



Challenges in Legislative Enactment and Implementation of the Nigeria National Building Code: Analysis of Stakeholders Perspectives'

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Abstract

The persistent non-enactment of the Nigerian National Building Code (NBC) represents a critical governance failure in Nigeria's construction sector, contributing to one of the world's highest rates of building collapses and estimated annual economic losses of ₦1.2 trillion. This study explores the legislative, institutional, and stakeholder barriers hindering the NBC's implementation, drawing on qualitative analysis of perspectives from 14 key stakeholders, including policymakers, regulators, and construction professionals. The findings reveal divergent stakeholder perceptions of the NBC's purpose, political and jurisdictional bottlenecks in the legislative process, and post-enactment risks such as weak enforcement capacity, corruption, and inter-professional rivalries. Based on these insights, the study recommends urgent legislative reforms, institutional restructuring, and widespread stakeholder engagement to facilitate the NBC's adoption and effective enforcement. The study concludes that without immediate and coordinated action, the NBC will remain a dormant policy instrument, perpetuating preventable construction failures and undermining Nigeria's sustainable urban development aspirations.

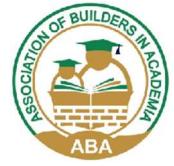
Keywords: Building code, Construction regulation, Policy enactment, Stakeholder perspectives, Institutional barriers.

Introduction

Building codes are universally recognized as critical instruments for ensuring structural safety, mitigating disaster risks, and promoting sustainable urban development. Globally, such codes have reduced building failure risks by up to 90%, as evidenced by their role in curbing collapses, fires, and other hazards (United Nations, 2018; International Code Council, 2020, Akins and Akims, 2022). The African Union (2019) has emphasized the urgency of robust building regulations, particularly in rapidly urbanizing nations where infrastructure expansion often outpaces regulatory frameworks. For instance, South Africa's adoption of energy-efficient codes reduced building energy consumption by 30% (Mukora, 2020), underscoring the transformative potential of well-implemented standards.

Nigeria continues to experience a troubling surge in building collapses. The country recorded 135 incidents and at least 26 deaths between 2022 and 2024 (Okunola, 2021; Punch Newspapers, 2023; Emergency Digest, 2024). In just the first half of 2024, there were 22 collapse cases resulting in 33 deaths (Council for the Regulation of Engineering in Nigeria [COREN], 2024). A long-range perspective shows 1,595 deaths across 640 reported incidents from October 1974 to January 2025, with 47 collapses noted in 2024 alone (Building Collapse Prevention Guild [BCPG], 2025). These disasters underscore systemic failures across design, execution, and enforcement. Economically, the impact is immense; over a 20-year span, property worth approximately \$3.2 trillion was lost due to collapses in Lagos alone, while displacing over 6,000 households.

The Nigerian National Building Code (NBC), drafted in 2006 and revised in subsequent years, was designed to address these challenges. Structured into four parts; Administration, Technical Provisions, Enforcement,



and Schedules, the NBC outlines standards for design, materials, and professional accountability (National Building Code, 2006). Yet, nearly two decades later, it remains unenacted, trapped in legislative limbo. Key barriers include fragmented political will, inadequate enforcement mechanisms, and inter-professional rivalries within the construction sector (Oyedemi, 2017; Murnai, 2023). This stagnation perpetuates inconsistent practices, accountability gaps, and a cycle of preventable tragedies, underscoring the need to unravel stakeholder perspectives on the NBC's stalled journey from policy draft to enforceable law.

