. Christlieb Group, Ayor Group consisting of Nigeria Distilleries, Sphinx, Philbit, Bems, etc and Olusola Adekanola & Co before becoming Chief Executive of Consolidated Management Consultants during which he was the Project Director for Computerised Financial Consulting for Ogun and Niger States Water Agencies under the National Water Rehabilitation Projects funded by the World Bank.

As the Chief Executive of A.J. Silicon, he has handled several Consulting assignments including, design of Financial Management System under the Nigerian Community Development project funded by the World Bank, design of the Accounting System and financial procedures manual for Universal Basic Education project in Nigeria, Computerisation of Accounting, Human Resources and Audit of West African



Examinations Council as well as world bank funded financial and economic assessment of all irrigation projects in Nigeria under the River Basin Development Authorities, among others.

He was a Co-Development and Implementation Consultant for ICAN Technology Competence Initiative (TCI) which was a practical IT training precondition for induction of ICAN qualified students' into the profession. A leader in the training of Certified Information Systems Auditor (CISA) in Nigeria as well as foremost trainer in Full IFRS, IFRS for SMEs and IPSAS. He also offers IFRS Consulting and Implementation. He has delivered many highly researched and topical papers at different fora including Accountants' conference, ICAN faculty, district societies, regional conferences and ICAN MCPE programs, among others.

He has also served in several committees, subcommittees and adhoc

committees of the Institute as Chairman, Deputy Chairman and member such as Information Technology Committee, Students' Affairs, Publication and Image as well as Professional examinations committee, among others. He is a pillar of Consulting & IT faculty where he has served as the Vice Chairman since inception. He was Council Coordinator of various district societies such as Port Harcourt, Osun, Ondo, Akure, Ekiti, Benin, etc.

Alhaji Jaiyeola is happily married and blessed with five children, of which four are qualified accountants. Two of them are Fellows of the Institute. Three of the children are also Certified Information Systems Auditors (CISA) with several IT certifications.

he Vice President, Mazi Nnamdi Anthony Okwuadigbo attended ZIK Institute of Commerce, Onitsha and passed out in 1971 with Grade 1. He proceeded to the University of Nigeria Nsukka (UNN) where he graduated with second class upper in Accounting in 1977.

He qualified as an Associate of the Institute of Chartered

Accountants of Nigeria (ICAN) in 1981 and became a Fellow in 1987. He has been a member of the Institute's Governing Council since 2007 till date. He has served on many ICAN Committees either as Chairman, Vice Chairman or Member.

Okwuadigbo is also a Fellow of the Chartered Institute of Taxation of Nigeria (CITN), the Nigerian Institute of Management (NIM) and Associate of Business Recovery and Insolvency Practitioners Association of Nigeria (BRIPAN).



At the District level, Mazi Okwuadigbo was Chairman of Port Harcourt & District Society of ICAN from 1989-1991; Chairman of Council of Past Chairmen, Port Harcourt from 2004 till date; Member/Adviser, Eastern Districts Accountants Conference from 2006-date; and Chairman of session at the 8<sup>th</sup> Western Zonal District Society in 2014. He has been Coordinator of Jos, Yenagoa, Aba, Ojo Badagry and Agbara at various years.

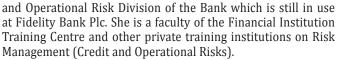
Mazi was the Chairman of Rotary Internationally District 9140, Polio Plus Eradication 2001–2002. Apart from being an award winning and accomplished journalist, Okwuadigbo has travelled wide. He is married and blessed with children.

he 1st Deputy Vice President, Mrs. Onome Joy Adewuyi graduated with a BSc degree with second class honours (Upper Division) in Accounting from the University of Benin in 1982 and MSc degree in Banking & Finance from the University of Lagos in 1993. She is an alumnus of the Havard Business School, Boston Massachusetts USA; the Wharton Business School of Pennsylvania, USA and the Kellogg Business School, Chicago, USA. She is also an alumnus of the International Banking Summer School, USA and the Lagos Business School.

She began her career with Texaco Nigeria Plc. as the Treasury and Investment Accountant. She later joined the

Nigerian Intercontinental Merchant Bank Limited where she started her banking career. She worked in Fidelity Bank Plc. for close to two decades where she rose to the position of the Executive Director, Risk Management. She has over 3 decades of experience in banking and financial management.

Mrs Adewuyi, in conjunction with Deloitte of South Africa, was responsible for the implementation of Fidelity Bank Plc. Enterprise Risk Management System in 2008. This culminated in the setup of distinct Credit Risk, Market Risk



She is a Fellow of both the Institute of Chartered Accountants of Nigeria (ICAN) and the Chartered Institute of Bankers of Nigeria (CIBN). She represents ICAN on the Governing Council of the Financial Reporting Council of Nigeria (FRCN). She has been Honorary Treasurer of ICAN for three times consecutively: 2011–2012; 2013–2014 and 2014–2015. She was a past chairperson of the Society for Women Accountants in Nigeria (SWAN). She is a member of the Institute of Directors and currently serves on the Boards of Law Union & Rock Insurance Plc. and Dominion Trust Limited as Non-Executive Director.

Mrs. Adewuyi is currently the Executive Director, Finance & Admin of Cynergy Platforms Limited. She has passion for charity works and development of the indigent girl child and she runs a scholarship scheme for Anglican priests and indigent children attending Nigerian universities. She is married and blessed with children.

President, Mrs. Comfort Olujumoke Eyitayo is a Fellow of the Institute and a member of the ICAN Governing Council since 2007. She has served on many ICAN Committees either as Chairman, Deputy Chairman or member at various times. As an Entrepreneur of repute, Eyitayo is the CEO of Eden Comfort Place, a high-profile hospitality business in Ikeja, Lagos



Mrs. Eyitayo is a product of the prestigious University of London School of Economics where she bagged her Advance Diploma in Economics, from 1980–1981, having obtained her West Africa School Certificate from Lagos City College, Yaba, Lagos, in 1973.

She also attended Hammersmith & West London College from 1978-1980 where she obtained her HND in Accounting. She was also at Sheffield City Polytechnic for her ACCA Level II, PAA Poly. Assc. in Accountancy (1982); London School of Accountancy (1983) and Students PYE (1987).

Professionally, Mrs. Eyitayo worked with KPMG Peat Marwick and KPMG MCLINTOCK – UK at different times. She was also with the United Bank for Africa Plc. She is a member of the National Institute for Policy and Strategic Studies (NIPSS) Kuru, Jos having successfully attended the Senior Executive Course in 2009. Mrs. Eyitayo has attended numerous training courses both in Nigeria and overseas.

Apart from her professional career, Mrs. Eyitayo



#### ELECTION

has served the public interest in areas such as Member, National Governing Council of Allover Polytechnic; Financial Secretary, Shepherdhill Baptist Church, Obanikoro (2003–2010); Chairman, Finance Committee, Shepherdhill Baptist Church, Obanikoro (2008–2013); National Treasurer of Alumni Association of the National Institute (2014–2017); General Secretary of Lagos Zone, Alumni Association of the National Institute (2010–2014)

and many others. She is happily married and blessed with children.

he Honorary Treasurer, Chief Oyemolu Olugbenga Akinsulire is a graduate of Accountancy & Finance from Yaba College of Technology where he obtained his Higher National Diploma and BSc. (Hons.) in Accounting from Olabisi Onabanjo University Ago-Iwoye. Additionally, Chief Akinsulire holds an MBA from Kensington University Glendale, California USA.

Chief Akinsulire is a Fellow of the Institute; a Fellow of the Chartered Institute of Taxation of Nigeria (CITN) and a Fellow of The Nigerian

Institute of Management (Chartered) (NIM). He had extensive banking experience at Union Bank of Nigeria Plc and First Bank of Nigeria Plc.

Chief Akinsulire had served the Institute in various capacities as following:

Resource person in Strategic Financial Management for

the Institute since 2000 till date.

Akinsulire

- Member of the syllabus review committee for the Institute in 2000, 2004 and 2008.
- Co-author of the maiden edition of the Institute's study pack on *Strategic Financial Management*.
- Deputy Chairman, the Annual Accountants Conference in 2014 as well as a member of various other committees.
  - Chief Akinsulire has been a member of the governing Council of ICAN since 2013.
  - Presently, he is the Treasurer of the Association of Professional Bodies of Nigeria (APBN).

At the home front, Chief Akinsulire is a former National Chairman, Ekimogun Day planning committee (1997–1999) and was honoured with the chieftaincy title of *Ogbodu of Okesare* in Ondo City (Ondo State) in 1999 by the *Osemawe of Ondo Kingdom* after earlier been bestowed with the *Liiken Yemoja* chieftaincy title in 1998.

He is an author of repute, who authored the textbook on *Financial Management* 

which is widely used by professional accountancy/banking as well as *University/Polytechnic* students nationwide.

Presently, Oye is the Managing Director of Safe Associates Limited (an accredited tuition centre by ICAN) and also doubles as the Managing Consultant of Oye Akinsulire & Associates, a firm of Financial, Management and Tax advisers.

## Tijjani, Chidume-Okoro, Alaribe, Awobotu, Re-elected into Council as Olakisan Got Elected Newly

our members of the Council of the Institute who re-contested along with others in the 2018 Council election have been re-elected while one new member was also elected into the Council. The result of the election held between June 1 and 13, 2018 was announced at the last Annual General Meeting (AGM) of the Institute held on Thursday, June 14, 2018 at ICAN Centre, Amuwo-Odofin, Lagos.

The winners of the election are:

- 1. Mallam Tijjani Musa Isa, BSc, M.IoD, FCA
   Re-elected
- 2. HRM Adaku Chilaka Chidume-Okoro, BSc, MSc, FCA Re-elected
- 3. Chief Davidson Chizuoke Stephen Alaribe, MA, CFA, MNIM, FCA Re-elected
- 4. **Dr. Deji Awobotu, M.IoD, FCA** Re-elected
- 5. Mr. Jamiu Adeyemi Olakisan, HND, BSc, ACS, FCA Newly Elected

Also, the minutes of the Annual General Meeting held on May 26, 2017 was adopted, while the Annual Report to Council, Financial Statements for the year ended December 31, 2017 and the Auditor's Report thereon were received.

At the AGM, Auditors were appointed and the Council was authorised to fix their remuneration, while there was also a little amendment to the Rules on Election into Council effective from 2019.



Mr. Jamiu Olakisan (left), Dr. Deji Awobotu, Chief Oye Akinsulire, Chief Davidson Alaribe and HRM Adaku Chidume-Okoro being sworn-in as Council members

## I Will Live and Lead by ICAN Values, Defend its Ideals Irrespective of Challenges — Jaiyeola

he President of the Institute, Alhaji Razak Jaiyeola, FCA has reiterated his readiness to live, lead and defend the ICAN values and ideals irrespective of the challenges.

Jaiyeola made the commitment during his investiture on June 1, 2018 in Lagos, adding that ICAN as an institution with twin responsibility of being the premier regulator of the Accountancy profession in Nigeria, and an examination body, has the voice of knowledge, expertise, integrity and service for the common good.

"ICAN speaks to leadership at all levels, it cautions against profligacy, it preaches prudence and drives sustainability initiatives. This discerning, eagle-eyed and transparent approach to resource management and governance is what ICAN and its members represent," he declared.

On proliferation of accounting bodies, Jaiyeola explained that those trying to cut corners to obtain legitimacy from the National Assembly should rather explore the legal opportunities to realise their dreams, instead of seeking to build empires that will be a deception and a drain pipe on the national treasury. He called on all members of the Institute to defend the ICAN Act at all cost.

In order to consolidate its support to government's anti-corruption crusade, the President stated that ICAN would deploy expertise to assist government in the crusade against sharp practices in low and high places.

"The various discoveries and arrests by law enforcement agencies can only translate to judicial convictions with thorough and professional investigations. Therefore, we should



Alhaji Razak Jaiyeola taking his oath of office



ICAN President, Razak Jaiyeola being decorated with the insigna of office by the ICAN Registrar/ Chief Executive, John Evbodaghe (left), and Immediate Past President, Isma'ila Zakari while the 1st Deputy Vice President, Mrs. Onome Joy Adewuyi watches with admiration

#### INVESTITURE

collaborate with security agencies to further develop forensic capacity through our faculties," he declared.

Speaking further, Alhaji Jaiyeola enthused that in line with the Institute's strategic vision, he would intensify human capacity building initiatives to impact the nation's development agenda. According to him, the Institute would work with government and regulatory agencies to enhance the capacity of public institutions to deliver on their mandate through massive investment in human capital and infrastructural facilities, which hold the key to sustainable development.

"As part of our advocacy initiatives as major stakeholder in the Nigerian project, the Institute will engage more with the government's Economic Think Tank, especially the Nigerian Economic Summit Group and the Economic Team headed by the nation's Vice President, to accelerate the nation's development agenda," he explained.

Also elected to serve with Alhaji Razak Jaiyeola, FCA in the next one year were: Mazi Nnamdi Okwuadigbo, FCA as Vice President; Mrs. Onome Joy Adewuyi, FCA as 1st Deputy Vice President; Mrs Comfort Olujumoke Eyitayo, FCA as 2nd Deputy Vice President and Chief Oye Akinsulire, FCA as the Honorary Treasurer of the Institute.



**ICAN President with Council Members** 



ICAN President, Razak Jaiyeola (middle) with the Registrar/Chief Executive, John Evbodaghe (left), and Immediate Past President, Isma'ila Zakari



ICAN President with some Past Presidents at the investiture ceremony

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Former Head of State, General Yakubu Gowon (rtd.), assisting Mr Akintola Williams to cut his birthday cake; while Chief Chris Ogunbanjo ([stleft]; Lagos Governor, Akinwumi Ambode; Oba of Lagos Oba Rilwan Akiolu; Governor Ibikunle Amosun; and ICAN President, Alhaji Razak Jaiyeola watch with rapt attention

#### ICAN, Eminent Nigerians Celebrate the Doyen of Accountancy, Mr. Akintola Williams



t was celebration galore on Thursday, August 9, 2018 as eminent Nigerians joined the President of the Institute, Alhaji Razak Jaiyeola to celebrate the doyen of accounting profession in Africa, Mr. Akintola Williams, who clocked 99.

The prominent Nigerians that graced the occasion include former Head of State, Gen. Yakubu Gowon (rtd.); Lagos State Governor, Mr. Akinwunmi Ambode and his Ogun State counterpart, Senator Ibikunle Amosun; Oba of



ICAN President, Alhaji Razak Jaiyeola with Mr. Akintola Williams

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Otunba Subomi Balogun (Ist left); Chief Chris Ogunbanjo; ICAN President, Alhaji Razak Jaiyeola; Ogun State Governor, Senator Ibikunle Amosun (right) assisting Mr. Akintola Williams to his seat

Lagos, Rilwan Akiolu and the Founder of First City Monument Bank, Otunba Subomi Balogun.

Other eminent Nigerians at the event included the first military governor of the state, Brigadier-General Mobolaji Johnson (rtd.); legal luminary and philanthropist, Chief Chris Ogunbanjo; ICAN Past Presidents; Captains of Industry and Members of the Diplomatic Corps.

In his words at the epoch-making occasion, Gen. Gowon



Mr. Akintola Williams being assisted to his chair at the event

described Akintola Williams as a true Nigerian who worked assiduously to lift the country. He said Akintola, an elder statesman, was the first African to qualify as a Chartered Accountant and deserved to be celebrated for his contribution to the growth and development of Nigeria.

Governor Ambode also eulogised Akintola as a thorough-bred professional, who used his talent and integrity to really contribute to the development of Nigeria. He said: "The main reason we are

here is to celebrate a true Nigerian and somebody who has actually contributed to the development of Nigeria. That he is still alive at 99 is worth celebrating, and this is like a prelude to the centenary that we are waiting to celebrate next year. That is why you can see that Ogun State governor is here too. We pray for good health for him".

Ogun State Governor, Ibikunle Amosun said: "Apart from the fact that Pa Akintola Williams is the doyen of his chosen profession, we see him as a founding father of the Institute of Chartered Accountants of Nigeria (ICAN). He is also the founding father of the Musical Society of Nigeria. So, he has too many parts. This is one Nigerian that we are proud of and we are willing to celebrate him every day."

He particularly commended Mr. Williams for his role in the development of Nigeria and Accounting profession, adding that Nigerians would continue to celebrate elder statemen like him.

The ICAN President, Alhaji Razak Jaiyeola also described Mr. Williams as a rare gift to Accounting profession, Nigeria and the world.

The celebrant appreciated all those who found time to be with him on his special day, wishing them long life as well



ICAN President with the Oba of Lagos in his Palace

## ICAN is Playing a Noble Role in Nigeria – Oba of Lagos

The Oba of Lagos, HRM Oba Rilwan Akiolu has commended the Institute for its noble role in supporting government's fight against corruption. The royal father made the commendation in his palace in Lagos when the ICAN President, Alhaji Razak Jaiyeola paid him a courtesy visit.

Akiolu described ICAN as a foremost professional body working to support the government in its quest to bring the

country's economy back to a solid feet. He however appealed to the Institute not to rest on its oars to ensure that the effort of the government to resuscitate the economy was not jeopardised.

Earlier, the ICAN President had intimated the royal father on the activities of the Institute in collaborating with stakeholders across the economic value chain. "Our Institute continues to throw its full weight behind the federal government's anti-corruption crusade. It is noteworthy that since 2015, ICAN launched a N50 million whistle-blower fund to protect and compensate its members who report any form of financial misdemeanor in both the public and private sectors of the economy".

"We were therefore, as expected, elated when the Nigerian Senate passed the whistle-blowers protection bill of the federal government in June 2017," he explained.

He stated that ICAN has keyed into the

new standard of ethics issued by the International Federation of Accountants (IFAC) to guide professional accountants in actions to take in the public interest when they become aware of a potential illegal act, known as Non-Compliance with Laws and Regulations (NOCLAR), committed by a client or employer.

Speaking further, Jaiyeola expressed worry over the high unemployment and underemployment rates in the polity, adding that it was the reason why ICAN established an Entrepreneurship Committee with the mandate to develop strategies for ensuring that chartered accountants were gainfully employed.

According to him, the Institute would continue to support governments at all levels to fight the monster of corruption in the country. He also maintained that the Institute would collaborate with security agencies in building forensic capacity through its faculties and leverage technology to give the federal government's anti-corruption crusade a new and refreshing meaning.

#### ICAN Inducts 515 AAT Members

The Institute has inducted 515 members into the Association of Accounting Technician West Africa (AATWA). Performing the 48th induction at ICAN Centre, Amuwo-Odofin in Lagos, the ICAN President, Alhaji Razak Jaiyeola congratulated the new members having passed through the rigorous qualifying examination of the Institute.

"The academic rigour that today's inductees had gone through in the period of writing the qualifying examinations has adequately prepared them for the future," he eulogised. He urged the members to live above board while upholding the principle



Cross-section of the newly inducted AAT members

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of accuracy and integrity that ICAN is noted for. He also implored them to adhere strictly to the ethics and rules of professional standard of AATWA and conduct themselves as noble AATWA members.

The ICAN President also used the occasion to clear some doubts and misconceptions about ICAN qualifying examinations, the ATS and professional. He explained that though it may be difficult to scale through ICAN's examinations, but candidates who have successfully undergone the examinations would attest that the quality of the examinations no doubt prepared them for the exciting field of accounting.

He also disclosed that the Institute has different relevant and reader-friendly materials that assist students in preparing for the different categories of examinations, adding that students who were able to work hard would realise that the examinations are not insurmountable.

## ICAN Canvasses Infrastructural Provision and Efficient Management of Assets

The President of the Institute, Alhaji Razak Jaiyeola has appealed to governments at all levels to always ensure infrastructural provision and ensure efficient management of the assets.

Jaiyeola made the appeal in his opening remarks at the 8<sup>th</sup> Annual Public Lecture organised by the Lagos State Public Service Chapter of the Institute of Chartered Accountants of Nigeria. The theme of the lecture was "Infrastructural Renewal and the Quest for a Functional Smart Lagos".

