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Chukwumah Lawyer Obara, Dr

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Promoting Sustainable Tax Compliance in the Informal Sector in Nigeria

Okoye, Pius V.C. (MBA, ACA)
Department of Accountancy
Nnamdi Azikiwe University, Awka
Anambra State, Nigeira

Akenbor, Cletus O., Ph.D.
University of Port-Harcourt
Rivers State, Nigeria
E-mail: akenborcletus@yahoo.com

&

Obara, Lawyer C.
Department of Accountancy
Rivers State University of Science and technology
Port Harcourt

Abstract

This study aimed at investigating the causes of low level of tax compliance in the informal sector in Nigeria and the effect of such, on economic growth and development, with a view to designing appropriate strategies for promoting sustainability of tax compliance in the sector. To achieve this goal, some research questions were raised, hypotheses were formulated and critical *review of related literature was made. The population for this study comprises both tax officials and business owner managers in the south-east region of Nigeria. To gather the primary data for the study, a set of questionnaire was administered on 200 business owner managers and 115 tax officials. The secondary data were sourced from the Central Bank of Nigeria (CBN) statistical bulletin for a time period of 20 years (i.e 1990-2009). The Pearson Product-Moment Co-efficient of Correlation was the statistical technique employed in testing the stated hypotheses. Our findings revealed several causes of tax compliance problem in the informal sector in Nigeria. Among which are high tax, rate, inadequate provision of public goods and services, lack of transparency and accountability of public funds, poor funding of tax boards, absence of functional tax audit, lack of reciprocity and legitimacy, ineffective deterrence measures, out-dated tax laws, lack of public trust, and corrupt practices of tax officials. Based on the above, it was concluded that the Nigerian government should put the necessary machinery in place to ensure tax compliance in the informal sector by giving adequate attention to the recommendations made in this study.*

Introduction

Taxation is generally said to be a compulsory levy on the income, goods, services, purchases and properties of individuals and corporate entities. According to Kiabel (2001), taxation serves as a source of revenue to the government; it is used for fiscal and monetary measures, for achieving income redistribution, to control consumption and investment patterns, and to protect local industries. In Nigeria, taxes are payable to local, state and federal government legislations, which come in the form of Decrees and Acts of Parliament. Therefore every taxable individual and corporation is under compulsion to pay tax.

In spite of the compulsory nature of taxation as stipulated by various governments' legislations in Nigeria, the problem of non-compliance is still assuming an alarming dimension. Anichebe (2010a) stated that Nigeria has consistently witnessed low tax morale especially under the various military dictatorships witnessed in the country from 1984 to 1999. Even with the coming of political elites, resistance to the payment of taxes has come to be regarded as a social norm particularly in the informal sector. The high rate of non-compliance in the informal sector stems from the fact that governments usually face some difficulties in creating a culture of compliance among the sector. Two general difficulties can be discerned-firstly, most business transactions in the informal sector are done in cash and even some establishments would not accept bank cheques for exchange transactions. Since all transactions are in cash, it is very easy for the businessman to conceal taxable profits. By so doing, he is able not only to manipulate his records for tax reduction purposes but also to eliminate all third party information resulting to purchases and sales. Secondly, a very important task in tax administration is the determination of appropriate income of the taxpayer so that a meaningful assessment of the tax liability could be made. Most self-employed people in Nigeria, are indifferent to proper record keeping, and without proper record keeping, effective determination of taxpayer's income cannot be executed.

The low level of tax compliance in the informal sector in Nigeria is a source of hindrance to the socio-economic development of the country. According to the United Nations Millennium Project (2005) in Anichebe (2010b), for a country to become developed, its tax revenue must be about 22% of the country's Gross Domestic Product. But Nigeria currently mobilizes about 12% of its GDP in tax revenue (CBN, 2009). This represents about 45% shortfall of the UN minimum standard. Therefore if Nigeria must develop, concerted effort has to be made to improve her tax revenue from the informal sector. It is against this backdrop that this paper aimed at investigating-

(i) Causes of the low level of tax compliance in the informal sector in Nigeria.

(ii) The relationship between tax compliance and economic growth and development of Nigeria.

To achieve the stated objectives, the following research questions were raised-

(i) What is the most prevalent factor responsible for the low level of tax compliance of the informal sector in Nigeria?

(ii) What is the impact of tax compliance on the economic growth and development of Nigeria?

In order to provide tentative answers to the research questions, it was hypothesized that-

Ho_1: There is no significant relationship between the opinions of the respondents on the most prevalent factor responsible for the low level of tax compliance in the informal sector in Nigeria.

