



POLICY ANALYSIS

April, 2026

A Policy Analysis of the Nigerian Press Council Act (1992): Institutional Design, Democratic Governance, and Reform Imperative

Authors:

Dr Etimbuk E. Obot, Dr Martins Udom & Dr Nsisong Boniface Udoakang
Department of Democracy and Governance, NILDS

Executive Summary

This policy analysis examines the Nigerian Press Council Act of 1992, assessing its effectiveness in regulating the press within Nigeria's evolving democratic and media environment. The Act established the Nigerian Press Council (NPC) as a statutory regulatory body responsible for promoting professional journalism, enforcing ethical standards, and adjudicating complaints involving media conduct. At its inception, the Act was designed to address declining journalistic standards, strengthen accountability, and enhance public trust in the media.

However, over three decades later, Nigeria's media environment has undergone profound transformation driven by digitalisation, the rise of social media, and the decentralisation of information production. These developments have significantly challenged the relevance and effectiveness of the Act, which remains largely structured around traditional print media regulation and a state-centric regulatory philosophy.

The analysis finds that while the Act provides important institutional mechanisms for complaint resolution, ethical oversight, and professionalisation of journalism, it is undermined by several structural and operational weaknesses. These include limited institutional independence due to executive control over appointments, outdated enforcement provisions, inadequate protection for journalists, and an absence of meaningful regulatory coverage for digital and online media platforms. Additionally, the Council's combined regulatory, adjudicatory, and developmental roles create potential conflicts of interest and weaken overall effectiveness.

Comparative experience from jurisdictions such as the United Kingdom, United States, and South Africa demonstrates that effective media regulation increasingly relies on models that prioritise institutional independence, co-regulation, and adaptability to digital media ecosystems. These lessons highlight the need for Nigeria to modernise its regulatory framework in line with global best practices.



The paper concludes that while the Nigerian Press Council Act has contributed to promoting ethical journalism and providing a basic accountability framework, it is no longer fit for purpose in its current form. Comprehensive reform is therefore necessary to align the Act with contemporary media realities and democratic principles.

Key recommendations to the National Assembly include: expanding the Act to cover digital and online media; reforming appointment processes to strengthen institutional independence; modernising enforcement mechanisms through proportional sanctions; establishing an independent media appeals tribunal; introducing statutory protections for journalists; adopting a hybrid co-regulatory governance model; and strengthening transparency and accountability of the Nigerian Press Council.

The study argues that reforming the Act is essential to ensuring a balanced regulatory environment that protects press freedom while promoting professionalism, accountability, and public trust in Nigeria's rapidly evolving media ecosystem.

1. Introduction

The relationship between the state and the press has long been a defining feature of democratic governance, reflecting broader tensions between authority and liberty, control and accountability¹. In many developing democracies, this relationship is particularly complex, shaped by historical legacies of authoritarianism, evolving institutional frameworks, and rapidly changing media environments. The Nigerian

Press Council Act represents a significant attempt by the Nigerian state to structure this relationship through formal regulation.

Enacted in 1992, and subsequently amended by the Nigerian Press Council (Amendment) Act No. 60 of 1999, the Act established the Nigerian Press Council (NPC) as the primary body responsible for overseeing journalistic practice, promoting ethical standards, and adjudicating complaints involving media in Nigeria². Its provisions reflect a regulatory

¹ Magarian, G. P. (2025). Political Tensions and the Democratic Press. In R. Andersen Jones & S. R. West (Eds.), *The Future of Press Freedom: Democracy, Law, and the News in Changing Times* (pp. 28–37). chapter, Cambridge: Cambridge University Press.

² Federal Republic of Nigeria. (1992). *Nigerian Press Council Act (Cap N128, Laws of the Federation of Nigeria, as amended 1999)*. Abuja, Nigeria.



philosophy that combines elements of professionalisation, administrative oversight, and quasi-judicial enforcement. At the time of its enactment, the Act responded to concerns about declining journalistic standards, the need for accountability, and the role of the press in shaping public discourse.

However, the media environment has undergone profound transformation over the past three decades. The emergence of digital platforms, the proliferation of social media, and the decentralisation of information production have fundamentally altered the nature of journalism³. These changes have challenged traditional regulatory models, raising questions about their relevance, effectiveness, and legitimacy.

