



From Cart to Court: Realities of Online Shopping

A Look into Consumer Protection and the
Federal Competition and Consumer Protection
Commission (FCCPC) Oversight in Nigeria.

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ABSTRACT

Online shopping has become a major contributor to Nigeria's rapidly growing digital economy, evolving from a modern convenience into a daily norm for millions of consumers. This has given rise to many digital storefronts, spanning from major platforms like Jumia and Konga to informal social media vendors. With the rise of online shopping came a corresponding increase in consumer complaints concerning deceptive advertising, ambiguous return and refund policies, unfair contract terms, unauthorized data collection, and breaches of privacy. This transformation has not gone unnoticed by regulators. The Federal Competition and Consumer Protection Commission (FCCPC) has become increasingly active in addressing the challenges of Nigeria's e-commerce landscape. By issuing compliance directives, mandating consumer redress, and sanctioning errant digital platforms, the FCCPC has asserted its role as a watchdog for consumer welfare in the online commercial landscape. This article examines the legal and regulatory architecture governing the complexities of online shopping in Nigeria, with particular emphasis on the FCCPC's oversight functions. It analyzes key statutory instruments, recent enforcement efforts, and the broader limitations of the current legal and institutional frameworks. Additionally, it considers the growing responsibility of online platforms to uphold consumer trust and outlines how legal practitioners can support regulatory compliance and consumer advocacy in this evolving digital marketplace.

1.0 Introduction

Nigeria is home to one of the largest and fastest-growing e-commerce markets in Africa. This growth is driven in part by significant innovations in financial technology, including the adoption of mobile wallets, USSD-based payments, and other digital banking solutions, which have practically enhanced the reliability and convenience of online transactions.¹

The COVID-19 pandemic served as a major catalyst for the expansion of digital commerce in Nigeria. As lockdowns, social distancing measures, and safety concerns disrupted physical retail, both consumers and businesses rapidly turned to online platforms as safer and more efficient alternatives. What began as a crisis response evolved into a lasting shift in consumer behaviour, ushering in a new era where digital shopping has become embedded in everyday life.

In this new era, major players such as Jumia offer a broad range of products, including electronics, fashion, groceries, and household items.² Konga, one of the oldest platforms in the market, operates a hybrid model that combines online retail with physical storefronts.³ PayPorte focuses on lifestyle and apparel, while Slot.ng is recognized for its specialization in electronics and mobile devices. In addition to these established brands, social media platforms such as Instagram, Facebook, and WhatsApp have become informal marketplaces where individuals and small businesses trade directly with consumers. Nigerian consumers also engage with international platforms such as AliExpress, Amazon, and eBay, thereby expanding the digital shopping space beyond local borders.

This new era of digital shopping, however, has not come without its challenges. Alongside the surge in online retail activity has been a marked increase in consumer complaints.⁴ These range from issues of product misrepresentation to imposition of unfair contract terms and delivery of substandard products. These realities underscore the urgent need for strong regulatory oversight and effective consumer protection in Nigeria's digital marketplace.⁵

2.0 Consumer Protection Regulatory Frameworks in Nigeria

Here are key consumer protection regulators that guide and enforce the rights of

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1. GITEX Nigeria, 'Market Overview' (GITEX Nigeria, 2025) <https://www.gitexnigeria.ng/marketoverview> accessed 3 July 2025.
 2. Jumia, 'Our Services' (Jumia Group, 2025) https://www.jumia.com.ng/about_us accessed 3 July 2025.
 3. Konga, 'About Us' (Konga, 2025) <https://www.konga.com/about> accessed 3 July 2025.
 4. Federal Competition and Consumer Protection Commission (FCCPC), 'Trends in Online Consumer Complaints 2020–2023' (FCCPC, 2024) <https://fccpc.gov.ng/?s=COMPLAINTS> accessed 3 July 2025.
 5. M. Oguchukwu 'Consumer Protection In Nigeria In The Context Of Electronic Commerce' (2017) DELSU Law Review Vol. 3 No. 1 Page 99

consumers in the context of online shopping:

2.1 Federal Competition and Consumer Protection Act (FCCPA)

The Federal Competition and Consumer Protection Commission (FCCPC) serves as Nigeria's principal regulatory authority tasked with safeguarding consumer rights and promoting fair competition in the marketplace.⁶ Established under the Federal Competition and Consumer Protection Act (FCCPA) of 2018, the FCCPC replaced the former Consumer Protection Council (CPC), significantly expanding its mandate to cover both consumer protection and competition regulation. The FCCPC's core responsibilities encompass a wide range of consumer rights and market oversight functions. One of its primary roles is to protect the interests of consumers.⁷

In addition to addressing individual consumer complaints, the FCCPC works to protect consumers from unfair contract terms and exploitative trade practices, which are common issues in Nigeria's evolving digital economy. The Commission has investigative powers that enable it to investigate violations, impose penalties on offenders, and order appropriate redress to affected consumers. Beyond consumer protection, the FCCPC is charged with maintaining fair competition within Nigeria's market economy. It monitors and regulates business conduct to prevent anti-competitive practices such as monopolies and abuse of market dominance. The agency also supervises mergers and acquisitions to ensure they do not undermine competition or consumer interests.⁸

To achieve its objectives, the FCCPC collaborates closely with other key regulatory bodies, including the Nigerian Communications Commission (NCC), Central Bank of Nigeria (CBN), and National Information Technology Development Agency (NITDA).⁹ Such cooperation facilitates joint enforcement efforts, especially in areas where consumer protection overlaps with telecommunications, financial services, and data privacy. Overall, the FCCPC represents a comprehensive and proactive approach to regulating consumer affairs and market competition in Nigeria, particularly within the rapidly expanding sectors of e-commerce and digital transactions.

⁶ *Federal Competition and Consumer Protection Act 2018, Cap F25 LFN 2018.*

⁷ *Federal Competition and Consumer Protection Act 2018 s17.*

⁸ *Ibid*

⁹ Federal Competition and Consumer Protection Commission (FCCPC), 'About FCCPC' (FCCPC, 2024) <https://fccpc.gov.ng> accessed 3 July 2025.

2.2. *Nigerian Communications Commission (NCC) Act*

The Nigerian Communications Commission (NCC) Act, although not a direct regulatory framework for online shopping, indirectly creates an environment that enables it to thrive. It governs the regulation of telecommunications services across Nigeria, encompassing mobile networks, internet services, and related digital transactions.¹⁰ As telecommunications is the backbone of online shopping and digital commerce, the NCC plays a vital role in protecting consumers who rely on these online platforms by ensuring that the internet infrastructure through which these online shopping platforms operate is well-protected and regulated. Key consumer protection measures under the NCC include safeguarding users against service disruptions, billing irregularities, and unauthorized deductions from prepaid accounts or mobile wallets.¹¹ These protections are critical in maintaining consumer trust in digital payment systems and online platforms. To address consumer concerns, the NCC has established the Consumer Affairs Bureau, which specifically handles complaints related to digital services and telecom-based platforms.¹² This bureau serves as a crucial point of contact for consumers experiencing issues such as network failures, fraudulent billing, or unauthorized data usage during online transactions. By regulating the telecommunications infrastructure and addressing consumer grievances, the NCC complements the efforts of other regulatory bodies, such as the FCCPC, in creating a safer and more reliable online shopping environment in Nigeria.

2.3. *Central Bank of Nigeria (CBN) Guidelines*

The Central Bank of Nigeria Act 2007 mandates the CBN to promote a sound financial system in Nigeria.¹³ Additionally, it empowers the CBN to issue guidelines.¹⁴ In exercising these functions, the CBN, by issuing these guidelines, plays a pivotal role in regulating e-payments, fintech innovations, and digital banking services that are essential to the functioning of Nigeria's online shopping ecosystem.¹⁵ One of the notable guidelines is the *Regulation On Electronic Payments And Collections For Public And Private Sectors In Nigeria*, revised in 2019, to ensure the availability of safe, effective and efficient mechanisms for conveniently making and receiving all types of payments from any location and at any time, through multiple electronic channels, thereby reducing the time and costs of transactions, minimising

¹⁰ *Nigerian Communications Act 2003, Cap N97 LFN 2004.*

¹¹ See generally, *Nigerian Communication Act 2023*, s 4.

¹² Nigerian Communications Commission, 'Consumer Affairs Bureau' (NCC, 2024) <https://www.ncc.gov.ng/consumer> accessed 3 July 2025.