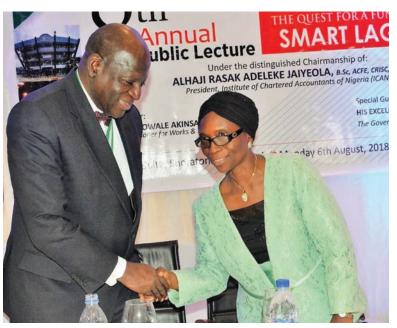
According to him, the natural capital on which Nigeria's existence relies was being threatened by urbanisation and other human activities. Therefore everybody had a moral obligation to meet the current needs without compromise.

He maintained that while infrastructural funding gap in Nigeria was in deficit, the population growth was on the increase, thereby serving as recipe for urban and human crises.

"The need to focus on the twin objectives of infrastructural provision and efficient management of such assets is therefore a mission critical for an economy like ours. This is our focus at this very timely public lecture. We will collectively fashion out modalities to build a smart Lagos State in particular and a smart Nigeria in general," he declared.

Speaking further, the ICAN President informed participants about the ICAN Accountability Index, which aims at improving the process for assessing public finance management and public governance practices across the three tiers of the Nigerian public sector including the Federal, State and Local Governments.

He implored the Lagos State governor to serve as a lead advocate of the ICAN Accountability Index in Lagos State and among the Forum of Governors, disclosing that ICAN would continue to support government at all levels in their effort at fighting corruption in the country.



ICAN President, Razak Jaiyeola, FCA welcoming Accountant-General of Lagos State, Mrs. Abimbola Umar, FCA to the Annual Lecture

## Establishing the Institute of Forensic Accountants is Uncalled for – *Jaiyeola*

The quest for the establishment of Chartered Institute of Forensic Accountants of Nigeria has been described by the ICAN President, Alhaji Razak Jaiyeola as totally uncalled for.

Jaiyeola made this declaration while addressing the press on the Chartered Institute of Forensic and Investigative Auditors Bill 2018 recently passed by the Senate and awaiting the concurrence of House of Representatives.

According to him, the functions and responsibilities in the proposed Bills for Chartered Institute of Forensic and Investigative Auditors in Nigeria and Chartered Institute of Forensic Accountants of Nigeria were already contained in the 1965 Act of Parliament that established ICAN.

"It is therefore improper for Section 18 of the proposed Forensic Accountants Bill to criminalise people who are already practicing Forensic Accounting before the enactment of the Act. It imposes a fine of N50,000 and N100,000 respectively or two years imprisonment against ICAN members who had already been practicing Forensic Accounting before the inception of this Bill," he stressed.

Explaining further, Jaiyeola disclosed that ICAN created seven Faculties in 2009, which included Audit, Investigation and Forensic Accounting. He stated that the Faculties provide training to ICAN members in their areas of specialisation, as well as provide specialist certification courses and issue certificates to qualified members as evidence of expertise and authority to practice their specialised skills.

"From the foregoing, Forensic Accounting is adequately covered within the scope of the training that ICAN provides and therefore the quest for a separate Institute for just Forensic Accounting is totally

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uncalled for".

"There is therefore no knowledge or professional gap that the proposed body would fill. Whatever perceived lacuna that this Bill seeks to fill has been adequately covered within the scope of services that ICAN members render. Consequently the need for the establishment of a Chartered Institute of Forensic and Investigative Auditors in Nigeria does not arise at all," he concluded.

The ICAN President also expatiated that before a person starts practicing audit and other accounting related disciplines, he or she must first qualify as a Chartered Accountant and would have followed a detailed curriculum of Forensic and Investigative Audit which is a subset of Advance Audit and Assurance in the Institute's qualifying examination syllabus.

## ICAN Sensitises Stakeholders on New Examination Syllabus

The Institute has commenced a sensitization programme on its recently reviewed professional examination syllabus. This is to familiarise students and other stakeholders of the Institute with the content of the new document which will take effect from November 2019. The sensitisation is being staged in all the six geopolitical zones of the federation

According to the President of the Institute, Alhaji Razak Jaiyeola, at the awareness programme held at Lagos Airport Hotel, Ikeja on Wednesday, August 15, 2018, the introduction of the new syllabus by the Institute called for the need to widely engage everyone and create the desired level of awareness on the document.

Explaining further, Alhaji Jaiyeola disclosed that the new syllabus retains the extant three (3) stages that is Foundation, Skills and Professional, it is nonetheless noteworthy that the subjects have been streamlined to adequately capture all the relevant areas in accounting without making it cumbersome.

He said the Institute considered it expedient to reduce the sixteen (16) courses in the current syllabus to fifteen (15) in the new one. As a result, each of the three stages now contains five subjects. He added that study packs and pilot questions are being developed to assist students to grapple with thrust of the new syllabus.

According to him, there's a pleasant departure from the norm, the Institute is working towards making all the courses at the Foundation Level Computer-Based Testing (CBT) in the new syllabus.

ICAN reviews its Professional examination syllabus every 5 years to accommodate new developments in the profession to meet global standards.

The objectives of the sensitization programme are to:

- Intimate ICAN stakeholders and prospective students on the structure and contents of the new professional syllabus.
- Provide an avenue for peer review between the stakeholders (Tuition Centres, District Societies, Students) and other users of financial statements.
- Provide insight to qualitative learning expected from tuition providers and also provide framework for students on effective preparation for ICAN examination.



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#### FROM OTHER BODIES

#### Global Ethics Board Resets Expectations of Professional Accountants Regarding Inducements

The International Ethics Standards Board for Accountants (IESBA) today released new enhancements to its global ethics code which address more fully the responsibilities of professional accountants around the offering and accepting of inducements.

The revised standard sets out a comprehensive framework that more clearly delineates the boundaries of acceptable inducements, and guides the behaviour and actions of professional accountants in business and in public practice in situations involving inducements.

"Incentives motivate behaviour, and some inducements can be a powerful incentive to unethical behaviour," said IESBA Chairman Dr. Stavros Thomadakis. "This revised standard complements our standard on NOCLAR to offer a full system of ethical defenses that relate both to malfeasance committed by others and to accountants' own involvement in potentially unethical behaviours."

Central to this framework is a

new intent test that prohibits the offering or accepting of inducements where there is actual or perceived intent to improperly influence the behavior of the recipient or of another individual.

The framework also:

- Clarifies the meaning of an inducement;
- Establishes a requirement to understand and comply with laws and regulations that prohibit the offering or accepting of inducements in certain circumstances, such as in relation to bribery and corruption;
- Guides professional accountants in applying the enhanced conceptual framework underpinning the International Code of Ethics for Professional Accountants (including International Independence Standards) where there is no improper intent; and



Dr. Stavros Thomadakis

 Provides enhanced guidance on the offering and accepting of inducements by professional accountants' immediate or close family members.

The revised provisions become effective June 2019, including consequential amendments to the independence provisions of the Code addressing gifts and hospitality. The changes constitute the last piece of the recently revised and restructured Code.

#### ESMA Believes EU Should Show Leadership by Reaffirming its Commitment to IFRS

The European Securities and Markets Authority (ESMA) has responded to the European Commission's consultation document 'Fitness Check on the EU Framework for Public Reporting by Companies'. ESMA, consistent with its prior positions, strongly disagrees with the introduction of the possibility to modify the content of IFRS as issued by the IASB.

One of the questions in the fitness check relates to whether it is still appropriate that the IAS Regulation prevents the European Comission (EC) from modifying the content of IFRS as issued by the IASB. ESMA notes that the EC has only recently sought feedback on this question twice (2013 and 2015) and both times the great majority of stakeholders cautioned against introducing such a possibility. The letter adds:

In line with its prior positions, ESMA strongly disagrees with this recommendation, most notably because any European specific adjustments to IFRS would defy one of the key objectives of the IAS Regulation, namely that financial reporting standards applied by listed issuers are accepted internationally and are truly global standards.

In addition, we believe that modifications to IFRS at the European level would hinder the capacity of European companies to compete for financial resources on equal terms in global capital markets. In our view, the different levels of commitment to require IFRS as issued by the IASB around the globe is not a justification for introducing carve-ins.

On the contrary, Europe should show leadership in reaffirming its commitment to IFRS. This in turn would increase its ability to influence the development of IFRS, which the EU should continue to actively do as part of the IASB's due process.

ESMA also states that the current endorsement criteria should not be changed as the current endorsement process already provides the necessary safeguards to the European public good, by providing the possibility for the non-endorsement of a standard, which is not conducive to European public good. •

## **INAUGURAL ADDRESS**

By RAZAK JAIYEOLA (Alhaji), BSc, ACFE, CRISC, FCA

During his Investiture as the 54<sup>th</sup> President of The Institute of Chartered Accountants of Nigeria on Friday, June 1, 2018

#### **PREAMBLE**

- 1. The investiture ceremony and my decoration with the insignia of office which you just witnessed are the climax of the statutory activities which commenced on the floor of Council on March 29, 2018 when I was formally elected as the 54<sup>th</sup> President of the Institute. My election was again revalidated at yesterday's Council special Council meeting. By this formal investiture, the seal of authority has been affixed to that process this morning.
- 2. The journey to this historic day actually commenced during the 2014/2015 Presidential year when I was nominated and subsequently elected as the 2<sup>nd</sup> Deputy Vice President of this great Institute. Since then, I have had the greatest exposure into the sophisticated governance processes of our Institute. Without doubt, therefore, this 3-year tutelage has prepared me eminently for the huge responsibility of providing leadership to over 45,000-strong seasoned professionals and the enormous task ahead.
- 3. The credit for this internal democracy, the resilient, time-tested and seamless succession process of our Institute which has served us for over five decades, goes to these distinguished men and women of honour, our founding fathers, our revered past presidents, sitting to my left, whose collective ingenuity and willingness to build an enduring institution is unrivalled. The greatness of these men and women lie in their virtuosity. Their uncommon foresight gave birth to this independent, self-financing and visionary institution, a legacy that we, the beneficiaries, are proud to inherit and defend.
- 4. Our revered past presidents, your presence here today demonstrate not only your joy and abiding faith in this succession process but also your delight at witnessing another unfolding era in the development of our great Institute. As President J.F. Kennedy observed, "We must find time to stop and thank the people who make a difference in our lives". Let me proudly declare that you collectively made a difference in the lives of successive generations of chartered accountants for which I express our deepest gratitude. I assure you all that I will live and lead by your

values and defend the ICAN ideal irrespective of the challenges.

- 5. I also want to express my deep appreciation to the Immediate Past President. In the last twelve months, Mallam Ismai'la Zakari, mni, FCA, had, in the ICAN tradition broken new grounds, set new performance standards and reached new heights with imperial authority, excellence and finesse. As a body, we owe you a debt of gratitude for flying the banner of the Institute and profession with distinction in the last 12 months.
- Today, I personally feel fulfilled not only because I will be the voice and face of the Institute and Profession for the next twelve months but because the decision I took in 1976 to leave my public sector job as a Food and Drug Inspector under the Food and Drug Administration (NAFDAC) in Kaduna office, to take up appointment as an articled clerk in Coopers and Lybrand, the precursor of today's PwC, has paid off handsomely. My colleagues at the time were most uncomfortable with my leap into the "dark". For me, the vision was clear, achievable and the key to the treasured world of professional accountancy, of being the conscience of society. The towering image of the revered Doyen, his rare but rich and profound views on public, professional and resource management issues, his demeanour and stature in society, were more than enough evidence and justification for my decision.
- 7. I must specially appreciate Otunba Olusola Senbore (who interviewed me) and Past Presidents Mr. Cecil O.O. Oyediran, FCA, Chief Olusola Faleye, FCA and Late Chief Ebenezer Oke, FCA who, as partners of the international firm, jointly offered me my first job in a practising firm of chartered accountants. Indeed, it was during my 5-year stint with Coopers and Lybrand that I qualified in 1980 and was subsequently admitted into the membership of ICAN. In my heart, my age long dream had been fulfilled. But by divine providence, that qualification and international training opened my eyes not only to the huge opportunities that exist in the profession but also, to the benefits of giving back to society through service. The reward for my little

efforts is this historic investiture, which is the zenith of my professional career. I dedicate it to Almighty Allah, the Most Beneficent and Most Merciful. To Him be all the glory.

#### ICAN as an Institution

Your Excellencies, distinguished guests, ladies and gentlemen, ICAN is not just a professional body. As an institution that has the twin responsibilities of being the premier regulator of the Accountancy Profession in Nigeria as well as an examination body, it is the voice of knowledge, expertise, integrity and service for the common good. It is the "peak of the pack" with its impressive antecedents and track record of immense contributions to national and global development. With the output of its members (in the form of financial statements and opinions thereon), ICAN speaks to leadership at all levels, it cautions against profligacy, it preaches prudence and drives sustainability initiatives. This discerning, eagle-eyed and transparent approach to resource management and governance is what ICAN and its members represent. Over the ages, the empires of kings who listened to its members prospered while those who turned deaf ears were ruined by their obstinacy and poor decisions. Accountancy is the conservative voice of reasoning, of shrewd financial prosperity. Only the trained, knows it.

#### Proliferation of Accountancy Bodies

Thus, when ICAN celebrated its Golden Jubilee, some cynics had thought that the Golden era was over. Very recently, such apologists sought to assail the profession by stoking the fire of fragmentation, once again. They sought to obtain  $legitimacy for their \, quackery \, by \, attempting \, to \, get \, the \, revered$ National Assembly to pass their bills into law so that they can become another "ICAN". From their awkward names, it was clear, even to the blind, that they are non-starters! ICAN cannot be replicated neither will the hood make the monk. As a body, we are persuaded that the distinguished members of the National Assembly will not yield to this unpatriotic call for the fragmentation of the Accountancy profession, by whatever guise. Accountancy is a distinct, globally reputed profession regulated by the International Federation of Accountants (IFAC), a body which ICAN joined its international peers to form in 1977. Those who seek to be members of this noble profession, therefore, should explore the two available legal opportunities to realise their dreams rather than seek to build empires that will be a deception, height of quackery and a drain pipe on the national treasury. On behalf of Council, I declare that the defence of the ICAN Act, at all cost, is a task that must be done.

#### Support for Government's Anti-Corruption Crusade

**10.** By this investiture, I dare say that ICAN has just opened a new chapter of hope, of shared vision, of commitment to service, of prosperity and common good for Nigeria and the business community. The banner of integrity will be lifted higher both within and outside the profession. Over the years, ICAN has been in the forefront of the anti-corruption crusade. In 2015, the Institute launched a Whistle-blower's

Fund in the sum of N50million to support our members who may be persecuted for blowing the whistle. It is heartening that the government keyed into this initiative as part of its strategies to drive the anti-corruption war. As a result, a lot of stolen resources have been recovered.

- 11. To reinforce the achievements so far recorded, we will deploy our expertise to assist the government in the crusade against sharp practices in low and high places. The various discoveries and arrests by law enforcement agencies can only translate to judicial convictions with thorough and professional investigations. Therefore, we would collaborate with security agencies to build forensic capacity through our Faculties. Since fraud and sharp practices are dynamic, we have commenced initiatives to strengthen our forensic training programmes to further equip our members to prevent and detect fraud where they occur. We will leverage technology to give this anti-corruption crusade a new and refreshing meaning.
- 12. In line with the Institute's strategic vision, we will intensify our human capacity building initiatives to impact the nation's development agenda. The regulatory and governance institutions of great nations set them apart from the rest. The Institute will work with government and regulatory agencies to enhance the capacity of public institutions to deliver on their mandate through massive investment in human capital and infrastructural facilities which hold the key to sustainable development. As part of our advocacy initiatives as major stakeholder in the Nigerian project, the Institute will engage more with the government's Economic Think Tank, especially the Nigerian Economic Summit Group and the Economic Team headed by the nation's Vice President, to accelerate the nation's development agenda.
- 13. Since the launching of the sustainable development goals by the UN in 2015, the concept sustainability has taken the centre stage because of the need to ensure that today's development occurs without precluding future generations from enjoying the benefits of natural endowments. As resource managers and decision makers, chartered accountants must be in the vanguard of the sustainability campaign and implementation of initiatives that will preserve the ecosystem. It is unfair for businesses to continue to prosper at the expense of the society. Accordingly, we will leverage our expertise to ensure that business entities take responsibility for their externalities and adopt business models that will promote sustainable development in our nation
- **14.** As part of our public interest mandate, we will also support the government with policy initiatives that will bring efficiency and effectiveness to governance such that areas of waste and leakages will be plugged. If Nigerians will optimally enjoy the benefits of their huge resource endowments, greater premium must be placed on efficiency, effectiveness and economy in the use of public resources. Accordingly, the Institute will be in the vanguard of the

- campaign for value for money in the award, execution and monitoring of public projects.
- 15. There is no reason why the costs of procurement of materials or execution of projects in both the public and private sectors should be markedly different in the same environment. Providers of services must be held to agreed standard of performance or service level agreements. To ensure that this goal is achieved, I charge communities and civil society groups to take ownership of the various publicly-financed projects to ensure quality service delivery in their communities. We will be at the vanguard of stakeholder engagement to ensure that development is inclusive. This will reinforce the Accountability Index that the Council launched in this outgoing presidential year as a strategy to drive transparency and integrity in governance. All levels, leaders must be held to account.

#### **Unemployment of Youths and Chartered Accountants**

- 16. Distinguished guests, ladies and gentlemen, late last year, the nation rejoiced over its exit from economic recession implying that the economy experienced positive growth consecutively for three or more quarters to upturn the negative growth experienced in 2016. Given the lag effects of public policies, the impact of the economic growth is yet to be seriously felt. A huge army of Nigerian youths are still on the streets looking for jobs that are not available. The number swells each year as tertiary institutions joyfully hold their convocation ceremonies. In simple terms, economic growth has taken place while development is on the waiting list.
- 17. For the accounting profession, the situation is not less severe as many newly inducted members cannot find jobs in an economy where there are over 37million micro, small and medium-sized enterprises, according to a survey carried out by the Bureau of Statistics and SMEDAN in 2013. With the move by large companies towards automation of their processes to save costs, the future appears uncertain and more challenging for young professional accountants.

#### Entrepreneurship Initiative

18. To frontally address the twin issue of unemployment and under-employment of our members, early this year, I personally constituted a work group to consider the various strategic options. Foremost amongst the recommendations is the urgent need to assist the regulatory agencies to enforce extant laws on the filing of accounts. In September 2017, the Corporate Affairs Commission reported that it registered, in 12 months, a total of 76,491 limited liability companies between July 2016 and June 2017 which is almost double the number chartered accountants in existence. Thus, if these entities are monitored and forced to comply with the provisions of the Companies and Allied Matters Act (as amended) and the Federal Inland Revenue Service Act, there is no reason why Chartered Accountants should not find jobs. We would therefore support these regulatory agencies to deliver on their mandate.

19. Furthermore, we have also developed some training modules which will empower our members to be entrepreneurs. Discussions on the various initiatives have reached advanced stages with our partners in the organised private sector and government agencies driving the implementation of entrepreneurial initiatives like Bank of Industry, You-Win and SMEDAN. As soon as the various initiatives are approved by the governing Council, our members will have reasons to cheer. In line with the vision of our founding fathers, membership of ICAN must translate to freedom from poverty and deprivation. Through Council's Entrepreneurship programmes, opportunities for wealth creation will be opened to our unemployed or partially employed members.

#### Skillset of Chartered Accountants

20. As a body, we are aware of the unfolding disruptive impact of Artificial Intelligence and other IT-related developments on the accounting profession. Although technology will always pose serious threat to human employment, IT-proficient professional accountants will remain globally relevant because the beauty of automation is that as some jobs are phased out, more value adding jobs will be created. Indeed, research have shown that the future of the unfolding IT-driven business environment will be defined by creativity, critical and strategic thinking rather than rote learning.

