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HARNESSING NIGERIA'S TOURISM POTENTIALS FOR SUSTAINABLE SOCIO-ECONOMIC DEVELOPMENT: THE CONTEXT OF LAW AND POLICY

***Abstract:** This paper looks at Tourism as a Sector that can contribute substantially to the growth of Nigeria economy especially in this era where everyone is calling for diversification of the economy, resource control, restructuring and true federalism. It is of common knowledge that our dependence on oil as a country is no longer sustainable because of the fall in price of oil in the international market and the domestic problems of oil theft, pipeline vandalization and militancy of the youths in the oil communities. More importantly, oil is a wasting asset that is being depleted every day. It is therefore the thrust of this paper that if our tourism sector in Nigeria can be developed and well branded, Nigeria can make a lot of money from it, like Israel, Saudi Arabia and United Arab Emirate. The research method used in this paper is the doctrinal method of research.*

***Keywords:** Tourism, Nigeria, Recreation, Hotel, Sustainable Development*

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1. INTRODUCTION

Tourism in ordinary parlance is a business of providing things for people to do, places for them to stay while they are on holiday¹, while a tourist is someone who is travelling or visiting a place for pleasure.² Nigeria's Tourism law defines tourism enterprises to include amusement and theme park, leisure, recreation, Souvenir, tour operation, travel agency, tourism promoter, vehicle and vessel hire Services and handicrafts.³ Today we can include ecotourism, religious tourism and cultural tourism or culture related tourism.

In Nigeria, like in most advance counties of the world, Tourism goes with hospitality and transportation because of the fact that tourism can be local or international and such tourist will need where to lay their heads therefore hotels, motels, Guest houses, Inns and restaurants are always necessarily associated with tourism. It is for this reason that the law that regulates Tourism also regulates the hospitality Industry in Nigeria.

The development of the tourism sector in Nigeria is anchored on the National Tourism policy, National Tourism Development master plan and the various laws that regulate various aspects of tourism and hospitality. These laws include the Common law and the various principal and subsidiary legislations some of which we shall consider later in this paper.

Although, from the onset it must be stressed that Tourism and hospitality are not listed in the exclusive or concurrent legislative lists, therefore it should be a residual matter which only the State governments can legislate upon. The regulation of Tourism and hospitality by NTDC is therefore wrong and unlawful.⁴ This is part of restructuring that is necessary to give the States the opportunity to explore the Sector for sustenance.

This paper will therefore approach the topic in this order: Introduction, definition of terms, Types of Tourism, global trend in tourism and contribution of tourism into the Nigerian economy, National Policy and National Tourism master plan and Statement of the law, Commercial Control of tourism, Security control of Tourism, Challenges facing the Sector and the way out.

2. METHODOLOGY

The article relies on the doctrinal research methodology. Doctrinal research is concerned with legal propositions, the sources of data are legal and appellate courts decisions. It is library research; it includes primary and secondary sources. The primary sources are Statutes, Constitution, Acts and Laws while secondary sources are books, articles etc.

Some of the primary sources explored here are: Nigeria Tourism Development Corporation Act Cap N137 LFN 2004, National Environmental Standards and Regulations En-

¹ Longman Dictionary of Contemporary English, 6th ed (Addison-Wesley Longman Ltd 2014)

² Ibid

³ Section 22 of Nigeria Tourism Development Corporation Act Cap N137 Laws of the Federation 2004

⁴ Attorney General of Lagos State v Attorney General of the Federation 2013 16 NWLR (part 1380) 383 where the Supreme Court held that Section 4(2)(c) & (d) and Section 7 of the NTDC Act and regulation made under the Act are unconstitutional null and void because the legislative power to license hotels and tourism business was held to fall under residual power of the State.

forcement Agency Act 2007 Cap 301 LFN 2010, Hospitality and Tourism Establishment (Registration, Grading and Classification) Regulations 1995 Nigeria amongst others. The secondary sources include books, articles and journals related to the subject matter of this research. The internet has turned the whole world not only into a global village but also a global room. It helps a lot in various researches of various natures. There is no information needed that cannot be obtained from the internet. Thus, the internet is of tremendous help in putting this article together.

3. MEANING, NATURE AND SCOPE OF TOURISM

Tourism is a leisure activity involving the movement of people to destinations away from their usual residencies. It is often international in character. Various definitions have emerged from various authors. Below are a few of them.

1. Tourism by simple definition could mean the movement of person or a group of persons from his/their abode to a place far or near for the purpose of leisure (Adejuwon, 1993). He thus argued that tourism extends to visits to places outside's one's home place, location and Country for various purposes such as vacation, interest in the history of destination of the tour, its architecture, etc.⁵

2. Tourism according to United Nations (1998) is "a form of recreation which implies leaving home for another place whether near or far".⁶

3. According to the definition of the Association of International Scientific Experts in Tourism (AASET), Tourism is the sum of the phenomena and relationship arising from the travel and stay of non-residents, in so far as this does not lead to permanent residency and are not concerned with any earning activity.⁷

The word "Tourist" comes from a French word "Touriste" meaning a person who out of his own interest undertakes a journey and in the process gets to know many places outside his permanent place of abode during his or her free time.⁸ This free time could be weekends, annual leave, public holiday, etc. and for a duration of not less than 24 hours. During such a journey, the tourist must not undertake a remunerative employment.

In the recent year, tourism has become an important factor in world trade and a major element in the balance of payment of any countries. It has grown faster than any other trade in the world.⁹ Tourism generates wealth and employment. It is a major source of income and a foreign exchange earner for countries whose tourism potentials have been adequately developed. Also, the phenomenon of tourism involves much travelling and as a result, provides

⁵ Franklin Adejuwon :Trends of Tourist demand in Africa The Tourist Review Vol 41 Issue 1 1986. Available at <https://www.emerald.com/insight/content/doi/10.1108eb057942/full/html>. Accessed 8 November,2021

⁶ United Nation Trade and Development Report 1998. Available at https://unctad.org/system/files/official-document/tdr1998_en.pdf. Accessed 8 November,2021

⁷ Association of International Scientific Experts in Tourism Report 1982. Available at <https://journals.sagepub.com/doi/abs/10.1177/004728758202000306>. Accessed 10 November,2021

⁸ Ibid

⁹ Ibid

income to transport operatives and transport organization. Explicit from here is the need for a good transportation system and administration for a country to thrive in tourism.

Since tourism involves the movement from one's abode to somewhere else, the demand for accommodation and other facilities arises and all these require expenditure of money. Thus, tourism motivates the growth of business and the general economy. Travel as an activity is as old as man himself and the first recorded instance of travel abroad for curiosity or tourism was the visit of Queen of Sheba to King Solomon.¹⁰ Since the days of Queen of Sheba, travelling abroad for conferences, meetings, etc. has developed tremendously.