Ho2: There is no significant relationship between tax compliance and economic growth and development in Nigeria.

Theoretical foundation

The informal sector is made up of activities such as trading, transportation, agriculture, food preparation, credit facilities, mechanical and electrical work, dressmaking, bricks making and laying, footwear, distilleries, gold and silver smiting and traditional healing (Oyigbo, 2008). Because of its sheer size, it is difficult to have a reliable data on the membership and activities of the informal sector.

There has been a growing interest in taxing the informal sector in most developing countries for a number of reasons, which according to Terka (2005), include the following-

- **Increase in revenue:-** The events of the past couple of years regarding the global financial crisis and its impact on commodity prices with the attendant decrease in Nigeria oil revenue from the federation account has brought to the fore the necessity of increasing tax revenues, which will enable the state to deliver basic services. The informal sector therefore becomes the obvious avenue to be drawn into the tax net having been mostly out of it.
- **The phenomenal size and growth of informal sector**:- Unemployment, lack of access to finance, poor infrastructure, unfriendly tax system to mention a few are some of the factors pushing many entrepreneurs into the informal sector. The informal sector is complex and heterogeneous comprising of large enterprises and small; urban firms and rural ones; visible activities as well as invisible ones; owners as well as workers; local activities as well as those that cross jurisdictional boundaries.
- **Impact on tax compliance in the formal sector:-** Legitimate taxpayers in the formal sector perceive the state as being unfair in pursuing them for taxes while the informal sector continues to operate untaxed. Ignoring informal sector activities will lower compliance morale and increase the risk of generalized non compliance. There is some evidence from Latin America suggesting that tax compliance in the formal sector is higher in countries which have a relatively small informal sector (Torgler 2003).

- **State legitimacy:-** Informalization might be indicative of the fact that operators see no value in engaging with the state in the protection of life and property, and therefore legitimacy becomes a serious concern. In order to regain legitimacy, governments are looking for ways to incorporate informal activities into formal systems. Taxation is a good route into the problem, as it enables governments to recognize informal activities without legitimizing the breaking of other rules and regulations. Broadening the tax base and developing a 'culture of compliance' can achieve more than simply increasing revenues; it can be a way of re-engaging citizens with the state.
- **Demands from the informal sector:-** Research shows that those within the informal sector are willing to pay taxes, specifically when these are in exchange for some legitimacy, stability and protection from arbitrary harassment from state agents (Viminek, 2006). For many within the sector, the tax burden is not onerous, especially as they are paying informally anyway, albeit as bribes to street level bureaucrats, in order to continue operating.
- **Tax-Accountability link:-** Governments that are dependent upon earned revenues such as taxes (as opposed to unearned revenues such as aid or mineral wealth) are more likely to be responsive to their citizens for various reasons. The flip side of the argument suggests that citizens who pay taxes will demand more responsive governments. By encouraging people within the informal sector to come within the tax net, it is thus assumed that they will start the process of a constructive engagement with the state-of gaining services and rights and becoming full citizens. In short, widening the tax net will spark off a virtuous cycle of taxation and accountability that is at the heart of consolidating democracies.

In spite of the tax revenue potentials of the informal sector in Nigeria, Abiola (2007) reported that the level of tax compliance of the informal sector in Nigeria is less than 27 percent. He further described tax compliance as the actions of the taxpayers in meeting the statutory requirements of tax law. This requires the taxpayers to report their income, calculate their tax liability and file a tax return. However, in recent times, there has been an ongoing debate over the appropriate mechanisms for taxing the informal sector in Nigeria because (i) most business transactions are done by cash, hence business people can conceal taxable profits (ii) business people are indifferent to proper record keeping thereby making tax administration a difficult task.

Factors affecting tax compliance

One of the key puzzles in the tax compliance literature is to know and understand those forces that hinder taxable individuals and corporate entities from the payment of taxes. A review of extant literature revealed that tax compliance is affected by several factors, which include the following-

(i) **Nature of fiscal exchange between taxpayers and government:-** It ha been argued that the way in which governments treat the tax payers affects tax compliance. Feld and Frey (2002) asserted that if the government demonstrates trust for the tax payers, such will be rewarded by greater taxpayer trust in government, which consequently improves tax compliance. Nzotta (2007) claimed that the increasing lack of trust of the Nigeria government by the tax payers and the perceived corrupt practices of the tax authorities have been responsible for low tax morale, and hence high rate of tax evasion in Nigeria. World Value Survey (2000) in Anichebe (2010a) reported that majority of Nigerians do not have confidence in the government and national institutions. According to Kiabel (2001), evidence of wastage of public funds abounds in the form of inflated contract prices, "white elephant" projects and other corrupt practices. The cumulative effect is the resolve of many honest tax payers never to pay their taxes again, or at most pay under compulsion thereby increasing cost of tax administration.

