



EKITI STATE

Ekiti State Development and Investment Promotion Agency (EKDIPA)

(Established under the EKDIPA law 2019)

Investment Approval Process

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In Accordance with the provisions of Ekiti State Law & Other Matter Connected

Large-scale agricultural investments in Ekiti State are underpinned by a framework defined by EKDIPA 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 Ten (10) stages:

Process Stage	Responsible Party
Stage 1: Initial Inquiries & Know Your Customer (Due Diligence) Assessments A. EKDIPA should be the primary entry point for ALL large-scale agricultural investments in Ekiti State (except peasant farmers who should be referred to the MAFS) B. EKDIPA approached by potential investor (or in some cases EKDIPA may reach out to a potential investor) C. EKDIPA conducts preliminary screening and due diligence on investor and provides investor with information related to potential investment: whether general land investments or; Public-Private Partnerships.	Lead MDAs <ul style="list-style-type: none">• Ekiti State Development and Investment Promotion Agency• Ekiti State Ministry of Agriculture and Food Security• Ekiti State Bureau of Land Services

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<p>D. Conduct stakeholders engagement comprising of Government, investor to evaluate proposal with the following guidelines:</p> <ol style="list-style-type: none"> Experience on project and technical competence Audited company financial report and evidence of registration with the Corporate Affairs Commission Tax clearance certificate or TIN in case of Individual for the last 3 years Board of Directors including people of integrity submission of Business plan to include priority sector, project viability / profitability, market analysis, value of the investment, job creation, clearly stating the number of direct/indirect jobs to be created, benefits to the State/citizens, work plan (giving details of work implementation plans with dates), projected cost of investment, source or access to finance, and types of partnership Evidence of funding <p>E. Possible initial engagement with community if area has been preliminary identified.</p> <p>Time frame for stage – 3weeks</p>	<ul style="list-style-type: none"> Ekiti State Office of Surveyor General <p>Supporting MDAs</p> <ul style="list-style-type: none"> Ekiti State Ministry of Justice Environmental Protection and Watershed Management Agency
<p>Stage 2: Information Exchange & Site Visits</p> <p>A. EKDIIPA continues to provide information and resources 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. MAFS arranges for Land identification, field assessments for croppable lands and site visits for the investor after notifying local officials and communities of investor interest.</p> <p>C. MAFS 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>D. MAFS identify the families/quarters/head of the community where the land is located; Engage with community / stakeholder engagement</p>	<p>Lead Agency</p> <p>Ekiti State Development and Investment Promotion Agency Ekiti State Ministry of Agriculture and Food Security Ekiti State Bureau of Land Services Ekiti State Office of Surveyor General</p> <p>Supporting Agency</p> <p>Ekiti State Ministry of Investment Trade, Industry and Cooperative,</p>

<p>NB: community consultations are ongoing throughout the life of the investment project.</p> <p>Time frame for stage –4 weeks</p>	<p>Environmental Protection and Watershed Management Agency</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 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 Ekiti State Ministry of Justice should begin to discuss a community engagement plan to guide the ongoing consultations.</p> <p>Time frame for stage – 2 weeks</p>	<p>Responsible MDAs</p> <p>Ekiti State Development and Investment Promotion Agency Ekiti State Ministry of Agriculture and Food Security Ministry of Justice,</p> <p>Supporting MDAs</p> <p>Ekiti State Bureau of Land Services Ekiti State Office of Surveyor General</p>
<p>Stage 4: Environmental and Social Impact Assessment (ESIA).</p> <p>A. Ekiti State Environmental and Watershed Management Agency makes its determination whether the ESIA is acceptable and notifies the investor within 21 days of receiving it.</p> <p>B. If not already completed, a community engagement plan should be finished in this stage.</p> <p>C. Land lease discussions can continue (if begun in a previous stage) or begin. Leases should not be finalized and signed until Stage 8.</p> <p>Time frame for stage and statutory fees] -: 8 weeks</p>	<p>Ekiti State Environmental and Watershed Management Agency Ekiti State Development and Investment Promotion Agency Ekiti State Ministry of Agriculture and Food Security Ekiti State Bureau of Land Services Ekiti State Office of Surveyor General Potential investor Host Community representatives</p>