#### Forum of Regulators and External Auditors

21. Distinguished guests, ladies and gentlemen, ICAN is at another threshold of history. As a profession, we must make our impact felt in public governance as this has implications for the ability of private sector players to continue to create wealth. I recall that ICAN was the main driving force of the Regulators and Auditors Forum during the banking crisis. Through that platform which involved the CBN, NDIC, CAC, SEC, NASB (now FRCN), CIBN, Big 4 firms and some SMPs, a lot of policy initiatives were evolved to sanitise the financial services sector in the interest of the larger society. Presentations by successive ICAN Presidents at their conferences on behalf of the Institute often provided policy directions. Besides helping to smoothening inconsistencies in policies, the body helped to bridge gaps between regulators and practitioners. The body, which has not been dissolved, has remained dormant because of the passivity of the Institute. We will liaise with the leadership of the CBN that is hosting the Secretariat to revive the body.

#### **International Activities**

**22.** Our spheres of influence will not be limited to the local environment. We will raise the banner of the Institute high in ABWA, PAFA and IFAC by encouraging more members to play active roles in these bodies with a view to impacting their activities for the benefit of country and profession. The Council of the Institute has resolved to bid for the hosting rights of the 2026 IFAC World Congress of Accountants. As we prepare for the next Congress coming in Australia in November this year, we will reach out to public and private sector institutions to support this strategic objective.

#### For The Record

Together, we can do it. I therefore court your support.

#### **TRIBUTES**

- 23. Distinguished professional colleagues, ladies and gentlemen, as I begin this challenging 365-day Presidential journey, the credit for today's historic achievement belong rightly to the Almighty Allah and a host of persons who inspired, encouraged and provided me the shoulder to launch out into the deep. As a student of leadership and governance, I have learnt greatly from the experiences of my predecessors in office, the wise counsel and wishes of many professional colleagues, mentors and friends alike, and in particular, members of Council. Since I won election into Council for the first time in 2007 and ever since, I have continued to enjoy very warm and cordial relationship with members, both inside and outside the Council. I wish to appreciate you all for this wonderful and invaluable encouragement, inspiration and support. I wish to profoundly thank, my dear friend, the Immediate Past President, Malam Ismai'la M. Zakari, BSc, mni, FCA for his invaluable services to our great Institute and profession and indeed, for making this investiture a huge success. As you move to the next stage of your life, may Almighty Allah continue to favour you and your family.
- **24.** Let me also seize this opportunity to express my immense gratitude to Mrs. Comfort Olujumoke Eyitayo, mni, FCA, who presented my citation so brilliantly. You made me look taller than my height with your eloquence and encomiums. God bless you.
- 25. This appreciation would certainly be incomplete if I do not acknowledge the outstanding pioneering roles of our revered past presidents (many of whom are here present) who blazed the trail in accounting excellence and passed onto us this flag of honour. Indeed, the role of all Past Presidents in my professional tutelage has been very profound. With all reverence, I must thank, in particular, the Doyen of the Accountancy Profession in Africa, Mr. Akintola Williams, CBE, CFR, B.Comm., FCA, whose civility, brilliance and character persuaded me to become a chartered accountant. I also thank Past Presidents Mr. C.O.O. Oyediran, FCA, Chief Olusola Faleye, FCA and Late Chief Ebenezer Oke, FCA who offered me job as an articled clerk in Coopers and Lybrand where I trained and qualified 38 years ago. This Investiture has made me the first Coopers and Lybrand Nigeriantrained chartered accountant to become ICAN President. I must specially appreciate Past President Chidi Onyeukwu Ajaegbu, FCA in whose tenure I started my journey into the ICAN presidency.
- 26. Permit me this opportunity to pay glowing tribute to my darling wife, Taibat Mojirade Jaiyeola and my wonderful children, who bore the huge burden of my continuous absence from home on various ICAN assignments. Thank you my love for all the sacrifices and for being a great pillar of support. Your labour of love shall not be in vain. I want to also thank my children and three of whom are chartered

accountants and Fellows of the Institute. They are also married to chartered accountants. In fact, modestly, we are chartered accountants in the Jaiyeola Family. My dear parents, Alhaji and Alhaja Jaiyeola brought me up in the most disciplined Islamic tradition. To them, acquisition of western education was non-negotiable. From their toils, they gave me a goodly heritage. I am greatly indebted to them.

#### **CONCLUDING REMARKS**

- 27. Distinguished professional colleagues, ladies and gentlemen, I am greatly enthused by this rare and privileged opportunity to serve our noble Institute and revered profession. The task before me are arduous but surmountable. Given the proven quality of members of the Presidency and Council, I have no doubt whatsoever that collectively, we will succeed in taking ICAN to the next level. As Ralph Waldo Emerson said, "what lies behind us and what lies before us are tiny matters compared to what lies within us". We have the collective power to move mountains. Indeed, this is our finest hour to impact the cause of national development and societal progress with our skills and professional expertise and write our names in the sands of time. We cannot afford to fail. The only available option is success! I therefore earnestly court the unalloyed support, usual cooperation and understanding of members of Council, the Executive Coordinating Committee of Council and all my professional colleagues in this historic journey. According to USA former President Calvin Coolidge of USA, "no person was ever honoured for what he received. Honour has been the reward for what he gave." Let's give for the honour that lie ahead of us. On my part, I will give my all to defend the ICAN ideal.
- 28. Finally, let me, once again, thank most sincerely all of you specially invited guests, friends, mentors and members of the Press present here today, for being part of this history making investiture. I thank you all for your presence and for adding colour to this magnificent ceremony. Distinguished ladies and gentlemen, may the Almighty God bless and grant you all journey mercies to your respective destinations.

Thank you all.

Alhaji Razak Adeleke Jaiyeola, BSc, ACFE, CRISC, FCA 54th President, ICAN

**Lagos, June 1, 2018** 

## **VALEDICTORY SPEECH**

#### By the 53<sup>rd</sup> President at the Special Council Meeting Held on Friday June 1, 2018

#### **PREAMBLE**

- **1.** I consider it a great privilege to stand before you today at this occasion of the investiture of the 54<sup>th</sup> President of the Institute of Chartered Accountants of Nigeria. This programme would also afford me the privilege to intimate this highly esteemed audience with our achievements in the last one year that we have paddled the boat of our great Institute.
- **2.** When the mantle of leadership of ICAN fell on me in May, 2017, I was conscious of the enormous task ahead of me and my colleagues in the Presidency and Council. We envisaged that sustaining the lasting legacies of the Founding Fathers and Mothers of the Institute and the Past Presidents, would require more than just passable commitments to the tasks that were ahead of us.
- **3.** Similarly, the thrust reposed on us by the Institute's over 45,000 professional members, 22,000 Association of Accounting Technicians West Africa and other stakeholders was another key motivation that kept us going as we imagine not to fail our stakeholders.
- **4.** Indeed, we were daily awakened by this understanding and the realisation that we cannot lower the enviable standards already set by past dispensations of the Institute. Expectedly, we faced a number of roadblocks, but we used these challenges as springboards to launch the Institute into greater heights.
- **5.** I therefore wish to thank all and everyone that lent us supports individually and collectively during this highly eventful and rewarding one year. Particularly, I wish to commend the role played by the Body of Past Presidents in the affairs of the Institute in the past few days. On behalf of my colleagues at the Presidency and Governing Council, we owe all of you a deep appreciation and dedicate the successes of this Presidential year to you.
- 6. I noted in my Acceptance Speech that "Our goal during this Presidential Year is to enhance the profession and help strengthen the infrastructure of the accountancy sector, while supporting our members in various ways, including through professional development and advocacy. We intend to take the ICAN brand to new heights, and to be able to fulfil our vision to be a leading globally recognised professional accountancy body that creates value for its stakeholders."

With the highest sense of humility, we are pleased to inform you that throughout the course of the 2017/2018 Presidential year we worked relentlessly towards discharging our duties to safeguard the continued realisation of the Institute's mandate. These milestones and achievements are what I will now

present.

#### THE INSTITUTE AND THE PROFESSION: JUNE 2017 - MAY 2018

- **7.** The outgoing Presidential Year was guided strictly by the far-reaching resolutions of the June 8, 2017 Retreat held for Council members and the Executive Management Staff of the Institute. The Retreat extensively:
  - a) Reviewed the relevant provisions of the ICAN Act.
  - b) Identified key success factors for the governance and operation of a successful Professional Accounting Organisation (PAO).
  - c) Diagnosed the current "State-of-affairs" of the Institute and determined the areas and specific interventions required to take ICAN to the next level in accordance with the theme aptly chosen for the 2017/2018 Presidential year – which is "ICAN on the Rise."
- **8.** Participants at the Retreat unanimously agreed on nine (9) cardinal areas that the Institute needed to focus on to remain a well-organised, efficiently governed, globally recognised and respected organisation. My address would briefly discuss our achievements under some of these cardinal areas and present other activities the Institute embarked upon by this administration.
  - I. MAINTAINANCE OF MEMBERSHIP OF THE INTERNATIONAL FEDERATION OF ACCOUNTANTS (IFAC) THROUGH COMPLIANCE WITH IFAC SMOS AND ACTIVE PARTICIPATION IN THE GOVERNANCE OF IFAC

Our Institute continued to play its role as a formidable member of the International Federation of Accountants (IFAC). During the outgoing Presidential Year, Council mandated the Professional Practice Monitoring Committee (PPMC) to give priority to the IFAC's Statement of Membership Obligations (SMOs) and provide verifiable status of compliance by the Institute of each item of the SMOs to Council before submitting to IFAC. The SMOs have since been submitted to IFAC after Council's approval of the document as prepared by PPMC.

During this Presidential Year, ICAN participated actively in the running of the affairs of the International Federation of Accountants (IFAC). The Institute's representation on IFAC's Council was held by me as the President and with the Vice-President serving as Technical Advisor. We also sustained a

strong representation on the IFAC's board by a revered Past President of the Institute, in person of Retired Major-Gen. Sebastian Owuama, FCA and our 2nd Deputy Vice President, Mrs Onome Joy Adewuyi, FCA served as Technical Advisor.

We were also adequately represented on several Committees of IFAC including Professional Accountants in Business by Mr Daniel Monehin, FCA; Small and Medium Practices Committee by Mazi Nnamdi Okwuadigbo, FCA – up to December 2017 and International Public Sector Accounting Standards Board (IPSASB) by Mr Chris Nyong, FCA.

## II. DETERMINATION OF THE ENTRY REQUIREMENTS, DEVELOPMENT OF PIPELINES FOR STUDENTS AND PROVISION OF STUDENTS' SUPPORT

The Institute continues to place great emphasis on ensuring that the student membership entry requirements are not lowered. We were fully guided by the pivotal role of the profession in the economy and the need to strictly adhere to high ethical and professional conduct among both our professional and student members.

Our resolve to attract the best crop of student members informed the continued drive and aggressive pursuit of the ICAN Mutual Cooperation Agreement with Tertiary Institutions (MCATI). During this regime, we signed seven (7) more agreements with tertiary institutions across the country.

As part of ICAN's Corporate Social Responsibility and enhancement of the teaching and learning of the accounting profession, my administration commissioned a 350-seater capacity ICAN Lecture Theatre at the University of Port harcourt. In addition, we presented books and laptops to some tertiary institutions across the country. The laptops were installed with SAGE accounting software packages and the benefitting institutions' representatives were trained for a week on the use of the software.

Similarly, we presented certificates of recognition to all accredited Tuition houses and tertiary institutions. We have also devolved the catch-them-young initiative of the Institute to District Societies. This decision was to consolidate on past achievements of the initiative, safeguard the integrity of the programme and leverage our District Societies in reaching potential members of our great Institute that are dispersed in various states of the country.

## III. MAINTAINING THE STANDARDS OF THE INSTITUTE'S QUALIFYING EXAMINATIONS AND ELIGIBILITY CRITERIA FOR MEMBERSHIP

This regime ensured that the legacy left behind by past regimes in the area of our flagship examinations is sustained. We guarded the integrity of the examinations in order to sustain the competitiveness of our professional examinations. I am pleased to report that till date no leakage of our examinations paper has occurred, and thus kept the sanctity of our examinations and its process.

#### **Professional Examinations Syllabus Review**

In line with our mandate and to sustain the competitiveness and quality of our professional examination, the much awaited review of the syllabus for the Institute's professional examinations was concluded and a new syllabus was unveiled on May 25, 2018. The review process involved administering questionnaires to different groups of stakeholders to ensure a robust review that would attune to the current realities of the profession. Two Committees of the Institute – Professional Examinations Committee and Students' Affairs Committee were saddled with this responsibility. The Institute found it expedient to reduce the number of courses in the syllabus to fifteen (15) from sixteen (16). This makes it five (5) courses in each of the levels – Foundation, Skills and Professional.

## IV. PROMOTION OF THE EDUCATION, TRAINING AND CERTIFICATION OF PROFESSIONAL ACCOUNTANTS IN PRACTICE

The Institute's 2018 Executive Training Programme/Mandatory Professional Education (MCPE) was further reinforced through a comprehensive analysis of feedback from members and the continually changing world space the Institute operates.

The training courses have been expanded to cater for the needs of our broad-based stakeholders. We created two new industry sectors with different sub-sectors – Extractive Industry Sector (Energy, Mining, Oil and Gas) and Financial Services Sector (Banking, Capital Market, Insurance and Islamic Finance). Other new areas in our 2018 training syllabus include agriculture, mining, not-for-profit organisations, governance and politics and happiness & positivity.

Our relationship with other professional associations and organisations received a new boost in the area of joint-training and capacity building for industry practitioners. The training schedule also made provision for partnering with organisations on in-house programmes that are designed to directly address peculiar business and work challenges. The in-house trainings provided a bespoke syllabus for staff of organisations and opportunity for an appropriate group size, flexibility and cost-effectiveness.

It is also noteworthy that the e-Learning platform of the Institute was launched on April 25, 2018. This is to facilitate the need for the Institute to join the global trend in leveraging e-learning to democratise learning experiences. We believe with this development, the capacity building initiatives of ICAN would further be enhanced.

Let me also inform you that the Institute has commissioned a world-class Library at the Federal Capital Territory (FCT), Abuja. This was to guarantee that members and stakeholders are not deprived of the Institute's facilities, irrespective of location. The libraries at the National Secretariat, Victoria Island, Lagos and the Ebute Metta Annex Office also in Lagos also continued to experience high patronage. The e-Library is also a veritable resource freely accessible to financially up-to-date members.

In a similar vein, we focused on and strengthened specialist Knowledge areas such as Insolvency and Receivership, Taxation and Valuation for Business and Financial Reporting Purposes and Compliance Certification Programme for our existing Faculties and raising standards of competence for ICAN members. We imagined this as highly imperative to safeguard against the establishment of new institutes to bridge the knowledge gap like the case of Business Recovery and Insolvency Practitioners

Association of Nigeria (BRIPAN), Chartered Institute of Taxation Nigeria (CITN), etc.

We continued to exploit the provision of Paragraph 2 of the First Schedule to the Act which gives the Council power to do anything which in its opinion is calculated to facilitate the carrying on of the activities of the Institute in furtherance of its best interest.

ICAN Act is comprehensive and legally strong and we continued to safeguard it from legislative amendment. We also put machineries in place to ensure ICAN has a contact office within the National Assembly like other professional bodies in order to promote the interest of the Institute.

## V. REGULATION OF MEMBERS AND PRACTISING FIRMS INCLUDING A TRANSPARENT AND EFFICIENT COMPLAINTS AND DISCIPLINARY SYSTEM

In the Presidential year, we embarked upon some decisive actions and recommendations with respect to the regulation of members and practising firms and efficient complaints and disciplinary system. These include:

- a) The need to update the Professional Code of Conduct and Guide for members. The last update of the Code was done and approved in 2009.
- b) A suggestion that hearing notices and other processes should be served by electronic means.
- Seeking for adjournments should be at a cost to deter counsel from abusing such privilege.
- d) Written submissions should be encouraged rather than allowing lengthy oral submissions by parties or their Counsel.
- e) Tribunal members who participated in hearing a case at the Investigation Panel should not be part of the team to deliver judgment in that case.

As you are already aware, in June 2017, the Institute keyed into the new standard of ethics for professional accountants, which was issued by the International Ethics Standards Board for Accountants (IESBA). The standard, which is a new section in the Code of Ethics for Professional Accountants, sets out a first-of-its-kind framework to guide professional accountants in what actions to take in the public interest when they become aware of a potential illegal act, known as Non-Compliance with Laws And Regulations, or NOCLAR, committed by a client or employer.

Since the adoption of NOCLAR, this administration has deployed different channels to create awareness and ensure compliance by its members. We leveraged technology to disseminate the information on NOCLAR to members through e-mails, ICAN website, print and social media, District Societies and Society for Women Accountants in Nigeria (SWAN).

## VI. PROMOTION OF THE INTERESTS OF OUR MEMBERS AND PROTECTION OF THE PUBLIC INTEREST

As a responsible Institute, we remain committed to promoting the interests of all our members by engaging the government and other stakeholders on discussions that would safeguard an enabling business environment for all our members. We also encouraged and gave due recognition to exceptional professional

conduct among our members and projected such members for emulation by others.

As a way of assisting the Small and Medium Practising (SMP) Firms, Council approved the setting up of a new SMP Committee with responsibility to develop strategies for upskilling the small and medium practicing firms by:

- a) Providing them with practice-related training and retraining.
- b) Mentoring them by well established firms especially the "Big 4" to assist in this regard.
- c) Revamping the existing Practice Review System. Professional Practice Monitoring Committee (PPMC) was requested to develop a workable practice review system for all firms including SMPs.

#### **Succession Planning For SMEs**

This administration prioritised succession planning for Small and Medium-Sized Enterprises (SMEs) and mandated the new Entrepreneurship and Employment Committee to develop a proposal that will actualise this. Council also considered collaborating with the Institute of Directors (IoD) in this regard to ensure a seamless implementation of the framework for the succession planning.

We also protected the public interest through the promotion of high ethical and professional standards among our members as they discharge their statutory duties to their clients.

## VII. DEVELOPMENT OF GOOD RELATIONSHIPS WITH HIGH PROFILE LOCAL AND INTERNATIONAL INSTITUTIONS

As the Institute is not operating in isolation, we sustained robust relationships with various high profile local and international institutions and stakeholders. We strengthened engagements with International, Regional & Professional Accounting bodies such as the International Federation of Accountants (IFAC), the Association of Accounting Bodies in West Africa (ABWA), Pan African Federation of Accountants (PAFA), The Institute of Chartered Accountants in England and Wales (ICAEW), amongst others.

On May 10, 2018, the President of ICAEW with some of its members paid a working visit to ICAN where the two Institutions signed a Memorandum of Understanding (MoU). The MoU aims at strengthening the professional relationship of the two bodies which will lead to pathway membership of the respective institutes. Few weeks ago, we also signed a Memorandum of Understanding of the Chartered Institute of Management Accountants (CIMA) which provides a mutual route to membership of the respective bodies.

#### VIII. ENGAGEMENT WITH OTHER REGIONAL BODIES

On ICAN's relationship with other regional bodies, we pursued reciprocal arrangement relationships with other Professional Accountancy Organisations (PAOs) in Africa such as Institute of Chartered Accountants, Ghana and South Africa Institute of Chartered Accountants (SAICA) and providing support to smaller PAOs like Liberia Institute of Certified Public Accountants (LICPA), Gambia Institute of Chartered Accountants (GICA), Sierra Leone Institute of Chartered Accountants (SLICA),

ONECCA Cameroon and ONECCA Niger.

#### 9. OTHER DEVELOPMENTS DURING THE OUTGOING PRESIDENTIAL YEAR

#### I. Review of the Five-Year Strategic Plan

The Institute's Strategic Plan for 2012 – 2017 expired and this administration drafted another for the next planning horizon, that is 2018 – 2022. The new Strategic Plan was designed after due consideration of the peculiarities of local and international business environments and how they impact on the Institute's activities. Various stakeholders' views were surveyed, essentially through the administration of questionnaire, and incorporated into the development of the Strategy Plan.

#### II. Institute's Image

During the Presidential Year and in line with the Institute's tradition, we projected ICAN's image by engaging the different media platforms – print, broadcast and social – in discussions that bordered on the Institute's activities and its contribution to the development and growth aspirations of the country. We also used the platform to inform government, regulatory institutions, the private sector and the public on ICAN's position regarding relevant social and economic issues affecting the country. I had media chats and press interviews with accredited media houses in the country. We also had Press Conferences on the Institute's adoption of Non-Compliance with Laws And Regulations (NOCLAR) and the 47th Annual Accountants Conference.