4. RECREATION

Recreation, which has the concept of leisure, is described in various ways. Recreation is a form of play or amusement that pleasantly occupies one's time after work. United Nations (1988) gives a technical definition of recreation as "an activity carried out by free choice". It implies the restoration of human Physical and Psychic wellbeing, the development of the individual and the enrichment of one's spiritual capacity. According to Corbin,¹¹ recreation means to refresh, restore, and rejuvenate, to invest into vigour and strength and to be rebuilt anew physically, mentally and spiritually. Corbin went further to compare recreation with a ladder with rungs consisting of worthwhile and life-long activities and hobby pursuits that embody adventure, satisfaction, choice making, self-expression, creativity, voluntary participation and socializing among other things.

It should be noted that recreation requires that no compulsion or that economic incentive be attracted to the activity. Otherwise it would be termed as work. Recreation is actually intended to relieve one from work and give the individual a change of experience. Besides the enhancement of physical and spiritual wellbeing of the individual, recreation promotes socio-cultural understanding and it is also economically beneficial to the people.

Chris Pomeroy¹² observed that some of the satisfactions that people obtain through recreation include the joy of creation, fellowship, adventure, a sense of achievement, physical wellbeing, use of mental power, emotional experience, enjoyment of beauty and relaxation. He itemized the objectives of people for going out for recreation.

They include any of the following.

1. For purpose of utilizing spare time
2. For the intrinsic value of recreation
3. To escape from boredom of locality or job
4. For fun and relaxation

Other authors believe that recreation could be a therapy for the sick and it enhances the spirit of the physically disabled, retired and the old. It also helps to curb juvenile delinquency. Some other authors also point out that while recreation is a life necessity, there may be li-

¹⁰ 1 Kings 10 KJV Holy Bible

¹¹ Corbin Tourism and Convention Commission. Available at <https://www.kentuckytourism.com/corbin/visitor-services/local-tourism-offices/corbin-tourism-convention-commission>. Accessed 9 November, 2021

¹² Chris Pomeroy: Tourism in 2019 accounted for 1 in 10 jobs on the planet and until now it was resilient to all manner of crisis. Available at <http://www.media-marketing.com/en/3-questions-for/chris-pomeroy-tourism-2019-accounted-1-10-jobs-planet-now-resilient-manner-crisis/> Accessed 8 November, 2021

tle or no concern for it if the basic needs of life are not met. This reveals the reason why most Nigerians don't recreate since they spend the bulk of their lifetime on economic/survival pursuits. Conclusively, recreation does not require long distance, time-consuming journeys.

5. TYPES OF TOURISM AND RECREATION

5. 1. *Types of Tourism*

Tourism can be classified broadly into domestic and international tourism. Domestic tourism is journey for leisure purposely made within the territory of the country but outside the tourist's place of abode. International tourism can be subdivided into active and passive tourism. Active tourism is related to the inbound foreign-tourist to the country; that is foreign-tourists bringing in their foreign currency for tourism purpose in the country. Passive tourism relates to outbound tourists. This refers to those travelling abroad and through that journey, importing foreign currency into their destination.

Tourism is further classified in relation to the motives.¹³

1. Health Tourism: This is a journey with an intention to spend time getting well after an illness thereby combining medical exercise or convalescing with holiday and rest. This is different from complete hospitalisation. Some waters or rivers (e.g. Ikogosi warm spring) are said to have some cure for some illnesses.

2. Sports Tourism: It is a leisure activity associated with the watching of sports such as football matches, lawn tennis, tournaments, boxing, wrestling, etc.

3. Cultural and Scientific Tourism: This is associated with educative excursions, scientific journeys or conferences and meetings.

4. Cult and Religious Tourism: Are associated with journeys like pilgrimage to the Vatican and Jerusalem by Christians or Mecca by Muslims. They are seasonal in nature and are normally organized.

5. Social Tourism: This is an organized form of tourism for the less privileged such as pensioners, students or very low-income workers. Special and subsidized facilities are provided for this group of tourists in the form of accommodation, restaurant or holiday packages.

6. Reality Tourism: This is tourism as it relates to learning about the "history of repression and political violence". It involves among other things visiting people who are under these conditions and who have probably broken off from such holds. It involves seeing the real life situations of people who have undergone some unfortunate circumstances like war and the impact of such experiences on their lives. It is a recent phenomenon in tourism. E.g. visit to Boko Haram victims, Herdsmen violence victims

7. Space Tourism: This is another recent approach to tourism, Buzz Aldrin, one of the first two persons to walk on the moon, started the campaign for space tourism and the eventual colonisation of Mars. His friend Dennis Tito became the first space tourist by spending \$20 million to travel to Russian Mir space station, presently a space hotel like the Nicon Hilton – a ringed structure able to accommodate about 300 people in space – is being envisaged!

¹³ Amari Amaka Chukwu: *The Nigerian Conservation Law* (Unique Concept Lagos 2004)

5.2. Types of Recreation

There are two types of classification. One is based on the degree of involvement of the participants while the other reflects the timing of the involvement in recreation.¹⁴

1. Based on Degree of Involvement: This can take two forms: Active and Passive. Passive recreation is immobile sources of pleasure for body and soul comfort at leisure time while active recreation includes activities involving physical exercises. Passive recreations include indoor games such as playing table games (e.g. Cards, ludo, draught, chess, monopoly, etc.), watching television, listening to radio, reading books and gardening. Active recreation includes activities like driving for pleasure, playing table tennis, swimming, eyeing, fishing, boating and sailing, hunting, horse riding, picnicking, ice-skating, snow-skiing, mountain climbing, motor sports, flying, etc. certain recreation could still be passive even though they are performed outdoor. An example of these is going to beaches and gardens or visit to monuments for sight-seeing.

2. Based on timing of the involvement:

a. Daily recreation: essentially using urban facilities for a short period during the day.

b. One-day recreation: includes excursion to urban fringes or further into the countryside within easy reach.

c. Short Holidays and Weekends: the leisure may be spent at home, or with close relations in a nearby town.

d. Long Holidays: it could be spent within or outside the country.

It is important to note that the latter classification based on timing of involvement is not reliable as this could be misconceived at times to imply tourism especially those of during holidays.

