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## Value Added Tax and Federalism in Nigeria: A Historical Overview, Activities, Challenges, and Prospects for a New Tax Regime

## DJEBAH, NICHOLAS EDIRIAVWORIAH<sup>1</sup>, Dr Tyodzer Patrick PILLAH<sup>2\*</sup>, Dr Roseline I Ayeh<sup>3</sup>

1-\*2-3 Department of Public Administration, Faculty of Management Sciences, Veritas University of Nigeria, Bwari-Abuja

# Corresponding Autho Dr Tyodzer Patrick PILLAH

Department of Public Administration, Faculty of Management Sciences, Veritas University of Nigeria, Bwari-Abuja

Email; pillahp@veritas.edu.ng

Tell; 08036275160

#### **Article History**

Received: 17 / 04/2025 Accepted: 04/05/2025 Published: 07/05/2025 Abstract: The discussion surrounding the Value-Added Tax (VAT) and federalism in Nigeria has ignited vigorous debate, particularly concerning the collection, administration, and distribution of funds among the three tiers of government. At its core, a conflict exists between centralised VAT administration and the principles of fiscal federalism, which provide states with financial autonomy. While the federal government controls VAT collection and redistribution through the Federal Inland Revenue Service (FIRS), a few states, especially Lagos and Rivers, argue for state-level administration, citing economic disparities and unfair revenue sharing. This study aims to examine the historical evolution of VAT in Nigeria, analyse its impact on federalism, identify key challenges, and explore the prospects for a reformed tax regime aligned with best governance practices. Using a qualitative research methodology, the study relies on secondary data from government reports, court rulings, tax laws, and comparative analysis of federal tax systems in other countries. Findings reveal that Nigeria's centralised VAT system limits state fiscal independence, creates legal uncertainties, and affects business confidence due to multiple taxation risks. Furthermore, the study highlights the inequities in VAT revenue distribution, which disadvantage economically productive states. The study strongly recommends constitutional reforms that establish a dual VAT system, enabling both federal and state governments to impose and administer VAT within their respective jurisdictions. These reforms are urgently needed to enhance economic efficiency and national unity.

**Keywords:** Fiscal federalism, Fiscal Policy, Fiscal decentralisation, indirect taxation, Tax, Value-Added tax (VAT), Revenue Mobilisation, Federal Inland Revenue Service (FIRS).

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## Introduction

An element of fiscal policy is value-added tax (VAT), a consumption tax imposed on goods and services. VAT is a significant source of revenue for the Nigerian government, underpinning essential public services and infrastructure. However, the implementation of VAT has sparked extensive debate among policymakers, economists, and citizens alike, particularly on the principles of fiscal federalism and the equitable distribution of revenues among different levels of government (Federal Inland Revenue Service [FIRS], 2023) — this intense debate is the result of overlapping tax responsibilities between the federal and state governments.

VAT is an important source of revenue for governments at all levels. However, how it is collected, managed, and distributed has led to various legal and political disputes. These conflicts have led to an ongoing discourse about the most effective methods for allocating the resulting revenue to ensure fair and efficient funding for all tiers of government. This discourse encompasses discussions on the suitable revenue-sharing formula, the federal

government's role in VAT collection, and the potential impact of VAT on state fiscal autonomy.

## Statement of the Problem

Despite several reforms and judicial interventions, a significant gap remains in understanding how Nigeria's VAT structure aligns with, or misaligns from, the principles of fiscal federalism. This gap primarily relates to the distribution of VAT revenue among federal, state, and local governments, the efficiency of VAT collection and administration, and the potential impact of VAT on the socio-economic development of different regions —a key concern that this research aims to address.

## Objective of Study

This study addresses these gaps by providing a **historical overview of VAT in Nigeria**, evaluating its administration, highlighting the **challenges within the federalist structure**, and exploring **prospects for a new tax regime** that aligns with best practices in federalism. A particular emphasis is placed on

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exploring strategies for transitioning towards a more effective and equitable tax regime that aligns with Nigeria's federal structure and addresses the needs of its diverse population.