The Nigerian National Building Code (NBC), though drafted in 2006 and revised subsequently, has remained unimplemented due to the lack of legislative enactment, leading to fragmented enforcement efforts (Danwata, 2022; Osifala, 2023). This stagnation persists despite Nigeria's alarming rate of building collapses, which average 10 incidents annually and are primarily attributed to non-compliance with safety standards (Adebayo, 2020; NIBS, 2018). While existing studies have examined technical deficiencies (Olatunji, 2019) and political inertia (Oyedemi, 2017) as contributing factors, there remains a critical gap in empirical research exploring stakeholder perspectives on the legislative and institutional barriers hindering the NBC's adoption. This paper addresses this gap by investigating the complex interplay of professional rivalries, bureaucratic bottlenecks, and public awareness deficits that stakeholders identify as fundamental obstacles to the code's implementation.

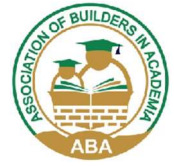
This paper aims to explore stakeholder perceptions regarding the NBC's relevance to Nigeria's construction industry, particularly its potential to address critical issues such as quackery, standardization of practices, and safety enhancement. It further analyses the barriers impeding the NBC's legislative enactment, including lobbying resistance and inter-professional conflicts, as well as the challenges anticipated in post-enactment implementation, such as enforcement capacity and public compliance. Additionally, the paper identifies strategies to accelerate the NBC's adoption, drawing insights from international best practices in building code governance, such as the U.S. International Code Council's system of triennial updates (ICC, 2020; Obiora, *et al.*, 2022).

This paper makes significant contributions to policy and practice by providing evidence-based recommendations to inform Nigeria's legislative and policy reforms. By highlighting stakeholder perspectives, it offers actionable strategies to address gaps in political will and institutional coordination, which are essential for the NBC's successful enactment (World Bank, 2019). The paper underscores the NBC's critical role in improving public safety, as building collapses currently account for 60% of construction-related fatalities in Nigeria (Adebayo, 2020). Furthermore, it aligns with global sustainability goals by advocating for standardized building codes as a means to enhance infrastructure resilience and attract foreign investment, in line with the United Nations' Sustainable Development Goal 11 (United Nations, 2018). The findings presented in this paper have broader implications for other developing nations facing similar challenges in building code implementation and enforcement.

Literature Review

Building codes in global context

Building codes serve as critical tools for disaster mitigation and sustainable urban development worldwide. In the United States, the International Building Code (ICC, 2020) has significantly reduced structural failures through rigorous standards and triennial updates, demonstrating how adaptive regulations can enhance resilience. Similarly, South Africa's implementation of energy-efficient building codes decreased energy consumption by 30% (Mukora, 2020), highlighting the economic and environmental benefits of enforceable standards. Developing economies such as Ghana (Ayarkwa *et al.*, 2021) and India (Ramesh and Khan, 2022) provide instructive cases where stakeholder collaboration and phased implementation



overcame resource constraints. These examples underscore the importance of contextualized codes, robust enforcement, and continuous review, elements conspicuously absent in Nigeria's regulatory framework.

Nigeria's regulatory landscape

Since the colonial-era Lagos Building Code of 1914, which primarily addressed urban safety and had little impact beyond the city, Nigeria's building regulations have seen minimal development in rural regions (Oladapo, 2017). Post-independence efforts, including the 2006 NBC draft, failed to address systemic gaps: enforcement remains weak due to corruption (Transparency International, 2020), public awareness is negligible (Adebayo, 2020), and professional bodies, such as architects, engineers, and builders; operate in silos, undermining unified standards (Olatunji, 2019). The NBC's stagnation reflects deeper institutional failures, including inadequate funding for regulatory agencies and a lack of domestication by state governments (Danwata, 2022). This fragmentation perpetuates Nigeria's status as one of the few countries without a nationally enforced building code, despite its high urbanization rate and recurrent construction disasters.