This article undertakes a detailed policy analysis of the Nigerian Press Council Act, with particular attention to its institutional design, policy rationale, and practical implications. It seeks to answer three central questions: (1) To what extent does the Act achieve its stated objectives? (2) What are its key strengths and limitations? and (3) What reforms are necessary to align it with

contemporary media realities and democratic principles?

2. Policy Context

The Nigerian Press Council Act operates within a broader constitutional and regulatory framework that both enables and constrains media activity. The 1999 Constitution guarantees freedom of expression under Section 39, including the right to receive and impart information without interference⁴. Additionally, Section 22 assigns the media a watchdog role, mandating it to hold the government accountable to the people⁵.

Despite these constitutional protections, Nigeria's media environment reflects a hybrid regulatory model characterised by the coexistence of legal guarantees and regulatory controls. This duality has been described in literature as a form of "managed press freedom", where the state retains significant influence over the media through statutory instruments and institutional arrangements⁶.

Historically, the Nigerian press has played a critical role in political mobilisation,

³ Sonni, A. F. (2025). *Digital transformation in journalism: Mini review on the impact of AI on journalistic practices*. *Frontiers in Communication*, 10, 1535156.
<https://doi.org/10.3389/fcomm.2025.1535156>

⁴ Federal Republic of Nigeria. (1999). *Constitution of the Federal Republic of Nigeria (as amended)*. Abuja, Nigeria.

⁵ *ibid*

⁶ Gan, S. V., & Inobemhe, K. (2025). Traditional and Digital Media: Balancing Regulation with Press Freedom in Nigeria. *Journal of Science, Technology and Arts Research*, 14(3), 52–64.
<https://doi.org/10.20372/star.V14.i3.05>



democratic advocacy, and resistance to authoritarian rule. During periods of military governance, the media often functioned as a site of contestation, challenging state authority and advocating for democratic reforms. This historical experience has shaped contemporary attitudes toward media regulation, with persistent tensions between state control and press autonomy.

In the contemporary period, the regulatory environment has become more complex due to the rise of digital technologies. Online platforms have expanded access to information while simultaneously creating new challenges, including misinformation, disinformation, and the erosion of traditional journalistic gatekeeping. These developments have exposed the limitations of regulatory frameworks that were designed for a predominantly print-based media system.

From a theoretical perspective, the Nigerian Press Council Act aligns with a statutory regulatory model, in which the state plays a central role in defining and enforcing standards. This contrasts with self-regulatory and co-regulatory models that have gained prominence in other jurisdictions. The persistence of a state-centric approach in Nigeria reflects both institutional inertia and broader governance dynamics.

3. Key Provisions of the Nigerian Press Council Act

The Nigerian Press Council Act establishes a comprehensive framework for the regulation of journalistic practice in Nigeria. At its core is the creation of the Nigerian Press Council as a corporate body with perpetual succession and the capacity to sue and be sued. The Council is composed of representatives from various stakeholder groups, including journalists, media proprietors, government officials, and members of the public. While this composition suggests a pluralistic approach, the appointment process, largely controlled by the executive, raises questions about the balance of influence within the institution.

The Act assigns the Council a broad range of functions. These include investigating complaints from members of the public and the press, monitoring compliance with ethical standards, promoting professional development, and conducting research on media issues. The Council is also tasked with protecting the rights and privileges of journalists, reflecting an acknowledgement of the risks associated with journalistic work.

A notable feature of the Act is the conferral of quasi-judicial powers on the Council. It is authorised to summon witnesses, conduct enquiries, and make determinations regarding complaints. Where violations are



established, the Council may direct the publication of apologies or corrections and impose sanctions such as reprimands or suspension. These powers position the council as both regulator and adjudicator, a dual role that has significant implications for its functioning.

The Act also introduces a framework for the professionalisation of journalism. It provides for the registration and accreditation of journalists, the approval of training institutions, and the certification of professional experience. This reflects an effort to standardise entry into the profession and ensure minimum levels of competence.