¹³ *Central Bank of Nigeria Act 2007*, s 2 (d)

¹⁴ *Central Bank of Nigeria Act 2007*, s 33 (1)

¹⁵ *Central Bank of Nigeria Act 2007, Cap C4 LFN 2004.*

leakages in receipts.¹⁶ As the financial backbone of digital commerce, the CBN's guidelines ensure that consumers are protected from unauthorized transactions and various forms of payment fraud. These guidelines outline the processes through which customers can seek redress in cases of disputed charges, unauthorized withdrawals, or failed transactions, thereby enhancing trust in digital payment systems.¹⁷ These guidelines help establish accountability for financial service providers who are active stakeholders in online shopping activities, thereby reducing the risks associated with online purchases. Through these comprehensive measures, the CBN safeguards the integrity of digital payments, reinforcing consumer confidence and supporting the continued growth of online shopping in Nigeria.

2.4. *Cybercrimes (Prohibition, Prevention) Act 2015*

The Cybercrimes (Prohibition, Prevention) Act of 2015 serves as a crucial legal instrument in Nigeria's fight against digital crimes that threaten online consumers and businesses alike. This legislation imposes strict penalties for offenses such as internet fraud, identity theft, cyberbullying, and other forms of cyber-enabled misconduct.¹⁸ In the context of e-commerce, the Act provides essential protections for consumers against phishing scams, hacking attempts, and unauthorized data breaches on online platforms. These protections help to mitigate the risks inherent in digital transactions and foster a safer online shopping environment.

2.5. *National Information Technology Development Agency (NITDA) Regulations*

The National Information Technology Development Agency (NITDA) plays a critical role in protecting consumers' personal data within Nigeria's digital ecosystem.¹⁹ NITDA's regulations focus on ensuring that personal information shared during online shopping is handled with the utmost care and confidentiality. A key requirement under these regulations is that online platforms must obtain informed consent from consumers before collecting, processing, or storing their data. This ensures that consumers are aware of how their information will be used and can make informed decisions about their privacy. Furthermore, NITDA mandates that e-commerce businesses and digital service providers implement strong data security measures to

¹⁶ CBN's Regulation On Electronic Payments And Collections For Public And Private Sectors In Nigeria 2019, Part 1 Par 2.

¹⁷ Central Bank of Nigeria, Regulations on the Operations of Electronic Payment Channels in Nigeria (CBN, 2020) <https://www.cbn.gov.ng> accessed 3 July 2025.

¹⁸ *Cybercrimes (Prohibition, Prevention, etc) Act 2015, No 17 of 2015.*

¹⁹ *National Information Technology Development Agency Act 2007, Cap N156 LFN 2004.*

prevent unauthorized access, data breaches, or misuse of consumer information.²⁰ These safeguards are essential for maintaining consumer confidence in online transactions and for complying with Nigeria's evolving data protection standards. Through its regulatory oversight, NITDA significantly contributes to the overall framework that protects consumer rights and privacy in Nigeria's growing e-commerce landscape.

2.6. *Nigerian Electronic Transactions Act (ETA) – Draft*

Although still awaiting formal enactment, the draft Nigerian Electronic Transactions Act (ETA) represents a significant step toward modernizing the legal framework governing digital commerce in Nigeria. Once passed, the Act will provide clear legal recognition and enforceability of online contracts, digital signatures, and electronic payment elements, which are critical to the validity and security of e-commerce transactions. The draft ETA emphasizes that digital contracts, when properly executed, are legally binding, thereby reinforcing consumer and business confidence in online agreements.²¹ This recognition addresses longstanding uncertainties about the legal status of electronic transactions under Nigerian law. Moreover, the proposed legislation aims to establish more comprehensive regulation of online marketplaces and vendors, ensuring accountability and fair-trading practices in the digital economy. By setting clear standards for operation, the ETA will enhance consumer protection and encourage greater participation in e-commerce. The eventual passage of the ETA will fill important gaps in Nigeria's existing regulatory landscape, aligning the country with global best practices for electronic commerce governance.

