



TMT NUGGETS

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EXECUTIVE SUMMARY

Welcome to the Third Quarter 2026 edition of the TMT Nugget. This quarter, regulators, courts and businesses were pushed to settle who holds authority, who owns value and who carries accountability in a digital economy that is outpacing its rules. In telecommunications, MTN's USD6.2 billion acquisition of IHS Towers received conditional FCCPC clearance, the NCC moved on cyber resilience, wholesale pricing and device registration, and the Federal High Court confirmed the NCC as the sole telecoms licensor, while the Minister's directive to defer new platform regulations exposed the strain of overlapping mandates. In media, sports and gaming, the inauguration of the Advertising Offences Tribunal, the NFVCB's content interventions and the FIFA/CAF suspension of the NFF electoral process highlighted the growing weight of regulation and governance.

In intellectual property, courts and regulators at home and abroad continued to test how copyright applies to AI, from ANI v. OpenAI, GEMA v. Suno and Thomson Reuters v. Ross to Anthropic's USD1.5 billion settlement and the FCCPC's investigation into the use of Nigerian news content, while a new framework seeks to make creative IP a financeable asset.

In data protection, enforcement became concrete through the Federal High Court's affirmation of the NDPC's DCPMI registration regime, the damages awarded against Stanbic IBTC and the directive to MDAs to comply with the NDPA.

In emerging technologies, the National Digital Economy and E-Governance Bill, which would create Nigeria's first binding AI framework, neared final passage, alongside NITDA's cloud framework, new virtual asset rules and growing international pressure from the EU AI Act and post-quantum mandates. Businesses should use the coming months to map their AI systems against proposed risk categories, confirm their DCPMI status, review licensing and distributor agreements, and prepare for the new cloud and cybersecurity obligations.

TELECOMMUNICATIONS

MTN GROUP OBTAINS FCCPC CLEARANCE AND SHAREHOLDER APPROVAL FOR HISTORIC ACQUISITION OF IHS TOWERS¹

In August 2026, shareholders of IHS Holding Ltd. voted overwhelmingly at an Extraordinary General Meeting to approve the USD6.2 billion buyout by MTN Group Ltd. Following shareholder endorsement, Nigeria's Federal Competition and Consumer Protection Commission (FCCPC) granted conditional regulatory clearance for the transaction, subjecting the approval to strict structural and behavioural safeguards. Under the regulatory framework, MTN is legally mandated to execute a 30% equity sell-down of the Nigerian tower business to local investors over time, guarantee open-access co-location terms for competing operators including Airtel, Globacom, and 9mobile, and implement rigorous data ring-fencing protocols to prevent anti-competitive information sharing. With additional regional and South African competition approvals secured in September 2026, the transaction positions MTN to consolidate passive tower assets across its footprint while preserving wholesale market neutrality. For further analysis on this read our article titled: [Owning the Towers: The MTN–IHS acquisition and what fair competition should now look like in Nigerian telecom](#).

FCC ADOPTS LANDMARK SATELLITE SPECTRUM ORDER TO UNLOCK OVER 1,000 MHZ FOR NEXT-GENERATION CONNECTIVITY²

On 30th September 2026, the United States Federal Communications Commission (FCC) adopted its landmark Unlocking Satellite Spectrum Abundance order, releasing over 1,000 MHz of spectrum for non-geostationary satellite orbit systems. The regulatory decision establishes updated spectrum-sharing rules designed to accelerate the deployment of direct-to-device cellular communications, high-speed satellite broadband, and in-flight connectivity solutions. Furthermore, the Commission initiated additional notice-and-comment rulemaking procedures to evaluate the potential allocation of an extra 1,450 MHz of spectrum, signalling a decisive regulatory pivot toward integrating space-based satellite constellations with terrestrial mobile networks to eliminate coverage gaps.