#### III. 47th Annual Accountants' Conference

The 47<sup>th</sup> Annual Accountants' Conference with the theme: "Nigeria First: Accountancy, Nation-Building and the Future." was held at the Sheraton Abuja Hotel and International Conference Centre, Abuja between October 16 – 20, 2017. Over 4,000 members and other delegates were in attendance.

#### IV. Zonal Accountants' Conferences

The Zonal Accountants' Conferences have continued to be the second most important interactive forum for members of the Institute after the Annual Accountants' Conference. These District Conferences as you are aware serve as fora for members to exchange ideas about professional and national issues which can impart their business practices.

The following Zonal Accountants' Conferences were held during this Presidential Year:

- 12<sup>th</sup> Eastern Zonal Conference held at Petroleum Training Institute, Warri, Delta State.
- 12<sup>th</sup> Western Districts Zonal Conference held at Covenant University, Ota, Ogun State.
- 1st Southern Districts Zonal Conference held at the International Conference Centre, Port Harcourt.
- 13<sup>th</sup> Northern Districts Zonal Conference held at the Ahmadu Bello University, Zaria.

I also declared open the following International conferences during the Presidential Year:

 The 2<sup>nd</sup> ICAN-Canada District Society International Conference with induction of new members held between July 18 – 24, 2017 at Toronto Airport Hotel & Conference Centre.

- The 4<sup>th</sup> ICAN-USA International Conference held between August 22 – 26, 2017 at LAX Hilton Hotel, Los Angeles, California, USA.
- The 5<sup>th</sup> ICAN-UK International Conference with induction and Fellowship Conferment held in London and had in attendance delegates from Nigeria, Canada, USA and UK.

#### V. Growth In Membership

The Institute has continued to witness rapid growth in its membership. In the year under review, we had two induction ceremonies where a total of 3,328 candidates were admitted into the membership of the Institute. As I have earlier noted, induction ceremonies were also conducted for some members of the ICAN-Canada and ICAN-UK District Societies. With these induction ceremonies, the current membership is now 45,103 comprising men and women who are making giant strides in the different sectors of the Nigerian economy and outside the shores of the country.

I wish to state with delight that the May 2018 Induction Ceremony was indeed historical. It was the first time the Institute's induction programme would be held for three (3) days from the traditional two (2) days. This was not unconnected with the increasing number of inductees, necessitating the need to batch into two groups.

#### VI. 16th Conferment of Fellowship Status Ceremony

The 16<sup>th</sup> Conferment of Fellowship Status Ceremony of the Institute was held at the ICAN Centre, Amuwo Odofin, Lagos on Tuesday, April 24, 2018. 1350 members were conferred with the Institute's Fellow status at the ceremony. The special guest of honour at the event was Mr Abubakar Balarabe Mahmoud, President, Nigerian Bar Association.

#### VII. Association of Accounting Technicians West Africa (AATWA)

The membership of the Association of Accounting Technicians West Africa (AATWA) increased to 22,512 following the admission of 1,145 newly qualified young men and women into the Association in June and December 2017. As you would recall, the Accounting Technicians' Scheme now operates under the auspices of the Association of Accountancy Bodies in West Africa (ABWA).

#### VIII. Joint Presentation of Certificates and Induction Ceremonies by Faculties Management Committee for Members

Three Faculties (Audit/Investigation & Forensic Accounting, Financial Reporting and Insolvency & Corporate Re-Engineering) recommended candidates who successfully completed their examinations and Council approved the award of certificates for the candidates. I thereafter presented all the awardees with their certificates after administering the Oath of Allegiance on them at an event which held on Friday, April 6, 2018 at ICAN Secretariat Annexe, Ebute Metta, Lagos. I presented 124 (one hundred and twenty-four) Inductees with certificates at the occasion.

#### IX. ICAN Accountability Index

Distinguished Ladies and Gentlemen, it is worth reiterating

that as part of our efforts to contribute and encourage accountability in governance, the governing Council of ICAN, launched ICAN Accountability Index during the 47<sup>th</sup> Annual Accountants Conference.

The Accountability Index is the first-of-its-kind mechanism for assessing public finance management and public governance practices across the three tiers of the Nigerian public sector including the Federal, State and Local Governments.

The Council is very proud of its role in the development of this index, which we believe is a relevant, innovative and timely contribution to Accountability, Public Finance Management and Governance practices in Nigeria.

The objectives of the ICAN Accountability Index are to:

- a) Encourage greater accountability, transparency, fiscal and PFM practices in Nigeria.
- b) Fast track implementation of IPSAS Accrual Basis in the three tiers of government.
- c) Improve quality of governance.
- d) Improve compliance with Fiscal Responsibility Act 2007.
- Tackle corruption by engaging quality professionals in public sector.
- f) Ensure timely completion of public sector budgets and public sector audited financial statements.
- g) Ensure timely publication of public sector budgets and public sector audited financial statements.
- h) Ensure comprehensive, understandable public sector budgets and that public sector audited financial statements are easily available with unrestricted/unlimited access to Nigeria citizens.
- Serve as a tool for enlightenment and advocacy to educate Nigerian citizens to demand improved accountability by those charged with governance.
- j) Provide a holistic, objective and evidence-based framework for assessing fiscal responsibility, public finance management and quality governance practices of Nigeria's public sector entities.
- k) Enhance donor engagement and criteria for prioritisation.
- l) Allow monitoring of progress of implementation of IPSAS Accrual Basis and PFM performance over time.

We continued to deploy various channels to advocate for the support of the various stakeholders when the Index is finally launched. The first report is expected to be released in August/September 2018.

#### X. Research Capability

To strengthen the Institute's research capacity, three additional staff were recruited to the Research and Technical Department. In addition, two Research Fellows have been engaged on sabbatical arrangements in the Department.

#### XI. ICAN'S Inaugural Professorial Lecture Scheme

As part of the Institute's support of its members and research activities in our academic institutions, I attended the  $21^{\rm st}$  Inaugural Lecture of Babcock University delivered by Professor Owolabi Sunday Ajao, FCA.

I presented a handsome sum of One million Naira on behalf of the Institute. This was in continuation of our Inaugural Professorial Lecture Scheme which provides financial support to qualifying members of the Institute delivering their Inaugural Lecture. The Institute's good gesture was well appreciated by the Lecturer.

#### XII. 4<sup>th</sup> Annual International Academic Conference on Accounting and Finance

The ICAN 4<sup>th</sup> International Academic Conference on Accounting and Finance was organised by the Technical, Research and Education Directorate in collaboration with Covenant University, Ota between April 18 – 20, 2018 at Covenant University, Ota, Ogun State. I was in attendance to declare the Conference open. The theme of the well-attended Conference was "Contemporary Issues in Accounting, Finance and Corporate Finance."

#### XIII. Reinvigoration of the Secretariat and Review of the Staff Long-Service Award

We continued to equip the Secretariat with resources necessary for optimum performance and provide an enabling environment befitting for a professional body of ICAN's status. We also encourage, assist and empower the Secretariat's work force to attain the status of a well-trained professional secretariat.

In order to encourage members of staff who have been with the Institute for record periods of ten, twenty and thirty years, Council approved an upward review, by 50 percent, of the cash award given to the different categories of Awardees at its annual staff long service awards. In addition, we replaced the usual Award Certificates with Plaques.

#### XIV. Visits to District Societies and Inauguration of New Chapters

During the outgoing Presidential year, visits were made to some District Societies amongst which include Ikeja & District Society on July 29, 2017 for the investiture of the District's Chairman; I was represented by a Council Member at the Ikorodu & District Society 2017 Executives' Investiture on August 10, 2017; Nsukka & District Society during its inauguration as the 54<sup>th</sup> District of the Institute on August 15 – 16, 2017; Kano/Jigawa & District Society on August 19, 2017; Lagos & District Society on September 19, 2017; Owerri & District Society on September 21 – 23, 2017; Benin & District Society on November 21, 2017; Port Harcourt & District Society on December 4 – 6, 2017; Onitsha & District Society; Maiduguri & District Society on March 7 – 10, 2018; Lagos Mainland & District on March 28, 2018 where I was represented by the 2<sup>nd</sup> Deputy Vice President; Ikeja & District Society on April 20, 2018.

I also led a delegation to Malaysia from January 2 – 8, 2018 to inaugurate the ICAN Malaysia & District Society having met all Council conditions and requirements. Dr Muse Popoola, FCA is the pioneer chairman of the District. Also, the Institute signed an MoU with Universiti Utara Malaysia.

I am pleased to inform you that three (3) new Chapters of the Institute were inaugurated during the Presidential Year. These are Lagos State Public Service Chapter, Office of the Accountant-General of the Federation Chapter of ICAN and Office of the Auditor-General of the Federation Chapter of ICAN.

#### XV. VISITS TO TERTIARY INSTITUTIONS

I visited some tertiary institutions in the country during

which I had discussions with Students, Vice-Chancellors, Rectors and management of the Institutions on partnership and collaborative arrangements between ICAN and the institutions. The institutions include University of Port Harcourt; Yobe State University; Babcock University; University of Dutse; Yusuf Maitama Sule University, Kano; Federal Polytechnic, Dutse; Kano State Polytechnic, Kano; University of Benin; Elizade University; Covenant University, Ota, Ogun State; and Ahmadu Bello University, Zaria.

#### XVI. VISITS TO STATE GOVERNORS

We maintained a good working relationship with State Governors and engaged them in discussions that would project the Institute and the accounting profession. The State Governors visited include Edo, Anambra, Jigawa, Kaduna, Katsina, Rivers and Ogun States Governors.

#### XVII. COURTESY/WORKING VISITS

I paid courtesy visits to a number of organisations where issues of mutual interests were discussed. The organisations include:

- Heirs Holding on September 19, 2017.
- Sovereign Trust Insurance on September 19, 2017.
- Transcorp Hotel on September 19, 2017.
- Secretary to Imo State Government on September 21, 2017.
- Akintola Williams Deloitte on September 26, 2017 at its office situated on the 8th floor of CIVIC Tower, Victoria Island.
- Ernst & Young on September 27, 2017. I was received by the Country Regional Partner, Mr Henry Egbiki and other Partners at the firm's office, UBA House, Marina, Lagos.
- Speaker of Edo State House of Assembly on November 21, 2017.
- The firm of Giwa Osagie & Co on November 21, 2017.
- Zenith Bank Plc where I led a delegation of some Council Members to the Bank's Headquarters at Victoria Island, Lagos on November 30, 2017 to meet with the Managing Director of the Bank.
- Office of the Auditor General for the Federation. Senior management staff joined the Auditor General, Mr Anthony Mkpe Ayine, to welcome me and members of my entourage. Some of the issues discussed include: Timely release and publication of the Federation Audited Report, implementation of International Public Sector Accounting Standards (IPSAS) accrual basis as fully adopted by the Federal Government, etc.
- Office of the Minister of Foreign Affairs, Dr Godfrey Onyema on January 22, 2018. I used the opportunity to inform the Minister of ICAN's delegation visit to Australian Ambassador in respect of the World Congress of Accountants (WCOA) 2018.
- PricewaterhouseCoopers (PWC) on January 30, 2018. I led some Council Members with Management Staff to the firm's new office at Landmark, Victoria Island.
- KPMG on February 2, 2018. The Senior Managing Partner, Mr Kunle Elebute and other Partners and top Management Staff received me and my team.

- Taiwo & Co on April 4, 2018. I led some Council Members to the firm at Surulere, Lagos.
- Traditional rulers (Coronation of Oba Babatunde Ajayi, FCA as the new King and Paramount ruler of Remo Kingdom; Emir of Kano, Sarkin Kano Muhammad Sanusi II; and Emir of Hadejia, Dr. Alhaji Adamu Abubakar Maje Haruna).

Similarly, the following institutions/organisations/ associations paid me courtesy visits in the outgoing Presidential Year:

- The South Africa Institute of Chartered Accountants (SAICA) between July 4 – 5, 2017. I had a chat with the representatives of SAICA where we discussed a reciprocity arrangement and more collaborations between the two institutions.
- The Chairman of Davodani Microfinance Bank, Dr Austin Enajemo Isire, FCA, led other Executives of the bank to Institute on July 6, 2017.
- The Nigerian Bar Association (NBA) team led by its President, Balarabe Abubakar Mahmoud, SAN on August 17, 2017. The meeting deliberated on strengthening the tripartite agreement among NBA, Chartered Institute of Stockbrokers (CIS) and ICAN.
- The Provost and top Management staff of the Police Academy, Wudul, Kano State paid a courtesy visit to my Office on January 11, 2018 to establish relationship and professional ties between the two organizations.
- I received the Small and Medium Practising (SMP) Firms
  Members on February 2, 2018 at the ICAN Secretariat
  to discuss issues that would safeguard their continued
  relevance, ethical and professional conducts in the
  discharge of their assignments.

#### 10. APPRECIATION

Distinguished ladies and gentlemen, let me end this stewardship report by expressing, once again, my gratitude to all of you for your support, words of wisdom and for finding time to honour our invitation to this special programme. I feel greatly honoured to have been given the opportunity to lead our great Institute for the 2017/2018 Presidential Year. I am confident that the same hand of fellowship I enjoyed from you all would be extended to my successor.

As I bow out as the 53<sup>rd</sup> President of our highly respected Institute, I pledge my unwavering commitment to the ideals and principles of ICAN as well as being her ambassador within my own spheres of influence.

Thank you all and God bless.

Long live The Institute of Chartered Accountants of Nigeria; Long live the Federal Republic of Nigeria.

#### Isma'ila Muhammadu Zakari, mni, FBR, FCA

53<sup>rd</sup> President

The Institute of Chartered Accountants of Nigeria

June 1, 2018

## Power of Appropriation, Budget Padding and Its Economic Implications

By ABEL AIG. ASEIN

The power of appropriation is often contested by the Executive and Legislative Arms resulting in avoidable conflicts, budget delays and allegation of budget padding.

While the Executive asserts its absolute right to prepare and lay budgets before parliament, the National Assembly claims that, as representatives of the people, it is not a mere rubber stamp but a body whose mandate is to protect the public interest including creating and allocating resources to constituency projects.

This paper reviews the constitutional provisions on appropriation, the concept of budget padding and the implication of the avoidable conflict over power of appropriation on the national economy.

In addition to canvassing for training of elected public officers on their constitutional mandate, the paper also recommends that adequate publicity should be given to monetary values approved by the Federal Executive Council before presentation to the National Assembly and the amounts finally approved by the National Assembly before presentation to the President for assent to prevent budget padding.

**Keywords:** Budget padding, Appropriation Bill, Federal Executive Council, Constitutional mandate, National Assembly, public interest.

#### INTRODUCTION

n June 20, 2018, while signing into law the 2018 Appropriation Bill passed by the National Assembly on May 16, 2018, President Muhammadu Buhari, GCFR raised issues about the propriety of the National Assembly creating and allocating funds to new expenditure heads in the 2018 budget. According to him, besides the fact that these new projects were not well thoughtout, allocations to prime projects (e.g., Lagos-Ibadan Expressway, 2nd Niger Bridge, Akanu Ibiam International Airport and Mambilla Power) proposed by the Executive were also slashed while the allocation of funds to the National Assembly was increased by N14.5billion or 11.6% from the proposed N125billion to N139.5billion. The total budget was increased by N508billion or 22.60% over the 2017 budget figures. The bulk of this increase has to do with constituency projects of legislators. The National Assembly defended its actions by claiming that it acted not only to ensure equitable spread of the projects along the Federal Character principle but also, in the public interest.

The fear is that the National Assembly appears to have overstepped its boundary by seeking to re-write the 2018 budget. This development brings to the fore the question of whether the Parliament acted within its constitutional powers and the implications of such fiscal actions on the national economy. Such an increase in budget proposals beyond the actual estimates amounts to budget padding (Aguguom & Ehiogu, 2016). Thus, the main objective of this paper is to review the constitutional provisions on appropriation and the concept of budget padding with a view to providing insight into its implications for the Nigerian economy. The paper will also discuss some perspectives of budget padding as well as offer some recommendations to preclude its growth and pervasiveness in the Nigerian economy.

This paper is segmented into seven parts including this introductory section. The second part reviews the literature; the third part considers the constitutional provisions on appropriation; the fourth discusses the budget preparation processes; the fifth segment deals with the concept

and perspectives on budget padding; the sixth discusses the economic implications of budget padding; and the final segment contains the conclusions and recommendations.

#### LITERATURE REVIEW

The thrust of budgeting is driven by the resource allocation theory which seeks to establish how an organisation can best allocate its available or limited resources to meet its needs optimally. At the micro level, Bower (2017) discussed the processes involved and how an organisation can apportion its factors of production between its various productive activities in order to achieve its ultimate goal. In the context of an organisation, budget is justified by the scarcity of resources to meet unlimited goals. It also serves as a control measure. As Asein (2002) noted, budget is a control mechanism as it entails setting up targets to be accomplished in a given period of time backed by the cost implications.

Developed by Key (1940), the resource allocation theory challenged economists to resolve the basic budgeting problem by determining the basis for allocating NX to project Y instead of project Z. To do this efficiently, he urged leaders to understand the institutional framework in which decisions were being made, the power play and not just the application of economic theory and efficiency of the markets. In other words, political philosophy has a great role to play in resource allocation in a democracy. It was against this reasoning that Lasswell (1936) defines politics in terms of "who gets what, when and how" indicating the existence of conflict between competing group interests and struggle for available resources.

As cited by Woods (2008), Prowle and Morgan (2005: p.49) defined a perfect resource allocation model as one which "provides the greatest overall satisfaction in meeting objectives whilst simultaneously constraining the use of resources to

exactly those which are available." Simply put, resources are limited; the demand for them always exceed supply. Hence, in the pursuit of optimal level of satisfaction, efficient allocation issue is inevitable.

In the context of a nation, according to Stotsky (2006), the budget serves as tool for addressing gender and demographic inequalities. instance, the budget can be used to drive the allocation of resources to areas that are disadvantaged economically and politically. Through fiscal allocation, the people of such environments will be empowered, feel a sense of inclusiveness and ultimately, develop to have a voice in how they are governed. This partly explains why there is a revenue allocation formula in Nigeria and why the UNESCO Dakar Framework enjoins less developed countries to devote 5% of GDP or 20% of their annual budget to education as a strategy for fighting

Budget serves as tool for addressing gender and demographic inequalities. For instance, the budget can be used to drive the allocation of resources to areas that are disadvantaged economically and politically. Through fiscal allocation, the people of such environments will be empowered, feel a sense of inclusiveness and ultimately, develop to have a voice in how they are governed

illiteracy and poverty. While it might be feasible for benevolent military dictator to easily achieve this UNESCO target by instructing the allocation to be done mandatorily (e.g., Cuba allocated 14.06% and 12.84% of its GDP to education in 2008 and 2010 respectively according to World Bank), the allocation of resources to such public good and constituency projects in democracies are not so easy. They are driven by negotiation or lobbying. As they negotiate, political leaders make trade-offs in the public interest.

Thus, as indicated by Fozzard (2001), the guiding principles for resource allocation in the public sector include relative effectiveness of government initiatives, cost-benefit analysis, and distributional impact analysis (i.e., measuring the impact of public spending on equity). Sadly, despite the propriety of these guidelines, budgetary allocation decisions do not readily transform into budgetary outcomes (Kristensen, Groszyk and Buhler, 2002). For instance, only 54.5%, 59% and 50% percentages were respectively implemented in budgets 2015, 2016 and 2017 as confirmed by Nigeria's Ministry of Budget and National Planning in its various budget implementation monitoring and performance monitoring reports and President Buhari's speeches to the National Assembly during budget presentation sessions. The extent of budgetary allocation determines the degree of budget execution and the latter is influenced significantly by political philosophy. This partly explains why in the budgeting history of Nigeria, 100% implementation has never been attained.