3.0 The Federal Competition and Consumer Protection Commission (FCCPC) in Action: Impact and Enforcement

The Federal Competition and Consumer Protection Commission (FCCPC) holds broad legal powers to oversee and enforce consumer protection and competition laws across Nigeria's marketplace, including the rapidly expanding online retail sector. The Commission is authorized to conduct inspections and investigations of businesses and online vendors, both with and without prior notice.²² When violations are identified, the FCCPC can initiate legal proceedings against

20 Nigeria Data Protection Regulation 2019 (NDPR), issued by NITDA <https://nitda.gov.ng> accessed 3 July 2025.

21 Electronic Transactions Bill 2023 (SB094), A Bill for an Act to Facilitate the Use of Information in Electronic Form for Conducting Transactions in Nigeria and for Connected Purposes (National Assembly, first reading) <https://nass.gov.ng/documents/billdownload/11142.pdf> accessed 3 July 2025.

22 Federal Competition and Consumer Protection Act 2018, ss 17, 18, 33.

offending companies or platforms, ensuring compliance and protecting consumer interests. The FCCPC has addressed numerous cases involving counterfeit goods, delivery fraud, price manipulation, and failure to provide refunds, thereby establishing itself as a major watchdog in Nigeria's commercial landscape.

3.1 Notable FCCPC Interventions

3.1.1 MultiChoice Nigeria Subscription Pricing Dispute (2023): The FCCPC stepped in amid consumer outcry over MultiChoice Nigeria's increase in DSTV and GOTV subscription fees. The Commission issued directives to ensure that pricing practices were fair and that consumers received transparent and timely information. A subsequent Federal High Court ruling upheld MultiChoice's right to set prices but affirmed the FCCPC's role in ensuring market fairness.²³

3.1.2 Meta (Facebook & WhatsApp) \$220 Million Fine (2024): In a landmark enforcement action, the FCCPC fined Meta Platforms and WhatsApp LLC \$220 million for violations of Nigerian consumer and data protection laws. Investigations conducted in partnership with the Nigeria Data Protection Commission (NDPC) revealed the unauthorized sharing of Nigerian users' data with third parties, as well as exploitative privacy policies that disadvantaged Nigerian consumers compared to those in other regions.²⁴

3.1.3 FCCPC and MTN Nigeria Court Ruling: A recent legal challenge brought by a shareholder of MTN Nigeria sought to halt the FCCPC's investigation, arguing that regulation of telecoms fell exclusively under the Nigerian Communications Commission (NCC). The Federal High Court dismissed the suit, affirming that the FCCPC's jurisdiction extends even to regulated sectors, such as telecommunications.²⁵ The Court emphasized the need for collaboration between the FCCPC and the NCC, establishing an important precedent that recognizes the FCCPC's broad regulatory mandate.

3.1.4 Air Peace Refund Complaints (2025): Following widespread complaints about unrefunded ticket fares, the FCCPC summoned Air Peace to its Abuja headquarters.²⁶ The airline was instructed to provide comprehensive documentation, including a refund complaint log from the past 12 months,

23 'MultiChoice vs FCCPC: Federal High Court Ruling Explained' Premium Times (Abuja, 20 May 2023) <https://www.premiumtimesng.com> accessed 3 July 2025.

24 FCCPC and NDPC, 'Joint Investigation Report into Meta and WhatsApp's Data Practices' (2024) <https://www.fccpc.gov.ng> accessed 3 July 2025.

25 MTN Nigeria Communications Plc v FCCPC (Unreported, Federal High Court, Suit No FHC/L/CS/1009/2024, decided 7 February 2025).

26 FCCPC, 'Notice of Investigation into Air Peace Refund Practices' (February 2025) <https://fccpc.gov.ng/fccpc-s-u-m-m-o-n-s-air-peace-over-non-refund-of-ticket-fares/> accessed 3 July 2025.

records of processed refunds, details of cancelled flights, and information on remedial actions taken to alleviate passenger hardship. The FCCPC warned that non-compliance could result in severe sanctions.²⁷ These actions demonstrate the FCCPC's growing assertiveness in enforcing consumer rights and fostering fair business practices. Its oversight is critical to ensuring that online and offline marketplaces operate transparently and ethically, thus strengthening consumer confidence in Nigeria's evolving digital economy.