In addition, the Act imposes compliance obligations on media organisations, including the requirement to register with the Council, submit annual performance returns, and renew documentation periodically. Non-compliance attracts penalties, including fines and, in some cases, imprisonment. These provisions underscore the regulatory authority of the Council and its role in overseeing the media sector.

4. Policy Rationale

The Nigerian Press Council Act is underpinned by a set of policy objectives that reflect both normative and practical considerations. Central to these is the goal of promoting professional standards in journalism. By establishing a regulatory

framework and enforcing a code of ethics, the Act seeks to ensure that journalists adhere to principles of accuracy, fairness, and responsibility.

Another key objective is the protection of the public. The Act provides a mechanism for individuals to seek redress for grievances arising from media conduct, thereby enhancing accountability. This is particularly important in situations where defamatory or inaccurate reporting can have significant social and economic consequences.

The Act also reflects a state interest in managing the information environment. By regulating the press, the state seeks to ensure that the dissemination of information does not undermine public order or national security. This objective, while legitimate, introduces potential tensions with the principle of press freedom.

Furthermore, the Act aims to facilitate conflict resolution through administrative processes. By providing an alternative to litigation, it reduces the burden on courts and enables more timely resolution of disputes.

Finally, the Act embodies an attempt to balance competing values: freedom and responsibility, and autonomy and accountability. This balancing function is a central challenge in media regulation and is influenced by broader political and institutional dynamics.



5. Strengths of the Policy

The Nigerian Press Council Act possesses several strengths that contribute to its relevance as a regulatory instrument. One of its primary advantages is the establishment of an institutional mechanism for addressing complaints against the media. This provides an accessible and relatively efficient means of resolving disputes, particularly for individuals who may lack the resources to pursue legal action.

The Act also plays a significant role in promoting ethical standards within the journalism profession. By codifying a code of conduct and providing for its enforcement, it contributes to the development of professional norms and practices. This is essential for maintaining public trust in the media.

Another strength lies in the Act's emphasis on accountability. By subjecting journalists and media organisations to regulatory oversight, it seeks to prevent abuses of media power and ensure responsible reporting. This is particularly important in a situation where the media has significant influence over public opinion.

The inclusion of multiple stakeholders in the composition of the council is also noteworthy. In principle, this enhances the legitimacy of the institution by ensuring that diverse perspectives are represented.

Although the effectiveness of this arrangement is constrained by other factors such as executive dominance in the appointment process, imbalance in representation between state and non-state actors, limited operational autonomy, and the absence of clear safeguards against conflicts of interest, it reflects an important design consideration.

Furthermore, the Act recognises the need to protect journalists in the performance of their duties. This acknowledgement is significant, given the risks associated with investigative reporting and the role of journalists in democratic governance.

6. Policy Gaps

Despite its strengths, the Nigerian Press Council Act exhibits several critical weaknesses that limit its effectiveness. A central issue is the lack of institutional independence. The appointment of key officials by the executive creates a structural dependence that weakens the autonomy of the council. This raises concerns about political interference and the potential for regulatory decisions to be influenced by government interests.

Another significant gap is the Act's inability to address the realities of the digital media environment. Its provisions are largely orientated toward traditional print media and do not adequately account for the



complexities of online journalism, social media, and cross-border information flows. This limits its capacity to regulate contemporary media practices effectively.

The Act also raises concerns regarding press freedom. The combination of regulatory oversight and punitive powers may create a chilling effect on journalistic activity, particularly in cases involving critical reporting on government actions. This concern is consistent with observations by organisations such as the Committee to Protect Journalists, which emphasise the importance of safeguarding media independence⁷.

In addition, the enforcement mechanisms provided by the Act are outdated and ineffective. The financial penalties prescribed are no longer commensurate with current economic realities, reducing their deterrent value. This undermines compliance and weakens the authority of the Council.

The Act further suffers from institutional overload, as the Council is tasked with multiple roles, including regulation, adjudication, and promotion. This can dilute its effectiveness and create conflicts of interest. Moreover, the absence of a clearly defined and independent appeals mechanism

raises concerns about due process and accountability.