NIGERIAN TELECOMMUNICATIONS MARKET REACHES 195 MILLION SUBSCRIBERS AS NEW ENTRANTS EXPAND COMPETITIVE LANDSCAPE³

In July 2026, active mobile subscriptions in Nigeria expanded to 195.11 million, according to official sector performance metrics published in the third quarter of 2026, accompanied by a surge in monthly data consumption to 1.6 million terabytes. Catalysing further market competition, international Mobile Virtual Network Operator Lebara launched nationwide commercial operations in September 2026, leveraging existing host network infrastructure to offer specialised voice and data tariffs. Simultaneously, Swift Telephone Network secured a Unified Access Service Licence from the Nigerian Communications Commission, enabling the entity to deploy competitive fixed-wireless and broadband connectivity solutions across underserved commercial nodes.

¹ [FCCPC clears MTN's \\$6.2 billion IHS takeover but with a condition](#)

² [FCC Unlocking More Spectrum](#)

³ [Telecoms Subscribers Hits 195M as MTN Crosses 100 million Milestone](#)

NCC MANDATES PRE-SALE DEVICE REGISTRATION AND LAUNCHES EDUCATIONAL ZERO-RATING INITIATIVE WITH ALTON⁴

In September 2026, the NCC issued a regulatory directive compelling all Original Equipment Manufacturers (OEM)'s and importers to complete formal verification and registration for SIM-enabled devices prior to commercial distribution in Nigeria. The mandate aims to eliminate unapproved hardware, mitigate network cybersecurity vulnerabilities, and curb e-waste. Concurrently, the NCC partnered with the Association of Licensed Telecommunications Operators of Nigeria (ALTON) to operationalise a nationwide zero-rated data scheme, legally requiring mobile network operators to provide unmetered daily data access to accredited public university learning portals and digital educational resources.

OPERATIONALISING THE CYBER RESILIENCE FRAMEWORK FOR THE NIGERIAN COMMUNICATIONS SECTOR (CRF-NCS)

In July 2026, the NCC issued a comprehensive Guidance Note to operationalise the Cyber Resilience Framework for the Nigerian Communications Sector, ⁵following the framework's initial publication on 23rd February 2026.⁶ Categorising operators across three maturity tiers, the framework mandates immediate baseline cybersecurity budgeting for Tier 3 support providers, while requiring Tier 1 and Tier 2 entities to formally designate Chief Information Security Officers and establish Board-level Cybersecurity Committees. Under strict operational enforcement, operators must report cyber breaches to the NCC-CSIRT within four hours of detection, submit full technical filings within 24 hours, and achieve recovery time objectives of two hours for system disruptions. Furthermore, the framework also requires telecom operators to establish a dedicated cybersecurity budget separate from general IT expenditure, covering areas such as threat detection, monitoring, incident response, recovery and data protection.

NCC INITIATES COMPREHENSIVE WHOLESALE PRICING AND MOBILE TERMINATION RATES REVIEW

In July 2026, the NCC initiated its first comprehensive review of Mobile Termination Rates and wholesale pricing structures since 2018⁷. Driven by acute macroeconomic pressures, foreign exchange volatility, rising energy costs, and expanded 5G traffic, the four-month consultation spans interconnect rates, international termination fees, USSD pricing, and commercial tariffs for Mobile Virtual Network Operators. Conducted in active engagement with industry bodies including the Association of Licensed Telecommunications Operators of Nigeria and the Association of Telecommunications Companies of Nigeria, the review aims to recalibrate wholesale cost structures, directly influencing market competition, operator profit margins, and retail consumer pricing across the Nigerian telecommunications landscape.

PROJECT BRIDGE: NATIONAL FIBRE PLAN MOVES INTO EXECUTION⁸

In August 2026, the Federal Government of Nigeria, through its Federal Ministry of Communications, Innovation, and Digital Economy, has incorporated Bridge Open Access (Bridge OA), the SPV responsible for executing Project BRIDGE, a \$2 billion nationwide broadband infrastructure programme. The project plans to deploy approximately 90,000 km of new open-access fibre,

⁴ [NCC Opens Free Digital Learning Pathways with Zero-Rated Access to Educational Platforms and Content Initiative](#)

⁵ [Guidance Note to operationalise the Cyber Resilience Framework for the Nigerian Communications Sector](#)

⁶ [NCC – Cyber Reliance Framework for Nigerian Communication Sector: Version 1.0](#)

⁷ [Industry Stakeholder Consultative Forum on Consultancy\\$ For The Determination Of Mobile Termination Rates In Nigeria | NCC](#)