6. RELATIONSHIP BETWEEN TOURISM AND RECREATION

- i. Both are carried out at free period (leisure)
- ii. Both are carried out by choice
- iii. Both do not allow for remuneration of participants
- iv. Tourism is a bigger concept than recreation
- v. Recreation takes less than 24 hours
- vi. Both makes use of same elements or resources
- vii. Recreation does not necessarily involve leaving one's residence.¹⁵

7. BENEFITS OF SPORT TOURISM AND RECREATION

- i. Helps individual to make good use of free time
- ii. Forms of therapy to the sick
- iii. Helps to renew physically, mentally and spiritually

¹⁴ ibid

¹⁵ ibid

- iv. Reduces juvenile delinquency
- v. Helps to escape from boredom of locality
- vi. Helps to learn about other culture
- vii. Means of fun and relaxation
- viii. Provides income for individual retailers at tourist resort centres
- ix. Boost the business of corporate bodies like hotels, transport and food/drink companies.
- x. Provides foreign exchange earnings for countries
- xi. Helps to improve image of countries at international front.
- xii. Helps to provide direct and indirect employment for persons connected to the sector.
- xiii. Helps to develop the infrastructure of the nation.¹⁶

8. TOURISM AND THE NATIONAL ECONOMY

8.1 Tourism and Employment

There is also the employment generation benefit of tourism, and there are three kinds of employment generation. The first being the direct employment, direct employment is associated with all key activities in tourism. They include all workers in the tourist attraction or centre payroll- the receptionist, the shopkeeper and other workers in the resort environment. The other places where tourists spend include hotels, guesthouses, restaurants, retailing and transportation. These are associated activities in the tourist business. The other type of employment is the indirect employment generation. Employment in this area occurs because the key and its associated activities, which together constitute direct activities, obtain or purchase supplies from other firms and organization. Such firms or organizations are made up of some employees who indirectly benefit from tourist employment.

The third and the last type of employment is the inclined employment. Such employment arises because employees in the direct and indirect activities spend a proportion of their income in purchasing goods and services for their personal consumption. For those people from whom they buy, some form of employment is created. These inclined employees could come from an endless range of suppliers.¹⁷

8.2 Tourism and Nigerian Economy

Nigeria economy before and after independence has been agriculture oriented. Just before the civil war the main stay of the economy shifted to oil. Tourism, though largely unrealised and unexploited, has always taken its place after agriculture and oil. The country's tourism earnings in 1955 was #1 million and in 1966 it rose to #6.6 million. During the civil war the industry was seriously hit and the earning dropped to #2 million.

¹⁶ ibid

¹⁷ Adefalu L.L, Aderinoye-Abdulwahab S.A, Olabanji O.P and Tijani A. "Socioeconomic Characteristics of Tourists in University of Ibadan Zoo, Ibadan, Nigeria. *International Journal of Advances in Agricultural & Environmental Engg. Vol 1, Issue 2 (2014).*

After the civil war, earnings from international travel rose from #4.6million in 1970 to #8million in 1974. Business travel and influx during the period of “oil boom” had impact on tourism earning. The earnings in 1975 amounted to #10.4million and in 1976 it went up to #20.6million. in 1977 a huge sum of #30million was recorded. This was as a result of the influx of visitors to the World Black and African Festival of Arts and Culture (FESTAC)¹⁸

9. GLOBAL TOURISM EXPERIENCE

Tourism business over the last 50 years has become one of the world’s most consistent growing industry and the largest single item in the world trade. For example, in 1950, annual international tourist arrivals in all countries were 25million totalling US \$2.1 billion. By 1978, arrivals had grown to 264 million with expenditure rising to about US \$63 billion. It is very clear that tourism is making a significant contribution to the world economy, since it is one of the foremost trading activities.

It was predicted in the 1980s that tourism would become the biggest export industry by the year 2000. The prediction came true. According to 1988 figure, 390million tourists with an expenditure of US \$195 billion were accounted for all over the world. The above figure compared with that of 1987, show 9% increase gained from tourism. Although Africa’s share from tourism in 1988 was as low as just 2.5 % nevertheless tourism experienced some growth in the region during the period. According to world tourism figure, international tourist’s arrival and receipt in 1988 increased to 12million and US \$4.5billion respectively. This increase is about 18.7% and 25% respectively over 1987 figure. This was claimed as the highest increase all over the world. One must however be quick to add that more than half of the figures of arrival and income went to North and East Africa. In both developed and developing countries, tourism has become a major source of foreign exchange.¹⁹

10. THE NATIONAL, REGIONAL AND LOCAL PARKS

National Parks are special natural ecosystems with unique attributes. They play special tangible and intangible roles vital to national/regional wellbeing as well as act as a catalyst for the development of eco-tourism. National park also enhances ecological processes and life support systems such as soil regeneration, protection of nutrient circles, cleansing and purifying hydrological cycles etc. Indeed, the overwhelming roles that National parks play in ecological protection enhance agriculture and medicine in a country like Nigeria and this far outweighs all other benefits. While there are several local and regional parks spread all over the country like Nigeria and this far outweighs all other benefits. While there are several local and regional parks spread all over the country. Today there are eight National parks in Nigeria. They are all tourism centres.²⁰

1. Old Oyo National Park

¹⁸ ibid

¹⁹ Ibid

²⁰ ibid

2. Yankari National Park
3. Gashaka Gumti National Park
4. Cross-river national park
5. Kainji lake National Park
6. Chad basin National Park
7. Okomu National Park
8. Kamuku National Park etc.

Tourism is still in a state of transition from an alien industry to that designed to serve Nigerians and foreigners alike. In respect of this, the country has some few developed resorts including some of the parks mentioned above. At the states level we have- Obudu Cattle Ranch, Tinapa Resort, Ekiti-Ikogosi warm spring and so on.

11. TOURISM POLICY IN NIGERIA

The need to promote the tourism industry in Nigeria has become more imperative particularly now that the country is seeking to open up new centres in the outside world for marketing her growing industries. In its determination to develop and promote tourism into an economically, socially and politically viable industry, the federal Government on July 10, 1990 in Lagos formally approved a tourism policy for Nigeria with the following objectives.

1. Increasing the inflow of foreign exchange through the promotion of international tourism
2. Encouraging even development of tourism based enterprises.
3. Fostering social integration among the various groups in the country
4. Promoting and encouraging active sector participation
5. Preserving our cultural heritage and monument
6. Making tourism a preferred sector.

To accomplish the entire policy objectives, implementation was to be through the following broad guidelines.

- i. Encourage domestic and foreign private sector investment in tourism development by putting together a package of incentives capable of attracting such investments:
- ii. Identify and designate centres of attraction for tourism purposes by the three tiers of government which will participate in collaboration with the private sector, in the physical planning and promotion of such centres:
- iii. Promotion of favourable environment for foreigners to visit Nigeria:
- iv. Establishment of effective organ for the planning, development promotion and marketing of tourism in and outside Nigeria including well-defined roles for the three tiers of Government.

The strategies to be adopted in achieving the above guidelines included the provision of basic infrastructural facilities, namely good roads, water, electricity, communication, etc. for centres of attraction. These would help to accelerate their development for the purpose of fully exploiting their tourism value. Also, state governments were to provide, without any restrictions, land for tourism development of concessional rates and conditions to attract investors.

In order to boost the level of private sector investment in tourism, government would also introduce such incentives as tax holidays, tax rebate and soft loans with long period of moratorium to potential investors in tourism. The federal and State governments were also to take equal interest in tourism projects in their areas of jurisdiction in order to lend support to such projects. The conduct of practitioners within the industry e.g. hotel managers, travel agents, tour operators, car hire service, etc. would from time to time be subjected to laws and regulations. This was to ensure that their conduct is not detrimental to the objectives of the tourism industry and the security of the nation.