#### CONSTITUTIONAL PROVISIONS ON APPROPRIATION Receipt of Revenues

The issue of annual revenue and expenditure which is often called the budget, is adequately covered by the 1999 Constitution. According to Section 80(1) which established the

Consolidated Revenue Fund (CRF), "All revenues or other moneys raised or received by the Federal Government (not being revenues or other moneys payable under this Constitution or any Act of the National Assembly into any other public fund of the Federation established for a specific purpose) shall be paid into and form one Consolidated Revenue Fund of the Federal Government". Simply put, all revenues earned by the Federal Government must be paid into the Consolidated Revenue Fund created by the Constitution.

#### Legislature and the Power of Appropriation

Section 80 (2) provides that, "no moneys shall be withdrawn from the Consolidated Revenue Fund of the Federal Government except to meet expenditure that is charged upon the Fund by this Constitution or where the issue of those moneys

has been authorised by an Appropriation Act, Supplementary Appropriation Act or an Act passed in pursuance of section 81 of this Constitution."

Furthermore, Section 80 (3) states that, "No moneys shall be withdrawn from any public fund of the Federation, other than the Consolidated Revenue Fund of the Federal Government, unless the issue of those moneys has been authorised by an Act of the National Assembly". In addition, Section 80 (4) states that, "no money shall be withdrawn from the Consolidated Revenue fund or any other public fund of the Federation, except in the manner prescribed by the National Assembly". In other words, all withdrawals from the CRF and utilisation of public financial resources must be duly approved by the National Assembly.

Evidently, the above provisions expressly indicate that all revenues accruing to the Federal Government must be paid into the CRF and any expenditure thereof, must also be approved by the legislature. It is therefore not in doubt that the Legislature has absolute powers to authorise the use of revenues that accrue to the CRF in a manner that it desires. The use of the phrase "except in the manner prescribed by the National Assembly" by the 1999 Constitution implies that the Executive cannot withdraw or commit public resources into any project without the consent of the Legislature. This is the basis for the recent refusal by the

National Assembly to approve the sum of US\$496 million anticipatorily spent by President Muhammadu Buhari, GCFR on the purchase of 12 Tocano military planes from USA. This also provides the justification for the annual preparation of appropriation bill. The exception to this provision lies in Section 82 of the 1999 Constitution where the President is authorised to incur expenditure for 6 months to meet the financial needs of government business insofar as such expenditure will not exceed the amount approved by Parliament in the preceding year for such expenditure pending approval of the Appropriation bill.

Although, the National Assembly has absolute power of authorisation or approval, how the revenue is generated is not its responsibility. It is the

responsibility of the Executive to provide information to the Legislature on how it plans to raise the required fund. The duty of the Parliament is to monitor or carry out oversight to ensure that all revenues, as prescribed by law, accrue to CFR and are disbursed in the manner that it desires. In the process, it should also, "expose corruption, inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it (Section 88(1)(ii)(b)".

#### The Executive and Power to Initiate Appropriation Bill

It is instructive to mention that the Legislature's power of approval is predicated on a request by the President through the submission of an appropriation bill, supplementary appropriation bill or any other fiscal instrument in any manner that may be prescribed by the National Assembly. As required by Section 81(1) of the 1999 Constitution of the Federal Republic of Nigeria, it is the sole responsibility of the Executive Arm of government to prepare and lay the annual Appropriation Bill before each house of the National Assembly. Pursuant to this, Section 81(2) of the 1999 Constitution requires the President to also create expenditure heads for each line of expenditure in the Appropriation Bill.

As a money bill, the Appropriation Bill contains the estimates of revenue and expenditure of the Federation for the next financial year. It is the only bill that the National Assembly cannot initiate. Thus, any expenditure head not created by the President cannot be created by the National Assembly.

As the chief custodian of the nation's revenue, the National Assembly is empowered to receive and consider requests from the Executive on how and what the funds should be spent on. The National Assembly cannot initiate this money bill or decide to create a project head and allocate resources for its execution. It is important to reiterate the point that its responsibilities are to receive, consider, approve or amend or reject the appropriation bill forwarded to it by the Executive. Pursuant to the phrase, "except in the manner prescribed by the National Assembly", it is not in doubt that the Legislature can reduce amounts allocated

The National Assembly is empowered to receive and consider requests from the Executive on how and what the funds should be spent on. The National Assembly cannot initiate this money bill or decide to create a project head and allocate resources for its execution. It is important to reiterate the point that its responsibilities are to receive, consider, approve or amend or reject the appropriation bill forwarded to it by the Executive. Indeed, this is the intendment of the use of the word, "amend". This word is certainly not the same as "create" as the National Assembly has done

to expenditure heads created by the Executive. Indeed, this is the intendment of the use of the word, "amend". This word is certainly not the same as "create" as the National Assembly has done. Since they do not determine the size and sources of revenue, it would be inappropriate for the National Assembly to increase allocations to expenditure heads whether created by the Executive or not.

In other words, the duties of the National Assembly are to receive the money or appropriation bill from the Executive, scrutinise the proposed revenue and expenditure estimates, amend the assumptions and numbers as they deem fit (without sacrificing prudence) and pass the final bill to the President for assent. If the President has no objections, he would append his signature. If he has any objections, he is required to return the bill to the National Assembly with his observations. If the

President vetoes or declines to append his signature after 30 days, the National Assembly can pass the Appropriation Bill into an Act with two-thirds majority of the National Assembly if its members feel strongly that the objections raised by the President were inappropriate or unacceptable.

This paper holds the view that if members of the National Assembly desire that other expenditure heads should be created, they are required to bring this to the Executive's attention for inclusion. It would be inappropriate and illegal for the National Assembly to create expenditure heads as this may amount to initiation of appropriation bill which they are expressly precluded from doing by the 1999 Constitution.

#### **BUDGET PREPARATION PROCESSES**

The Appropriation Bill is asummation of the various microbudgets prepared by Ministries, Departments, Agencies (MDAs), extra-ministerial units, National Judicial Council and the National Assembly Commission based on certain predetermined criteria set by the Budget Office. As required by the Fiscal Responsibility Act 2007, annual Appropriation Bill must be prepared based on a 3-year Medium Term Expenditure Framework (MTEF). Thus, the Budget Office will provide information, in tandem with the provisions of MTEF, on estimated revenue, priority sectors/ projects, expenditure preferences, projected macroeconomic indices like inflation, foreign exchange and interest rates. Based on these parameters, the various MDAs will prepare their annual budgets. These various financial proposals are collated, reviewed and harmonised by the Budget Office in the Presidency. The final draft is subsequently presented by the Director-General, Budget Office through the Minister of Budget and Planning to the Federal Executive Council for consideration and approval before it is formally presented to each House of the National Assembly by the President.

The 2017 and 2018 budget proposals laid before the National Assembly includedstatutory transfers to the National Judicial Commission and the National Assembly implying that these other two arms of government were taken into consideration in the preparation of the budgetary estimates. These proposals, expectedly, would contain constituency projects and other requirements of the Parliament and the Judiciary. It was therefore surprising to the President and inexplicable for members to collectively resolve to additionally create and allocate resources to more expenditure heads contrary to their constitutional responsibilities. It is unjustifiable for parliament to adjust the fundamental assumptions of the budget (e.g., oil benchmark price) to increase revenue and proceed to decide projects to which they should be spent. How were the values assigned to those projects arrived at? Were MDAs that will implement these projects consulted and carried along? Where is the place of the Excess Crude Account?

In view of these issues, it is soothing that the Fiscal Responsibility Act 2007 permits the Minister of Finance to withhold the release of funds to projects as part of financial control measures. If this happens, the National Assembly would appear to have acted in vain. The point must be made that no fund, whether approved by the National Assembly or not, can be withdrawn from the CRF without a financial warrant signed by the Minister of Finance authorising such withdrawal. Financial

warrant is a tool used by the Executive Arm of Government to exercise certain control on the amount to be released as contained in the Appropriation Act. In view of this, the Minister of Finance may exclude, from the Annual warrant, any item of expenditure over which he or she desires to exercise special control. With this provision, the Minister of Finance can withhold any item of expenditure which is not part of the items submitted to the National Assembly.

#### **CONCEPT AND PERSPECTIVES ON BUDGET PADDING**

Budgets are based on assumptions and estimates made by the preparers. These assumptions are largely influenced by the degree of macro-economic stability. If the economy is going through severe uncertainties caused, for instance, by hyperinflationary changes, the estimates may be distorted before the budgets are approved. In such a situation, the preparers of the budget may increase their estimates to cater to such dynamics in the environment. In this sense, a budget will be regarded as padded to hedge against the uncertainties in the environment. The intention is altruistic to the extent that its preparers did not set out to cheat, defraud or take advantage of the system for personal benefits. As distinct from variances, budget padding can be perceived as an economic strategy to ensure that the budget is implementable at the point of approval (Brewer, 2008). In certain cases, employees may underestimate their capacities such that they are able to achieve the performance targets set by those in governance. This is a situation of budget slack (Aguguom & Ehiogu, 2016; Young, 1985). Thus, a padded budget is one whose expenditure estimates have been increased beyond what they should have been or the revenue estimates have been reduced below what they ought to be.

#### **Budget Padding as Hedging Strategy**

There are various perspectives to the concept of budget padding. It is a situation in which employees of government who have responsibility to prepare budget carry out their function by inflating the various expenditure estimates. Such staff may rationalise their action by making allusion to past experiences in which budget estimates were slashed by either the Federal Executive Council or the National Assembly without recourse to the preparers. In their view, it is a way of ensuring that whatever is eventually approved will be enough to execute the selected projects. Viewed from this perspective, budget padding becomes a strategy to protect the affected MDA from legislative uncertainties provided that such actions are done with the consent of persons with governance responsibilities.

Similarly budget padding may be seen as plausible as it can be used as a hedge against inflation and fluctuations in interest and foreign exchange rates. In fact, Section 19(e) of the Fiscal Responsibility Act 2007 provides that, the Medium Term Expenditure Framework (MTEF) which is the basis for preparing annual budgets, should contain the projected rate of inflation and other macro-economic indices. In practice, making provisions for inflation is accepted a wise hedging and forward looking strategy. The preparation and presentation of a bloated budget by the personnel of the Executive Arm, in this sense, is to ensure that the real value of the Appropriation Bill is not impaired by changes in macro-economic indices before it is approved for

implementation. It is imperative that the information is fully disclosed to persons with governance responsibilities who will review and approve them for presentation to the National Assembly.

Even when the projected macro-economic indices vary significantly and the Executive needs more funds to execute projects, the Constitution provides for the preparation and submission of supplementary appropriation bills to the National Assembly for approval to take care of the emerging contingencies.

#### Budget Padding as an Unethical Instrument

As laudable as the preceding paragraphs' lines of thought are, budget padding, according to another school of thought led by former Chairman, Appropriations Committee, House of Representatives Hon. Abdulmumin Jibrin, is not synonymous with increasing or varying the budget estimates to take care of possible changes in macro-economic indices. Instructively, those who pad the budget do not justify their actions by making allusion to possible inflationary changes. The view is rife that they do so for their personal benefits.

In this case, the concept of budget padding refers to a situation in which expenditure figures are surreptitiously introduced into the Appropriation Bill by principal officers of the National Assembly after it has been passed by the National Assembly in Plenary but before it is presented to the President for assent. For instance, the 2018 budget was passed by the National Assembly on May 16, 2018 but transmitted to the President for assent on May 25, 2018. In between this period, anything could have happened to the version passed in plenary by the National Assembly. In such a situation, the revenue and expenditure estimates approved by the National Assembly at plenary would be different from what were presented to the President for assent. When this occurs, budget padding is said to have taken place. This was the scenario alleged by Hon. Jibrin over which he was suspended by the House in June 2017. However, the court subsequently voided the suspension in March, 2018.

Since variations were done without the consent of the National Assembly, it is often not in the public interest and therefore, illegal. Notwithstanding the view by the Honourable Speaker of the House of Representatives, Rt. Hon. Yakubu Dogara, CFR, that budget padding is not an offence known to law, this paper avers strongly that budget padding is not only a matter of law but also of ethics. Foremost leaders, parliamentarians, members of the executives etc, must demonstrate high ethical disposition to inspire the populace.

Analogously, budget padding is an untoward practice in which expenditure figures are surreptitiously smuggled into the Appropriation Bill by employees of government (i.e., civil servants) after it has been approved by the President-led Federal Executive Council for presentation to the National Assembly. Budget padding is an unethical and unauthorised (and therefore illegal) alteration of the numbers in Appropriation Bill. It is a crime as it has the capacity of deceiving the ultimate approving authority. If the inflated figures were inserted and approved by the National Assembly in plenary, it will be difficult to fault the action as this can be construed as part of their legislative function of considering and amending the budget. Although

many citizens may see this as a collusion of members of the National Assembly against the Nigerian people and a clear case of misuse of legislative powers for personal gains, it will not be an illegal act but merely an immoral one. Politics and morality take parallel parts.

Viewed from this perspective, budget padding is therefore an unethical practice of embellishing budget figures by civil servants, without the authority of the persons with governance responsibilities or by Principal Officers of the National Assembly without the consent of the entire House. It is an opaque act designed to misrepresent, deceive and cheat, and so, it is a crime. It is this element of secrecy and deceit that led to the reported sack of over 100 employees and the removal of the then Director-General of Budget Office of the Presidency by President Muhammadu Buhari, GCFR during the first quarter of the 2016 fiscal year.

#### ECONOMIC IMPLICATIONS OF BUDGET PADDING Siting of Developmental Projects

Budget padding has implication for the siting of projects and allocation of resources for their execution. For instance, principal officers of the National Assembly can deliberate site projects in their constituencies and unfairly allocate huge public funds for the execution of such projects at the expense of other areas. The point must be made that all projects in the budget are constituency projects. Therefore, allocation of resources to projects located in the constituencies of principal officers is not illegal. However, where such allocations bother on discrimination against other constituencies, the question of legality, ethics and morality will arise. If such actions are set against Section 16 (1) (b) of the 1999 Constitution which provides that, the state shall "control the national economy in such a manner as so secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice, equality of status and opportunity", they would amount to illegality as they negate the principles of social justice and equality. Discriminatory allocation of resources through budget padding is illegal. The fact that a principal officer of the National Assembly hails from a particular area does not confer on that constituency any superior right to enjoy more public resources than the others. All constituencies must be treated fairly and equitably.

Similarly, if budgets are padded by the National Assembly to address what is seen, by its principal officers, as injustice in the allocation of resources in the Appropriation Bill presented by the Executive, this may be equitable and expedient in order to promote inclusiveness. This is the argument of the 8th National Assembly for "rewriting" the 2018 Budget. This may therefore not be illegal to the extent that the attention of the Executive is drawn to the identified defects and the proposed remedies. It is imperative that such remedial actions are subsequently disclosed to the National Assembly in Plenary by the officers with justifications. The National Assembly should not usurp the powers of the Executive by creating and allocating resources to expenditure heads as remedial measures. It should reach out to the President with its observations and recommendations in line with the concept of separation of powers. Where there is engagement between both arms and full disclosure, the charge

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of illegality will be difficult to prove.

#### Misallocation of Resources

Budget padding may result in the misallocation of scarce public resources for the benefit of a few persons at the expense of the citizens. In the preparation of budgets, proposed projects are evaluated on the basis of cost-benefit analysis, efficiency, effectiveness and economy in the use of public resources. Decisions on projects are based on reliable data. However, with budget padding, emotions and politics define projects to be included, their locations and associated costs. Even the MDAs that will execute such projects will not be carried along. Also, no consideration is given to the procurement processes. If these projects are implemented as conceptualised by parliamentarians, scarce public resources will be wasted while optimum benefits will not be derived. Given the scarcity of resources only projects that will promote inclusive economic growth and development should be pursued.

#### Delays and Loss of Confidence in Budget

A budget is expected to reflect the financial plan of the Executive designed to address the needs of people and fulfil the promises made during electioneering campaigns. Where padding becomes the practice, the confidence of the people in the financial instrument will wane. Even the preparers (i.e., the Executive) may disown and refuse to implement the

Budget padding is not aimed at promoting the public interest. Its goal is to promote sectional interest and in fact, enrich a few at the expense of many. There is nothing altruistic in budget padding hence it is often done surreptitiously and outside the purview of the National Assembly in Plenary. Indeed, budget padding is a form of money laundering as it involves forgery, deceit and diversion of public resources. It is therefore illegal and a blight on the integrity of legislators who are expected to set good examples for the citizens

budget and the people will suffer. Thus, budget padding may lead to avoidable controversies and delays in the passage of the Appropriation Bill of the Federation. This was the scenario in 2016 when it was discovered that government officials inflated the budgetary estimates after the approval of FEC. The implication is that the life span of the budget is affected as the

period of implementation will be less than twelve (12) months except extended. Even then, the legal budget cycle of the nation will be impaired. The charge against the parliament in 2018 is the creation and allocation of resources to expenditure heads contrary to what were proposed by the Executive. The president signed to avert the shutting down of government business.

#### **Public Interest is Not Served**

By definition, budget padding is not aimed at promoting the public interest. Its goal is to promote sectional interest and in fact, enrich a few at the expense of many. There is nothing altruistic in budget padding hence it is often done surreptitiously and outside the purview of the National Assembly in Plenary. Indeed, budget padding is a form of money laundering as it involves forgery, deceit and diversion of public resources. It is therefore illegal and a blight on the integrity of legislators who are expected to set good examples for the citizens. The practice does not promote the public interest.

#### Poor Budget Implementation and Loss of Value

When budget padding occurs, the approved appropriation estimates are increased and this may lead to expansion of the size of budget deficit. Two issues may arise here. The President may simply ignore and decline to implement that aspect of the budget that was padded. He may agree to implement and therefore resort to more borrowing to finance the deficit. Besides the crowding out effect on the loan able funds required by the private sector that government borrowing may cause, the burden of debt servicing will increase with negative impact on the citizenry.

Budget padding can lead to huge loss of public funds which can be channelled to the financing of developmental projects. This would be the case if those engaged in the untoward act subsequently have access to the disbursed funds through their agents in the various Ministries, Departments and Agencies or through their self-appointed contractors. The fact that huge funds have been budgeted over the years to finance infrastructural projects (like electricity and roads) without any appreciable evidence to justify the expenditure in terms of improved service to Nigerians, bears eloquent testimony to loss of value.

#### Challenge to the Budgeting Process

Budgeting is a scientific process that involves information gathering, project identification, evaluation and choice between alternatives and allocation of scarce resources. It is a plan expressed in monetary terms. When its parameters are unduly altered, budgeting will become more difficult, lose its appeal as a tool for promoting transparency and accountability in fiscal governance. In line with global best practices, the due process for remedying inadequacies in amounts appropriated for project execution is through the Supplementary Budget. Where this process is sacrificed through budget padding, the resultant budget will certainly be questionable and not implementable. The duty of the budget preparers ends when they submit their proposals, through their Accounting Officers, to the Budget Office. Any unauthorised variation in budget estimates after they had been considered and approved by the Federal

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Executive Council will amount to fraudulent misrepresentation and therefore, a crime. Same applies if the alteration was done by principal officers of the National Assembly after the figures have been approved in plenary. In both ways, the budgeting process will be stunted.

#### **CONCLUSIONS AND RECOMMENDATIONS**

The power of appropriation, which lies with the National Assembly, is predicated on the fact that the Executive will initiate and lay before the National Assembly annual money bills with relevant expenditure heads. The National Assembly's duties include receipt, consideration, amendment, approval or rejection of appropriation bills; and monitoring to ensure efficiency, effectiveness and economy in the use of public resources. Non-adherence to this process is a recipe for avoidable conflicts between the Executive and Legislative Arms as it can manifest in budget padding, poor implementation of budgets, increase in budget deficit and public borrowing and neglect of the wishes of majority of the populace.

Although, some see it as a strategy to hedge against legislative uncertainties and other unforeseen macro-economic contingencies, the position is not persuasive as the Fiscal Responsibility Act 2007 made provisions for such macro-economic indices compulsory. Thus, budget padding is better seen as an untoward practice designed to benefit those who practice it. Its opacity and lack of disclosure lend credence to its criminal intent. It should therefore not be encouraged as it does not conform to global best practices.

