

DATA PROTECTION COMPLIANCE IN NIGERIA: 2026 AUDIT RETURN REQUIREMENTS

Nigeria's data protection regime continues to evolve, with increased emphasis on accountability and regulatory oversight. Under the Nigerian Data Protection Act 2023 and the General Application and Implementation Directive (GAID) 2025, certain organisations are required to submit annual Compliance Audit Returns (CARs) to the Nigerian Data Protection Commission.

For the 2026 reporting cycle, all eligible entities must ensure that their filings are completed no later than **31st March 2027**.

Who Is Required to File?

The obligation to file Compliance Audit Returns applies specifically to organisations classified as **Data Controllers and Data Processors of Major Importance (DCMIs/DPMIs)**. These entities are further categorised into two primary tiers based on the scale and sensitivity of data processing activities:

Ultra-High Level (UHL)

This category typically includes organisations with extensive data processing operations or significant market presence, such as:

- Commercial banks operating nationally or regionally
- Telecommunications providers
- Insurance companies
- Multinational corporations
- Electricity distribution companies
- Oil and gas operators
- Social media and email platform providers
- Device manufacturers and payment service providers
- Fintech companies
- Any organisation processing personal data of more than 5,000 individuals within a six-month period

Extra-High Level (EHL)

This category captures entities with substantial, though comparatively lower, data processing volumes, including:

- Ministries, Departments, and Agencies (MDAs)

- Microfinance banks
- Universities and other higher institutions
- Secondary and tertiary healthcare providers
- Mortgage institutions
- Organisations processing between 1,000 and 5,000 data subjects within six months

Filing Timeline

All qualifying DCMI and DPMI are required to submit their Compliance Audit Returns **on or before 31 March each year**, covering data processing activities for the preceding year.

Filing Procedure

Compliance Audit Returns must be submitted via the NDPC's designated compliance portal. Importantly, filings are required to be made through a licensed Data Protection Compliance Organisation (DPCO), which acts on behalf of the reporting entity.

This framework ensures that filings meet prescribed regulatory standards and reflect an independent assessment of the organisation's data protection practices.

Applicable Filing Fees

The GAID prescribes a tiered fee structure based on both classification level and the volume of data subjects processed:

Ultra-High Level (UHL)

- Tier A (50,000+ data subjects): ₦1,000,000
- Tier B (25,000–49,999 data subjects): ₦750,000
- Tier C (Below 25,000 data subjects): ₦500,000

Extra-High Level (EHL)

- Tier A (10,000+ data subjects): ₦250,000
- Tier B (2,500–9,999 data subjects): ₦200,000
- Tier C (Below 2,500 data subjects): ₦100,000

Why this matter

Failure to meet CAR obligations may result in significant financial and regulatory consequences. Entities that submit after the 31 March deadline may incur an additional administrative charge of up to **50% of the applicable**

filing fee. For 2026, the NDPC has signalled stricter enforcement, with penalties for non-compliance of up to ₦10,000,000 (Ten Million) or two per cent 2% of annual gross revenue, whichever is higher.

In addition to monetary penalties, defaulting organisations may face increased regulatory scrutiny, including detailed reviews of their data processing operations.

Who should Pay Attention

Startups | Fintechs | Employers | Multinationals | Data-driven businesses

Our take

The 2026 Compliance Audit Return cycle underscores the Nigerian Data Protection Commission's commitment to strengthening data governance and enforcement in Nigeria. For regulated entities, timely compliance is not only a legal obligation but also a critical component of risk management and corporate accountability. Organisations should therefore begin early engagement with licensed DPCOs, conduct internal data protection audits, and ensure that their compliance frameworks align with current regulatory expectations.

For further insights, detailed advice and or assistance in aligning your business with the new framework, please contact us vis:

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