



# NIGERIAN BAR ASSOCIATION

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**Date:** 7<sup>th</sup> January 2022

**To:** All Lawyers in Nigeria

**Subject:** Sundry issues relating to the payment of 2022 BPF Online

My Dear Colleagues,

Compliments of the season and best wishes for 2022.

Since 1<sup>st</sup> January 2022 when we fully transitioned to paying our annual Bar Practising Fees (“BPF”) online, there have been numerous complaints and commentaries by some of our colleagues on a number of points. This is certainly not unexpected because transitioning to a new process, no matter how laudable or desirable, typically comes with some challenges, analyses, pushback, and initial resistance. However, as mentioned in one of our most recent notices to you, the NBA is, as it should be, open to considering all views aimed at improving our processes, and generally advancing the interests of our members and the profession. To this end, our publicity team has been responding to many of the issues raised so far and I have thought it appropriate to add to our existing responses as follows:

- 1. Engagement of Paystack** - Paystack has been the NBA Service Provider since 2019, before this administration came on board in August 2020. A fair and transparent process for engaging them was concluded at the relevant time and this administration has continued to utilise their services, which have been quite satisfactory. We utilised Paystack’s services for processing 2021 BPF (online) payments under a hybrid arrangement and also for the 2021 Annual General Conference (AGC) registration.
- 2. Fees charged by Paystack** - with regard to payments to Paystack for their services, in 2020, those who paid their BPF online also paid a transaction fee to Paystack which amounted to circa 2% of the transaction amount. For example, BPF of N25,000 attracted about N482.24 as transaction fee. Similarly, in 2021 (under this administration), those who opted to pay their BPF online paid the same transaction fee to Paystack. This is consistent with the contract signed with Paystack when they were engaged.
- 3. Bearing Paystack fees for members** - with respect to the 2021 AGC for which registration was online only, the NBA was able to work out an arrangement whereby the Paystack transaction fee was not only reduced but was borne entirely by the NBA. As such, all those who registered for the 2021 AGC did not have to bear any direct transaction cost for paying online. Coming now to BPF 2022, which is to be paid online only, while the NBA team expected that the 2021 AGC reduced fee and pass-through arrangement would hold sway, the Paystack team, having not received any clear directive in this regard, reverted to the default position which is to debit transaction charges from the purchaser, in this case, members of the Association.
- 4. Transaction charges for BPF 2022** – the NBA has been able to negotiate a revised fee of 1.3% with Paystack for their services relating to the 2022 BPF payments. Considering that this year would be the first time when members will be required to pay their BPF online **only**, the leadership of the NBA has resolved that the Association will, as was the case with AGC 2021, bear the transaction charges associated with the payment of 2022 BPF.

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5. **Who pays the transaction charges in the future?** - Going forward, it will be necessary for our Association to come to terms with the fact that online payment for goods and services has now become the norm, and those who provide the platforms through which we are able to make these payments, do so for a fee. Therefore, at the earliest opportunity, I will table a request before the NBA-NEC to take a view or make a determination on whether such future payments should continue to be borne by the Association or by the members directly.
6. **Revenue Sharing with Paystack** – the NBA reiterates that no portion of the transaction fees charged by Paystack is shared with or remitted to the NBA, or any of its officers or members of staff. All fees charged by them for the service(s) that they render go directly and solely to them, and the BPF paid by members is channeled by Paystack directly into the **Supreme Court of Nigeria BPF Account No: 0000976716** which is held with Access Bank. The insinuations, and indeed allegations, in some quarters, to the effect that there are underhanded payments and kickbacks with respect to the transaction fees are most unfortunate.
7. **Increase in BPF** - to be sure, payment of transaction charges is incidental to making online payments (whether they be BPF, taxes, statutory payments, bank transfers, etc.). Such payment is not an increase in BPF as has been suggested by some of our members.
8. **A dual payment system** – there have been suggestions that the NBA should allow members the option of either paying their BPF online or making cash deposits at the bank. Interestingly, such hybrid system of BPF payment has existed at the NBA for at least two years, but it has proven to be inefficient to a large extent. Experience has shown that this arrangement has affected our record keeping and the integrity of some of our processes including accurate database of lawyers, NBA voters register, easy processing of stamp and seal, etc. and we are committed to eliminating these inefficiencies. So, besides the convenience for our members and the fact that electronic payment is desirable and consistent with global trends, this new arrangement of moving BPF payments online only would help the NBA improve its service offering to members, restore confidence in our electoral process and enhance accurate data gathering. The NBA will therefore continue with the online only payment policy.
9. **Alternative service providers** – there have been requests for the NBA to engage alternative or multiple service providers so as to allow our members choose the platform on which to make payments. While we remain satisfied with the current service offering, we will certainly consider this request in due course. The first quarter of each year is the peak period for payment of BPF by our members and we have been advised by our technical team that any consideration of alternatives to the existing platform will be best done when the high traffic abates in order not to disrupt the smooth operation of the system.

I thank you for your attention.

Best regards,



**OLUMIDE AKPATA**

President, Nigerian Bar Association