## Methodology

This study employs a qualitative analysis of Nigeria's VAT system, focusing on policy frameworks, revenue generation, and economic impact. It reviews existing literature, legal frameworks, and empirical data to assess the efficiency of VAT and its implications for public finance.

## Scope

This work encompasses Nigeria's value-added tax (VAT) system, including its legal framework, administration, revenue performance, economic impact, and associated challenges. It examines VAT policies and compliance issues, as well as their implications for public financial management within the Nigerian context.

## Significance

This research holds significant importance as it offers a comprehensive understanding of the VAT system in Nigeria, its challenges, and the potential for a new tax regime.

## **Operational Clarification of Terms:**

- Federal Inland Revenue Service (FIRS): The FIRS is the primary tax authority in Nigeria, responsible for assessing, collecting, and accounting for taxes and other revenues accruing to the Federal Government of Nigeria.
- Fiscal Decentralisation: In the Nigerian context, this refers to the transfer of financial responsibilities, including revenue generation and expenditure authority, from the central government to lower levels of government, such as states or local municipalities. It is a key aspect of fiscal federalism, aiming to promote local development and effective service delivery.
- Fiscal Federalism: Fiscal Federalism refers to the financial relationships and divisions of functions among different government levels within a federal system. In the Nigerian context, it examines how competencies and fiscal instruments are allocated across various layers of administration, particularly about Value-Added Tax (VAT) and other indirect taxes.
- Fiscal Policy: Government policies related to taxation, spending, and borrowing to influence the economy.
- ➤ **Indirect Taxation:** Taxes levied on goods and services rather than income or profits.
- Revenue Mobilisation: Strategies to generate government income through taxes, levies, and other means.
- ➤ Tax: A tax is a mandatory financial charge or levy imposed by a government on individuals, businesses, or other entities to fund public expenditures.
- ➤ Value Added Tax (VAT): A consumption tax levied on goods and services at each stage of production and distribution.

### Literature Review: History of VAT in Nigeria

VAT and federalism in Nigeria reveal a complex interplay between tax administration, governance, and social development.

VAT was introduced in Nigeria in 1993 as part of a broader tax reform aimed at diversifying the country's revenue sources and reducing dependence on oil revenues (Kuyebi & Omodero, 2025). Motivated by the need for broader tax coverage and revenue diversification, it was enacted under VAT Act No. 102 of 1993 (Omesi et al., 2023). Its purpose was to address and rectify the inefficiencies of the prior sales tax system, which was notably less effective in generating substantial revenue and was managed independently by various states (Omesi & Nzor, 2015). VAT was introduced as a more streamlined approach to tax collection, broadening the tax base and enabling the government to increase its revenue streams significantly. This essential revenue would be directed toward critical developmental projects, stimulating economic growth and enhancing public welfare (Izedonmi & Okunbor, 2014).

The historical development of VAT in Nigeria must be understood within the context of the country's federal structure. The Nigerian federation has undergone several transformations since its independence in 1960, with state creation and revenue allocation being central to these changes (Adebayo & Ojo, 2025). The creation of more states has often been driven by political and economic considerations, with implications for fiscal federalism. For instance, the proliferation of states has led to increased competition for limited resources, complicating the implementation of VAT and other tax policies (Adebayo & Ojo, 2025).

The Federal Inland Revenue Service (FIRS) was mandated to administer the tax, which was initially set at a rate of 5% and later increased to 7.5% in 2019 (Kuyebi & Omodero, 2025). This strategic move was designed to ensure uniformity in tax collection and enforcement across the nation. This centralised framework enabled more efficient management of tax resources, ensuring that the revenue collected could be fairly distributed among the various tiers of government—federal, state, and local. This equitable distribution aims to foster collaboration among different levels of government and ensure that resources are allocated effectively to support local development initiatives while simultaneously addressing national priorities.

The key issues for discussion in the work on VAT include the legal and Policy Framework of VAT in Nigeria, VAT revenue generation and performance, the economic impact of VAT, compliance and enforcement challenges, VAT rate and structure, reforms, and policy recommendations.