Also, to maximise the benefits from tourism, the country was to be demarcated into major zones for purposeful and even development. This was aimed at eliminating unnecessary duplication and rivalry among the states in tourism development. In order to facilitate the growth and development of tourism, government was to;

i. Embark on a massive and aggressive publicity/campaign among Nigerians on the potentials and significance of tourism in national development.

ii. Publicize and market the nation's potentials abroad through Nigeria's diplomatic missions and the foreign media.

iii. National Council on Trade and Tourism- The Council should ensure the co-ordination of National Planning and Development of tourism in the federation. The Council was to comprise the Minister of Trade and Tourism as Chairman, the commissioners in charge of Trade and Tourism matter in each state, representative of travel agencies, Hoteliers and catering associations, Tour Operators and representatives of Airlines.

iv. National Tourism Corporation- The present Board was to be transformed into an aggressive and commercially oriented National Tourism Corporation with responsibility to promote market and disseminate information to the industry. The corporation should set out, through the publication of handbooks, general guidelines for the operation of the industry and should collaborate with the private sector as well as other tiers of government in implementing policy directives and tourism agencies in the state.

v. State Tourism Board: The present Tourism Committee was also transformed into state Tourism Board. This state organ was to identify, preserve, protect and develop tourism agencies in the state.

iv. Local government Tourism Committee- this local organ was to be established to locate and identify potential attractions in their areas. They were to serve as information centres and provide tourist guides. They should also preserve and maintain monuments and museums in their area of jurisdiction.

In view of the recognition of the potentials of tourism in generating foreign exchange, government was to set up a Tourism Development fund to which all levels of authority in the industry as well as the private would contribute. For adequate and capable manpower to sustain the tourism industry, the government is evolving a new manpower development programme tagged "National Hotel and Tourism Occupation Scheme" which is currently being established as an apex institution. The training of all levels of manpower in the industry shall be a joint effort with the private sector and training institutions.

The present National Tourism Development Corporation (NTDC) Act is pretty basic. Omitted from its text are various provisions which are salient to the development of a viable tourism industry and which ensure continuing sustenance of the present efforts. This is being addressed with the new Bill that has been drafted by the project team

The Presidential Council on Tourism which is chaired by His Excellency the President, Chief Olusegun Obasanjo, and the Tourism Steering Committee which is chaired by the Honourable Minister are very important in ensuring the implementation of the Master Plan and to the future of the industry in Nigeria.

The Federal Ministry for Culture and Tourism needs strengthening to fulfill its role in securing the necessary Federal investment, target setting and monitoring. There is need for economists, planners and personnel with statistics and industry experience.

The Nigerian Tourism Development Corporation (NTDC) is overstuffed. The staff lack appropriate training and experience. The organisation is badly equipped, lacking computers, with very poor office accommodation. Together with an inadequate budget the overall result is an ineffective organisation.

The commercial sector lacks a much needed strong single voice to articulate its needs to government. The overall state of the commercial sector of the tourist industry and the lack of government support and the multi taxation of the industry underline the need for a strong single industry voice

Despite the existence of a number of funding schemes targeting SME enterprises and available to applicants in the tourism sector, the conditions are currently too restrictive to effectively foster investment in the sector.

12. DRAFT NIGERIA TOURISM MASTER PLAN

The draft Nigeria Tourism master plan was designed to solve the following identified problems. If the master plans' identified problems are addressed, the sector will be highly developed. The identified problems are: -²¹

The collection and compilation of tourism statistics needs urgent improvement. The reliability of the current statistics is extremely low and no information was available on tourists spending and overall tourist revenue for the country. However, it would appear that the number of international visitors to Nigeria has remained static over the last 15 years.

The total number of international air visitors to Nigeria in 2004 (the benchmark year) is estimated at 190,000. The level of spending by international tourists in 2004 is estimated to be N 36 billion (US\$ 280million).²²To be effective and efficient in stimulating investment in development of the tourism clusters, the current conditions of the funding schemes for SME companies will need to be amended as they are too complicated and difficult for SMEs.

At the time of this report, no hotel or hospitality project had been successful in securing incentives for a proposed investment. The same applies to the mandated fund available through the Bank of Industry for lending to SME enterprise. This is a result of complicated application processes and the inability of people in the sector to prepare adequate business plans. The current marketing approach is very weak. The marketing of Nigeria as a tourist destina-

²¹ Olufemi Abifarin The law and practice of Hospitality and Tourism in Nigeria Achievers wisdom publication Ilorin 2000 p 72

²² The Importance of Air Transport to Nigeria. Available at <https://www.iata-repository/publications/economic-reports/nigeria-value-of-aviation/> . Accessed 8 November 2021

tion is underfunded and lacks a strategic marketing approach. The marketing collaterals are not up to international standards; while they are informative they are not customer friendly.

The adoption of a niche marketing approach will be critical to the success of any future marketing strategy and therefore the success (or otherwise) in developing tourism in the country. The potential market segments for development are likely to be leisure (new experience seekers; Nigeria's Diaspora; special interest; expatriate community; family holidays), conference and meetings, visiting friends and relatives (VFR), religious sports and other events. Air transport capacity (both external and internal) is satisfactory to meet the needs of tourism growth in the immediate future. The safety aspect of the internal air transport has recently become a matter of concern. The presidency has taken steps to address it.

The international airport's terminal buildings are satisfactory, however the runways in Lagos need upgrading and repairs. The domestic terminals are poor and need modernisation. The road network is generally adequate with some exceptions of the roads to tourist sites which are being addressed. City taxis need to be upgraded and fitted with meters. The rail network will not serve or have any impact on tourism in the near future.

The visa regime as it is currently operated is a very real barrier to tourism growth. It is punitive and does not serve the tourism interests of Nigeria. Applicants for visas must produce a letter of invitation from Nigeria and apply at the embassy or high commission in the country where they reside. Many of Nigeria's competitors have much more friendly visa regimes with some requiring no visa for nationals of the tourism generating countries. This issue needs to be addressed as a matter of priority.

The Slave Routes are a strategic element in Nigeria's cultural tourism product offer and need development and packaging as they are not well presented at the present time. Many of Nigeria's historic sites are in a dilapidated state, have no interpretation or signposting. The current deplorable state of the Nigerian natural environment is a strategic competitive disadvantage.

The range and number of festivals and events can be a highly marketable product but they require some strategic improvement to make them more marketable. Event management needs to be professional, spectator facilities; safety, access and parking need improvement. Internationally operated hotels are currently providing a high quality product to the business market. The spare capacity that currently exists at these properties should be offered to tour operators at favourable rates.

Private locally operated hotels are currently performing poorly but an opportunity exists for the development of more good quality professionally managed "boutique" hotels that are capable to develop niche markets. Government bodies must remove themselves from operating hotels as they are not providing an acceptable quality and such hotels would be best managed by the private sector. Accommodation and catering facilities need to be developed at the National Parks and the management of accommodation and catering at the National Parks should be privatized.