Finally, there is disconnect between the Act's stated objective of protecting journalists and the practical realities of media practice in Nigeria. Journalists continue to face harassment, intimidation, and legal pressures, indicating that the protective provisions of the Act are insufficient.

7. Cost-Benefit Analysis

From a policy perspective, the Nigerian Press Council Act generates both benefits and costs that must be carefully weighed. On the benefit side, the Act contributes to the promotion of ethical journalism, enhances accountability, and provides a mechanism for dispute resolution. These outcomes are important for maintaining public trust in the media and ensuring the responsible dissemination of information.

However, these benefits are offset by several costs. The risk of political interference weakens the credibility of the regulatory framework, while the potential chilling effect on journalism can limit the role of the media as a watchdog. The administrative burden imposed on media organisations may also hinder innovation and growth within the sector.

⁷ Committee to Protect Journalists (2024). Attacks on the Press in 2024.

<https://cpj.org/2025/01/attacks-on-the-press-in-2024/>



Furthermore, the outdated nature of the Act reduces its effectiveness, leading to inefficiencies in regulation. The mismatch between the regulatory framework and the realities of the digital media environment represents a significant opportunity cost, as it limits the ability of the state to address emerging challenges.

Nonetheless, while the Act has positive elements, its current form does not maximise policy efficiency. Substantial reform is required to enhance its effectiveness and align it with contemporary needs.

8. Cross-Country Experience

Comparative analysis provides valuable insights into alternative approaches to media regulation. In the United Kingdom, regulation is largely based on self-regulation, with bodies such as the Independent Press Standards Organisation overseeing compliance with ethical standards. This model emphasises independence from government and relies on voluntary adherence by media organisations.

In the United States, the regulatory framework is shaped by strong constitutional protections under the First Amendment. There is no licensing of journalists, and regulation is largely achieved through market mechanisms and judicial processes. This approach prioritises press freedom but may

be less effective in addressing issues such as misinformation.

South Africa offers an example of a co-regulatory model, where industry bodies and public representatives share responsibility for oversight. This approach seeks to balance independence with accountability and has been relatively successful in maintaining public trust.

These comparative experiences highlight several key lessons for Nigeria such as:

- Institutional independence is critical for legitimacy.
- Flexibility is essential in adapting to changing media environments.
- Hybrid models that combine elements of statutory and self-regulation may offer a more balanced approach.

9. Policy Options

Several policy options are available for reforming the Nigerian Press Council Act:

1. Maintaining the status quo would preserve institutional continuity but fail to address the Act's limitations. Incremental reform, involving targeted amendments, offers a more feasible approach, allowing for the modernisation of specific provisions



while retaining the existing framework.

2. A more ambitious option is a comprehensive legislative overhaul of the Act, which would involve replacing the Act with a new framework designed for the digital age. This approach would allow for a more coherent and forward-looking regulatory system but may face political and institutional resistance.
3. Another option is the adoption of a co-regulatory model, which would involve greater participation by industry stakeholders and reduce direct state control. This approach aligns with international trends and may enhance legitimacy and effectiveness.

10. Recommendations to the National Assembly

In light of the analysis, several recommendations are proposed to the National Assembly.

1. Amend Section 2 of the Act to Incorporate Digital and Online Media Regulation:

The Act should be revised to reflect the realities of the digital media ecosystem. This should include expanding the legal definition of

“press” to cover online news platforms, digital-only publishers, and other forms of internet-based journalism. The amendment should also introduce provisions on digital journalism standards, misinformation, and platform accountability, particularly in collaboration with relevant agencies such as the Nigerian Communications Commission (NCC) and the National Information Technology Development Agency (NITDA). Regulatory obligations should, however, adopt a light-touch approach to avoid undue restrictions on individual expression.

2. Reform the Appointment Process to Strengthen Institutional Independence:

To reduce executive dominance and enhance credibility, the appointment process for the Council’s leadership should be restructured. The Chairman should be appointed by the President subject to Senate confirmation, while the Executive Secretary should be selected through an open, merit-based process involving public advertisement, shortlisting by an independent selection panel, and confirmation by the National Assembly. The Act



should also introduce fixed, non-renewable terms (e.g., five years) and clearly defined removal procedures limited to cases of misconduct or incapacity. Additionally, a multi-stakeholder selection committee comprising representatives from the legal profession, academia, civil society, and media organisations should be established.

