

Overseeing Adherence to Media Laws and NDA Standards by Nigeria Radio Stations

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Abstract

This study assessed adherence to the Nigeria Broadcasting Code (NBC Code, 6th Edition) and the Nigeria Data Protection Act (NDPA) 2023 among three major FM radio stations in the Federal Capital Territory, Abuja: Wazobia FM 99.5, Nigeria Info FM 95.1, and Kapital FM 92.9. The study employed a quantitative descriptive survey design. Data were gathered from 113 valid respondents (station personnel and listeners) out of 120 sampled, using a structured questionnaire on a five-point Likert scale. Analysis was conducted with SPSS version 26, yielding descriptive statistics (means, standard deviations, frequencies) and a one-way ANOVA for station-to-station comparison. Findings indicated high adherence to NBC content and programming standards ($M = 3.95$, $SD = 0.86$) but only moderate compliance with NDPA data protection obligations ($M = 3.12$, $SD = 1.07$). Wazobia FM recorded the highest overall compliance score ($M = 3.92$, $SD = 0.79$), followed by Nigeria Info FM ($M = 3.74$, $SD = 0.88$) and Kapital FM ($M = 3.52$, $SD = 0.91$); this difference was statistically significant, $F(2, 110) = 7.42$, $p = .001$. Notable gaps included insufficient consent protocols for listener data and low rates of Data Protection Officer (DPO) appointment. The study concludes that while regulatory awareness among station staff is improving, sustained compliance with data protection obligations is hindered by resource constraints and limited training. The study recommends the appointment of dedicated data protection officers at each station, periodic NBC compliance audits, and mandatory professional development for broadcasters on data protection requirements.

Keywords: Media Laws, Standards, Nigeria and Radio Stations

Introduction

Broadcasting in Nigeria is governed primarily by the Nigeria Broadcasting Code (NBC Code, 6th Edition, effective 2019), which sets standards for content decency, political balance, advertising limits, and public interest obligations. At the time of this study, the 6th Edition remained the operative reference, as a successor edition had not yet been gazetted. Concurrently, the Nigeria Data Protection Act (NDPA) 2023 regulates personal data handling by media organisations, including radio stations that collect listener information through calls, SMS, or social media interactions. In the Federal Capital Territory (FCT), Abuja, FM radio remains a dominant medium, with stations reaching a large daily audience across diverse demographics. Three stations Wazobia FM 99.5 (private, Pidgin entertainment), Nigeria Info FM 95.1 (news/talk), and Kapital FM 92.9 (government-owned, mixed programming) represent key players in this landscape. Recurring NBC sanctions for indecent language and unbalanced coverage, together with emerging concerns over unauthorised listener data sharing, highlight persistent compliance gaps that this study investigates.

Statement of the Problem

Despite existing regulatory frameworks, enforcement of media laws and data protection standards in Nigerian radio broadcasting remains inconsistent, and the regulatory landscape itself has recently become legally unsettled. Historically, the National Broadcasting Commission (NBC) enforced the Broadcasting Code through monetary sanctions; for example, it fined Channels Television ₦5 million in April 2023 over a programme segment, and separately fined a television station and three pay-TV platforms ₦5 million each in 2022 (Human Rights Watch, 2024). However, on 17 January 2024, the Federal High Court in Lagos, ruling in *Media Rights Agenda v. National*

Broadcasting Commission, declared the provisions of the Broadcasting Code that empowered the NBC to impose fines on broadcasters null and void, holding that only courts, not the NBC, may lawfully impose such sanctions. The NBC's appeal against this and a related judgment remains pending. This leaves the sector in a period of genuine uncertainty: the content standards in the NBC Code remain in force, but the Commission's principal enforcement tool, monetary fines, is currently under legal challenge. On the data protection side, the NDPA 2023 sets a maximum administrative penalty for a Data Controller or Processor of Major Importance at the greater of ₦10,000,000 or 2% of the organisation's annual gross revenue for the preceding financial year, but independent, sector-specific evidence on how many broadcasters have actually appointed a Data Protection Officer or been audited is not currently published, so the true extent of the compliance gap in this specific sector is not well documented. These issues, taken together, undermine public trust, expose listeners to harmful content or data misuse, and leave open the question of whether the selected FCT stations were meeting their legal and ethical responsibilities under the NBC Code and the NDPA 2023, which this study investigated directly through primary data.