(ii) **High tax rate: -** Tax rate compromises the states revenue and its economic development. Tax rates are increased due to factors such as enormous reduction in the purchasing power of money, heavy tax erosion, urgent need for yield and dynamic public expenditure (Fossati, 1992). A high tax rate increases state revenue and consequently public expenditure but deters savings and investments. Bartik (1994b) suggested that a 10% lowering of taxes would raise employment and investment between 1 and 6 percent. However, Gupta (2007) stated that increases in the income tax rates would cause consumers to evade greater fraction of their income and that higher degree of tax evasion within a country resulting from lower penalty rates and higher corruption produces socially optimum higher degrees of financial repression.

In Nigeria, the high tax rate and the multiplicity of taxes coupled with the low audit probability and corruption of the tax officials tend to compound the case of non-compliance. High tax rates accompanied with the multiplicity of taxes increases the cost of doing business in Nigeria. In a bid to survive their tax liability, many businesses tend to understate their reported income thereby reducing the level of tax compliance.

(iii) **Degree of taxpayers' satisfaction**:- Positive actions by the governments are intended to increase tax payer's positive attitudes and commitment to the tax system and tax payment and thus compliant behaviour (Smith and Stalans, 1991). One of the important social psychological reasons for expecting cooperation is reciprocation (Cialdini, 1984). We distinguish between positive and negative reciprocity. Positive reciprocity is the impulse to be kind to those who have been kind to us. On the other hand, "an eye for an eye", and "a tooth for a tooth" is a good example of negative reciprocity (Fehr and Gachter, 1997). Positive behaviour of the governments towards taxpayers will increase the likelihood of compliance. As Smith (1992) argues, cycles of antagonism between the tax administration and the tax payer might first be broken up by a positive concession of the administrator. Kolm (1973) argued that how tax revenues are used by the government will influence tax reporting behaviour of people. Smith (1992) also hypothesized that taxpayers will feel cheated if they believe that their tax burden is not spent well. In his taxpayers opinion survey to study positive incentives which increase citizen's normative commitment to tax compliance, he calls attention to aspects of reciprocity, legitimacy, and procedural fairness for tax compliance and finds that responsive services and procedural fairness are effective positive incentives to increase the commitment to tax compliance.

In Nigeria, citizens are opposed to the payment of any form of tax on the ground that governments have been unfair in the provision of basic amenities and other social projects.

(iv) **Lack of effective deterrent measures**:- Dhami and Ali (2004) hypothesized that tax payers reported income increases when the probability of audit and penalty on undeclared income increases. In other words, if tax defaulters are strongly penalized, the degree of tax compliance will increase. Gupta (2007) posits that increases in the penalty rates of evading taxes would induce tax payers to report a greater fraction of their income. Owojori (2006) opined that the non-establishment of tax audit/investigation unit in tax offices is responsible for the high rate of non-compliance with tax laws. Olorunleke (1986) in Anichebe (2010a) opined that if there is no fractional tax audit/investigation, there can be less compliance.

The issue of tax compliance in Nigeria has not been seriously addressed by the relevant authorities. The Nigerian tax laws specify various penalties for non compliance. Unfortunately, these penalties are not strictly pursued. Offenders are hardly prosecuted, and this goes on to worsen the situation. According to Bird (2008), when those who failed to comply are not penalized and those who cheat escape, a country's part to sustainable growth is threatened.

(v) **Deficiency in tax administration:-** How a tax system is administered affects its yield, incidence and efficiency. The administrative dimension of taxation has long been recognized by tax administrators and practitioners in a long-list of country studies when issues of tax compliance are being discussed. More so, the system of tax administration has frequently been flagged by economists working on tax policy in developing countries.

According to Gupta (1995), it is helpful to view the tax administration process as a production function in which "inputs" like personnel, materials, information, laws and procedures are used to produce several outputs, the most important of which is government revenue, but which also include taxpayers satisfaction, equity, and social welfare.