Since the Fiscal Responsibility Act expressly requires the federal government to ensure that its fiscal and financial affairs are conducted in a transparent manner and ensure full and timely disclosure and wide publication of all transactions and decisions involving public revenues and expenditures and their implications, it is recommended that this provision of the law must be strictly adhered to. It is recommended that information about budget proposals approved by FEC should be published for the information of all stakeholders. Furthermore, soon after the consideration of the National Assembly, the approved Appropriation Bill with a line-by-line narration of budget expense should be published before Presidential Assent. Any observed discrepancies in the figures should be investigated and culprits sanctioned. Although Section 39 of the Fiscal Responsibility Act 2007 provides that "any violation of the requirements of Sections 36, 37 and 38 shall be an offence", it did not indicate the penalties for non-compliance. Therefore, the law should be amended to include penalties for breach of these provisions.

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#### 3rd ICAN Canada Conference

# Stakeholders Discuss Technological Changes in Accounting Profession

he 3<sup>rd</sup> ICAN Canada District Accountants Conference was held in Manitoba, Canada from July 18 – 22, 2018 with the theme "Accountancy: A Profession in Transition".

The Conference took participants through various changes in the accounting profession in relation to automation and integrated reporting, the impact of artificial intelligence and robotics on audit, e-business and its impact on future accountants. The conference also discussed what the Accountants need to know about cyber security.

The various paper presenters stressed the importance of understanding the future expectation on connectivity of

information and its impact on relationship between the six (6) main capitals, the external environment and internal factors through the lens of the business model.

They posited that with the growth in e-business, there were disruptions to the usual way Accountant's duties would be conducted, pointing out that understanding how the platforms work and being able to add values to the stakeholders would be beneficial to Accountants.

In his keynote address, the ICAN President, Alhaji Razak



ICAN President, Razak Jaiyeola (middle), Chairman of ICAN Canada & District Society, Mr. Kola Oladimeji (right) and another participant at the conference



ICAN President, Razak Jaiyeola with some delegates at the conference

Jaiyeola expressed appreciation to members on the virtue of accuracy and integrity of the profession. He also used the opportunity to discuss some emerging issues including the Senate's passage of the Forensic and Investigative Auditor Bill. He disclosed the Institute's position on rejection of the bill and indicated that efforts were still ongoing to ensure that the illegality of the bill is nullified through proper process.

He commended members of the District on the theme chosen for the conference, saying it was so timely because of the speed

at which technology was disrupting formerly entrenched business models. He added that the unprecedented dimension of technological changes and its impact on the transition of the accounting profession was overwhelming.

"Although, technology will always pose serious threat to human employment, IT-proficient professional accountants will remain globally relevant because the beauty of automation is that, as some jobs are phased out, more value adding jobs will be created. Indeed, research has shown that the future of the unfolding IT-driven business environment will be defined by creativity, critical and strategic thinking rather than rote learning, he stated".

The Registrar/Chief Executive of the Institute, Mr. John Ebvodaghe in his paper reminded members of the need to constantly and continuously uphold high ethical standards to be in compliance with the required ethical standards, most importantly as stakeholders expectations is constantly changing.



#### 13th Eastern Zonal Conference

# ICAN Calls for Diversification to Achieve Accelerated Development

he Institute has called for accelerated development of the country through diversification of its economy. The call was made on at the 13<sup>th</sup> Eastern Zonal Accountants' Conference, held at Nike Lake Resort, Enugu, Enugu State, from July 30 to August 2, 2018.

The conference declared open on Tuesday, July 31, 2018 by the Governor of Enugu State, ably represented by Her Excellency, Barr. Cecilia Ezeilo, the Deputy Governor of Enugu State. The Governor was delighted that ICAN chose Enugu to host a zonal conference for the second time in eight years and noted the appreciable progress made by the Institute. He said that ICAN's contributions to the development of the nation's fiscal policies could not be overemphasised.

The Governor posited that the theme of the "Accelerated conference: **Development** through Diversification: Time for Action" aptly underscores the need and urgency for the adoption of measures that would promote rapid economic development of the nation, especially in this period of mounting fiscal challenges. He advised members ICAN to support the efforts of government to entrench openness and transparency in financial administration, thus helping to reduce wastages in the management of public



ICAN President, Razak Jaiyeola (left); Enugu State Deputy Governor, Barrister Cecilia Ezeilo; and ICAN Past President Chidi Ajaegbu



Cross-section of participants at the conference

#### CONFERENCE

funds and to strengthen the people's trust in governance.

The Governor gave an assurance of the readiness of the Enugu State government to partner with the Institute towards the achievement of its objectives, especially, as they affect the peace and progress of the state and indeed, the entire eastern region.

In his keynote address, the President of the Institute, Alhaji Razak Jaiyeola, FCA congratulated the ICAN Eastern Zonal District for bringing to the fore again the vital subject of diversification at a period when the nation is looking for viable alternatives that will spur sustainable growth and development.

He noted that though there have been several enquiries on the theme for some time, findings from such enquiries have not been backed with the desired level of action. He was therefore of the opinion that the time for action was overdue as inaction has led to the various distortions and distractions which currently plague the country.

According to him, the theme of the conference, was not only well-timed, but relived a fundamental question of "Why has Nigeria not got it right in diversifying its economy?" He expressed hope that the question would be adequately addressed during the conference.

Alhaji Jaiyeola also observed that the clamour for economic diversification in Nigeria has been rendered with discordant tunes since independence of 1960, with each successive administration abandoning the old tunes and developing new ones

He was of the opinion that this failure has deprived the country the benefits derivable from continuity in governance, which has resulted in motion without movement and countless economic blueprints with little progressive footprints on social and economic indices.

The President craved the support of members for the ongoing and novel initiative of the Institute – The ICAN Accountability Index. This, according to him, is one of the initiatives aimed at improving the process for assessing public finance management and public governance practices across the three tiers of the Nigerian public sector.

He informed the conference that a presentation had been made by the Institute to the Federal Account Allocation Committee (FAAC) to create awareness on the Framework. He also noted that ICAN is working towards ensuring that the first result of the Accountability Index is released before the end of September 2018.

In his welcome address, the Chief Host and the 10<sup>th</sup> Chairman of the Eastern Zonal District, Elder Innocent Anyahuru, FCA noted that this year's conference examined the pathologies which have continued to hamper sustainable national development in Nigeria and proffer solutions to address the unique developmental needs of Nigeria.

According to him, discussions over the years have always come up with excellent ideas for the diversification of the Nigerian economy and that the time for action has come. He hoped that the conference would stimulate discussions on developmental strategies that would not start and end with oratory proficiency or developmental plans and models that had often started and ended in prints and shelves.

# FIRM REGISTRATION:

## PROCEDURES FOR PAYMENT

#### (a) PAYMENT VIA PAYDIRECT

- 1. Pay the requisite fee of **N10,000** per partner at any commercial bank via **PAYDIRECT** for Firms Registration.
- 2. If more than one partner, pay for all the partners at once using the Membership number of the most senior partner.
- 3. Go to the weblink (http://icanportal.org/members/paymasters/PayDirectIndex) at the top of the receipt obtained at the bank.
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- Visit http://icanportal.org/members/ paymasters/Create
- 2. Click proceed to register.
- 3. Click new web payment.
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- 6. Click Add to select item to pay **N10,000** per partner and insert amount.
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- 1. Pay at quickteller.com/ican
- 2. Go to the weblink (icanonline-ngr.com/quickteller).
- Enter the Payment Reference to generate PIN and new Serial number.
- 4. Go to http://icanportal.org/members/ FirmsRegs
- 5. Insert PIN, serial number, CAC number and Membership number of the most senior partner of the firm to access and complete the online registration form.

Signed: MANAGEMENT



# Nigeria Should Reduce Cost of Governance and Invest More in Infrastructural Facilities

The 54<sup>th</sup> ICAN President, **Alhaji Razak Adeleke Jaiyeola, BSc, ACFE, CRISC, FCA** has never minced his words in telling people that he graduated with a Bachelor's degree in Chemistry before he enrolled and passed all the successive stages of the ICAN examinations and eventually dabbled into Accounting, a profession he has practised for 38 years.

As a Fellow of the Institute and Chief Consultant at A.J. Silicon Consult, Lagos, Alhaji Jaiyeola is very passionate about Information Technology. He is a member of Information Systems Audit and Control Association (ISACA), Institute of Software Practitioners of Nigeria (ISPON), Association of Certified Fraud Examiners (ACFE) and Certified in Risk and Information System Control (CRISC). His experience spanned all areas of Accounting, Financial Information Technology Consulting, Information Systems Auditing, IFRS/IPSAS Training, Consulting and Implementations, Taxation, Secretarial, Insolvency and Management Practice.

In this interview with **The Nigerian Accountant** team led by the Editor, **Bunmi Owolabi** and the Assistant Editor, **Muyiwa Dare**, Alhaji Jaiyeola opened up on many issues ranging from accounting profession, the nation's economy, government, the Institute's support of the anti-corruption crusade, etc. Excerpts:

As the new President of the Institute of Chartered Accountants, what do you want to do differently from the other Presidents?

ICAN is a members' institute and it operates through the Committee system. Given the diversities of its membership, it will be foolhardy to expect that the few members of Committee and Council will adequately represent all shades of opinion. Therefore, the governing Council's activities under my leadership will be driven by the views of a larger segment of members beyond those in the various committees. More stakeholders' sessions will be held on critical issues before decisions are taken. We intend to run a more inclusive governance and give voice to the voiceless within and outside the profession. The interest of most members, within the public interest mandate of the Institute, will enjoy greater premium. We were elected to serve; so will keep faith with members.

Assess the current anti-corruption fight of the government and what ICAN will do to support the government.

Corruption is the bane of our development. It should therefore not be a fight by the government alone. All citizens

The cost of governance under the presidential system that we run as a nation is astronomical... There is no reason why each state cannot have only two senators and an average of five representatives. These legislators need not be full time legislators. The nation can evolve a part-time legislative scheme such that legislators are paid sitting allowances. This will significantly help to reduce cost of governance and release funds for development which entail employment generation

should be involved; Nigerians should own and prosecute the war against corruption because of its negative impact on everyone. The successes recorded by the anticorruption agencies like EFCC, ICPC, Police, etc, are commendable.

I believe that in the area of investigation of cases, a lot needs to be done to achieve more convictions in court. Therefore, there is need to enhance the skills of law enforcement officers in forensic investigation techniques. ICAN is willing to partner with them in this respect.

Secondly, special courts should be designated to handle these cases to ensure quick dispensation of justice. Above all, the whistleblowing initiative has to be publicised more; Nigerians must be part of the crusade for more results to be achieved. The whistleblowing policy should be backed by law to make it more effectual.

Let me add that ICAN has revised and updated its Code of Ethics for members and in line with its enabling Act, it would monitor and enforce compliance.

Any proven non-compliance will be sanctioned in line with the provisions of the law.

Also, the Institute recently created a Whistle-blower's Fund in the sum of N50m to protect and defend members that may be victimised for living the ideals of the Institute and profession, the Council also developed an Accountability Index against which performance of MDAs and public officials will be benchmarked. The global regulatory body for the accountancy profession, IFAC, recently launched the Non-Compliance with Laws and Regulations (NOCLAR) for professional accountants worldwide. ICAN has adopted this standard and Council is monitoring and enforcing compliance.

What advice do you have for the government on how to attain economic growth, create employment and secure lives and property?

Over the years, the budget has always been dominated by recurrent expenditure. In 2018, the capital budget



was about 31% while the recurrent was 69%. The figures in previous years are much worse. No nation can develop when it budgets for consumption as we do in Nigeria. If we are going to grow the nation's gross domestic product (GDP) which is the meaning of economic growth, we must invest more in infrastructural facilities and create the enabling environment for businesses to create wealth.

Second, we must reduce the cost of governance. The cost of governance under the presidential system that we run as a nation is astronomical. Since 1999 when the nation transited to democratic governance, there has been a lot of hue and cry over the huge and rising cost of governance. Many wonder, and rightly so, why the nation should have 36 Ministers as provided in the Constitution, why the number of full time legislators at the Federal level is as high as three Senators and an average of ten legislators in the Federal House of Representatives per state.

In spite of the privatisation of many public sector enterprises and the resultant laying off of their staff as well as the monetisation of benefits of the remaining civil servants, the recurrent expenditure has not been less than 70% of annual budget in the last ten years. This has made it difficult for the nation to record any meaningful development. We therefore recommend that the constitutional provisions for ministerial appointments should be revisited and amended to reduce the number of Ministers and Aides that office bearers can have. Also, the number of representatives in National Assembly can be reduced by increasing the population size of constituencies.

There is no reason why each state cannot have only two senators and an average of five representatives. These legislators need not be full time legislators. The nation can evolve a part-time legislative scheme such that legislators are paid sitting allowances. This will significantly help to reduce cost of governance and release funds for development which entail employment generation.

Also, there is no reason why many of the regulatory agencies performing similar functions cannot be merged for efficiency, cost reduction and increased productivity as recommended by the Oronsaye Committee. The laws setting up these bodies should be collapsed while their capacity building initiatives should be reinvigorated to



6 There is no reason why many of the regulatory agencies performing similar functions cannot be merged for efficiency, cost reduction and increased productivity as recommended by the **Oronsaye Committee.** The laws setting up these bodies should be collapsed while their capacity building initiatives should be reinvigorated to ensure their effectiveness

ensure their effectiveness. With strong, effective and efficient regulatory agencies, the much maligned oversight functions of the National Assembly will gradually be reduced and eventually stopped. The time to act on that strategic report is now.

Furthermore, the private or real sector is the engine of economic growth and development. Therefore, it is imperative for an enabling environment to be created for them to thrive. One of the issues that need to be addressed is the interest rate. Every quarter, the CBN fixes the minimum rediscount rate (MRR) which defines the rate at which banks can borrow from or lend to the CBN. In the last 6 months, the MRR has been fixed by CBN at 14% as part of its strategies to fight inflation and stabilise the economy. Unfortunately, banks have failed to adhere to the window of 200-300 plus/minus above or below the 14%. They excuse their actions by referring to the huge operational costs in terms of generating electricity and investing in infrastructure.

Furthermore, with the huge budget deficit of N1.95 trillion, debt servicing of N2.01 trillion in 2018 and the desire by government to borrow from the financial system, pressure is put on the financial institutions to lend to the more secured and risk-free sector, the government. The real

sector is crowded out of the market and are inevitably, borrowing at a higher interest rate. The solution lies in the government reducing its deficit financing and step up its inflation fighting measures so that the cost of funds will decline. Unfortunately, this will not happen in the short term.

Above all, the government's Economic Recovery and Growth Programme (ERGP) 2017-2020 was designed to address diversification, economic increase employment opportunities for Nigerian youths and achieve sustainable and inclusive growth. I must say that, the nation has made significant progress in its diversification strategies. Prior to now, the structure of the economy was highly import dependent, consumption driven and undiversified with oil accounting for 95% of exports and foreign exchange earnings while the manufacturing sector accounted for less than 1% of total exports. The narrative has started to change.

Agriculture has received a new focus while investment in infrastructure, which has been the bane of the private sector, has increased considerably. The power generation has increased. The contribution of manufacturing and other sectors are growing appreciably. Indeed, in implementing the ERGP, the Government should collaborate more with the organised private sector to deepen their investments in the agriculture, power, manufacturing, solid minerals and services sectors as well as support the private sector to become the engine of national growth and development.

### Nigeria's debt profile is rising, is this a good development for the economy? What solution would you proffer?

When compared with the GDP, the debt profile of the nation is tolerable. However, that relationship is merely an economic statistic. If the debt servicing amount is related to the revenue earned by the government, the picture will be clearer. For instance, if you earn N100 and spend about N63 to service your debt, you only have N37 to meet recurrent and capital needs. Here lies the challenge. The rising huge debt is not healthy for the nation. Given our huge resource endowment, it is inexcusable.

As noted earlier, with the huge budget deficit and the desire by government to borrow from the financial system, pressure

**With the huge budget** deficit and the desire by government to borrow from the financial system, pressure is put on the financial institutions to lend to the more secured and risk-free sector, the government. The real sector is therefore crowded out of the market and is inevitably, borrowing at a higher interest rate. I urge government to reduce its deficit financing and step up its inflation fighting measures so that the cost of funds will decline

is put on the financial institutions to lend to the more secured and risk-free sector, the government. The real sector is therefore crowded out of the market and is inevitably, borrowing at a higher interest rate. I therefore urge the government to reduce its deficit financing and step up its inflation fighting measures so that the cost of funds will decline. Secondly, if the cost of governance is reduced as suggested, there will be a lot of resources for development. There is a lot of wastes in the public sector. The procurement processes need to be revisited such that the nation gets value for money.

# In the latest National Bureau of Statistics (NBS) report, it was reported that the nation's population is growing by 3% while the GDP is declining. What are the implications of this?

A high population growth is a concern, not just in Nigeria, but globally because of the challenges it presents to the countries. The population growth in Nigeria is a phenomenon that is likely to continue unabated especially in the short run. With a population growth only in the short term, then no serious problems are envisaged. But the trend is of a continuous nature, then there is cause for worry.

For instance, according to www.



populationpyramid.net, in 1960, the population of the UK was 52 million while that of Nigeria was 46 million, by 2015 the UK was 62 million while Nigeria was 185 million and by 2070, Nigeria will be 550 million while the UK will be only 80 million! This means that over a period of 110 years, Nigeria will add over 500 million to her population whilst the UK would add only 30 million and the UK was coming from a higher base.

The implications of a declining GDP and a rising population are so clear to be a closed book to anybody. The implications are simply misery and hunger of a level that can only be likened to what obtains in a war situation. There will be unemployment at a level much more serious than it is now, infrastructure will dilapidate due to overstressing and all other normal services that government ought to provide would be greatly and negatively affected and in short supply. The situation would be as described because the growth is due to birth and not immigration. Consequently, until the new additions attain 18 years of age or thereabout, they would not be in a position to contribute to GDP growth.

Recently, you raised alarm over a parallel association calling for registration of members, can you throw more light on this?

I did not raise any alarm but only raised

**6** Forensic accounting is adequately covered within the scope of the training that ICAN provides and therefore, the quest for a separate **Institute for just Forensic** accounting is totally uncalled for. There is no knowledae or professional gap that the proposed body would fill. Whatever perceived lacuna that this Bill seeks to fill has been adequately covered within the scope of services that ICAN members render

advisedness of having multiple professional accounting bodies purporting to be rendering services for which they do not have the required training or competence. The issue of the forensic and investigation bill has become a household matter and the stance of the Institute on it has been laid bare at different fora. The summary of the matter is that the bill is not auspicious for a number of reasons. Forensic and investigative audit is a special area of practice of accountancy that describes engagements resulting from actual or anticipated disputes. The promoters of the bill have not got what it takes to render the service. Besides, there is no skill gap they hope to fill. Over the years, qualified ICAN members have been practising forensic and investigative accounting and auditing creditably. More importantly, the functions and responsibilities in the proposed Bills for Chartered Institute of Forensic and Investigative Auditors in Nigeria and Chartered Institute of Forensic Accountants of Nigeria are already contained in the 1965 Act that established ICAN. It is also to be noted that since 2009, ICAN established 7 Faculties which are specialist knowledge areas in response to global best practices and business dynamics and Audit, Investigation and Forensic Accounting is one of the faculties. The Audit, Investigation and Forensic Accounting Faculty provides specialist certification courses and issue certificates to qualified members as evidence of expertise and authority to practise their specialised skills. Forensic Accountants trained by ICAN are awarded Certified Forensic Accountants of Nigeria (CFAN) certificates. Holders of CFAN certificate are rendering value-adding services to their diverse clienteles. The Forensic Accounting curriculum is carefully drawn to ensure that, to be a forensic accountant, one must necessarily be a qualified chartered accountant, be certain of technical competence and preserved professional

the consciousness of the people to the ill-

From the foregoing, Forensic accounting is adequately covered within the scope of the training that ICAN provides and therefore, the quest for a separate Institute for just Forensic accounting is totally uncalled for. There is no knowledge or professional gap that the proposed body would fill. Whatever perceived lacuna that





this Bill seeks to fill has been adequately covered within the scope of services that ICAN members render. Consequently, the need for the establishment of a Chartered Institute of Forensic and Investigative Auditors in Nigeria does not arise at all.