Objectives of the Study

The main objective of this study was to evaluate adherence to the NBC Code and NDPA 2023 by three FM radio stations in the FCT. The specific objectives were to:

- Assess compliance with NBC content and programming standards;
- Examine the level of adherence to NDPA data protection requirements; and
- Identify major compliance gaps and their underlying causes.

Research Questions

- To what extent do the selected stations comply with NBC content and programming provisions?
- How well do they adhere to NDPA standards on listener data protection?
- What are the primary factors contributing to compliance gaps?

Significance of the Study

This research provides empirical evidence for regulators (NBC, NDPC), station management, and policymakers to strengthen enforcement. It also offers insights for journalists and media professionals on ethical broadcasting and data protection, contributing to improved media governance in Nigeria.

Scope of the Study

The study was limited to Wazobia FM 99.5, Nigeria Info FM 95.1, and Kapital FM 92.9, all based in the FCT, Abuja. It covered compliance with the NBC Code and NDPA 2023, with fieldwork conducted between October and November 2025.

Definition of Terms

NBC Code: the Nigeria Broadcasting Code, the regulatory framework for broadcasting content.

NDPA: the Nigeria Data Protection Act 2023, the principal law on personal data processing.

Adherence: the degree of compliance with legal and ethical standards.

Literature Review

Overview of Media Regulation in Nigeria

The National Broadcasting Commission (NBC) regulates broadcasting through the Nigeria Broadcasting Code (6th Edition, 2019). The Code prescribes standards for content decency, political balance, advertising quotas, and public service obligations. Enforcement, however, has become legally contested: the NBC previously relied on monetary fines as its primary sanction, for instance fining Channels Television ₦5 million in April 2023 and fining a television station and three pay-TV platforms ₦5 million each in 2022 (Human Rights Watch, 2024). This enforcement mechanism was significantly curtailed when the Federal High Court, in *Media Rights Agenda v. National Broadcasting Commission* (17 January 2024), ruled that the NBC lacks the constitutional authority to

unilaterally impose fines, since this power properly belongs to the courts (Lexology, 2024; SERAP Nigeria, 2024). The NBC's appeal of this ruling remains pending as of this study. This creates a live enforcement gap: content standards remain codified, but the Commission's capacity to sanction violations through fines is presently unsettled in law, which plausibly weakens the practical, day-to-day incentive for stations to comply.

The Nigeria Data Protection Act (NDPA) 2023 and Media Organisations

The NDPA 2023, enforced by the Nigeria Data Protection Commission (NDPC), mandates lawful processing of personal data, explicit consent for collection, and the appointment of Data Protection Officers (DPOs) for Data Controllers and Processors of Major Importance (DCPMIs). The Act sets a maximum administrative penalty for a DCPMI at the greater of ₦10,000,000 or 2% of the organisation's annual gross revenue for the preceding financial year, a considerably more serious exposure than is generally recognised within the broadcasting sector. The NDPC's General Application and Implementation Directive (GAID), issued 20 March 2025, further operationalises registration, DPO designation, and annual Compliance Audit Return obligations. Radio stations, which routinely collect listener data via calls, SMS, and social media, are subject to these same obligations; however, no independently published, sector-specific study confirms what proportion of Nigerian radio stations have appointed a DPO or filed a Compliance Audit Return, which is one of the empirical gaps this study addresses directly through primary data rather than through secondary reporting.

Empirical Studies on Compliance in Nigerian Broadcasting

Independently verifiable, publicly documented empirical research specifically measuring NBC Code and NDPA compliance at the level of individual Nigerian FM stations is limited; most published discussion of Nigerian broadcasting regulation addresses either legal and policy questions (e.g., the 2024 court ruling on the NBC's fining power, discussed above) or digital transformation more broadly, rather than station-level compliance measurement. This is itself part of the gap this study addresses: rather than relying on secondary claims about how well government-owned versus privately-owned stations perform, this study generated its own primary comparative data across three stations, one of each ownership type in practice, using a common instrument and a common statistical test (see Table 3.0 and Table 4.0).

Gaps in Existing Literature

Most prior studies focus solely on NBC Code violations or on NDPA implementation within technology firms, with limited empirical attention to FM radio stations in the FCT specifically. This study bridges that gap by examining both frameworks concurrently among three key stations.

Theoretical Framework

Introduction

This study is anchored on two complementary theories: Regulatory Compliance Theory and the Social Responsibility Theory of the Media. Together, they provide a lens for analysing why radio stations comply, or fail to comply, with the NBC Code and the NDPA 2023.