The conference facilities in Lagos and Abuja and in some other locations are good. There is a need to encourage private sector local conference management companies in Abuja to provide a professional conference service and organize social events for delegates and spouses. The public section is not equipped to provide the professionalism required.

The human resources capabilities of the tourism and hospitality sectors are lagging far behind in terms of quality, standards and skills delivery. There is a lack of balance between

management and supervisory training and craft skills training. The numbers receiving craft skills training need to be greatly increased

The National Institute for Hospitality and Tourism (NIHOTOUR) is grossly overstaffed and ineffective in its present role as a provider of educational services. The Institute has no credible on-site practice facilities nor has it any experience of delivering skilled personnel to the workforce.

The various education providers do not specify skills or programme outcomes. There is no way of ensuring consistent delivery of quality outcomes nor is there any way for auditing the quality of outcomes of the various training and education institutions. The conditions in the training institutes are very poor, dirty, ill equipped, badly maintained and are under-funded. The management and staff morale is poor and at a low level. A number of institutions train their course attendees in theoretical aspects but have no on-site practice training facilities.

There is a significant shortage of suitably qualified instructors, teachers and lecturers across the teaching faculty. They also lack industry experience and an international aspect. The consequence is that the teaching methods and course content are out of date.

The foregoing is an overview of the current situation in tourism and of the issues that currently exist and are discussed in full in the chapters of Volume I of the main report of the Tourism Master Plan. An overview of these key findings is as follows:²³

13. TOURISM POLICY, GOVERNANCE & ORGANISATION

- The existing legislation is weak. The proposed tourism bills and classification proposals should be put on hold until the master plan is in place.
- The presidential Council on Tourism and the Tourism Steering Committee on Tourism are unique and key to driving tourism growth.
- The Federal Ministry for Culture and Tourism needs strengthening and professional personnel.
- The NTDC is overstaffed, under resourced, lacks targets and action plans and consequently is in-effective.
- The commercial sector lacks a strong unified voice.
- The Public/Private relationships are non-existent.
- There is a lack of an enabling environment for the private sector involvement and investment in the tourism sector.
- The current marketing of Nigeria is inadequate.

14. COMMERCIAL AND ENVIRONMENTAL CONTROL OF HOSPITALITY AND TOURISM INDUSTRY

The Nigeria Tourism Board was set up in 1976 by a military Decree. The NTDC Decree was promulgated in 1992 which repealed the Tourism Board Decree. Presidential Council

²³ Olufemi Abifarin The law and practice of Hospitality and Tourism in Nigeria Achievers wisdom publication Ilorin 2000 p 41

on Tourism was set up and there was a ministry of Culture and Tourism. A new national Tourism policy was put in place in 2006 to replace that of 1990 and a national Tourism master plan was developed.

Tourism has become a major sector of many economies in developed and developing countries of the world. Apart from its contribution to the balance of payment, it also promotes employment. The impact of tourism on the economy lies in the tourist-community relationship in the receiving areas where the flow of money generated finds its way into the overall economy as the money is turned over and re spent. It is believed that Nigeria should not be left out of this global trend.²⁴

Marketing Nigeria as a tourist destination requires the provision of basic infrastructure, development of alluring tourist attraction, standard transportation, Sustainable accommodation and accessibility of these elements to the tourist. Nigeria is blessed with several tourist attractions which include beautiful beaches, traditional festivals, museum and monuments, waterfalls, caves, hills, valleys, warm springs, game reserves, etc. Nigeria can boast of tremendous development in the Hospitality Industry which Nigeria is now poised to move tourism forward.

However, there is need to convince the potential tourists that these attractions and hospitality establishments conform to set standards and are worth visiting. It is on this basis that Government embarked on registration, grading and classification of all tourism enterprises and hospitality establishments in the country as a first step towards standardization and customer satisfaction.

This section has been designed to explain why Government embarked on the registration, grading and classification exercise and acquaint operators, of tourism enterprises and hospitality establishments in the country with the procedure and mutual benefits of the exercise. This can be seen from the provisions of sections of the law.²⁵

The need to standardize the hospitality and Tourism Enterprises to make them responsive to tourist needs and enhance efficiency of their supply cannot be overemphasized.

15. REGISTRATION OF HOSPITALITY AND TOURISM ENTERPRISES

The National Registration exercise is an international accepted control mechanism evolved by the World Tourism Organization to standardize facilities and services of Hospitality and Tourism Enterprises for Optimum utilization by Tourists/visitors and Nationals. It is therefore mandatory that all Hospitality and Tourism Enterprises be registered.²⁶ The registration exercise also forms the basis for classification and grading scheme to be undertaken by NTDC.

In Nigeria, the authority to make regulations for the National Registration of Hospitality and Tourism Enterprises was conferred on the Honourable minister of Commerce and Tou-

²⁴ Olufemi Abifarin The law and practice of Hospitality and Tourism in Nigeria Achievers wisdom publication Ilorin 2000 p 81

²⁵ Section 4 NTDC Act Cap N137 LFN 2004

²⁶ Regulation 1 of Hospitality and Tourism Establishment (Registration, Grading and Classification) Regulations 1995

rism (now minister for Culture and Tourism) as contained in Section 20 of NTDC enabling Decree No. 81 of 1992. The Honourable minister is empowered to make regulations:

a. Providing for the registration by the corporation of any class of hotels and other similar establishments in Nigeria at which sleeping accommodation is provided by way of trade of business.

b. Requiring the classification of grading of Hotels, Restaurants and Night Clubs and prescribing standard for their upkeep.

c. Requiring Hotels and some other similar establishments to display information with respect to prices charged.

d. Providing for camping, fishing and hunting within Holiday Resorts.
Prescribing standards to be observed by Travel Guides²⁷

16. REGISTRATION REQUIREMENTS

The Bye-laws on the registration of Hospitality and Tourism Enterprises also provided that: -

The proprietor or operator of every Hospitality Tourism enterprises shall within sixty days of the commencement of the exercise or from opening-commissioning thereof apply to the corporation.²⁸The Corporation may upon such application grant to the applicant a certificate of registration to operate any premises or may refuse to grant a certificate, subject to such terms or conditions as it may deem fit to impose in the circumstance.

Every such certificate shall be in the prescribed form and shall expire on the 1st day of December, immediately following the date of issue. It shall thereafter be renewable from year to year on payment of such fees as may be prescribed by the Corporation.

17. CATEGORIES OF REGISTRABLE ENTERPRISES

In consonance with the provision of the Act, the Federal Government has approved the Registration of various categories and classes of Establishments by the 1997 Regulation as follows: -²⁹

i. Accommodation Establishments: hotels, Motels, Guest Houses, inns, Guest Apartments, Boarding houses and holiday camps.

ii. Food service Establishments: Restaurants, fast foods, Food Canteen, Cafes, Cafeteria, Coffee shops, Snack Bars and Bukaterias.

iii. Tourism/Tourism Related enterprises: Travel agencies, Tour Operators, Amusement/ Theme Parks Tourism Promoters and Consultants, Vehicle and Vessel Hire Services (Boats, Cars, Tourist, and Coaches etc): hand Craft/Souvenir Enterprises, Leisure and Recreation enterprises, Holiday Centres, Cinema and Commercial clubs.