## **VAT Rate Changes and Amendments**

The VAT system in Nigeria has undergone a series of notable transformations over the years, marked by a substantial increase in the tax rate from 5% %—a stable figure that persisted for 26 years, spanning from 1993 to 2019—to a revised rate of 7.5%, implemented in 2020. This alteration was explicitly aimed at bolstering government revenue amidst rising fiscal pressures, as noted by Agbo and Nwadialor (2020). The pivotal Finance Act of 2019 introduced this hike and encompassed various reforms to modernise the VAT framework. These reforms included various exemptions for essential goods and services, such as food and healthcare, to alleviate the financial burden on vulnerable populations while enhancing compliance and mitigating tax evasion efforts (Lange, 2023).

As the VAT landscape evolved, a robust discourse emerged concerning the socio-economic consequences of the increased rate of *per capita* income. Critics have highlighted that such tax hikes disproportionately impact low- and middle-income households,

emphasising the urgent need for comprehensive palliative measures to alleviate adverse effects on these communities (Agbo & Nwadialor, 2020). In a noteworthy turn, 2021 saw capable states like Rivers and Lagos mount a legal challenge against the federal government's exclusive control over VAT collection. Their argument centred on the assertion that states should have the authority to collect VAT within their jurisdictions, raising critical questions about fiscal autonomy and state rights. This dispute sparked a wave of ongoing legal battles and political debates, significantly shaping the VAT regulatory framework in Nigeria (Eze, 2022).

Despite its role in enhancing Nigeria's fiscal resources, the VAT system has attracted scrutiny for potentially exacerbating economic inequality. Observers are increasingly concerned about how such tax policies might affect different socio-economic groups, leading to calls for a reconsideration of tax structures. Discussions surrounding possible reforms, including the potential transition back to a sales tax system, have gained traction among various stakeholders who argue that such changes could create a fairer taxation model by differentiating between types of goods and services. As the landscape continues to evolve, the interplay of legal, political, and economic factors remains crucial in navigating the complexities of VAT in Nigeria, with the overarching goal of striking a balance between revenue generation and the principles of equity and social justice.

## VAT Operational Mechanism in Nigeria

The introduction of VAT was a significant step in Nigeria's fiscal federalism, providing a mechanism for generating revenue at both the federal and state levels. The primary activities of VAT in Nigeria include revenue generation, economic development, and wealth redistribution. VAT is levied on the consumption of goods and services, with specific exemptions for essential items, including basic foodstuffs, medical services, and educational materials (Kuyebi & Omodero, 2025). The collection of VAT is effectively managed through a well-structured system that includes several critical components. Central to this system is the registration of businesses, which ensures that all entities participating in economic activities are accounted for. Each registered business is assigned a unique Taxpayer Identification Number (TIN), facilitating tracking and compliance.

Additionally, the FIRS conducts regular audits to ensure businesses adhere to tax regulations and accurately report their VAT obligations (Yeldu et al., 2023). Businesses diligently collect VAT and promptly remit it to the FIRS. This pivotal tax is applied to a wide range of goods and services, with certain essential items—such as basic foodstuffs, educational materials, and pharmaceuticals—exempted to ensure affordability and accessibility.

The FIRS plays a crucial role in administering and collecting VAT at the federal level, while state governments also benefit from VAT revenues. This structure facilitates efficient tax collection, ensuring that states receive a share of VAT revenues, promoting local development initiatives, and enhancing public services within the states (Ajuru, 2015).

The distribution of VAT revenue showcases a structured allocation:

- Federal Government 15%
- State Governments 50%
- Local Governments 35% (FIRS, 2023).

It should be noted that the Joint Tax Board (JTB) plays an essential role in harmonising tax policies across various states, aiming to minimise discrepancies arising from different state regulations. By standardising tax practices, the JTB enhances compliance among taxpayers and improves overall revenue collection (Ewim et al., 2024). Despite its critical function in facilitating a coordinated approach to taxation, the JTB faces significant challenges in achieving a genuinely unified tax collection strategy. Variations in state-level tax laws, differing rates, and local administrative practices continue complicating efforts to integrate tax policies seamlessly across the nation (Ewim et al., 2024).