⁸ [Nigeria Incorporates Bridge OA, Moving \\$2bn Project BRIDGE Fibre Programme from Planning to Execution](#)

expanding Nigeria's fibre backbone to over 120,000 km. The network is intended to extend high-speed broadband connectivity to all 774 local government areas, including underserved communities and key public institutions. Bridge OA will operate as a wholesale, open-access network rather than providing services directly to consumers. Telecom operators, ISPs and enterprise networks will be able to lease capacity on a non-discriminatory basis, potentially reducing deployment costs and data tariffs. The incorporation marks a transition from project planning and financing to execution, with the immediate focus on investor onboarding and nationwide deployment.

NCC STRENGTHENS TYPE APPROVAL COMPLIANCE FOR SIM-ENABLED DEVICES IN NIGERIA⁹

The NCC has echoed its directive to all stakeholders that all SIM-enabled devices entering Nigeria must be registered and authenticated before they are sold. The measure is aimed at strengthening compliance with the NCC's Type Approval requirements and identifying illegally imported or non-compliant devices. The NCC's Device Management System (DMS) will provide automated monitoring and maintain a central registry of devices operating in Nigeria. The first phase will cover devices already in stock and require newly imported devices to be registered and authenticated. Unregistered devices will not be permitted to operate on Nigerian mobile networks, while the system may also facilitate the blocking of stolen devices through their IMEI numbers. The framework is being implemented with Customs, manufacturers, importers and industry associations, pursuant to Section 132(2) of the Nigerian Communications Act 2003.

FG TO GIVE STUDENTS 100MB FREE DATA DAILY FROM OCTOBER 1, 2026¹⁰

The Federal Government will provide Nigerian students with 100MB of free daily data from 1 October 2026 to access approved educational platforms. The initiative is being implemented by the NCC, the Federal Ministry of Education and participating mobile network operators, including MTN, Airtel and Globacom. It will initially cover students in public senior secondary schools and tertiary institutions, with plans to extend it to other learners. The 100MB allowance will be zero-rated and restricted to approved platforms, including digital libraries, learning management systems and vocational training resources. The framework includes safeguards relating to cybersecurity, consumer protection, child protection, data protection, net neutrality and fair competition. The NCC and Ministry of Education will jointly determine which educational websites and platforms are eligible for zero-rated access.

FEDERAL HIGH COURT DRAWS THE LINE BETWEEN FCCPC AND NCC ON AIRTIME LENDING¹¹

On 20 July 2026, Justice Ambrose Lewis-Allagoa of the Federal High Court, Lagos (FHC/L/CS/760/2026) upheld the FCCPC's DEON Regulations as they relate to consumer protection but held that the FCCPC has no power to issue telecoms licences, and that nothing in the DEON Regulations creates a telecoms licensing regime. The NCC therefore remains the sole telecoms licensor. The ruling in action brought by the Wireless Application Service Providers Association of Nigeria (WASPAN), casts doubt on the status of the five firms the FCCPC approved in April 2026 to provide airtime and data credit. The FCCPC says the regulations are now fully enforceable; WASPAN is weighing an appeal, and ALTON has urged the two regulators to agree on a coordination framework.

⁹ [NCC Strengthens Type Approval Compliance for SIM-Enabled Devices in Nigeria](#)

¹⁰ [FG to Give Students 100mb Free Data Daily from October 1 2026](#)

¹¹ This Day, [Court Ruling Casts Doubt Over Legal Status of Five Firms Approved Under FCCPC's DEON Rules](#) ; TechCabal, [Nigerian court upholds digital lending rules but rejects parallel telecom licensing](#)

MALAWI MOVES TO BREAK TELECOM DUOPOLY WITH NEW OPERATOR LICENCES¹²

Malawi plans to license additional mobile network operators to break the Airtel Malawi–TNM duopoly and reduce high telecom costs. The move follows public complaints over rising tariffs and poor quality of service, with the regulator previously sanctioning the two operators for improper price increases. To attract new entrants, the government plans to cut spectrum fees by 50% and provide access to towers supported by a \$150 million World Bank project. Although operators such as Malcel and Nyasa Mobile have previously received licences, they have not commenced operations due to economic and currency-related challenges. The government hopes greater competition will improve affordability, service quality and internet access, which remains relatively low in Malawi. However, the success of the plan will depend on attracting well-capitalised operators capable of overcoming Malawi's challenging economic conditions.

