



**Ebonyi State Ministry of Trade and Investment
Investment Approval Process (IAP)**

**Block 10, OchoUdo-Centenary City Secretariat, Abakaliki
08069662232**

**In Accordance with the provisions of the Executive Order Mandating Investment
Promotion Agency as the Lead Agency for all Investment Promotion Activities**

Large-scale agricultural investments in Ebonyi State are underpinned by a framework defined by the Ministry of Trade and Investment FRILIA Principles. This large-scale agricultural investment approval process has been designed to be in line with the principles of FRILIA. It consists of the following 6 (Six) stages:

Process Stage	Responsible Party
Stage 1: Initial Inquiries & Know Your Customer (Due Diligence) Assessments A. Ministry of Trade and Investment should be the primary entry point for ALL large-scale agricultural investments in Ebonyi State. B. Ministry of Trade and Investment approached by potential investor (or in some cases may reach out to a potential investor) C. Ministry of Trade and Investment conducts preliminary due diligence on investor and provides investor with information related to potential investment. D. Possible initial engagement with community if area has been preliminarily identified will be done by the Ministry of Agriculture and Natural Resources. [1 week]	Ministry of Trade and Investment and Ministry of Agriculture and Natural Resources

<p>Stage 2: Information Exchange & Site Visits</p> <p>A. The Ministry of Trade and Investment continues to provide information and resources that the potential investor may need to proceed with the investment. Also coordinates the investor's interaction with other government agencies and helps the investor locate service providers.</p> <p>B. The Ministry of Lands and Survey, Ministry of Trade and Investment and Ministry of Agriculture & Natural Resources arrange for site visits for the investor after notifying local officials and communities of investor interest.</p> <p>C. Ministry of Agriculture and Natural Resources notifies local government officials, other ward and community stakeholders to engage in internal consultations and then to respond preliminarily whether they might welcome the investment.</p> <p>[2 weeks]</p>	<p>Ministry of Trade and Investment and Ministry of Agriculture and Natural Resources</p>
<p>Stage 3: Potential Investor Proceeds or Withdraws</p> <p>A. The investor reacts to the community's initial response to the potential investment and the investor's own assessment of the viability of the investment and the potential site. If the investor decides to withdraw, the process stops. If the investor wishes to consider a different location within the State, the process reverts to Stage 2. The process also ends if the community decides not to proceed.</p> <p>B. If the potential investor decides to proceed and the community is supportive, the investor should engage further, build relationships with the community and get them fully involved. The investor and the community (with legal assistance provided by the Ministry of Justice should begin to discuss a community engagement plan to guide the ongoing consultations.</p> <p>[1 week]</p>	<p>Investors, Ministry of Justice, Ministry of Trade and Investment, Ministry of Agriculture and Natural Resources, and Ministry of Lands and Survey.</p>
<p>Stage 4: Investor Enters into a Memorandum of Understanding ("MoU") with the Ministry of Agriculture and Natural Resources and Representatives of the Affected Communities.</p> <p>A. The Ministry of Trade and Investment does more in-depth due diligence on the investor and shares additional due diligence findings with other stakeholders.</p> <p>B. Consultations with the community continues, and a community engagement plan may be agreed to at this point.</p> <p>C. If all parties continue to be supportive of the proposed investment, they attempt to agree on an MoU that covers the framework of the investment, how much land is required,</p>	<p>Ministry of Justice, Ministry of Trade and Investment, Ministry of Agriculture and Natural Resources and Ministry of Environment.</p>

benefits that may accrue to the community, commitments to ongoing consultation, preparation of an ESIA, etc. The MoU does not legally commit any party to a final agreement on the proposed investment. [1 week]	
Stage 5: Investor Completes and Shares a Feasibility Study, Business Plan and an independent Environmental and Social Impact Assessment (ESIA). A. Ministry of Environment and Ministry of Lands and Survey make its determination whether the ESIA is acceptable and notify the investor within 3days of receiving it. B. If not already completed, a community engagement plan should be finished in this stage. C. Land lease discussions can continue (if begun in a previous stage) or begin. Leases should not be finalised and signed until Stage 6. [5 days]	Ministry of Environment, Ministry of Agriculture and Ministry of Lands and Survey
Stage 6: The parties enter into Final Agreements. A. The final agreement is likely to be contained in several individual agreements or could be combined into one document. While the precise requirements will vary, approved investment is likely to include some or all of the following: <ol style="list-style-type: none"> 1. Land lease agreement 2. Outgrower contract(s) 3. Community impact and benefit agreement 4. Community engagement plan 5. Monitoring plan 6. Inclusive, accessible and equitable dispute resolution mechanisms [1 week]	Ministry of Justice, Ministry of Lands and Survey, Investors, Ministry of Trade and Investment, Ministry of Agriculture and Natural Resources.

The 6 stages provide an overarching framework that guides all the toolkits of FRILIA. However, the unpacking of these stages varies from one toolkit to another. Hence, each of the FRILIA toolkits has its own approach embedded within the overall investment project cycle.

Signed:



Chief Elechi N. Elechi

Hon.Commissioner, MOT&I