Stakeholder roles in policy implementation

Three theoretical lenses elucidate Nigeria's implementation challenges. Legislative Theory (Bardach and Patashnik, 2016) reveals how political will and resource allocation determine policy success; in Nigeria, legislative inertia and competing priorities have stalled the NBC's enactment (Oyedeki, 2017). Institutional Theory (Scott, 2014) highlights regulatory fragmentation: overlapping mandates between federal and state agencies create enforcement vacuums, while understaffed building control departments lack technical capacity (NIBS, 2018). Finally, Stakeholder Theory (Freeman, 1984) explains conflicts among key actors, policymakers prioritize short-term gains, developers resist cost-increasing regulations, and professional bodies vie for dominance (Murnai, 2023). Resolving these tensions require inclusive governance models, as seen in Rwanda's collaborative code-development process (UN-Habitat, 2021), which balanced diverse interests through transparent dialogue.

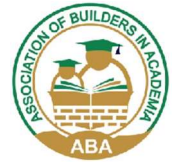
Materials and Methods

Research design

This study employs a qualitative research design to explore socio-political and institutional challenges surrounding the Nigerian National Building Code (NBC) enactment into law and subsequent implementation.

The study adopts a phenomenological approach (Moustakas, 1994) to capture stakeholders lived experiences with the NBC's legislative stagnation and implementation barriers. This methodological choice is particularly suited to investigating policy implementation challenges, as it prioritizes the subjective meanings that stakeholders attribute to their experiences (Creswell and Poth, 2018).

Semi-structured interviews served as the primary data collection method, allowing for systematic exploration of predetermined themes (e.g., legislative barriers, professional conflicts) while maintaining flexibility to probe emergent issues (Brinkmann and Kvale, 2015). The interview protocol was developed through iterative pretesting with three professors of construction management, whose expertise spans academia, enforcement, and regulation. All three are practicing construction professionals, reputable scholars, and active members of their respective professional associations, having served in state or national executive positions.



This design aligns with best practices in policy research, where qualitative methods are preferred for examining "how" and "why" questions about complex institutional phenomena (Yin, 2018).

Sampling Strategy and Participant Justification

The study employed purposive maximum variation sampling (Patton, 2015) to select 14 key informants representing the full spectrum of NBC stakeholders (Table 1). This sample size was considered adequate for a qualitative study because it allowed for in-depth exploration of perspectives while achieving theoretical saturation; where no new themes emerged from additional interviews, by the 12th participant, with two further interviews confirming the findings. This aligns with Guest *et al.* (2006), who found that thematic saturation in qualitative policy research can often be reached with 12 to 15 interviews, particularly when the sample is purposively targeted to include participants with high relevance to the research problem.

Table 1: Participant Matrix with Selection Rationale

Stakeholder Category	Number	Selection Criteria	Representation Achieved
Professional Association Heads	5	Current/past presidents of NIA, NIOB, NIQS, NSE, TOPREC	Ensures coverage of all construction disciplines
Government Executives	4	Directors at FMWH, State-level physical planning agencies	Captures federal-state dynamics
Regulatory Officials	3	Leadership at COREN, CORBON, QSRBN, ARCON	Represents statutory oversight bodies
Legislators	2	National Assembly members involved in built environment bills	Provides legislative insider perspectives

The sample size was determined through concurrent data collection and analysis until theoretical saturation was achieved at 14 interviews (Guest *et al.*, 2006), with additional interviews confirming rather than expanding the emerging thematic framework. This approach meets the methodological rigor expected in construction policy research (Dainty, 2008).

Data collection protocol

Data collection followed a three-phase protocol:

- Pre-interview phase:** Participants received detailed information sheets and interview scripts (Appendix 2) 72 hours before meetings to enable preparation (Kvale and Brinkmann, 2009).
- Interview phase:** Conducted 16 face-to-face interviews (average duration: 68 minutes) at participants' chosen locations. All sessions were audio-recorded with consent using encrypted devices, with field notes capturing nonverbal cues. The interview guide balanced structured questions about NBC provisions with open-ended probes about implementation challenges.
- Post-interview phase:** Immediate verbatim transcription was performed using Express Scribe software, with transcripts member-checked by participants to enhance credibility (Lincoln and Guba, 1985).