²⁷ Section 7 of NTDC Act Cap N 137 LFN 2004

²⁸ Regulation 2 of 1995 Regulations

²⁹ Regulation 9 (ibid)

18. REGISTRATION FORMS AND FEES

In an attempt to develop an effective scheme in terms of control and needs in the Hospitality and Tourism Subsector, three types of Regulation Forms have been produced for specific categories of the Hospitality and Tourism Enterprises as follows:³⁰

- i. Registration Forms for accommodation Establishments
- ii. Registration Forms for food Service Establishments.
- iii. Registration Forms for Tourism Enterprises.

Each form has been designed to provide adequate documentation of relevant information on facilities and services rendered by similar or related Establishments. This arrangement will allow permanent assessment and coding of information provided on the forms.

Registration Forms are obtainable forms: Nigeria Tourism Development Corporation Head Office, Zonal Offices, State Ministers responsible for tourism Matters, State Tourism Boards and Local Government Tourism Committees.

18.1 Registration Fees:

A table of fees has been drawn up in accordance with the three specified categories of enterprises (Accommodation, Food Service and Tourism Enterprises) and location of such categories in cities, towns and Rural Areas. The registration Fees are renewable annually and subject to review from time to time. All payments for registration are to be made in certified Bank Draft, Addressed to the Nigerian Tourism Development Corporation.³¹

18.2 Exempted Establishments

The following types of Establishments and enterprises are exempted from registration:

- i. Premises used exclusively for accommodating or boarding of Persons in Religious, Educational or Charitable Institutions except those run on Commercial basis.
- ii. Private Houses: furnished apartments let for residential purposes for period exceeding one month.
- iii. Any rest House or lodge used exclusively by visiting Government and Public Officials, run on non-commercial basis.
- iv. Non-commercial Government owned Tourism Enterprises.
- v. All Enterprises for Handicapped Persons or Children's play grounds which are non-profit making.³²

19. BENEFITS OF HOSPITALITY AND TOURISM ENTERPRISES IN NIGERIA

The traditional heritage of Nigeria's hospitality expressed, through Social and Cultural Entertainment and the abundant tourism resources serve as important tonic to the growth

³⁰ Regulation 9 (ibid)

³¹ Regulation 9 (ibid)

³² Regulation 8 (ibid)

of the tourism industry in Nigeria. These rich potential can be harnessed through the standardization of hospitality and tourism facilities and services (Hotels, Food Services, Resort and Recreation Outfits, Tour and Travel services) to make them responsive to the tourism demands as well as be of benefit to the suppliers of such facilities and services.

Some of the benefits include³³:-

i. Recognition of the existence of the Hospitality and Tourism Enterprises in Nigeria and Abroad.

ii. Encouraging proprietors and managers of various establishments to improve their standards and range of services in order to gain more competitive advantage locally, nationally and internationally.

iii. Eliminating substandard Hospitality that could cause irreparable damage to the reputation of standard outfits.

iv. Provision of accurate information to protect customers and inform users of the scope of facilities and services available in these Establishments.

v. Benefiting from seminars, meetings, workshops and conferences organized by the Nigerian Tourism Development Corporation.

vi. Receiving copies of NTDC publications and other information materials to keep abreast of latest developments in the sector.

vii. Taking advantage of the advertisement opportunities provided in NTDC's official publications.

viii. Making use of statistical data from the registration exercise for planning, marketing, and research and development purposes.

ix. Obtaining training skills in operational disciplines from the National Institute for Hotels and Tourism Studies at Bagauda, Kano.

x. Receiving invitation to participate at National and International Trade/Trade fairs, Expositions, Seminars, Meetings, Conferences, Workshops and Training Courses.

xi. Using the available information to produce promotional materials such as video documentaries, brochures, maps, diaries, posters, handbooks, handbills, etc.

xii. The information obtained will be used to promote and market products of the registered and classified establishments and to expose them to higher capacity utilization.

20. CONDITIONS FOR THE GRANT OF CERTIFICATE

No certificate shall be granted by the corporation unless the applicant satisfies the following conditions³⁴:

i. The application is made in the prescribed form for registration.

ii. The applicant has paid the prescribed registration form fee.

iii. The applicant has paid the prescribed registration fee.

iv. The applicant has duly completed and filed all registration Documents at the registry of the Corporation or appointed offices.

³³ Olufemi Abifarin The law and practice of Hospitality and Tourism in Nigeria Achievers wisdom publication Ilorin 2000 p 72

³⁴ Regulation 2 of 1995 Regulation

- v. The applicant is of good character and capable of keeping or managing and Hotel or Catering Establishment or Tourism Business.
- vi. The premises in respect of which the applications are made is structurally adopted for use as an hotel or Catering Establishment or Tourism Business and are in all respects suitable for such use.
- vii. Proper provision has been made for the sanitation of the Business premises.
- viii. Proper provision has been made for light, water, fire fighting equipment and security.
- ix. Proper provision has been made for the storage, preparation, cooking and serving of food in the Hotel or Catering Establishment.
- x. The premise in respect of which the Application is made complies with the Health requirements for the time being in force in Nigeria and the prescribed minimum standard.
- xi. Every proprietor of a registered Tourism Enterprise involving risk to persons shall obtain a business guarantee bond in a sum not less than N500, 000.00 from a xii. reputable insurance Company against all liabilities of the Enterprise.
- xii. The Corporation may attach to any Certificate of Registration such additional conditions as (the Corporation) may in its discretion and having regard to all the circumstances of the case, deem expedient.
- xiii. No Tourism Enterprise, Hotel or Food Service Establishment shall be registered under a Name which in the opinion of the Corporation is undesirable, unsuitable or misleading.

21. CONDITIONS FOR COMPLIANCE

Pursuant to the provisions of the Act Establishing the Nigerian Tourism Development Corporation and the authority conferred on the Honourable Minister, the following rules and regulations are also applicable as contained in the Bye-laws to the Act³⁵

- i. Any Proprietor or Manager of an Hotel or Tourism Enterprise, who fails to apply for registration of his Food service, Hotel or Tourism Enterprise under the regulations within the time specified in the regulations shall be liable on conviction to a fine of Two Thousand Naira and in case of continuing failure to register an additional penalty of One Thousand Naira for every week after the first during which such Proprietor or Manager has persisted in the failure.
- ii. Any proprietor or Operator of Manager of an Hotel, Food Service, or Tourism Enterprise registered under the provisions of the Regulations who uses a “star” sign other than as classified and graded by the corporation shall be liable on conviction to a fine of Five Thousand Naira.
- iii. Any person who assaults or obstructs Registration Officer, inspector or any authorized person acting under these regulations shall be liable on conviction to a fine of Two Thousand Naira or six months’ imprisonment or both.
- iv. No suit, prosecution or other legal proceedings shall lie against the Federal Government, the Minister charged with Tourism, the Director-General of the Corporation or any inspector or authorized person acting under the orders and directives for the Corporation, any officers of the Corporation or Members of any Committee engaged in the Registration, Classification and grading of any Hotel or Catering Establishment in respect of anything

³⁵ Regulation 3of 1995 Regulation

done in good faith or intended to be done under the Regulations. (This Clause is unconstitutional in that it gives absolute immunity to the corporation and its officers in respect of judicial proceeding).