MEDIA & ENTERTAINMENT SECTOR

THE FEDERAL GOVERNMENT OF NIGERIA INAUGURATES ADVERTISING OFFENCES TRIBUNAL.

The Federal Government of Nigeria has inaugurated the newly constituted Advertising Offences Tribunal, marking a significant development in regulating Nigeria's advertising and marketing communications industry. The Tribunal was inaugurated on 11th August 2026 pursuant to the Advertising Regulatory Council of Nigeria (ARCON) Act 2022, which provides for a specialised tribunal to adjudicate offences under the Act and issue applicable advertising regulations and codes. The establishment of the Tribunal introduces a dedicated adjudicatory mechanism for advertising-related offences.

NFVCB SUSPENDS RELEASE OF A MOVIE BASED ON SIMILARITY TO REAL-LIFE EVENT

The National Film and Video Censor Board (NFVCB) suspended the nationwide theatrical release of "The Night of June 7th", a movie based on the 2005 Apo Six Killings, citing the sensitive nature of the real-life event depicted. The NFVCB further referred the movie to the State Security Service for review and advice before regulatory clearance could be granted. The producer and distributor have confirmed their compliance with the directive and will announce a new release date once the necessary clearance has been obtained.

NFVCB MOVES TO STOP THE PREMIERE OF LIVING IN COLOURS

The National Film and Video Censor Board (NFVCB) halted the planned press call and premiere of the movie "Living in Colours", alleging that its trailer contains explicit sexual content and promotes same-sex relationships. The NFVCB also stated that the film had not been submitted for classification and approval. It consequently warned against the movie's public exhibition or promotion and contacted the proposed cinema venues, noting that exhibitors who screen an unclassified film may face sanctions, including closure or withdrawal of their operating licence.

NFVCB AND NCC PARTNERS TO TACKLE DIGITAL PIRACY AND UNLICENSED STREAMING

The National Film and Video Censor Board (NFVCB) and the Nigerian Communications Commission (NCC) have partnered to fight digital piracy beyond traditional channels and unlicensed streaming. The agencies have identified piracy of Nigerian films through encrypted platforms, including Telegram, as

¹² [Malawi moves to break Telecom Duopoly with new Operator Licenses](#)

a growing threat to the creative economy. The collaboration includes mechanisms for faster intervention when infractions occur, as well as engagement with the Nigerian Copyright Commission on piracy affecting digital platforms.

NIGERIA POLICE FORCE PROPOSED A SPECIALISED CREATIVE ECONOMY & IP DESK.

The Inspector-General of Police proposed establishing an Orange Economy Security and Intellectual Property Coordination Desk to address piracy, counterfeiting, cyber-enabled fraud, and other crimes affecting Nigeria's creative industries. The proposed desk would also support coordination between the Police, the Nigerian Copyright Commission and other relevant agencies.

2026 HEADIES NOMINATION

The 18th Headies nomination, announced in August 2026, featured some of Nigeria's leading artists, including Davido, Wizkid, Burna Boy, Ayra Starr, Rema, Omah Lay and Asake. Beyond recognition and prestige, awards can contribute to an artist's commercial profile and the value attached to their creative output. Increased visibility can influence endorsements, performance opportunities, streaming activity, catalogue value and commercial partnerships.¹³

KENYA PROPOSES NEW REGULATORY FRAMEWORK FOR DIGITAL FILM AND AUDIO-VISUAL CONTENT.

Kenya's proposed Creative Economy Bill, 2026 seeks to introduce a new regulatory framework for the country's creative industries, including film and digital content. The proposed legislation would establish a Kenya Audio-Visual Regulatory Authority with powers to classify audio-visual works and issue take-down orders in respect of prohibited or unclassified content.