It is also laughable that the Bill is secretly criminalising anybody practising Forensic accounting without being a member of the proposed Institute. As I noted earlier, ICAN members have been practising Forensic accounting for several years.

### Now 2019 general election is nearby, do you foresee economic stability in the process?

Elections in Nigeria are not precisely what they are like in other settings. In Nigeria, elections are volatile and odious, largely because ideological issues do not form the foundation of the political parties. That means election periods in Nigeria are as uncertain as the waves of the sea. If that is the case, and realising that economic issues derive strength from political atmosphere, it would then be difficult to suggest that there could be economic stability in 2019. There would certainly be more money in circulation but not to the right sectors that have the potential and capacity to create value and wealth for the nation. A high volume of cash

Government should collaborate more with the organised private sector to deepen their investments in the agriculture, power, manufacturing, solid minerals and services sectors as well as support the private sector to become the engine of national growth and development

in a system irresponsibly deployed cannot give rise to any economic stability. So, I do not foresee any economic stability during the 2019 election year. This is going to be tough except the politicians behave responsibly and allow our institutions to work as effective as they should be.

### What is your opinion about the implementation of IFRS 9?

The implementation of IFRS 9 is on course in Nigeria. To ensure smooth implementation, the CBN provided Guidance Notes to Banks and Discount Houses on expectations of implementation of the new standard. The CBN also set up a Project team from which banks could seek clarifications on grey areas of the implementation process. The banks have keyed into the implementation process and are developing and fine tuning strategies to ensure smooth takeoff in compliance with the deadline for conversion which is January 1st, 2018. For instance, Diamond Bank had as of December 31st 2017 complied with the dead line. Generally, the implementation process is satisfactory as a number of the processes (trainings, model designs, impact analysis, accounting policies, among others) have been completed, especially by the banks. For insurance companies, it would appear they desire to wait for the takeoff of IFRS 17 in 2021 by electing to exercise the Temporary Exemption approach instead of applying IFRS 9. To enjoy the exemption, they will have to pass the "predominance test"

With the implementation of IFRS 9, it is hoped that the Non-performing Loans portfolio of banks would drop significantly.

### What is the role of Accountants in fraud matters in Nigeria?

In all modesty, ICAN has been at the forefront of supporting various governments and agencies initiatives at fighting the hydra-headed monster of corruption and other forms of fraud in the polity. We are not resting on our oars. In 2015, we launched a N50 million Whistle-Blower's Fund to protect and compensate our members who report any form of financial misdemeanor in the country. We were therefore, and as expected, elated when the Nigerian Senate passed the Whistle-Blower Protection Bill of the Federal Government in June 2017 and you can see the level of success achieved by the federal government from the whistleblowers initiative.

Similarly, ICAN keyed into Non-

Compliance with Laws and Regulations, or (NOCLAR) in 2017. NOCLAR was issued by the International Ethics Standards Board for Accountants (IESBA) as a whistle blowing initiative which mandates professional accountants and auditors to expose any act of non-compliance to laws and regulations by their employers or clients to relevant authorities.

### What is the latest on the ICAN Accountability Index?

The ICAN Accountability Index (ICAN-AI) being developed by the Institute is gathering momentum. This Index aims at improving the process for assessing public finance management and public governance practices across the three tiers of the Nigerian public sector including the Federal, State and Local Governments.

Some of the specific objectives of the Index are to:

- Encourage greater accountability and transparency in fiscal and Public Financial Management (PFM) practices in Nigeria.
- Improve quality of governance and compliance with Fiscal Responsibility Act 2007.
- Tackle corruption by engaging quality professionals in public sector.

We organised a three-day Workshop for field Coordinators and Assessors on the ICAN-AI Framework. The Workshop familiarised the Coordinators and Assessors with the Framework before they set out to visit relevant government agencies across the country to collect data required for developing the Index.

Also, we made a presentation on Friday, July 27, 2018 to the Federal Accounts Allocation Committee (FAAC) in Abuja to create awareness on the Framework and we have the support of various government officials and political office holders in the development of the Index. The Institute is working towards ensuring that the first result of the Accountability Index are presented at the 48<sup>th</sup> Annual Accountants' Conference scheduled to hold between October 1 – 5, 2018 at the Federal Capital Territory (FCT), Abuja.

### Are you satisfied with the way the nation's budget is being handled?

It would be difficult for anyone to confess that he is satisfied with the way



SMEs are the backbone of any economy. Indeed, they constitute the engine of growth. In view of the importance of these entities, the Council has set up small and mediumsized practices (SMPs) committee to support our members that provide services to SMEs. Part of the initiatives of the SMPs will be to organise sensitisation sessions to educate operators of SMEs on the need to keep accounting records

the nation's budget is being handled. A lot of improvements are needed to bring the budgeting process in line with global leading practices by eliminating all fundamental challenges currently being experienced. For instance, the budget preparation and scrutiny are always late. This makes it difficult for stakeholders to plan appropriately. There is also the issue of assumptions underlying the budget estimates which are often over ambitious. We need to begin to learn from previous budget in preparing current ones. We do not have to impress anybody with high sounding but unrealistic assumption, especially in the area of crude oil production. The budget is also usually skewed in favour of recurrent expenditure. This is a disservice to the nation and an aberration. We equate budget performance in Nigeria with the release of funds such that nobody actually critically examines whether the budget is performing based on the parameters set in the budget or not. This is even compounded by the erratic release of budgeted funds to the respective agencies and units that need funds to execute projects and programmes. Unless and until all these fundamental challenges are dealt with sincerely and timely, the budgeting process in Nigeria would

continue to be a challenge.

#### What is the profession doing to improve proper bookkeeping amongst SMEs

Bookkeeping is a major issue among the Small and Medium Scale Enterprises, not just in Nigeria, but also in other economies. The Institute recognises this situation and has always put measures in place to mitigate it. For instance, the syllabus of the Accounting Technicians Scheme as well as the Foundation levels of the Institute's examinations are designed to ensure that anyone who successfully completes the examination is well equipped to handle issues concerning bookkeeping, no matter how complex.

A number of our MCPE programmes are also designed to take account of the need to equip participants of the required knowledge of strong bookkeeping. Given that most bookkeeping aspects have been taken over by ICT, members are also encouraged to be computer literate in a number of accounting packages. The Institute is not just setting the pace in producing accountants who are brilliant and ethically sensitive, but also ICT geek at heart and head. This is imperative since ethics and ICT are two main throttles of successful professional life.

SMEs are the backbone of any economy. Indeed, they constitute the engine of growth.

6 I would like to be remembered as the architect of a new accounting infrastructure in the country that leverages cutting edge technology to redefine service delivery by accountants



In view of the importance of these entities, the Council has set up small and mediumsized practices (SMPs) committee to support our members that provide services to SMEs. Part of the initiatives of the SMPs will be to organise sensitisation sessions to educate operators of SMEs on the need to keep accounting records. Above all, we plan to liaise with other regulators to further drive the financial literacy programme as embedded in FSS 2020.

#### How would you assess the Accountancy profession in Nigeria in terms of skill development?

The Accountancy Profession is a dynamic and global profession regulated by IFAC. Thus all member-bodies are required to leverage the standards and practices of IFAC in their jurisdiction. Over the years, our training curricula and syllabi are benchmarked on these global standards and best practices. Thus, the quality of our members is not in doubt. This explains why our members are occupying strategic positions in various sectors of the local and international economy. Although we are pacesetters, the point must be made that knowledge is not static and so, we give serious consideration to mandatory continuing professional education programme. This initiative has helped our members to be abreast of current development.

The acquisition of relevant skills should be a life-long matter especially because of the increasingly dynamic nature of the work environment. The continuous development of skills should, therefore be of interest, not just to professional organisations, but also to employers of labour. In Nigeria, the accountancy profession especially the Institute of Chartered Accountants of Nigeria (ICAN) compares favourably with other well developed Professional Accounting Organisations (PAOs) around the world in terms of skills development. A number of skills are required in the accounting profession professional ethical and research skills.

The professional members of the Institute are well honed in their various areas of specialty with regard to the skills required. Under the current business environment, IT skills have become imperative as it cuts across all specialties and ICAN members are taking the lead in this initiative. The Consultancy and Information Technology Faculty of the Institute is an Ace in this regard and thus, the toast of the members.

This is not surprising if considered in the



context of the observation of RayDalio – the hedge fund guru, who notes that we are headed for a world where you are "either going to be able to write algorithms and speak that language or be replaced by algorithms." As accountants of cast in the ICAN mold, we write algorithms and speak the language and thus, on top of the profession. Besides the Consultancy and Information Technology Faculty, cutting edge MCPE programmes that address skills development are also run regularly in designated places or in situ in some organisations. These programmes have proved very effective as testimonies abound from participants of the values derivable there from.

### During your tenure, what are some of the initiatives you will put in place to further develop the Institute?

I will build on existing foundation and also:

- Defend the ICAN Act.
- Strive to commence the building of an ICAN Academy in Lagos.
- Develop and apply the metrics for the ICAN Accountability Index
- Enhance the IT skills of chartered accountants.
- Aggressively promote entrepreneurship initiative for our members
- Engage regulators to enhance the quality of financial reporting.
- Promote high quality financial reporting by members.
- Play more active roles in regional and international organisations.
- Enhance the ICAN Brand through advocacy and support to stakeholders.
- Strengthen and reposition the Faculties to deliver on their various mandates.

### How does ICAN hope to improve the future of the profession in Nigeria?

The future of the profession depends on the steps taken today, not just by the Accounting profession itself but by all relevant stakeholders. The Institute is aware and also conscious of this and has been doing its best within the context of the prevailing environment. A number of giant steps have been taken and still being taking to ensure the future of the profession is assured.

One of the greatest heritages in this direction is the integrity of the examination processes in ICAN which has surpassed all expectations. The feat is unprecedented and worthy of emulation by both lovers and detractors of the profession. In furtherance of the future of the profession, the Institute of Chartered Accountants of Nigeria (ICAN) introduced seven distinct areas of accountancy (Faculties) as a platform for the acquisition of specialised skills for members. The Faculties include: audit, investigation and forensic accounting; corporate financial management; financial reporting; insolvency and corporate reengineering; public finance management; taxation and fiscal policy management; consultancy and information technology. The operations of the faculties validate ICAN as a public interest responsive professional organisation that cares about the future and the fortunes of its stakeholders.

The true spirit of the public interest obligation of the accounting profession cannot be ignored as the benefits of the faculties are

enormous both to the members, the firms, regulatory bodies and others who have an operational interest in the services of the profession.

The Institute of Chartered Accountants of Nigeria (ICAN) as a Professional Accounting Organisation (PAO), appreciates the need to grow the profession through training well-balanced professional accountants. It has, therefore, been funding research and publication activities in tertiary institutions in Nigeria and beyond. The initiative of the Institute goes beyond funding discrete research projects to that of strategic research partnerships with reputable organisations such as being the academic partner to the World Congress of Accountants in 2014.

The MCPEs and the EMCPEs are also platforms designed to grow the accountant into the future. The topics chosen for the trainings are those that address not just the current needs of the profession but also the future.

The Institute has developed a programme called "Mutual Cooperation Agreement with Tertiary Institutions" (MCATI). This programme aims at deepening and improving the quality of accounting graduates in line with international standards. In order to ensure compliance with the terms of the agreement and maintain quality consistently, the Institute regularly monitors the process in the accredited institutions to avoid deviations from the obligations contained in the agreement.

So far, the programme is running as desired and the strides are awesome. These and the building of lecture theatres in some institutions of higher learning in Nigeria, provision of books and computers are among the legion of initiatives of ICAN in building the future of the accountancy profession.

#### How would you like to be remembered?

The Council under my leadership will provide thought leadership on professional and public interest issues through advocacy. I would want to be remembered as the President who took ICAN to its next level of development as a forthright and professional body; as a body that remained a foe of deceit and sharp practices but a dependable champion of integrity.

I would also like to be remembered as the architect of a new accounting infrastructure in the country that leverages cutting edge technology to redefine service delivery by accountants.

#### What should ICAN staff expect during the year?

This Presidential year would work with ICAN Secretariat to ensure that members of staff are adequately remunerated for their efforts put into running the Institute. As the popular saying goes, "If you don't train them, don't blame them". The training of staff to acquire the requisite skills and competencies would be of utmost priority for our administration.

We fancy that without the continued unflinching commitment of staff, the lofty agenda we have set for the 2018/2019 Presidential Year would be a mirage. I therefore equally crave for the support of all cadres of staff of ICAN to assist us in keeping the flag of the Institute flying.

#### How do you relax?

Relax? ...laughs. I am a lover of golf and spend my Sunday mornings playing golf. This is how I would say I relax. I also attend social functions for mental breaks. I also dance.



#### THE INSTITUTE OF CHARTERED ACCOUNTANTS OF NIGERIA

(Established by the Act of Parliament No. 15 of 1965)



### **MANNUAL ACCOUNTANTS'** CONFERENCE

THEME: SECURING OUR SHARED FUTURE: A COLLECTIVE RESPONSIBILITY

INTERNATIONAL CONFERENCE CENTRE AND SHERATON ABUJA HOTEL, ABUJA

DATE: MONDAY, OCTOBER 1 -FRIDAY, OCTOBER 5, 2018

> SECURING OUR SHARED FUTURE: AVOIDING THE TRAGEDY OF THE COMMONS

- > PROFESSIONAL ACCOUNTANTS: BUILDING A GREATER NIGERIA THROUGH INNOVATION, TECHNOLOGY AND ENTREPRENEURSHIP
- TAX AND TAX JUSTICE: EXPANDING THE FRONTIERS IN PUBLIC FINANCE

#### WORKSHOP PAPERS

- SMPs & SMEs: REVVING THE ECONOMY TO ACTION
- SECURING OUR SHARED FUTURE: CYBER SECURITY CHALLENGES
- ACCOUNTING FIRMS OF THE FUTURE: CHALLENGES AND OPPORTUNITIES
- CONTEMPORARY ISSUES IN DIGITAL ECONOMY

#### SPECIAL ATTRACTIONS:

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- Golf, Squash, Table Tennis and Lawn Tennis competition
- Essay Competition for Students in ICAN Accredited Tertiary Institutions
- Gala Nite/Dinner (Live Performance by King Sunny Ade)
- Raffle draw: A car as the star prize plus consolation prizes
- Novelty match
- Free access to Conference App
- National ID Card Registration by NIMC

#### BUSINESS EXHIBITION

Organisations willing to exhibit their products/services should contact Sunkanmi on 08028611102 (oooloketuyi@ican.org.ng) on or before Monday, September 10, 2018 as limited spaces are available

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- Registration for the Conference is STRICTLY ON-LINE
- Participation is also open to Non-Members
- Please visit www.icanig.org for details

#### CONFERENCE REGISTRATION FEES (Select one option):

#### A) Resident Participants

HOTEL:	N
Abuja Sheraton & Towers - Superior Room	330,000
Abuja Sheraton & Towers - Classic Room	295,000
Chelsea	280,500
Rockview	280,000
Grand Cubana	250,000
Chida International	230,500
Hotel De Bentley	230,000

HOTEL: (Conference fees for executive accommodation)	N
Transcorp Hilton - King Hilton Executive Room	550,000
Transcorp Hilton - King Hilton Guest Room	500,000
Fraser Suites - 1 Bed Room Apartment	450,000
- Studio Room	400.000

#### B) Non-Resident Participants

	N	
Inclusive of all meals in Chelsea, Rockview and Chida hotels	180,000	
Exclusive of all meals	110,000	
C) Guest (Resident with all meals)		
	N	
HOTEL		
Transcorp Hilton	105,000	
Other Hotels	90,000	

Please indicate preferred Hotel for Meals on the registration form.

ALL HOTEL BOOKINGS WILL BE ON "FIRST-COME-FIRST-SERVED" BASIS.

#### SPONSORSHIP

Members requiring that letters be addressed to their employers for sponsorship should contact the Membership Affairs Directorate: aac2018@ican.org.ng (copy: iadams@ican.org.ng)

#### NOTE: GROUP PAYMENT

Organisations wishing to make group registration for their members of Staff should pay at any of the designated banks and collect PIN VOUCHERS for EACH of them.

#### PROCEDURE FOR ON-LINE REGISTRATION

- 1. BEFORE PAYMENT: Check the Hotel/Room category available on www.icanig.org/aac
- 2. METHODS OF PAYMENT
  - Application is STRICTLY online at ICAN website: http://www.icanonline-ngr.com/conference ICAN Web Pay

  - Payonline using your Debit/Credit Card on ICAN Portal (http://icanportal.org/members)

    Quick teller: Payonline using your Debit/Credit Card on www.Quickteller.com/ican

    Pay Direct: pay directly into ICAN e-Collection Account via cheque, draft, and internet transfer at
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#### 3. ON-LINE REGISTRATION

- Requirements:
  - Scanned soft copy (JPEG format, 20kb maximum file size) of your passport-sized photograph (white background) for the online registration for Delegate' NameTag.
- b) Procedure:
  - Complete the Online form at ICAN website: ttp://www.icanonline-ngr.com/conference and click on submit.
  - Print out the \*48th ANNUAL ACCOUNTANTS'CONFERENCE REGISTRATION CONFIRMATION FORM", displayed after clicking on "SUBMIT" Please attach PIN Voucher, Bank Payment Teller and bring to the Registration Venue (Sheraton Abuja Hotel, Abuja or hotel you selected for accommodation on Monday, October 1, 2018.
  - Delegates should please re-confirm their registration online three days after the date of registration, using the details on the PIN Voucher.

#### EARLY BIRD DISCOUNT

On or before August 8, 2018 10% August 9 - September 3, 2018 To be deducted before payment 6% Nil After September 3, 2018

To enjoy discount, members must make payment and complete on-line registration within the discount period.

Registration for Accommodation closes on September 24, 2018. All bookings will be on "first-come-first-served" basis

PERIOD OF CANCELLATION OF REGISTRATION	% OF REFUND
On or before July 24, 2018	50%
On or before September 28, 2018	25%
After September 28, 2018	Nil

#### ALL REFUNDS WILL BE MADE FROM 30 DAYS AFTER THE CONFERENCE

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Participants seeking to defer participation MUST:

- Be duly registered within the given period, and
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# Dangerous Killers and Most Common Diseases in Africa

#### **MALARIA**

The female mosquito (Anopheles Culex) infects its victims with a single-celled parasite called Plasmodium, which multiplies in red blood cells and causes malaria. When a female mosquito sucks blood from an infected person, the Malaria parasites reproduce in her body and migrate to the salivary glands.

When the next person is bitten, they would be injected with the saliva carrying the parasite and would become infected. Once in the bloodstream, the parasite travels to the liver where they grow and multiply into millions of malaria germs into periods of 5 to 10 days. Once multiplied, the germs are then released into the

bloodstream where they penetrate the red blood cells. Once inside these cells they grow quickly, burst the contaminated cells and attack new cells.

At this stage, the patient experiences fever attacks. Initially, the patient feels cold and has bouts of shivering before experiencing headaches and rise in body temperature. Subsequently, the patient will experience excessive sweating and delirium with the time between each attack becoming less and less. The potential for being bitten by an infected female mosquito is approximately 1:100. the reasoning behind this risk factor is that the biting female would be aged between 10 and 27 days, has sucked blood from a host already infected with the Plasmodium parasite in the adult stage of his life cycle and all in the last 22 hours.

The preventative measures are to remove yourself from the source

of infection and protect yourself from new infections by wearing long trousers and long sleeves in the evenings. Also, rather than using chemoprophylaxis (such as Lariam, Chloroquine or Malarone), another effective prophylactic is to have mosquito coils, meat tender riser (the papain enzyme) destroys the injected foreign protein the causes the bite's reaction or a commercially available hand moisturizer containing isopropylmalate.