The Act came into being in order to regulate the ever growing hospitality and Tourism industry with a view to making their services and operations internationally acceptable by providing for the type of facilities each class of hotel must have and provision for regarding and reclassification is to promote vertical growth and generate revenue for the government. The Act also reinforced the interdependence of Hospitality, Tourism, Travel agencies, Car hire services etc.

22. HOTEL INSPECTORATE

The Act provides for establishments of Hotel Inspectorate Division to be charged with the responsibility of inspecting Hotels, restaurants etc. but the qualification of these inspectors are not stated. It is however presumed that all inspectors shall be holders of not less than HND certificate in Hotel and catering management from recognised institution by National Board for Technical Education. The Act failed to establish Tourism Enterprises Inspectorate for the purpose of inspecting Tourism sites with a view to making tourist sites accessible, comfortable and secure for potential tourists. This is a serious omission which future amendment should take care of. The should also provide that a holder of not less than HND certificate in Tourism studies shall be appointed as Tourism Enterprises inspector.³⁶

23. CLASSIFICATION OF HOTELS

The NTDC regulation of 1997 classified Hotels into one star, two stars, three stars, four stars and five stars Hotel. In the regulation

One star Hotel has 10 bedrooms

Two stars Hotels has 20 bedrooms

Three stars Hotels has 30 bedrooms

Four stars Hotels has 50 bedrooms³⁷

Five stars Hotel has 100 bedrooms among other conditions. See the schedule to the Regulation for other conditions of each class of hotel.³⁸

24. CLASSIFICATION OF RESTAURANTS

Restaurants are classified into three categories namely one crown restaurant, Two crown restaurant and three crown restaurant. However, the conditions and criteria for such classifi-

³⁶ Sections 14 & 15 of NTDC Act Cap N 137 LFN 2004

³⁷ Regulation 1 of Hotel Classification Regulation 1997

³⁸ Olufemi Abifarin The law and practice of Hospitality and Tourism in Nigeria Achievers wisdom publication Ilorin 2000 p 74

cation are not stated anywhere in the regulation or in the parent Act. It should be presumed that the corporation has the power to set out the criteria for classification of restaurants.³⁹The regulations cover operation of Travel Agencies, Car hire services and Tour Operators. This is to safe guard the lives and property of patrons of Hospitality and tourism Enterprises in Nigeria.⁴⁰

The establishment of the Nigeria Tourism Development Corporation in 1992 was the second major National and uniform attempt made to regulate the Hospitality and Tourism Industry in Nigeria. But in reality the impact of the corporation has not been felt by the Operators of the Industries and the Beneficiaries of the activities and Services of the industry. The Act that established the corporation gives the corporation the power to establish and operates states, zonal and local government offices is to ensure that all Hospitality and Tourism enterprises throughout the federation are not only registered but also to ensure that they operate within the minimum standard required by the law in order to ensure customer's safety, security and satisfaction apart from generation of revenue to the government.⁴¹

25. SECURITY REGULATION IN THE INDUSTRY

Tourism and hospitality enterprises have to provide safe environment for tourists and visitors. Therefore, both common law and statutory duties of occupiers are relevant here as we shall consider:

25.1 Occupiers Liability

The question of liabilities of occupiers of premises to person suffering injury thereon maybe regarded as a further aspect of negligence. The occupier is the person who has de facto control of the premises or the possession of them. It is a question of fact in each case and does not depend entirely on title. It should also be noted that the occupation may be shared between two or more persons as in **Wheat vs E.Lacon & Co. Ltd**⁴² where the manager of a public House was permitted by the owners, Lacon and Co. Ltd to take paying visitor was killed by a fall from a stair-case in the private part of the premises, Lacon & Co Ltd denied liability on the ground that they were not occupiers of the private part of the premises. The House of Lords held as follows:

- i. That the defendant retained occupation and control together with the manager.
 - ii. The deceased was a visitor to whom the defendants owed a duty of care;
 - iii. On the fact the stair-case though not lit, was not dangerous if used with proper care;
- Wheat's claim therefore failed because there was no breach of duty of care.

³⁹ ibid

⁴⁰ 1966 1 ALLER 582

⁴¹ 1974 ALLER 1016

⁴² 1997 1 NWLR

25.2 Vicarious Liability

The doctrine of vicarious liability is a convenient one in the sense that employers are, generally speaking, wealthier than their employees and are better able to pay damages, and it is often justified also on the grounds that the employer controls his employee. However, it must be mentioned that control is not in itself a ground for imposing vicarious liability e.g. parents are not vicariously liable for the torts of their children or husband for wife or vice versa, nor can a parent be held responsible for the crime of his/her son or vice versa. **ACB vs Mary Okonkwo**⁴³ it is said that vicarious liability is just because the employer profits from the employee's work and should therefore bear losses caused by the employee's tort.

An employer will be liable for the tort of his employee if:

- (1.) There is relationship of master and servant; and
- (2.) If the servant committed the tort while he was in the course of his employment.⁴⁴

The liability of the employer does not cover when the servant is on a frolic of his own or exceeded the authority given to him by his employer.⁴⁵ An occupier has common law duty of care to lawful visitors to premises.

25.3 Visitors

A visitor is anyone to whom the occupier has given or is deemed to have given, an invitation or permission to use the premises. He cannot cause injury to the visitor except where he can prove that the visitor is aware of risk of injury to his person and he consented to it.⁴⁶

25.4 TRESPASSERS

An occupier was not allowed to set traps for trespassers and it appeared that in respect of injuries caused to trespassers by some activities carried out on the land by the occupier there was a duty of care towards a trespasser whose presence was reasonably foreseeable.⁴⁷

25.5 Children on premises

Dealing with children always demands a high degree of care. The duty towards children is higher than the duty towards adults. The occupier must make reasonable attempt to prevent trespass e.g. by repairing his fences and if a child is injured by something on the land which was especially alluring or enticing to children e.g. turntables, escalators, bright and poisonous berries, then the occupier in general was liable even though the child was on the face of it a trespasser.⁴⁸

⁴ Ibid

⁴⁴ Ibid

⁴⁵ Ibid

⁴⁶ Ibid

⁴⁷ Donogue v Steveson 1932 AC 562

⁴⁸ Ibid

25.6 Negligence

In the ordinary language negligence may simply mean not done intentionally, e.g. negligent publication of a libel. But while negligence may be one factor or ingredient in another tort, it is also a specific and independent tort, with which we are now concerned. The tort of negligence has three ingredients and to succeed in an action for negligence the plaintiff must show: -