INTELLECTUAL PROPERTY

NIGERIA MOVES TO MAKE INTELLECTUAL PROPERTY A FINANCEABLE ASSET FOR THE CREATIVE INDUSTRY

The Federal Government has unveiled a framework for the commercialisation and securitisation of intellectual property in Nigeria's creative industry. Developed by the Federal Ministry of Art, Culture, Tourism and the Creative Economy with support from Afreximbank, the framework is intended to enable copyright, trademarks and other IP assets to be valued, commercialised and used to support access to finance. The initiative could provide a framework for creative businesses to treat IP as a bankable financial asset rather than solely as a means of protecting creative output. Its implementation could have implications for IP valuation, licensing, investment and financing across the music, film, fashion, publishing and technology sectors.¹⁴

COURT DISMISSES ₦5 BILLION 'WAY MAKER' COPYRIGHT CLAIM

The Federal High Court in Lagos has dismissed a ₦5 billion copyright claim brought by music producer Michael Oluwole against gospel artiste Sinach over the musical work "Way Maker". The claimant sought recognition as a co-author and co-owner of the song based on his involvement in its recording and production. The Court found that the song had already been written and performed before the

¹³ As at the time of compiling this, the award programme has been rescheduled from October 2026 to April 2027.

¹⁴ <https://www.tvcnews.tv/fg-unveils-framework-to-turn-creative-intellectual-property-into-bankable-assets/>

claimant became involved in the recording process and held that the evidence did not establish the creative contribution required for co-authorship. The decision highlights the distinction between authorship of a musical work and technical production services and reinforces the importance of clearly documenting ownership and creative contributions in entertainment agreements.¹⁵

FCCPC INVESTIGATES BIG TECH AND AI PLATFORMS OVER NIGERIAN NEWS CONTENT

The Federal Competition and Consumer Protection Commission (“FCCPC”) has opened an investigation into major technology companies and generative AI platforms following complaints from Nigerian media organisations concerning the use of news content. The investigation involves companies including Meta, Alphabet and X and raises issues concerning competition, copyright and the use of protected content in AI systems. Although the investigation does not establish that any company has infringed Nigerian law, it places the commercial use of Nigerian media content by technology and AI companies under regulatory scrutiny. The outcome could have implications for licensing arrangements between publishers and AI developers and the wider question of whether protected content may be used to train AI systems without authorisation.¹⁶

COURT OF APPEAL UPHOLDS NCC'S POSITION IN COSON LICENCE DISPUTE

In July 2026, the Court of Appeal, Lagos, dismissed an appeal by Copyright Society of Nigeria (COSON), which manages and collects copyright royalties on behalf of copyright owners. COSON had asked the Court to temporarily prevent the Nigerian Copyright Commission (NCC) from revoking its approval to operate as a collective management organisation while its substantive case was pending, but the Court refused the request. The Court held that COSON’s approval had already been suspended and subsequently lapsed under the Copyright (Collective Management Organisations) Regulations 2007, meaning there was no valid approval to preserve. COSON’s substantive challenge to the NCC’s power to suspend or revoke such approvals without a court order remains pending.¹⁷

REGISTRY PANEL RULES IN JIGSIMUR TRADEMARK AND DESIGN DISPUTE; MATTER HEADS TO FEDERAL HIGH COURT

On 2nd September 2026, the Administrative Panel Division of the Patents and Designs Registry ruled in favour of Jigsimur SA Property Ltd in a dispute with its former Nigerian agent, Jigsimur Plus, over the use and registration of the Jigsimur brand and related bottle design. The Panel ordered Jigsimur Plus to alter the disputed label and bottle design and remove “Jigsimur” from the contested industrial design registration. The Panel relied on Jigsimur SA’s Nigerian trademark registrations and described its decision as a first-level ADR determination. Jigsimur Plus is challenging the decision based on its earlier 2018 application and alleged prior use, with the competing claims now expected to proceed before the Federal High Court. The dispute highlights the importance of clearly allocating ownership and registration rights for local trademarks and designs in agreements with distributors and agents.¹⁸

¹⁵ <https://guardian.ng/breakingnews/gospel-artiste-sinach-wins-case-over-hit-song-court-dismisses-n5b-copyright-claim/>

¹⁶ <https://fccpc.gov.ng/president-tinubu-directs-fccpc-to-investigate-big-techs/>

¹⁷ <https://thenationonlineng.net/appeal-court-dismisses-cosons-appeal-against-copyright-commission-2/>