One of the key roles of VAT in Nigeria is its contribution to human capital development. Studies have shown that VAT revenues have been used to fund education, healthcare, and infrastructure projects, which are critical for human capital development (Kuyebi & Omodero, 2025). However, the impact of VAT on human capital development has been mixed, with some studies indicating that the tax has harmed economic development and human capital due to its regressive nature (Kuyebi & Omodero, 2025).

## The Economic Significance of VAT

VAT is a formidable pillar of non-oil revenue, contributing an impressive sum of over №3 trillion annually. These funds are vital in powering infrastructure development, enhancing healthcare, advancing education, and supporting various social programs that uplift communities. Notably, states characterised by robust economic activity, such as Lagos and Rivers, are the primary generators of VAT revenue, yet they receive a disproportionately smaller allocation than their contributions merit.

## **Challenges of VAT and Federalism in Nigeria**

Value-added tax (VAT) has become a widely adopted indirect tax system in many countries worldwide, primarily due to its ability to generate substantial government revenues. However, implementing and managing VAT present notable challenges, particularly in achieving consistent application, compliance, and enforcement across different jurisdictions. (Adegbie et al., 2016) (Khan & Shadab, 2012; "Role of Value Added Tax in the Economic Development of the Kingdom of Bahrain," 2020). One of the key challenges in VAT administration is the issue of intergovernmental disputes and the delineation of authority and jurisdiction in tax collection and enforcement. The rise of ecommerce and the blurring of physical boundaries have exacerbated these challenges, as consumers can easily engage in cross-border transactions, potentially leading to tax avoidance and evasion. (Edemidiong et al., 2020) Addressing these issues requires robust coordination and cooperation among national tax authorities, as well as the development of harmonised policies and regulations.

Despite its importance in revenue generation, VAT in Nigeria faces several challenges. One of the significant challenges is the issue of compliance. Many businesses and individuals fail to comply with VAT regulations, leading to significant revenue losses. The compliance and enforcement difficulties associated with VAT can be attributed to the system's complexity, the diverse nature of economic activities, and the potential for tax avoidance. Ensuring uniform application of VAT across different sectors and regions can be particularly challenging, as variations in tax rates,

exemptions, and administrative procedures can create loopholes and opportunities for evasion. (Harkushenko, 2022)

## **Revenue Allocation Disputes**

Another challenge is the issue of revenue allocation. The current revenue allocation formula favours the federal government and has led to tensions between the federal and state governments (Adebayo & Ojo, 2025). States have argued that they should receive a larger share of VAT revenues, given their responsibility for providing essential services such as education and healthcare (Adebayo & Ojo, 2025). In Nigeria, economically vibrant states like Lagos and Rivers are powerhouses in revenue generation, contributing over 50% of the nation's total VAT. Despite their significant contributions, these states often find themselves at a disadvantage, receiving a fraction of the revenue they help generate due to the prevailing allocation formula (Eze, 2022). This disparity has sparked ongoing debates about fairness and economic equity.

Meanwhile, less prosperous states argue passionately for a system that allows for equal distribution of VAT revenues, contending that the current structure favours wealthier regions and exacerbates existing inequalities. Conversely, wealthier states are increasingly vocal about their desire for greater control over their VAT collections, believing that retaining a larger share of the revenue they generate would better support their local economies and enhance their ability to provide essential services to their residents. This complex tug-of-war underscores the challenges of crafting a balanced and equitable fiscal policy that addresses the diverse needs of Nigeria's diverse states.

## **Legal and Constitutional Conflicts**

The landmark 2021 case of Rivers State vs. the FIRS emerged as a crucial confrontation over Nigeria's control and administration of VAT. This case sparked a complex series of legal battles, characterised by conflicting opinions among lower courts that issued inconsistent judgments regarding the legitimacy of state-imposed VAT laws versus federal authority. This weakens the legal certainty needed for stable governance and discourages foreign investment.