However, research at University of Cape Town was published in August 2012 which suggests that a drug that can cure all strains of malaria with a single oral dose has been discovered.

A synthetic molecule from the aminopyridine has been shown to kill the resistant malaria parasite without any adverse side effects. Although human clinical trials have not been completed the research demonstrated that the animals were cured with no toxicity and no side effects. There is hope for the future.

#### **AIDS**

Known as "slims disease" in many parts of East Africa during the late 1970s and early 1980s, Acquired Immune Deficiency Syndrome (AIDS) was first recorded as a virus in a 1959 article entitled "1959 and all that: Immunodeficiency viruses," by Simon Wain-Hobson. In this article, the author suggested that



the virus originated in Africa when microbes from one species (chimpanzees for HIV-1) to another (sooty mangabeys for HIV-2). The epidemic was traced to just after the Second World War probably because of emerging microbial infections which were adapting to changing ecological niches and habitats on the continent. After a few cases of Pneumocystis (lung infection) and Kaposi's sarcoma (a rare skin disease) were diagnosed by doctors in New York and Los Angeles in 1981, the centres for disease for control and prevention (CDC) started to track a growing population of young men, women and babies with compromised



immune systems. By 1982 cases of AIDS had been reported by 14 nations worldwide. Knowledge of the virus spread with the death of celebrities from AIDS during the following two decades – Rock Hudson, Liberace Archy, Anthony Perkins, Robert Reed and Dack Rambo (Jack Ewing of the Dallas television series). Since then, the virus has been spread throughout Africa by drivers and prostitutes along long-distance trucking routes; rape; non sterilized medical equipment; same sex intercourse and blood transfusions amongst other reasons. The most effective prevention is abstinence, or the practice of safe sex.

#### **HIPPOS**

The name Hippopotamus literally means "river horse" in Ancient Greek, although the animal is found throughout Sub-Saharan Africa. Although crocodiles and the Cape Buffalo also share a poor reputation for killing humans, the hippo has the reputation for being the most dangerous animal in Africa. Based on the experience of game rangers and hunters, the hippo is deemed to be aggressive, unpredictable and not afraid of humans. Using his large canine teeth and sharp incisives, hippos have often overturned boats on a river or lake without provocation and killed the occupancy. Many human deaths occur when the victim is between the hippo and the water or between a mother and a calf. Many of the famous African explorers recorded boating accidents involving hippos who described as a "wantonly malicious beast". Despite weighing nearly 400 kilos and running faster than 30 km/h Hippopotami are agile and can climb steep banks. Recently, these aggressive herbivores have moved from their local hunting grounds owing to the destruction of their habits. Hordes of Hippos have been chased out of Mali and into neighbouring Niger during the early 2000s and a smaller scale of such a migration was noted in Cape Town, South Africa. Hippos from the suburbs of Zeekovlei moved from their traditional swamp home and started encroaching on nearby human homes. Although hippopotami are aggressive and unpredictable and bellow loudly whilst swinging their heads when charging, the best preventative measure you can employ involves distance. Bewaring of hippos and do not block their exits and entrances from water areas where they might live and breed. If charged by a hippo, climb the nearest tree because, like elephants, a hippo cannot jump.

#### **CHOLERA**

Cholera is a water-born disease which causes severe vomiting and diarrhoea. The germ is found in human faeces and is passed into water or carried by the common flies. In august 2012 the World Heath Organisation (WHO) reported on a Cholera outbreak in Guinea and Ghana where several thousands inhabitants of Costal slum areas have been infected. Often described as a "disease of poverty", the risk of cholera is increased by overcrowding and unhygienic conditions. The worst affected areas, according to WHO was Sierra Leone where the number of cases in Free Town (the capital) exceeded 30.000. the Sierra Leone government declared National Emergency to prevent any further spread of the disease and to encourage international systems. The symptoms manifest themselves in three stages. The first stage lasts for about 12 hours and typically involves diarrhea, vomiting, limb cramps and excessive thirst. After the initial 12 hour period, the

symptoms become more acute and the skin takes on a pale blue colour. Owing to the loss of fluids, the voice becomes a whisper and sever dehydration becomes more pronounced. As the disease spreads the fever would intensify and death will be imminent unless a cure begins to work. The cure involves complete rest and isolation from all known sources of contact and carries. All clothing or other contaminated materials must be burnt and water and milk boiled thoroughly (for 5 minutes) before use. The patient must be kept warm and fed small quantities of milk, water and small portions of well-watered rice.

#### DYSENTERY

Dysentery appears in two forms - amoebic and bacillary but can be contacted in many parts of the world as it is caused a contaminated water source and spread by flies. Human faeces contain the infected bacillus whilst amoebic dysentery attacks large intestines. Dysentery results in varying degrees of stomachache, a fever, dyspepsia and a shivering of the limbs as with influenza. The incubation period can be from one day to three weeks depending on the build-up process and the health of the patient. The cure is both preventative and involves treatment. In the first instance, all the known sources pf infection must be removed and both the patient and food must be protected from flies and contaminated water. The treatment involves complete rest and isolation from possible contacts. All stools should be disposed of by burning and some medication (e.g. Lomotil) can be taken depending on the patient's conditions. As the patient recovers from a dysentery attack and can take water without vomiting, small doses of fresh milk and soups can be introduced into the diet.

#### YELLOW FEVER

Often when travelling in Africa, travellers require proof of a yellow fever vaccination. This vaccination lasts for 10 years and the yellow certificate of proof can be cut and stapled into your passport. It is recommended that travellers receive the yellow fever vaccination before departing to African countries as otherwise entrance to these countries might be declined. Alternatively, you'll be required to have an injection at your port of entry but there is no guarantee as to the sterile environment in which the vaccination will be given. Yellow fever is transmitted by the Aedes Aegypti mosquito which breeds in both houses and the jungle. The virus is carried by the mosquito and the disease id transmitted by biting an uninfected person and thereby infecting the bloodstream. The symptoms are similar to malaria and entail sudden headaches, shivering, a rapid rise in temperature and vomiting. As the inside of the mouth swells, the patient bowls stated titan an constipation occurs. The kidneys become inflamed and urine production is reduced substantially. By the fourth day vomiting becomes more frequent and appears black as the person becomes very weak. Medically, the yellow fever is known as a viral haemorrhagic fever and the disease is zoonotic meaning that can be passed from animals to humans. The name is derived by the yellowness of the sclera of the eyes. Normally, in healthy individuals, the sclera is an opaque outer layer covering the eye, but when infected by the disease the sclera becomes slightly vellow.

\* Culled from www.health.com

#### THE INSTITUTE OF CHARTERED ACCOUNTANTS OF NIGERIA

### IN THE ACCOUNTANTS' DISCIPLINARY TRIBUNAL HOLDEN AT VICTORIA ISLAND, LAGOS

CHARGE NO: ICAN/LEG/D.T/13289/2010

**BETWEEN:** 

ICAN ...... COMPLAINANT

**AND** 

BASIRU OLUMUYIWA FATAI (MN: 13289) ...... RESPONDENT

### JUDGMENT

he Respondent herein was charged before this honourable Tribunal on four counts of professional misconduct and infamous conduct. The offences are as follows:

1ST COUNT

#### STATEMENT OF OFFENCE

Infamous conduct in a professional respect contrary to Paragraph 21.2.3 of Chapter 21 of the Professional Code of Conduct and Guide for Members of the Institute and punishable under Section 12(1)(a) of the ICAN Act Cap 185, Laws of the Federation of Nigeria 1990.

#### PARTICULARS OF OFFENCE

That you, Basiru Olumuyiwa Fatai (M) sometime between December 2009 and February 2010 and thereafter wilfully disregarded the Institute's Investigating Panel's written requests that you respond to allegations made against you by Solid Innovators Ltd and A.T. Ayedun Ltd thereby committing an offence contrary to Paragraph 21.2.3 of Chapter 21 of the Professional Code of Conduct and Guide for Members of the Institute and punishable under Section 12(1) (a) of the ICAN Act Cap 185 LFN 1990.

2<sup>ND</sup> COUNT

#### STATEMENT OF OFFENCE

Professional misconduct contrary to Paragraph 1.2.0(a) of Chapter 1 of the Professional Code of Conduct and Guide for Members of the Institute and punishable under the said Code and Section 12(1)(a) of the ICAN Act, Cap 185, Laws of the Federation of Nigeria 1990.

#### PARTICULARS OF OFFENCE

That you, Basiru Olumuyiwa Fatai (M) between August and October 2009 collected a total sum of N450,000=00 (Four Hundred and Fifty Thousand Naira) from Solid Innovators Ltd for the auditing of the Company's accounts and filing of its tax returns at the Federal Inland Revenue Service but failed, refused and neglected to carry out the assignments or refund the money thereby committing an offence contrary to the fundamental principles contained in Paragraph 1.2.0(a) of Chapter 1 of the Professional Code of Conduct and Guide for Members of the Institute and punishable under Section 12(1)(a) of the ICAN Act, Cap 185 LFN 1990.

3<sup>RD</sup> COUNT

#### STATEMENT OF OFFENCE

Infamous conduct in a professional respect contrary to Paragraph 1.2.0(a) of Chapter 1 of the Professional Code of Conduct and Guide for Members of the Institute and punishable under the said Code and Section 12(1)(a) of the ICAN Act Cap 185, Laws of the Federation of Nigeria 1990.

#### PARTICULARS OF OFFENCE

That you, Basiru Olumuyiwa Fatai (M) sometime between January and February 2007 issued a cheque in the sum of N825,000=00 (Eight Hundred and Twenty Five Thousand Naira) to A.T. Aiyedun Ltd in repayment of a loan of N750,000=00 (Seven Hundred and Fifty Thousand Naira) with 10% interest knowing that you did not have sufficient funds in your account to honour the cheque upon presentation, contrary to the Institute's ethics and standard of behaviour required of a member of the Institute and punishable under section 12(1)(a) of the ICAN Act Cap 185

#### LEGAL MATTERS

LFN 1990.

#### 4<sup>TH</sup> COUNT

#### STATEMENT OF OFFENCE

Infamous conduct in a professional respect contrary to Paragraph 1.2.0(a) of Chapter 1 of the Professional Code of Conduct and Guide for Members of the Institute and punishable under the said Code and Section 12(1)(a) of the ICAN Act Cap 185, Laws of the Federation of Nigeria 1990.

#### PARTICULARS OF OFFENCE

That you, Basiru Olumuyiwa Fatai (M) sometime in 2008 acted without integrity when you collected the sum of N25,000=00 (Twenty-Five Thousand Naira) from A.T. Aiyedun Ltd for the perfection of share transfer to the Company but failed, refused and neglected to perfect the said transfer contrary to the Institute's ethics and standard of behaviour required of a member of the Institute and punishable under section 12(1)(a) of the ICAN Act, Cap 185 LFN 1990.

The Tribunal adjourned this matter severally at the instance of the Respondent. He was finally arraigned at the Tribunal sitting of January 11, 2011 wherein he pleaded not liable to all the Counts

Upon the close of the case for the Prosecution, Respondent's Counsel filed a No Case Submission dated October 28, 2014. The Prosecution responded to the no case submission accordingly. In a considered Ruling delivered at the February 23, 2015 sitting, this Tribunal struck out Counts 1 and 2 of the Charge against the Respondent on the ground that it was incompetent. This Tribunal however directed the Respondent to open his case with respect to Counts 3 and 4, which this Tribunal ruled were properly before it.

The Respondent closed his case at the February 21, 2017 Tribunal sitting, and filed a Final Address dated April 12, 2017. The Prosecution also filed its Final Address dated September 22, 2017 whilst Respondent's Counsel filed a Reply on Points of Law dated September 28, 2017. Both the Prosecution and Respondent's Counsel adopted their respective Addresses at the Tribunal sitting of September 29, 2017.

The facts of the case as contained in Exhibit A and the oral evidences given by the Prosecution Witnesses and the Respondent himself before this Tribunal, are as follows:

- 1. Sometime in February 2007, the Respondent approached Mr A.T. Aiyedun for a loan of N750,000=00 repayable with 10% interest to enable Respondent settle some share transactions with clients.
- 2. Respondent deposited with Mr Aiyedun a cheque with the value of N825,000=00 dated February 6, 2007 to cover the principal sum and interest.
- 3. Mr Aiyedun presented the cheque a month later for clearing but it was returned unpaid.
- 4. In late 2008, the Respondent offered Mr Aiyedun some share certificates he acquired from some of his clients, which he allegedly wanted to sell. Mr Aiyedun gave him additional sum of N25,000=00 due to the value of the shares. However, Respondent refused to perfect or make possible the realisation of the shares as agreed with Mr

Aiyedun.

- 5. At the Investigating Panel meetings, several attempts were made to get the Respondent's response including inviting him via newspaper publication. He refused to respond or appear before the Panel. He was thereafter referred to the Tribunal.
- 6. Respondent and Mr Aiyedun were friends and colleagues in the business of buying and selling of shares as jobbers, hence the Respondent requested for and was given a loan by Mr Aiyedun.
- 7. To secure the loan, the Respondent submitted a primary collateral made up of ten share certificates the Respondent had bought from nine customers, and a secondary collateral in the form of a post dated cheque for N825,000=00.
- 8. The two securities were to operate independently thus: Mr Aiyedun could sell the shares to recoup his money at any time or if he preferred to cash the cheque, he will give the Respondent prior notification for Respondent to fund his account.
- 9. The Respondent alleged that he was embarrassed to learn that Mr Aiyedun had presented the cheque without notifying him, which led to the cheque being dishonoured.
- 10. Upon discovering that the cheque was dishonoured upon presentation without him being notified, Respondent made efforts to reach Mr Aiyedun. The Respondent was able to pay the sum loaned to him by Mr Aiyedun who on his own part returned the share certificates earlier deposited as primary collateral.
- 11. Mr Aiyedun subsequently wrote (Exhibit C) to endorse the fact that the Respondent had repaid the said loan therefore resolving the matter.

In his Final Address, Counsel to the Respondent submitted one issue for determination thus:

"In view of the un-contradicted evidence of the Respondent as to out of Court/amicable settlement of the present suit, between the parties, ought this Honourable Tribunal by law not entitled to accept the un-contradicted evidence and consequently strike out the charge/complaint?"

The Respondent's Counsel submitted that not only is this Tribunal entitled as a matter of law to accept the uncontradicted evidence of the Respondent on the out of Court/amicable settlement of the present case, but to also strike it out. He referred to the case of GARBA VS ZARIA (2005) 17 NWLR (PT. 953) 55 at 57, which held that where evidence is unchallenged during cross examination and uncontroverted by other evidence; and is not by itself incredible, the Court is entitled to act on it.

Respondent's Counsel further submitted that Respondent's evidence concerning settlement with Mr A.T. Aiyedun is both uncontroverted and credible by virtue of Exhibit C followed by the return by Mr Aiyedun of the original share certificates deposited with him as collateral for the loan by the Respondent. According to Respondent's Counsel, having settled out of Court, the only order to be made by this Tribunal is to strike out the matter as held in **H.B (NIG) PLC VS LODIGIANI LTD (2010)** 

#### ● IFGAL MATTERS

**14 NWLR (PT. 1213) PAGE 330 at 335**, where it was also held that it is the duty of parties to a suit to inform the Court of out of Court settlement of the suit.

In urging this Tribunal to act on the un-rebutted and uncontradicted evidence of the Respondent, which requires minimal proof, Respondent's Counsel quoted from the case of **GARBA VS ZARIA (supra)** at page 58 where it was held that where evidence is un-challenged, only minimal proof is required of the person upon whom the burden of proof lies. He therefore concluded by urging the Tribunal to strike out this matter.

In the Prosecution's address, the following issues were raised:

- i. Was the Respondent properly charged before the Tribunal?
- ii. Did the Investigating Panel make any findings about the transaction between the Complainant against the Rules of Professional Conduct and Guide for Members?
- iii. Did the conduct of the Respondent depict any intent to defraud the Complainant against the Rules of Professional Conduct for Members?
- iv. Was there any findings affirming or confirming the allegation against the Respondent?

In the Prosecution's opinion, the testimonies of the two Prosecution Witnesses, coupled with the deduction from the Investigating Panel's Reports dated February 23, 2010 and May 28, 2010 respectively tendered as exhibits answer the above questions in the affirmative. He therefore urged the Tribunal to so hold and rule against the Respondent.

In his Reply on Points of Law, Respondent's Counsel submitted that the Prosecution's prayer in their Address is not supported by law and should therefore be disregarded. He further submitted that no matter how brilliant or well couched an Address is, it cannot be a substitute for law. He cited the case of GOVERNOR OF AKWA IBOM STATE VS AKPAN (2017) ALL FWLR (PT. 885) 1916 at 1946 where the Court of Appeal held that addresses and submissions of Counsel no matter how brilliantly drafted can never take the place of evidence, be it oral or deposed in an affidavit or by application. Thus, it is not proper to include a prayer for the first time in an address.

The Counsel also cited the same case in support of his submission that when the pleading or evidence of a party is not contradicted or disputed at the trial or under cross examination, the Court or Tribunal before which the case is pending will have no choice than to act on such un-contradicted evidence.

Respondent's Counsel cited the case of **SIMON VS STATE** (2017) ALL FWLR (PT. 885) 1929 at 156 to explain the purposes and importance of cross examination and stated that apart from the fact that the Prosecution never disputed the oral and documentary evidence of the Respondent, the Respondent was not contradicted or cross examined on his testimony concerning his transactions with Mr Aiyedun or on the final settlement of the matter between them.

Respondent's Counsel reiterated that parties in a suit or judicial proceeding are entitled ex-debito justitiae (as a matter of right) to explore and freely enter into amicable settlement of their dispute and when such settlement is reached and brought to the attention of the Court or Tribunal, the only option left is for the matter to be struck out.

According to Respondent's Counsel, since there is no dispute as to repayment of the loan by the Respondent and return of share certificates by Mr Aiyedun who later abandoned proceedings, the only order left for this Tribunal to make is to strike out the matter as to do otherwise will amount to grave injustice to both the Respondent and the entire course of justice. He therefore urged the Tribunal to strike out the matter and discharge the Respondent.

This Tribunal has considered the facts of this case and the oral and documentary evidence adduced before it and has adopted the Respondent Counsel's issue for determination viz:

"In view of the un-contradicted evidence of the Respondent as to out of Court/amicable settlement of the present suit, ought this Honourable Tribunal by law not entitled to accept the uncontradicted evidence and consequently strike out the charge/complaint?"

It is not in dispute that the main Complainant in this matter, Mr A.T. Aiyedun had loaned money to the Respondent based on their friendly relationship and had received share certificates and a cheque as collaterals for the loan.

Respondent's statement that he agreed with Mr Aiyedun that if the shares could not be utilised, he should be notified before the cheque is presented at the Bank was not contradicted in any way. There is also no dispute with the fact that Respondent has repaid the said loan while Mr Aiyedun has returned the share certificates and cheque earlier used as collaterals.

There is no evidence from Prosecution Witnesses contradicting the issue of settlement between the parties and as was held in **H.B (NIG) PLC VS LODIGIANI LTD (supra)**, having been informed of the settlement of the matter between the parties, the necessary action left for this Honourable Tribunal to take is to strike out the matter.

This Tribunal therefore finds the Respondent not liable on the Counts as charged.

The Tribunal's judgment is therefore as follows:

- 1) The Respondent is hereby discharged.
- 2) The Respondent is hereby cautioned to be wary of any transaction or relationship capable of tarnishing his reputation as a Chartered Accountant, the accounting profession and the image of the Institute of Chartered Accountants of Nigeria.
- **3)** This judgment shall be published in the Institute's Journal.

DATED THE 16th DAY OF January 2018.

ISMA'ILA MUHAMMADU ZAKARI (Mallam), mni, FBR, FCA Chairman, Disciplinary Tribunal



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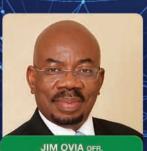
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