3.1.5 Consumer Complaint Portal: The FCCPC is empowered by the Federal Competition and Consumer Protection Act (FCCPA) 2018 to establish mechanisms for resolving consumer Complaints.²⁸ Additionally, the Act grants investigative and enforcement powers in relation to consumer complaints.²⁹ As part of its mandate to address consumer complaints, the commission established the Consumer Complaint Portal, a web-based automated complaint resolution platform that enables consumers to submit their grievances online seamlessly, upload documents supporting their claims, and track the status or progress of their cases. This complaint portal significantly enhances the accessibility, transparency, and effectiveness of consumer redress procedures, making it a notable intervention within the FCCPC's mandate.

4.0 Enforcement Challenges

Despite the notable interventions made by the Federal Competition and Consumer Protection Commission in protecting consumer interests and ensuring that aggrieved consumers are redressed, the FCCPC still faces significant hurdles in effectively executing its consumer protection and competition oversight responsibilities in Nigeria. These challenges span legal, institutional, operational, and cultural dimensions, complicating enforcement efforts and impacting overall consumer protection. Key enforcement challenges include:

4.1.1. Jurisdictional Overlap and Regulatory Conflicts: Sector-specific regulators such as the Nigerian Communications Commission (NCC), Nigerian Civil Aviation Authority (NCAA), and Nigerian Electricity Regulatory Commission (NERC) often perceive the FCCPC as encroaching on their established mandates.³⁰ This tension is exemplified in high-profile cases,

²⁷ FCCPA 2018, s 33(3).

²⁸ FCCPA 2018, s17(h)(s).

²⁹ FCCPA 2018, s.18

³⁰ Nigerian Communications Commission Act 2003; Nigerian Civil Aviation Authority Act 2006; Nigerian Electricity Regulatory Commission Act 2005.

such as the judgment of the Federal High Court in *Wema Bank Plc v Federal Competition and Consumer Protection Commission (FCCPC)*, delivered on January 16, 2023, regarding FCCPC's jurisdiction in consumer protection arising from banking services.³¹

There is also perceived tension between the FCCPC and other sectoral regulators, such as the Standard Organisation (SON) and NAFDAC, each empowered by its own establishing statute to enforce standards and consumer protection in specific industries.³² Such conflicts hinder seamless regulatory oversight and create ambiguity about the FCCPC's scope of power.

4.1.2 Lack of Clarity and Coordination: The absence of clearly defined roles and effective collaboration mechanisms between the FCCPC and other regulatory bodies sometimes results in duplicate, inconsistent, or conflicting directives. This regulatory fragmentation dilutes enforcement impact and confuses businesses and consumers alike. To its credit, FCCPC has taken a positive step to address the issue of a lack of clarity and coordination between FCCPC and sector-specific regulators, as mandated by Section 105 (4) of the FCCPA, 2019. Part of this positive step is the Memorandum of Understanding between FCCPC and NCC aimed at eschewing regulatory gaps and enhancing consumer protection in the regulatory industries.³³ However, some lack of clarity still persists, as the Memorandum with the NCC is specific to the telecommunications industry and no other specific sectors.

4.1.3 Slow Judicial Processes: Consumer redress is frequently delayed by Nigeria's congested judicial system. Lengthy court procedures can cause enforcement actions and consumer complaints to stagnate, frustrating consumers who seek timely resolutions.

4.1.4 Dependence on Cooperation and Voluntary Compliance: Certain investigations, such as the ongoing probe into Air Peace, rely heavily on the voluntary provision of documents and cooperation by the entities involved.³⁴ Without stronger powers, there is room for delay tactics and partial compliance, undermining enforcement effectiveness.

4.1.5 Inadequate Infrastructure: The Commission's capacity to track complaints,

31 Suit No: FHC/L/CS/450/2021

32 Enyinnaya Uwadi, *The Nigerian Federal Competition and Consumer Protection Act 2019: Lessons from South Africa. Afroeconomics Law.*

33 Ayodeji Adegboyega, *FCCPC, NCC Sign MOU to Streamline Telecoms Regulation, Strengthen Consumer Protection. Premium Times, January 15, 2025. Accessed July 29, 2025.*

34 Ibid n25.

conduct investigations, and manage data is hindered by limited technological infrastructure. This weakness is particularly evident in sectors such as airlines and banking, where technological infrastructure is essential for monitoring and tracking their activities.

4.1.6 Low Consumer Awareness and Engagement: A significant proportion of Nigerian consumers remain unaware of their rights under the FCCPA or the processes for reporting violations. This gap in awareness undermines consumer empowerment and the potential mechanisms in place to protect consumer interests.