3. Modernise and Rationalise Enforcement Mechanisms:

The enforcement provisions of the Act should be updated to ensure effectiveness and proportionality. Fixed monetary penalties should be replaced with indexed or revenue-based fines that reflect current economic realities. A system of graduated sanctions, ranging from warnings and mandatory corrections to administrative fines and, in extreme cases, temporary suspension, should be introduced. Criminal penalties for regulatory breaches should be removed or significantly limited, with greater reliance placed on civil and administrative measures that are consistent with democratic norms.

4. Establish an Independent Media Appeals Tribunal:

To strengthen due process and accountability, the Act should create an independent Media Appeals Tribunal with jurisdiction over decisions of the Council. The Tribunal should comprise retired judicial officers, media law experts, and public interest representatives. It should have the authority to review, affirm, vary, or set aside decisions of the Council, with proceedings conducted within clearly defined timelines. Its decisions should remain subject to judicial review by the courts to ensure constitutional compliance.

5. Introduce a Statutory Framework for the Protection of Journalists:

The Act should be expanded to include enforceable provisions for the protection of journalists. This should include safeguards against unlawful arrest, detention, or harassment in the course of professional duties, as well as protection of confidential sources. Law enforcement agencies should be required to obtain a court order before compelling disclosure of journalistic sources. In addition, a rapid response mechanism should be established within the Council to address threats to journalists,



alongside provisions for legal assistance and institutional support.

6. Adopt a Hybrid (Co-Regulatory)

Model of Media Governance:

The regulatory framework should transition from a purely state-centric model to a hybrid system that incorporates elements of self-regulation. The Act should formally recognise accredited industry-led bodies responsible for enforcing ethical standards, while the Council retains oversight, coordination, and standard-setting functions. This approach would enhance flexibility, reduce perceptions of state control, and align Nigeria's framework with emerging global best practices.

7. Streamline Compliance Requirements and Reduce Regulatory Burden:

To encourage innovation and inclusivity in the media sector, the Act should simplify registration and reporting requirements. This includes introducing digital registration platforms, reducing bureaucratic procedures, and adopting differentiated compliance obligations for small or emerging media organisations. Incentive-based mechanisms, such as accreditation

benefits, should be considered in place of purely punitive approaches to compliance.

8. Strengthen Transparency and Accountability of the Council

The Nigerian Press Council itself should be subject to enhanced oversight mechanisms. The Act should require the Council to publish its decisions, sanctions, and annual reports and to submit periodic reports to the National Assembly for review. It should also be subject to Freedom of Information obligations and periodic independent performance evaluations. These measures would improve transparency, build public trust, and ensure that the regulator remains accountable.

9. Clarify Institutional Roles to Avoid Overlap and Conflict

The Act should clearly delineate the Council's regulatory, adjudicatory, and developmental functions to prevent institutional overload and conflicts of interest. Consideration should be given to separating or functionally compartmentalising these roles within the Council's structure, ensuring that adjudication processes remain impartial and are



not influenced by promotional or regulatory objectives.

10. Periodic Legislative Review Mechanism

The Act should include a provision mandating periodic legislative review (e.g., every five years) to ensure that the regulatory framework remains responsive to technological, social, and political developments in the media space.

11. Conclusion

Contact:

National Institute for Legislative and Democratic Studies
National Assembly
Plot 307 Cadastral Zone
Umaru Musa Yar'adua Expressway, Airport Road, Abuja Nigeria.

The Nigerian Press Council Act represents a significant effort to regulate the media and promote professional standards. However, its effectiveness is constrained by structural weaknesses, outdated provisions, and misalignment with contemporary media realities.

Reform is therefore essential to ensure that the regulatory framework remains relevant and effective. By adopting a more flexible, independent, and inclusive approach, Nigeria can strengthen its media sector and enhance its democratic governance.

E-mail: info@nils.gov.ng

Website: <http://nils.gov.ng>

NILDS Liaison Office

Suite 214 Senate Wing

National Assembly Complex

Mobile: +234 806 694 5075