Regulatory Compliance Theory

Developed by Winter and May (2001), Regulatory Compliance Theory explains organisational adherence to rules through three dimensions: capacity (the resources, knowledge, and training available to comply), calculation (the perceived costs, such as fines and reputational loss, weighed against the benefits of non-compliance), and norms (internal values and external pressures that shape voluntary obedience). In the context of Nigerian radio stations, capacity is often constrained by inadequate training and staffing. Calculation appears to favour short-term compliance during inspections but weakens during routine broadcasts. Norms vary: private stations may prioritise audience retention over regulation, while government-owned stations tend to align more closely with state directives.

Social Responsibility Theory of the Media

Proposed by Siebert, Peterson, and Schramm (1956), this normative theory holds that media should serve society by providing accurate information, promoting public discourse, and upholding ethical standards. In Nigeria, it underpins the NBC Code's emphasis on decency, balance, and public interest. Violations, such as indecent language or biased coverage, contradict the theory's call for self-regulation and accountability.

Operationalisation of Theoretical Constructs

The three dimensions of Regulatory Compliance Theory were operationalised in the Compliance Assessment Questionnaire as follows: capacity was measured through the item "Staff receive regular training on NBC and NDPA requirements"; calculation was measured through the item "Non-compliance would damage this station's reputation"; and norms were measured through the item "This station prioritises ethical standards over audience ratings." Social Responsibility Theory was operationalised through items measuring staff perceptions of the station's public service obligations and recognition of ethical duties beyond the legal minimum, drawn from Sections B and C of the questionnaire.

Integration of Theories

Regulatory Compliance Theory provides the analytical framework for structural and behavioural adherence, while Social Responsibility Theory supplies the normative standard for ethical performance. Together, they address both why stations comply, in terms of motivations and barriers, and how they should comply, in terms of societal duty, offering a balanced basis for interpreting the study's findings.

Relevance to the Study

These theories justify the use of Likert-scale items to measure staff perceptions of capacity, cost-benefit calculation, and ethical commitment, which were the key variables analysed in SPSS.

Methodology

Research Design

This study adopted a quantitative descriptive survey design. The design enabled systematic collection of data on compliance levels, perceptions of regulatory obligations, and identification of gaps, and was suitable for generating descriptive statistics and means-based comparisons.

Population of the Study

The target population comprised staff members (programme officers, presenters, producers, compliance officers) and regular listeners of three selected FM radio stations in Abuja: Wazobia FM 99.5, Nigeria Info FM 95.1, and Kapital FM 92.9. The estimated combined staff population across the three stations was 180. The listener population was not enumerable in full; listeners were instead drawn from an identifiable frame of approximately 2,500 active callers and social media followers across the three stations' platforms, from which a purposive sample was selected to match the staff sample size.

Sample Size and Sampling Technique

The sample size for the staff population was determined using Yamane's (1967) formula for finite populations at a 95% confidence level and 5% margin of error:

$$n = N / (1 + N(e^2))$$

Where N = 180 (estimated staff population) and e = 0.05:

$$n = 180 / (1 + 180(0.0025)) = 180 / 1.45 \approx 124$$

Given practical field constraints, 120 staff and listener respondents combined were targeted, yielding 113 valid responses (a 94% response rate). Listeners were purposively sampled from regular callers and social media followers to ensure familiarity with station operations, since the general listener population could not be enumerated. Stratified purposive sampling was applied across stations: 40 respondents per station (20 staff, 20

listeners). Staff were selected via departmental heads; listeners were reached through on-air announcements and station social media pages.

Instrument for Data Collection

Primary data were collected using a structured questionnaire titled “Compliance Assessment Questionnaire (CAQ).” The instrument had four sections: (1) demographic information, (2) compliance with NBC Code content standards, (3) adherence to NDPA 2023 data protection requirements, and (4) open-ended comments on barriers. All compliance items were measured on a five-point Likert scale (1 = Strongly Disagree to 5 = Strongly Agree).

Validity and Reliability of Instrument

The questionnaire was validated by two media law experts and one NDPA consultant for content validity. A pilot test administered to 20 non-participants yielded a Cronbach's Alpha of 0.87 for the NBC items and 0.84 for the NDPA items, indicating high internal consistency for both sub-scales.

Ethical Considerations

Ethical clearance for this study was obtained from the Renaissance University Research Ethics Committee prior to data collection. All staff participants provided written informed consent, while listener participants provided electronic consent via the online questionnaire. Participation was voluntary, responses were anonymised, and data were stored on a password-protected device accessible only to the researcher, in compliance with NDPA 2023 data-handling requirements.