The Nigerian tax administration is deficient thereby creating rooms for non-compliance. The administrative weaknesses include inadequate tax collection officials, absence of functional tax audit and investigation, out-dated tax laws, inadequate staffing, poor funding of tax boards, lack of adequate data base and ineffective tax assessment (Nzotta, 2007)

Methodology

The population of this study consists of tax officials and business owner managers in the south-east region of Nigeria. Using a pilot survey, the researchers considered one hundred and fifteen (115) tax officials and two hundred (200) owner managers of business enterprises in the south-east region of Nigeria. In order to generate the necessary data for the study, both the primary and secondary methods of data collection were employed. The primary data were collected through the administration of questionnaire on the selected tax officials and owner managers of the selected enterprises to test hypothesis one. The questionnaire was designed in five-point response of Likert-scale. On the other hand, the secondary data were collected from the Central Bank of Nigeria (CBN) statistical bulletin of 2009 for a period of twenty year (i.e 1990-2009). These data were used in testing the second hypothesis. The statistical method of data analysis adopted in this study is the Pearson Product Moment Co-efficient of Correlation and this was computed with the aid of the Statistical Package for Social Sciences (SPSS) version 16.

Empirical analysis

This section focused on analysis of data generated from this study.

In testing the first hypothesis, the respondents were asked to rank the prevalent factors responsible for their low level of tax compliance and the result obtained is presented in the table below-

Table 1: Relationship between the opinions of respondents on the most prevalent factor responsible for the low level of tax compliance

Correlation Matrix

Opinions of tax officials;	Opinions of business owner managers;		
	Co-efficient	1	0.036
Opinions of tax officials;	sign.(2-tailed)		0.927
	N	10	9
Opinions of business owner managers			
	Co-efficient	1	0.036
	Sign. (2-tailed)		0.927
	N	9	10

Source: SPSS Window output version 16

From the data presented in appendix 1, we observed that the most prevalent factor responsible for low tax compliance in the informal sector as identified by business owner managers is inadequate provision of public goods and services, followed by high tax rate, and lack of transparency and accountability of public fund. Whereas tax officials indicated that the most prevalent factor is the poor funding of tax boards, followed by inadequate provision of public goods and services, and absence of functional tax audit and out-dated tax laws. Therefore, the result presented in table 1 above, which shows a co-efficient of 0.036 and a probability of 0.927 is an affirmative of the null hypothesis that there is no significant relationship of the opinions of tax officials and business owner managers on the most prevalent factor responsible for the low level of tax compliance in the informal sector in Nigeria.

In testing the second hypothesis, we established a link between tax revenue as a measure of tax compliance and Gross Domestic Product as the variable used in measuring economic growth and development, and the result obtained is presented in the table 2.

Table 2: Relationship between Tax Revenue (TAREV) and Gross Domestic Product (GDP)

Correlation Matrix		
	TAREV	GDP
TAREV	1.000	0.826
GDP	0.826	1.000

Source; SPSS Window Output Version 16

The data presented in table 2 revealed a correlation co-efficient of 0.826, which implies that tax compliance has a positive significant relationship with economic growth and development.

Conclusion and recommendations

The result of our analysis shows that several factors account for the low level of tax compliance in the informal sector in Nigeria. These factors include-high tax rate, ineffective deterrence measures, absence of functional tax audit, lack of public trust, lack of reciprocity and legitimacy, poor funding of tax boards, corrupt practices of tax officials, inadequate provision of public goods and services, lack of transparency and accountability of public fund, and out-dated tax laws. Among these factors, inadequate provision of public goods and services was identified by business owner managers as the most prevalent factor, with poor funding of tax boards as the least prevalent. But the least prevalent factor as indicated by business owner managers (i.e poor funding of tax boards), is the most prevalent factor identified by tax officials.

Considering the fact that tax compliance promotes economic growth and development, it is therefore imperative that the Nigeria governments put the necessary machinery in place to ensure tax compliance in the informal sector. Based on the above, the following recommendations are made-

(1) Promoting an Atmosphere of Trust:- The atmosphere of mistrust between the governments and the informal sector has been exacerbated by the widespread corruption of governments thereby hindering the provision of quality basic social amenities for the people. Public corruption has greatly contributed to the all-pervasive atmosphere of political cynicism that makes tax compliance in Nigeria become difficult. Therefore, promoting an atmosphere of trust through dialogue between the governments and tax payers will enhance tax compliance in the informal sector in Nigeria.

(2) Public Sector Reform:- Tax compliance is linked to reforms in the public sector because compliance itself depends on change in attitudes of citizens and the capacity of tax collection institutions to perform. Therefore, a reformation of the Nigeria Public Sector is a necessary ingredient for tax compliance.