The Supreme Court's delay in providing a definitive ruling on this contentious issue has created an atmosphere of uncertainty and confusion among stakeholders, including state governments, businesses, and tax administrators. This lack of clarity complicates tax administration efforts, leaving entities unsure about their obligations and rights under the current legal framework (Uwais, 2023).

## **Multiple Taxation Issues**

Businesses operating in Nigeria are increasingly facing the challenge of double taxation, as several states have implemented their versions of VAT regulations that coexist alongside the federal VAT. This overlapping tax structure complicates company compliance and creates a potential for tax liabilities to be imposed by federal and state authorities, leading to financial strain and operational inefficiencies.

Furthermore, the absence of a cohesive and harmonised tax structure significantly undermines the business environment, discouraging domestic and foreign investments. Investors are often deterred by the unpredictability and complexity of navigating multiple tax obligations, which can stifle business growth and restrict economic development across the region.

#### **Compliance Strategies**

Many businesses, particularly those operating in the informal sector, often neglect to register for VAT, resulting in significant revenue losses for the government. This issue is compounded by weak enforcement mechanisms that allow numerous companies to evade their VAT obligations, as Olaoye and Ekundayo (2019) discussed. The FIRS and various state tax authorities have taken proactive measures to address tax compliance in response to this challenge. These initiatives include comprehensive taxpayer education programs to inform business owners about their responsibilities, implementing advanced technology to monitor compliance more effectively, and introducing stricter enforcement of existing tax laws (Yeldu et al., 2023; Aruwa, 2008).

To further bolster these efforts, authorities have organised workshops, seminars, and informational campaigns directed at businesses and consumers. Such events aim to enhance the awareness and understanding of tax issues among all stakeholders (Yeldu et al., 2023). Nevertheless, challenges persist, including alarmingly high rates of tax evasion, a general lack of public awareness regarding tax liabilities, and insufficient training opportunities for tax officials, all of which hinder the effectiveness of these initiatives (Yeldu et al., 2023).

Additionally, there is the economic burden on Consumers. Raising VAT rates substantially increases the overall cost of a wide range of goods and services, creating a heavier financial burden for low-income earners who are already vulnerable to financial insecurity. This can hinder their ability to purchase essential items, such as food and medical care, ultimately affecting their quality of life. In response to the increased VAT costs, businesses often pass these expenses on to consumers by raising their prices. This practice not only diminishes purchasing power but also fuels inflationary pressures within the economy, raising concerns among economists and policymakers about the potential for a sustained rise in living costs.

# Prospects Towards a New Tax Regime in Nigeria

Given the challenges and disputes surrounding VAT and federalism, reforming Nigeria's VAT system is crucial for establishing a more equitable tax structure, enhancing tax collection efficiency, and addressing intergovernmental disputes and compliance issues. Put differently, there is a need for a more equitable revenue allocation formula that addresses the concerns of both the federal and state governments (Sharma, 2025). A revised VAT regime has the potential to stimulate economic growth and improve revenue generation. The recommendations below outline key strategies for reform. Possible solutions include a dual VAT system, similar to Canada's, where federal and state governments impose separate VAT rates.

## **Fiscal Decentralisation of VAT Collection**

One promising option is to grant states the authority to independently collect and manage VAT with the requirement to remit a specified portion of the revenue to the federal government. This model enhances the financial independence of states, enabling them to tailor fiscal policies that align with their unique economic circumstances and regional needs. By allowing states to retain control over VAT collection, they can implement localised strategies for tax expenditure, potentially funding essential services such as education, healthcare, and infrastructure development.

Additionally, this approach can lead to more transparent and streamlined revenue management at the state level, reducing the complexity and contention that often arises around federal revenue allocation. Ultimately, empowering states in this way may foster healthier competition and innovation in tax administration, benefiting both the states and the country as a whole.

