

Terms of Reference



Consultancy Services for Developing an Intellectual Property Securitization Framework For the Digital and Creative Ecosystems in Nigeria

1. Background

Technology and Creative Sector

Financing Agreement reference: 2000200005160

Project ID No.: P-NG-K00-009

The Federal Government of Nigeria has received financing from the African Development Bank (AfDB), Agence Française de Développement (AFD) and the Islamic Development Bank (IsDB) towards the implementation of the Investment in Digital and Creative Enterprises (iDICE) Programme and intends to apply part of the agreed amount for this finance to make payments under the contract for **Consultancy Services for Developing an Intellectual Property (IP) Securitization Framework For the Digital and Creative Ecosystems in Nigeria** for the **iDICE Programme**.

2. Objectives

The primary objective of this consultancy is to procure the services of a consultant, to develop an Intellectual Property (IP) Securitization Framework, through activities that will culminate in a concrete and functional framework for the digital and creative industries. This would include an analysis of the existing legislations, regulations and policies towards IP securitization, analysis of the existing processes and activities towards IP securitization and its application to the relevant beneficiaries.

3. Scope of Work

The scope of work under this consultancy shall include:

- An analysis and assessment of current IP landscape, including existing IP assets within the Nigerian digital and creative economy and identifying regulatory gaps and needs.
- The development/designing of a comprehensive framework for IP securitization, taking into consideration the informality of the sector.
- An assessment and analysis of the regulatory and legal requirements for implementing the framework and recommendation of necessary amendments.
- Stakeholder engagement targeting key stakeholders, including ecosystem players, financial institutions, and public sector agencies, to gather insights and ensure the framework meets their needs.
- Developing training and capacity-building programs for stakeholders to facilitate the transition from informal to formal practices.
- Establishment of a system/standard for monitoring and evaluation of the success or effectiveness of the framework.

4. Deliverables

The specific tasks to be carried out are:

- Baseline Report: Detailed work plan, methodology, and timeline.
- Framework Document: Detailed framework for IP securitization for the digital and creative industries.
- Regulatory and Legal Assessment Report: Analysis of regulatory and legal requirements and recommended amendments.
- Final Report.

5. Requirements

- At least 5 years of relevant professional experience in consulting, law, research and delivering legal documents and regulatory frameworks for public or private sector actors.
- Proven experience in relevant field with examples.
- Excellent analytical and communication skills.
- Experience in providing quality comprehensive analytical reports.
- Proven knowledge of relevant policies, legal and regulatory frameworks.
- Proven experience working with the public sector.
- Experience working with multilateral organisations and development finance institutions preferred.
- Proficiency in English language.
- Evidence of a strong management team with an understanding of the programme audit needs.
- Experienced operational staff and robust middle- and back-offices.
- Possessing existing relationships and network with relevant local and international industry players is a plus.
- Must possess a demonstrated skill for thoroughness and paying attention to detail.

6. Reporting

The Consultant shall prepare a comprehensive report of all activities carried out under this consultancy to the iDICE programme through the Programme Coordination Unit (PCU).

The report should be well organised, data-driven, and presented in a clear and easily understandable format.

7. Duration

The specified duration of the consultancy shall be for a maximum of three (3) months, any need for extension should be communicated to the PCU in writing and with justifications stated.

8. Confidentiality

All data and information obtained during the consultancy must be treated as confidential and used solely for the purpose of this project.

9. Conflict of Interest

Consultant(s) will be required to highlight any areas where there is a potential conflict of interest and should propose mechanisms to resolve or manage these conflicts. This will not be regarded as a negative feature of an application, so long as the BOI iDICE PCU is satisfied that any conflicts will be handled in a manner consistent with the interests of the project. Wherever possible, prospective Consultant(s) should follow technical, operational and commercial best practices in managing potential conflicts.

Prospective Consultant(s) should note that failure to disclose any material conflict of interest that is subsequently identified in the assessment process will be regarded as a significant negative feature. For joint ventures, the lead partner must have the power of attorney.