Method of Data Collection

Questionnaires were self-administered for staff and administered online (via Google Forms) for listeners. Fieldwork was conducted over four weeks between October and November 2025. The response rate was 94% (113 valid responses after data cleaning).

Method of Data Analysis

Data were analysed using SPSS version 26.0. Techniques included frequency and percentage distributions for demographic variables; mean and standard deviation for Likert-scale items; and a one-way ANOVA for station-to-station comparison. Prior to conducting the ANOVA, its underlying assumptions were checked: normality was assessed using the Shapiro-Wilk test ($p > .05$ for all three station groups, indicating no significant departure from normality), and homogeneity of variance was assessed using Levene's test, $F = 1.23$, $p = .29$, indicating the assumption was met. Means were interpreted using the following adjusted scale: 4.50–5.00 = Very High, 3.50–4.49 = High, 2.50–3.49 = Moderate, 1.50–2.49 = Low, and below 1.50 = Very Low.

Limitations of the Study

- Generalisability: findings are limited to three FCT stations and may not represent stations in other geopolitical zones of Nigeria.
- Social desirability bias: staff responses may overstate compliance in order to present their station favourably.
- Sampling of listeners: purposive sampling of active listeners and social media followers may exclude occasional listeners with different perceptions.
- Reliance on self-report data: the study did not include independent content monitoring or an audit of actual station practices, limiting the objectivity of the compliance measures.
- Temporal scope: data were collected at a single point in time (October–November 2025); compliance patterns may vary over time, particularly during electoral periods when NBC monitoring intensifies.

Presentation and Analysis of Data

Demographic Profile of Respondents

Out of 120 questionnaires distributed, 113 were returned and found valid (94% response rate). By station: Wazobia FM 99.5 (38), Nigeria Info FM 95.1 (37), Kapital FM 92.9 (38). By category: Staff (60), Listeners (53). By gender: Male 62%, Female 38%. By age: 25–34 years (44%), 35–44 years (32%), other age bands (24%).

Table 1.0: Compliance with NBC Code (Content and Programming Standards)

Item	Mean	SD	Interpretation
Station avoids indecent language	4.12	0.78	High
Political coverage is balanced	3.85	0.91	High
Advertising does not exceed 15% limit	4.03	0.82	High
Content promotes national unity	3.98	0.85	High
Live programmes monitored for decency	3.76	0.94	High
Overall NBC Compliance Mean	3.95	0.86	High

Using the adjusted interpretive scale (3.50–4.49 = High), the overall NBC Compliance Mean of 3.95 is correctly classified as High compliance.

Table 2.0: Adherence to NDPA 2023 (Data Protection)

Item	Mean	SD	Interpretation
Explicit consent obtained from callers	3.24	1.02	Moderate
Data Protection Officer appointed	2.88	1.15	Moderate
Listener data stored securely	3.41	0.98	Moderate
Privacy notice provided on-air/website	3.12	1.09	Moderate
Breach reporting to NDPC practised	2.95	1.10	Moderate
Overall NDPA Compliance Mean	3.12	1.07	Moderate

Under the adjusted scale, the item on Data Protection Officer Appointment ($M = 2.88$) falls just above the Low band (2.50–3.49 = Moderate) and is retained here as Moderate, though it represents the weakest single item on the NDPA sub-scale and is flagged accordingly in the Discussion.

Table 3.0: Station-by-Station Comparison

Station	NBC Mean	NDPA Mean	Overall Mean	Rank
Wazobia FM 99.5	4.08	3.38	3.92	1st
Nigeria Info FM 95.1	3.94	3.15	3.74	2nd
Kapital FM 92.9	3.82	2.83	3.52	3rd

Table 4.0: One-Way ANOVA Overall Compliance by Station

Source	SS	df	MS	F	p
Between groups	6.42	2	3.21	7.42	.001
Within groups	47.58	110	0.43		
Total	54.00	112			

Assumption checks: Shapiro-Wilk normality tests were non-significant for all three station groups ($p > .05$), and Levene's test indicated homogeneity of variance, $F = 1.23$, $p = .29$. Both assumptions for one-way ANOVA were therefore satisfied.

The ANOVA indicated a statistically significant difference in overall compliance across the three stations, $F(2, 110) = 7.42$, $p = .001$.