Analytical framework

Thematic analysis followed Braun and Clarke's (2006) six-phase approach using NVivo 12:

- i. **Familiarization:** Repeated reading of transcripts while listening to audio recordings
- ii. **Initial coding:** Line-by-line open coding of all transcripts
- iii. **Theme development:** Clustering codes into candidate themes through constant comparison
- iv. **Theme review:** Validation through peer debriefing with two independent researchers
- v. **Theme definition:** Finalizing thematic maps with exemplar quotes
- vi. **Report production:** Contextualizing findings within institutional theory framework

This systematic approach ensures auditability - a key marker of quality in qualitative construction research (Eisenhardt, 1989). Analytical memos documented the decision trail from raw data to interpreted themes.

Results and Discussion

Stakeholder perspectives on the NBC

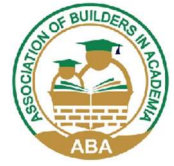
The analysis revealed two dominant, competing perspectives among stakeholders regarding the NBC's fundamental purpose. The first theme framed the NBC as a vital safety instrument, with 7 of 14 participants emphasizing its potential to reduce Nigeria's alarming rate of building collapses through standardized material specifications and construction practices. As one architect noted, "The NBC represents our best chance to eliminate the quackery killing Nigerians daily" (Informant 3). However, a second theme emerged among contractors and some legislators who viewed the NBC primarily as a bureaucratic burden that would increase construction costs by 15-20% and delay project approvals. This tension between safety and economic priorities mirrors findings in other developing economies (Ramesh and Khan, 2022), but is exacerbated in Nigeria by divergent interpretations of the code's scope. While professionals emphasized technical provisions (e.g., seismic standards for northern regions), policymakers focused narrowly on administrative procedures, revealing fundamental misunderstandings that hinder consensus.

Challenges in legislative enactment

Two critical subthemes emerged regarding legislative stagnation. First, political inertia was compounded by aggressive lobbying from real estate developers, who successfully delayed committee hearings through what one legislator called "strategic parliamentary manoeuvres" (Informant 12). This aligns with Bardach and Patashnik (2016) legislative theory on interest group resistance to regulatory costs. Second, a federal-state misalignment was evident, as state assemblies prioritized local building laws over the national code; a fragmentation predicted by institutional theory (Scott, 2014). Notably, only 3 of Nigeria's 36 states had allocated funds for NBC domestication as of 2023 (Danwata, 2022), reflecting constitutional ambiguities over building regulation jurisdiction. These findings corroborate Ayarkwa *et al.*'s (2021) work on Ghana's code implementation, suggesting that legislative bottlenecks in developing nations often stem from both political economy factors and governance structures.

Barriers to post-enactment implementation

Even if enacted, stakeholders identified two formidable implementation barriers. Weak enforcement capacity was universally acknowledged, with regulatory agencies lacking both technical staff (only 12% of Lagos State building inspectors had code certification) and operational budgets (Informant 7). Corruption further undermined compliance, as 9 participants reported routine bribery to bypass existing regulations; a challenge documented by Transparency International (2020) across Africa's construction sectors. Equally problematic was intense professional rivalry, particularly between architects and builders disputing supervisory roles under the NBC. One builder lamented, "They want us to execute designs but deny us a



seat at the regulatory table" (Informant 10), echoing Freeman (1984) stakeholder theory on competing interests. These institutional and professional fractures threaten to render the NBC ineffective without systemic reforms.