(3) Sustained Public Education:- The inculcation of a culture of tax compliance depends on changing attitudes and perceptions. Nigeria Governments should intensify their effort in organizing public education programmes in the media, posters, billboards and other channels. More concerted and sustained approach should be put in place for the sensitization of the public.

(4) Transparency and Accountability:- The Nigeria government need to provide her citizens more accurate information on how much money is collected, and how much is spent, where and for what purpose,

and what its future obligations are likely to be. When governments become transparent and accountable in this form, people will naturally pay their taxes.

(5) Enforcement of Regulations:- The regulatory function of the government must be properly performed. Government through its institutions, such as the Federal Board of Internal Revenue and (LIRS) should enforce rules and regulations governing tax compliance in line with due process. Those found to have defaulted must face the sanctions. Special tax courts must be established to deal expeditiously with cases of tax non-compliance.

(6) Tax Concessions:- Apart from the provision of certain tax incentives such as low tax rate, tax holiday, and investment tax credit to motivate the citizens to pay tax, tax concessions such as national awards for tax compliance to be given to those in the informal sector should be instituted. The Nigeria governments have a culture of punishing tax defaulters in the informal sector without rewarding those who have fulfilled their obligations. The institution of awards will go a long way have fulfilled their obligations. The institution of awards will go a long way to stimulate individuals and groups in the informal sector in Nigeria to be alive with their tax obligations.

(7) Creating an Atmosphere of Harmony:- To improve tax compliance, it is necessary to cultivate a culture of harmony among tax payers and tax authorities. This could be done by establishing tax payers' friendly environment and policies and by appreciating their contribution to national development and progress.

(8) Participation in Decision Making: The extent to which taxpayers can participate in the political decision making process has a positive impact on tax compliance. If tax payers are allowed to participate in decisions affecting them and if the decision process is perceived as transparent and fair taxpayers will be ready to contribute to public goods and services. Therefore, direct political participation on the tax payers using popular referenda and voter initiative is being advocated.

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APPENDIX 1

Business Owner Managers

	5	4	3	2	1	Total	
High tax rate	200	40	120	60	5	725	3.6
Ineffectivedeterrence measures	65	120	192	164	11	552	2.8
Absence of functional tax audit	105	156	210	132	4	607	3.0
Lack of public trust	190	40	153	76	9	668	3.3
Lack of reciprocity & legitimacy	150	160	207	108	7	632	3.2
Poor funding of tax boards	100	132	231	98	21	582	2.9
Corrupt practices of tax officials	180	160	168	100	18	626	3.1
Inadequate provision of public goods/services	350	272	132	32	2	788	3.9

Lack of transparency and accountability of public fund	215	244	150	82	5	696	3.5
Out-dated tax laws	70	120	240	118	17	565	2.8

Source; researchers' computations

Tax Officials

	5	4	3	2	1	Total		
High tax rate	30	48	150	88	3	319	2.8	7th
Ineffective detter measures	25	40	168	78	5	316	2.7	9th
Absence of functional tax audit	100	140	141	22	2	405	3.5	3rd
Lack of public trust	25	72	144	70	9	320	2.8	7th
Lack of reciprocity & legitimacy	55	68	159	56	6	340	3.0	5th
Poor funding of tax boards	165	200	51	34	3	453	3.9	1st
Corrupt practices of tax officials	35	52	99	96	14	296	2.6	10th
Inadequate provision of public goods/services	145	184	60	26	7	422	3.7	2nd
Lack of transparency and accountability of public fund	30	40	153	94	1	318	2.8	7th
Out-dated tax laws	110	196	60	34	7	407	3.5	3rd

Source: researchers' computations

Years	**GDP**	**Tax Rev.**
1990	267550	26215.3
1991	312139.7	18325.2
1992	532613.8	26375.1
1993	683869.8	30667.0
1994	899863.2	41718.4
1995	1933211.6	135439.7
1996	2702719.1	114814
1997	2801972.6	174339.9
1998	2708430.9	139297.6
1999	3194015	224765.4
2000	4582127.3	280063.03
2001	4725086	316610.83
2002	6912381.3	353158.63
2003	8487031.6	389706.43
2004	11411066.9	426254.23
2005	14572239.1	1335960.0
2006	18564594.7	6.775,000
2007	20657317.7	12008000
2008	23842170.7	4458787
2009	21021361.03	7747262.33

Source: CBN Statistical Bulletin of 2009