## A Unified National VAT System with Revenue Redistribution

A compelling alternative to explore is the creation of a centralised VAT system, paired with a thoughtful revision of the allocation formula. This revised formula would be designed to reflect the unique economic contributions made by each state more accurately. By implementing this approach, states that generate higher revenues would receive a fairer distribution of financial resources, ensuring they are adequately compensated for their significant contributions to the overall economy. At the same time, this system would provide vital support to less-developed states, equipping them with the necessary resources to stimulate economic growth and development. Such an equitable strategy not only fosters an environment of collaboration among states but also encourages the mutual prosperity of all parties involved, creating a more balanced economic landscape that benefits everyone.

## **Digitalisation of VAT Collection**

Leveraging technology in tax administration can significantly enhance compliance with VAT regulations while promoting transparency and efficiency. By investing in cuttingedge tax administration technologies, governments can optimise their collection processes, ultimately lowering business compliance costs and mitigating the potential for tax evasion (I. et al., 2024). For instance, e-invoicing systems enable real-time transaction tracking, ensuring that all sales are accurately documented and taxed. As observed in Indonesia, the use of e-factoring systems has enhanced tax compliance and streamlined the calculation and reporting of VAT (Fathoni, 2025). Nigeria could benefit from adopting similar technologies to enhance tax administration and reduce compliance costs (Fathoni, 2025). Additionally, automated reporting tools can simplify the submission of tax data, making it easier for businesses to comply with regulations and allowing tax authorities to monitor compliance more effectively. Furthermore, incorporating digital payment systems facilitates the seamless transfer of funds, providing a clear record of financial transactions that is less prone to manipulation. These advancements collectively create a robust framework to combat tax evasion (FIRS, 2023).

## **Policy and Legal Reforms**

Amending the constitution is essential for providing a clear and detailed framework for collecting and distributing VAT responsibilities, thereby ensuring transparency and accountability at the federal and state levels. The National Assembly should prioritise the passage of a comprehensive VAT reform bill. This legislation must strike a careful balance between protecting the interests of federal and state governments while fostering collaborative governance and financial stability. A tiered VAT system should be implemented to promote a fair and equitable tax structure. This system would differentiate tax rates based on the nature of goods and services, ensuring that essential items remain accessible and affordable for low-income households. This approach aligns with economic principles that advocate for equitable tax burdens (Stiglitz et al., 2007).

Another critical strategy is broadening the VAT base. This can be achieved by incorporating a wider array of goods and services into the VAT framework, particularly those in the

informal sector. The government can reduce its heavy reliance on oil revenue and significantly enhance overall tax compliance, leading to a more resilient economy (I. et al., 2024).

## **Reduction of Multiple Taxation**

A cohesive and harmonised national tax policy must be formulated to address and eliminate inconsistencies and conflicts arising from current state and federal tax regulations. This policy should incorporate clear and comprehensive guidelines to prevent individual states from imposing additional levies or taxes on businesses that are already liable for VAT. Doing so will create a more predictable and equitable tax environment for businesses, fostering growth and compliance.

Reforming Nigeria's VAT system is crucial for establishing a more equitable tax structure, enhancing tax collection efficiency, and addressing intergovernmental disputes and compliance issues. A revised VAT regime can potentially stimulate economic growth and improve revenue generation.

## Conclusion

The VAT and federalism crisis in Nigeria is not just a technical tax issue—it affects governance, business confidence, economic development, and intergovernmental relations. It also reflects broader tensions between centralised and decentralised fiscal policies. While VAT remains a crucial non-oil revenue source, a revised VAT regime could increase revenue, fund essential services such as education and healthcare, and foster economic stability. Resolving these challenges requires constitutional clarity, stakeholder consensus, and policy reforms that align with Nigeria's federal structure while ensuring economic stability.

Reforming the VAT system through fiscal decentralisation, digitalisation, and policy harmonisation will ensure a fair, efficient, and sustainable tax regime. The success of these reforms depends on collaboration between federal and state governments, explicit legal provisions, and effective enforcement mechanisms. While these reforms present a pathway to a more effective VAT system, there remains a risk that poorly designed policies could inadvertently burden the most vulnerable populations, highlighting the need for careful consideration of equity in tax reform efforts.

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