



THE ABIA STATE RIGHT OF WAY (AMENDMENT NO. 1) REGULATION, 2025



GENERAL PROVISIONS

Enactment

In the exercise of the powers conferred by SECTIONS 135, 136(4) AND 137(5) NIGERIAN COMMUNICATIONS ACT 2003 and other Powers enabling me in that behalf, I, Dr. Alex Chioma Otti, the Governor of Abia State hereby make the following (Amended) Regulations

PART I: PRELIMINARY

Commencement

1. This Regulation shall be deemed to come into effect or come into force on the....of[2025]

Interpretation

2. In this amended Regulation, unless the context otherwise requires:

"Principal Regulation " means the Abia State Right of Way Regulation NO.1 2024.

"State" means Abia State of Nigeria.

PART II: AMENDMENTS TO THE PRINCIPAL REGULATION

Amendment of
Section 2 of the
Regulation No.1,
2024

3. Section 2(4) of the Principal Regulation is hereby amended by deleting and replacing "The aggregate fees charged by any and all state - level Agencies for fibre optic cable deployment in the state shall not to exceed NGN145 per linear metre" with "No payment of fees is applicable for fibre optic cable deployment in the State". The amended Section 2(4) reads as follows

Scope and
Source of Power
to Approve Right
of Way

2. (4)The Abia State Ministry of Works in the exercise of its mandate as the Ministry in charge of works and public infrastructure which it holds by virtue of this Regulation and other relevant laws and regulations for the time being in force (National Environmental Standard and Regulations Enforcement Agency Establishment Act), shall charge no fee for fibre optic cable in the State.

No other Ministry, Department or Agency of Abia State Government is entitled to request or charge any fee with regard to the installation, placing, laying or maintenance of fibre optic cable and its Network Facilities. No payment of Fees is applicable for fibre optic cable deployment in the State.

Amendment of
Section 10 of the
Regulation No 1,
2024

3. Section 10(1)(a) of the Principal Regulation is hereby amended by deleting and replacing "payment of One Hundred and Forty-Five Naira (N145) per linear metre and per artery for laying of ducts and fibre optics

cables" with "no payment of fees is applicable for the laying of ducts and fibre optics cables." The amended Section 10 reads as follows

Fees For the
Grant of Right
of Way

10. (1) The grant of Right of Way on the public domain gives rise to the following:
- (a) No payment of fees is applicable for the laying of ducts, and fibre optics cables.
 - (b) An application fee of Fifty Thousand Naira (N50,000) only for base transceiver station (BTS) and street cabinets intended to House the technical installations only.
 - (c) N500,000.00 (Five Hundred Thousand Naira) only per site for base transceiver station (BTS) per year.
 - (d) N300.00 (Three Hundred Naira) only per m2 occupied on the ground for other installations such as street cabinets intended to house the technical installations for serving subscribers.
- (2) Artery means in the case of land or subsoil use, a duct containing or not containing cables, or a cable in the ground; in all other cases, all cables pulled between two supports.

Citation

This Regulation may be cited as Abia State Telecommunication and related Infrastructure Right of Way (Amendment No.1) Regulation, 2025.

MADE UNDER MY HAND, this 25 Day of July, 2025.


DR. ALEX CHIOMA OTTI, OFR
GOVERNOR, ABIA STATE.