Proposed solutions for NBC implementation

The study's findings reveal that overcoming Nigeria's building code challenges requires a comprehensive, multi-dimensional approach addressing legislative, institutional, and social barriers. Stakeholders proposed concrete solutions at three critical levels of intervention:

Legislative reforms for accelerated enactment

Participants overwhelmingly emphasized the need for urgent legislative action to break the NBC's 17-year deadlock. A primary recommendation involves establishing a special Joint Committee of the National Assembly dedicated solely to fast-tracking the NBC's passage. This committee would combine members from both housing/urban development and justice committees to address technical and legal aspects simultaneously. Drawing lessons from Rwanda's successful code adoption (Bamigboye *et al.*, 2019; UN-Habitat, 2021), stakeholders suggested implementing a 90-day legislative timeline with mandatory public hearings. This approach would maintain democratic accountability while preventing indefinite delays. Furthermore, participants recommended attaching the NBC as an amendment to existing construction-related laws like the Urban and Regional Planning Act, which could bypass some procedural hurdles. As one senior legislator noted, "We need to treat the NBC as emergency legislation, the daily death toll from collapses demands nothing less" (Informant 12).

Institutional restructuring for effective enforcement

To address implementation gaps, stakeholders proposed creating a National Building Code Regulatory Authority (NBCRA) as an independent enforcement body. This would consolidate currently fragmented responsibilities spread across 14 different agencies. The NBCRA would feature:

- i. Zonal offices with trained inspectors in all 36 states
- ii. Standardized digital permitting systems to reduce corruption opportunities
- iii. Mandatory certification programs for construction professionals
- iv. A public complaint mechanism with whistleblower protections

Participants emphasized that such an authority requires constitutional backing to ensure stable funding through a 0.5% construction levy, similar to Kenya's successful model. As a former building control officer stated, "Without dedicated funding and personnel, even the best code remains just paper" (Informant 7). The authority would work closely with state governments while maintaining federal oversight to ensure nationwide standards.

Social engagement for sustainable compliance

Recognizing that 68% of construction industry participants lack awareness of existing regulations (Informant 9), stakeholders proposed a nationwide NBC awareness campaign with three key components:

- i. Professional Education: Mandatory continuing education units on NBC requirements for all licensed architects, engineers and builders
- ii. Public Awareness: Multi-lingual radio/TV programs and simplified illustrated guides distributed through local governments
- iii. Grassroots Training: Mobile certification programs for artisans and apprentice builders across Nigeria's 774 LGAs

A contractor participant suggested, "*We need to show developers that code compliance saves money long-term through reduced repairs and insurance premiums*" (Informant 5). Successful models from Ghana

demonstrate that such social interventions can increase voluntary compliance by up to 40% within three years (Ayarkwa *et al.*, 2021).

Implementation roadmap and monitoring

To ensure these solutions translate to action, participants recommended:

- i. A phased 5-year implementation plan with clear milestones
- ii. Annual independent audits by civil society groups
- iii. Establishment of a multi-stakeholder oversight committee including professional bodies, government agencies, and consumer protection groups

As one architect summarized, "The NBC's success requires both the hammer of enforcement and the carrot of education - we need all tools working together" (Informant 3). This comprehensive approach addresses the political, bureaucratic, and cultural dimensions of Nigeria's building regulation challenges while drawing on proven international best practices. The solutions recognize that legislation alone is insufficient without parallel investments in institutional capacity and social buy-in.

Key Findings

- i. *Stakeholder divergence*: The research revealed a fundamental divide among stakeholders regarding the NBC's purpose. While professionals (architects, engineers) emphasized its role as a safety imperative, developers and some legislators viewed it as a cost-increasing burden. This misalignment underscores the need for dialogue to reconcile safety and economic priorities, ensuring the NBC is perceived as a tool for long-term sustainability rather than a regulatory hurdle.
- ii. *Legislative challenges*: The NBC's stagnation stems from weak political will, lobbying by interest groups, and jurisdictional ambiguities between federal and state governments. The absence of a coordinated legislative strategy has allowed the code to languish, even as building collapses claim lives and drain economic resources. Lessons from Rwanda and Ghana demonstrate that dedicated timelines, bipartisan committees, and integration with existing laws can accelerate enactment.
- iii. *Implementation barriers*: Even if enacted, the NBC faces formidable obstacles, including inadequate enforcement capacity, corruption, and inter-professional rivalries. The lack of certified inspectors, overlapping mandates, and resistance from construction actors threaten to render the code ineffective without systemic reforms.