4.1.7 Resistance from Powerful Corporations: Well-resourced corporations, especially in telecommunications, banking, and aviation, often deploy legal challenges, stall investigations, or influence public discourse to resist FCCPC oversight. This resistance can delay or weaken regulatory enforcement.

These challenges illustrate the complex strides the FCCPC navigates in protecting consumer interests, ensuring consumer protection, and fair competition. Addressing these issues will require enhanced inter-agency collaboration, infrastructure investment, public education, and possibly legislative reform to strengthen the Commission's enforcement toolkit.

5.0 The Future of Online Shopping Regulation

As e-commerce continues to evolve rapidly in Nigeria, there is a pressing need to strengthen consumer protection mechanisms and build a more trustworthy digital marketplace. Several proposed reforms aim to address current regulatory gaps and empower both consumers and regulators to keep pace with the dynamic online shopping landscape.

5.1. Mandatory Vendor Registration and Accreditation

A critical step towards curbing fraudulent activities involves requiring all online vendors to register with the FCCPC and obtain a verifiable license or vendor identification, subject to annual renewal. This measure would significantly discourage illegitimate sellers while increasing transparency

and consumer confidence in e-commerce platforms. Furthermore, online marketplaces should be required to host only duly registered vendors, ensuring a higher standard of accountability across all platforms.

5.2 *Standardized Dispute Resolution and Refund Policies*

Uniformity in dispute resolution processes across platforms is another vital reform. Implementing mandatory minimum refund timelines and standardized return policies would provide consumers with predictability and reassurance.

5.3 *Real-Time Monitoring of Online Transactions*

Proactive enforcement will be strengthened through the development of advanced compliance monitoring tools capable of tracking suspicious activities such as price manipulation, fake and substandard product listings, or excessive delivery fees. Such systems would enable the FCCPC to identify and address infractions swiftly, moving from a reactive to a preventive regulatory approach.

5.4 *Cross-Agency Collaboration for Data Protection and Enforcement and Enforcement*

Given the multifaceted nature of online shopping issues, ranging from cyber fraud and privacy breaches, there is a need for integrated enforcement. Harmonizing FCCPC's data with agencies like NAFDAC (for counterfeit products), EFCC and the police (for fraud), NITDA and NDPC (for data privacy), and SON (for product standards) would create a unified front against consumer harm.

5.5 *Strengthening Statutory Penalties*

Finally, the FCCPA 2018 requires amendments to introduce more stringent punitive provisions specifically targeting online fraud and related cyber offenses. Stronger penalties will serve as a deterrent and reinforce the seriousness with which violations in the digital commerce space are treated. Collectively, these reforms can transform Nigeria's e-commerce ecosystem into a safer, more transparent, and consumer-friendly environment, benefiting businesses, consumers, and regulators alike.

6.0 Conclusion

As Nigeria's digital economy continues to expand rapidly, the realities of online shopping present both opportunities and challenges for consumers, businesses, and regulators alike. The Federal Competition and Consumer Protection Commission (FCCPC) has made significant strides in enforcing consumer protection laws; however, the evolving digital marketplace demands ongoing vigilance and reform. Legal practitioners now have a unique and urgent role in shaping a fair, transparent, and compliant online commerce landscape. By advising businesses on adherence to the FCCPA and related digital regulations, actively engaging with ongoing FCCPC reforms and policy development, and championing consumer rights through litigation and advocacy, lawyers can drive meaningful change. The time is ripe for legal professionals to claim leadership in Nigeria's digital legal economy, thereby ensuring that as commerce moves from cart to court, justice, fairness, and consumer protection remain firmly at the forefront.

AUTHOR



Jessica Iyoke
TMT Practice Unit



Contact

LAGOS

Kenna Place
8, Ogunyemi Road, Palace Way, Oniru
PO Box 73002, Victoria Island, Lagos

ABUJA

1st Floor, Novare Central
Plot 502 Dalaba Street,
Wuse Zone 5, FCT 900285, Abuja

ENUGU

3 Emmanuel Ngwu Street,
Thinkers' Corner,
Enugu, 400001

+234 811 395 1052, +234 811 395 1053
counsel@kennapartners.com