- i. The existence of a duty to take care which was owed to him by the defendant,
- ii. Breach of such duty by the defendant; and
- iii. Resulting damage to the plaintiff⁴⁹

25.6.1. Contributory Negligence

Sometime when an accident occurs, both parties have been negligent, this raises the doctrine of contributory negligence. At one time a plaintiff guilty of contributory negligence could not recover any damage unless the defendant could, with reasonable care have avoided the consequences of the plaintiff's contributory want to care. Thus the courts were often concerned to find out who had the last chance of avoiding the accident and this led to some unsatisfactory decisions. Contributory negligence is not also a defence but it can mitigate damages to be paid by the defendant.⁵⁰

26. THE CONCEPT OF SUSTAINABLE SOCIO-ECONOMIC DEVELOPMENT AS IT RELATES TO TOURISM

Sustainable development has been described as the development that meets the needs of the present without compromising the ability of the future generations to meet their own needs. A process of change in which exploitation of resources, the direction of investments, the orientation of technology development and institutional change are all in harmony and enhance both current and future potential to meet human needs and aspirations.⁵¹

Since Tourism operates within the environment and it affects the environment positively and negatively, Tourism promoters should be careful to operate within the matrix of people, profit and planet while developing a tourist site, the promoters should bear in mind the interest of the host communities by being socially responsible so as not to damage or degrade the environment or where there is collateral damage to the environment, efforts should be made to remediate as far as possible and be ready to carry out corporate social responsibility to compensate the host communities. Tourist promoters should also carry out Environmental Impact Assessment in accordance with the Environmental Impact Assess-

⁴⁹ B.O Adeleke Peace and Tourism in Nigeria. Available at <https://scholar.google.com/citations?user=T-7VRhogAAAAJ&hl=en> . Accessed 9 November 2021.

⁵⁰ Ibid

⁵¹ Olufemi Abifarin: The law and practice of Hospitality and Tourism in Nigeria Achievers wisdom publication Ilorin 2000 p 100

ment Act. They should also comply with NESREA Act 2007⁵² by keeping the environment clean and safe at all times.

Both the federal, state and local governments have the duty to protect the environment, under the 1999 constitution of Nigeria. This duty gave the government the courage to enact various laws to protect the environment, both tourism enterprises, tourists and tourism promoters have the duty to protect the environment by using the environment in a sustainable way. So whatever resources are deployed into tourism in order to boost the economy should not be allowed to jeopardize the future of the successive generations.

27. CHALLENGES MILITATING AGAINST THE SECTOR IN NIGERIA

In spite of the economic potentials of tourism there are certain inhibiting challenges that are militating against the growth and development of this sector.

These challenges range from the violent and insecure environment prevalent in every part of Nigeria now, poor infrastructural facilities, like roads to tourist sites, light and water, no good accommodation like standard hotels, Inns and guest houses when available, have no restaurants or facilities for food or snacks or drinks.

The other problem is the poverty that is prevalent in the land as a result of unemployment and underemployment, lack of education and information about tourism. The NTDC and the various State Tourism Boards are not creating awareness about tourism opportunity available in their states. This sector is not well funded by the government and private investors have not indicated interest in the sector. Inability of government to drive the national Tourism Development master plan in accordance with the national policy on Tourism.

28. RECOMMENDATION AND CONCLUSION

In order to generate the needed revenue from the tourism sector, the government must provide the necessary infrastructure in the tourism sector; the government must provide the necessary infrastructure in the tourist site and the tourist community. There must be tarred road to the tourist site, there must be light on a regular basis, water must be portable at tourist sites so that tourists and visitors could be treated promptly and cheaply. We must develop our health facilities to attract tourism.⁵³

The tourist site must be made attractive and worth visiting by both foreign and local tourists. Therefore, regular renovation and rehabilitation of the tourist site is necessary. After the government might have developed a site, it could be privatised for optimum yield of revenue, or a public private partnership arrangement could be explored. Management contract could be entered into with private investors; concessioning could be explored as other option. The site could also be leased out to a private investor who will pay Income Tax too. Other options could be build operate and transfer or Joint ownership with government,

⁵² National Environmental Standards and Regulations Enforcement Agency Act 2007 Cap 301LFN 2010

⁵³ B.O Adeleke Peace and Tourism in Nigeria. Available at <https://scholar.google.com/citations?user=T-7VRhogAAAAJ&hl=en>. Accessed 9 November 2021.

community and investors. Operators of this sector also need training and retraining on management, marketing and hospitality.

As part of the on-going globalization, Nigeria has no option but to develop her tourist potentials in order to boost her revenue so as to meet other development related challenges she is facing currently. The National Tourism policy should be directed towards making Nigeria a tourist trap or touristry. The current medical tourism to India, Europe and America should be stopped as a matter of policy. Nigeria should rather develop her health Sector so that it can compete globally, and attract all sorts of people from Europe, Asia and America. Tourism promoters should have regard for our environmental laws. The draft master plan on tourism should be approved by the government without delay, so that its implementation can commence in earnest.

Soft loan Tax Incentives, Grant Scheme, Pioneer Status, Duty free import of equipment, land at concessionary rate surety or guarantee of foreign loans by government and all existing disincentives to be removed from the Sector. The law on hospitality and Tourism should be streamlined in such a way that it will remain a residual matter for the State according to the 1999 Constitution of the federal Republic of Nigeria (as amended). Also, each State should have its own law, its policy and master plan in Tourism. Lastly, the political will should be generated by the States to develop on sustainable Tourism sector that will generate revenue, employment and economic activities within the States while multiple regulation of Industry should stop.

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KORIŠĆENJE TURISTIČKOG POTENCIJALA NIGERIJE ZA ODRŽIV DRUŠTVENO-EKONOMSKI RAZVOJ: KONTEKST ZAKONA I POLITIKE

Abstract: *Ovaj rad razmatra turizam kao sektor koji može značajno da doprinese razvoju nigerijske privrede, posebno u ovoj eri kada svi pozivaju na diversifikaciju privrede, kontrolu resursa, restrukturiranje i federelizam. Opšte je poznato da naša zavisnost od nafte kao zemlje, nije više održiva zbog pada cene nafte na međunarodnom tržištu i domaćih problema kao što su krađa nafte, vandalizacije cevovoda i borbenost mladih u naftnim zajednicama. Nafta je bogatstvo koje se troši svaki dan, s toga je cilj ovog rada da se naš turistički sektor u Nigeriji razvije i dobro brendira. Nigerija može zaraditi veliki kapital od toga, poput Izraela, Saudijske Arabije i Ujedinjenih Arapskih Emirata. Metod istraživanja, korišten u ovom radu je doktrinarni metod istraživanja.*

Ključne reči: *turizam, Nigerija, rekreacija, hotel, održivi razvoj*