In summary, the NBC's potential to transform Nigeria's construction sector is undeniable, but its realization demands concerted effort from policymakers, professionals, and the public. The solutions outlined in this study provide a roadmap to transcend political and institutional barriers, ensuring the code evolves from a dormant document into a living framework for safety, sustainability, and growth. The time for action is now, every delayed day perpetuates preventable tragedies and undermines Nigeria's developmental aspirations.

Conclusion

The Nigerian National Building Code (NBC) represents a critical yet unrealized opportunity to address the systemic failures plaguing Nigeria's construction sector, from rampant building collapses to unregulated practices. Despite its formulation in 2006 and subsequent revisions, the NBC remains trapped in legislative limbo, hindered by a combination of political inertia, institutional fragmentation, and stakeholder conflicts. This study, through qualitative exploration of diverse stakeholder perspectives, has illuminated the multifaceted barriers to the NBC's enactment and implementation which includes divergent stakeholder priorities, weak political will, lobbying resistance, jurisdictional conflicts, inadequate enforcement capacity, corruption, and inter-professional rivalries. The paper also proposes actionable pathways such as targeted



legislative reforms, institutional restructuring for stronger enforcement, and broad-based stakeholder engagement to foster compliance.

Recommendations

To ensure the effective enactment and implementation of the Nigerian National Building Code (NBC), this study proposes a comprehensive set of actionable recommendations targeting legislative, institutional, and societal dimensions.

- i. At the legislative level, urgent action is required to break the NBC's prolonged stagnation. The National Assembly should prioritize the code's passage by establishing a dedicated Joint Committee with representatives from housing, urban development, and justice sectors, tasked with fast-tracking enactment within a strict 90-day timeline. To circumvent procedural delays, the NBC could be attached as an amendment to existing construction-related laws, such as the Urban and Regional Planning Act. Concurrently, a constitutional review should clarify jurisdictional responsibilities between federal and state governments to eliminate enforcement ambiguities, while conditional grants could incentivize state-level adoption.
- ii. Institutional reforms are equally critical. The creation of a National Building Code Regulatory Authority (NBCRA) would centralize enforcement, with zonal offices across all 36 states to ensure nationwide compliance. Sustainable funding for this authority could be secured through a 0.5% construction levy, modeled after successful systems in Kenya. To strengthen enforcement capacity, investments in training and certification programs for inspectors are essential, alongside digital permitting systems to enhance transparency and reduce corruption.
- iii. Stakeholder collaboration must be improved to address persistent professional rivalries. A multi-stakeholder regulatory council, inclusive of key professional bodies (NIA, NSE, NIOB, COREN), should be established to harmonize roles and foster inclusive governance. Regular dialogue forums can help mediate conflicts between architects, engineers, and builders. Public awareness is another cornerstone of successful implementation. A nationwide sensitization campaign, leveraging radio, TV, and local languages, should educate developers, artisans, and the public on NBC standards, supplemented by mandatory continuing education for construction professionals.
- iv. To ensure accountability, a phased 5-year enforcement plan should be implemented, beginning with high-risk urban areas and expanding systematically. Annual independent audits by civil society groups can monitor progress, while whistleblower protections and stiffer penalties for violations will deter non-compliance. Learning from international best practices, such as Rwanda's collaborative code development and Ghana's public engagement strategies, can further refine Nigeria's approach. Adopting a triennial review mechanism, akin to the U.S. International Code Council, will keep the NBC adaptive to emerging challenges like climate resilience.

The NBC's success hinges on coordinated political will, institutional capacity, and societal engagement. These recommendations provide a clear, actionable framework to transform Nigeria's construction sector into a safer, more sustainable industry. Immediate and decisive action is imperative to prevent further loss of life and economic damage caused by preventable building failures. The time for implementation is now.

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