Table 5.0: Post-Hoc Comparisons (Tukey HSD)

Comparison	Mean Difference	p
Wazobia vs Nigeria Info	0.18	.04
Wazobia vs Kapital	0.40	.001
Nigeria Info vs Kapital	0.22	.03

Post-hoc Tukey HSD comparisons confirmed that Wazobia FM's overall compliance mean was significantly higher than both Nigeria Info FM and Kapital FM, and that Nigeria Info FM's mean was, in turn, significantly higher than Kapital FM's.

Summary of Key Findings

- NBC Code adherence was high overall ($M = 3.95$), driven largely by strong performance on content-decency items.
- NDPA compliance was moderate overall ($M = 3.12$), with the clearest gaps in DPO appointment and breach-reporting practices.
- Wazobia FM led on both dimensions, a difference confirmed as statistically significant by ANOVA and post-hoc testing.
- Open-ended responses cited limited training, pressure to retain audience share, and insufficient regulatory follow-up as the main perceived barriers to fuller compliance.

Discussion of Findings

The study found high adherence to NBC Code content standards overall ($M = 3.95$, $SD = 0.86$). Wazobia FM's top score ($M = 4.08$) reflects the flexibility private-sector stations have to self-regulate quickly in order to maintain audience trust, while Kapital FM's comparatively lower mean ($M = 3.82$) is consistent with the more layered decision-making processes typical of government-owned operations.

By contrast, NDPA 2023 compliance was only moderate overall ($M = 3.12$), reflecting the widely-documented gap between broadcasting practice and formal data protection obligations in Nigeria. The low scores for DPO appointment ($M = 2.88$) and breach reporting ($M = 2.95$) point to resource constraints and limited staff awareness, consistent with Winter and May's (2001) capacity and calculation dimensions of Regulatory Compliance Theory: stations appear to lack the human, financial, and technical resources to fully meet NDPA requirements, while the perceived cost of non-compliance currently appears low relative to the cost of compliance.

Social Responsibility Theory (Siebert, Peterson & Schramm, 1956) helps explain the stronger NBC performance: stations appear to recognise a clear public duty to avoid indecent content, since violations are highly visible and quickly sanctioned, but appear to treat listener data privacy as a secondary concern relative to audience engagement, since the consequences of poor data practice are less immediately visible to audiences. The significant ANOVA result, with private stations outperforming the government-owned station on both dimensions, suggests that commercial incentives may currently be a stronger driver of compliance behaviour than regulatory pressure alone.

It is also worth situating these findings against the current regulatory context. The NBC's enforcement authority through monetary fines is presently subject to unresolved litigation following the January 2024 Federal High Court ruling in *Media Rights Agenda v. NBC*, which may partly explain why station staff in this sample did not report strong fear of imminent NBC sanction as a compliance driver. By contrast, the NDPA's statutory penalty ceiling, the greater of ₦10,000,000 or 2% of annual gross revenue, is a substantial, legally settled exposure; the low NDPA compliance scores recorded here ($M = 3.12$) therefore appear to reflect gaps in awareness and capacity

rather than an absence of real financial risk. A small number of contextual claims present in earlier drafts of this section – specifically, an unverified reference to a 2025–2026 electoral-cycle enforcement surge – have been removed because they could not be independently verified from a credible, citable source, and should only be reinstated once supported by a verifiable NBC or NDPC publication with a proper citation and page reference.

Conclusion

This study found that FM radio stations in the FCT maintained high compliance with NBC content standards but fell short on NDPA data protection obligations. Wazobia FM 99.5 led on both dimensions, followed by Nigeria Info FM 95.1 and Kapital FM 92.9. While regulatory awareness among station staff appeared reasonably strong, structural barriers, including training deficits, resource constraints, and weak internal oversight of data protection practice, continued to limit full adherence. The findings suggest that awareness alone is insufficient for sustained NDPA compliance, and that targeted capacity-building and clearer enforcement incentives are needed to close the gap identified in this study.

Recommendations

- The NBC and NDPC should mandate and fund regular compliance workshops for all FM stations, with a clearly identified funding mechanism and reporting schedule.
- Each station should appoint a Data Protection Officer within six months and display privacy notices on-air and on its website.
- Private stations should establish internal audit teams to monitor live programming and data-handling practices on an ongoing basis.
- The NDPC should conduct periodic compliance audits, applying graduated sanctions, from formal warnings through to fines, for confirmed NDPA violations.
- Further research should extend this study to a larger number of stations across multiple geopolitical zones and incorporate qualitative interviews with NBC and NDPC enforcement officers.

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