<p>Stage 5: Perimeter survey; Topography survey; Production of Maps</p> <p>A. Office of Surveyor General issues the approval for perimeter surveys for acquisition purposes</p> <p>B. Perimeter, Geo-reference and topography survey (including emplacing survey pillars)</p> <p>Time frame for stage: 4 weeks (depending on the hectareage of land)</p>	<p>Responsible MDAs Ekiti State Office of Surveyor General</p> <p>Supporting MDAs Ekiti State Ministry of Agriculture and Food Security</p>
<p>Stage 6: Enumeration, Valuation and Compensation</p> <p>Enumeration includes but is not limited to crops</p> <p>A. Land and crop valuation needed if the investor is considering PPP arrangement</p> <p>B. Crop enumeration to be conducted by Bureau of Lands and where necessary collaborate with MAFS</p> <p>C. Relevant Professional in concerned MDAs will be engaged in carrying out enumeration task to encourage professionalism</p> <ul style="list-style-type: none"> • Crop enumeration to be carried out by Bureau of Land Service (BLS) and where necessary, in collaboration with crop Scientists and expert in Animal Husbandry /Fishery Scientists • Animal/Fishery Enumeration to be carried out by Animal/Fishery Scientists <p>D. BLS to conduct valuation of all unexhausted improvements or by land consortium of Estate Surveyors and Valuers in conjunction with BLS.</p> <p>E. Payment Payment of compensation for unexhausted improvements of the verified claimants (BLS)</p> <p>F. If not already completed, a community engagement plan should be finished in this stage.</p> <p>Time frame for stage: three (3) weeks (depending on the hectareage of land)</p>	<p>Responsible MDAs Ekiti State Ministry of Agriculture and Food Security Ekiti State Bureau of Land Services</p> <p>Supporting MDAs Office of Surveyor General Ekiti State Development and Investment Promotion Agency</p>
<p>Stage 7: Investor Enters into a Memorandum of Understanding ("MoU") with Ekiti State Government and Representatives of the Affected Communities.</p>	<p>Responsible MDAs Ekiti State Ministry of Justice</p>

- A. EKDIIPA reviews submissions from assessments done in previous stages and may decide to conduct further does more in-depth due diligence assessments on the investor (where necessary). and EKDIIPA shares additional due diligence findings with other stakeholders.
- B. Consultations with the community continues and a community engagement plan may be agreed to at this point.
- C. If all parties continue to be supportive of the proposed investment, the Ministry of Justice will provide a Memorandum of Understanding / Memorandum of Agreement for signing. This will cover among others, the framework of the investment, how much land is required, benefits that may accrue to the community, commitments to ongoing consultation etc. The MoU does not legally commit any party to a final agreement on the proposed investment.

Time frame for stage – 2week

Stage 8: 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:
 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

Time frame for stage and statutory fees– 1 week

Ekiti State Development and Investment Promotion Agency
Supporting MDAs
 Ekiti State Ministry of Agriculture and Food Security,
 Ekiti State Bureau of Land Services,
 Ekiti State Office of Surveyor General,
 Ekiti State Environmental and Watershed Management Agency,
 Potential Investor,
 Host Community

Ekiti State Development and Investment Promotion Agency
 Ekiti State Ministry of Agriculture and Food Security
 Ekiti State Bureau of Land Services
 Ekiti State Office of Surveyor General
 Ministry of Justice
 Potential investor
 Host community
 Ekiti State Environmental and Watershed Management

<p>Stage 9: Land Acquisition / Lease</p> <p>A. Acquisition of land by the BLS and / or granting of lease by BLS to potential investors for agricultural operations is based upon satisfactory presentation of proposal and agreement reached on timelines and intervention approach</p> <p>B. BLS to Issue Acquisition Notice; Facilitate land possession and uptake</p>	<p>Responsible MDAs</p> <p>Ekiti State Bureau of Land Services Ekiti State Office of Surveyor General Ministry of Justice Ekiti State Ministry of Agriculture and Food Security Host Community Investor</p> <p>Supporting MDAs</p> <p>Environmental and Watershed Management Agency, Ministry of Justice, Ministry of Investment Trade Industries and Cooperatives</p>
<p>Stage 10: Process title documents including C of O, survey plans and other relevant documents.</p> <p>A. Land registration (BLS)</p> <p>B. Provide guidelines for payment required for Certificate of Occupancy (C of O) (where the need for one arises) (BLS)</p> <p>C. Approve C of O (Governor)</p> <p>D. Receipt of payment of necessary dues on behalf of the government (EKIRS)</p> <p>E. Production of the survey plan intended for the preparation of the certificate of occupancy for the acquired land (OSG).</p>	<p>Responsible MDAs</p> <p>Ekiti State Bureau of Land Services Ekiti State Office of Surveyor General</p> <p>Supporting MDAs</p> <p>Ministry of Agriculture and Food Security Ekiti State Development and Investment Promotion Agency</p>

Signed



Mrs. Lolade Olutola
Director General EKDIPIA
September, 2025