¹⁸ <https://guardian.ng/features/law/registry-orders-firm-to-change-industrial-design/>

NCC EXPANDS COPYRIGHT ENFORCEMENT TO DIGITAL PLATFORMS AS PHYSICAL SEIZURES CONTINUE

The Nigeria Copyright Commission is expanding its anti-piracy enforcement to digital platforms while continuing physical seizures of suspected pirated works. On 9th September 2026, the NCC's Director-General said the Commission was increasing efforts to disrupt online piracy and called on collecting societies to improve royalty transparency and accountability. This followed enforcement operations including the seizure of suspected pirated books worth about ₦7 million at Garki Market, Abuja, and a further seizure of books valued at approximately ₦2 million in Omoku, Rivers State, on 21st September, 2026.

The developments reflect the NCC's broader enforcement approach under the Copyright Act 2022, combining physical enforcement with action against digital piracy. The Commission has also previously proposed Copyright Enforcement Guidelines for Internet Service Providers and intermediaries, although those Guidelines do not appear to have been finalised.¹⁹

SOUTH KOREA OPENS COPYRIGHT ROYALTIES TO CERTAIN AI-ASSISTED MUSIC

South Korea's largest music copyright collecting society, Korea Music Copyright Association, announced in August that it would permit songs containing AI-assisted elements to be registered for royalties where a human creator made a substantial contribution to the writing, composition or arrangement. The development provides an interesting approach to the question of how copyright systems should treat increasingly common AI-assisted creative works. It also highlights the continuing importance of human authorship when determining whether AI-assisted outputs qualify for copyright protection.

DELHI HIGH COURT DECLINES INTERIM INJUNCTION IN ANI v. OPENAI

On 24th July 2026, the Delhi High Court refused an interim injunction sought by Asian News International (ANI) against OpenAI in proceedings concerning the use of ANI's content in AI training. The Court accepted that it had jurisdiction despite the training occurring outside India and found that ANI had not established memorisation of its content at this stage.

Importantly, the Court held that storing data for AI training could fall within India's fair-dealing exception for private or personal use, including research, and that the exception is not necessarily limited to non-commercial activity. The ruling is interlocutory and does not determine the final copyright dispute. Its reasoning may nevertheless be of interest in Nigeria given the similarities between the two countries' fair-dealing frameworks.

MUNICH COURT RULES AGAINST SUNO IN GEMA COPYRIGHT CASE

On 31st July 2026, the Munich Regional Court I ruled that AI music company Suno infringed copyright in songs represented by GEMA, Germany's music collecting society. The Court ordered Suno to disclose revenue connected with the infringing works to facilitate the assessment of damages. Reports indicate that the songs had been obtained from YouTube using "stream-ripping" techniques. The decision adds to the growing body of litigation over the use of copyrighted works to train AI systems and highlights the potential licensing implications for AI companies using protected music and other creative content.

¹⁹ <https://copyright.gov.ng/ncc-calls-for-intensified-action-against-online-piracy-urges-rights-holders-to-collaborate/>

US APPEALS COURT REJECTS FAIR USE DEFENCE IN THOMSON REUTERS V. ROSS

On 29th September 2026, the US Court of Appeals for the Third Circuit upheld Thomson Reuters' copyright victory against Ross Intelligence. Ross had copied thousands of Westlaw headnotes-summaries of legal principles in court decisions to train an AI-powered legal research tool that competed with Westlaw. The lower court had found Ross liable for infringing 2,243 headnotes and rejected its fair-use defence. The Third Circuit affirmed that ruling, making it the first US appellate decision to address fair use in the context of AI training. The case did not involve generative AI, and the appellate court's reasoning remains under seal pending proposed redactions. Ross had shut down its platform in 2021 amid the litigation.²⁰

SINGAPORE CONSULTS ON COPYRIGHT AND PATENT RULES FOR ARTIFICIAL INTELLIGENCE

Singapore's Ministry of Law and Intellectual Property Office have opened a consultation on how the country's IP framework should respond to artificial intelligence. The consultation considers copyright issues arising from AI training and generated content, as well as patent questions concerning AI-assisted inventions and inventorship. The proposals reflect growing regulatory scrutiny of whether existing concepts of authorship, inventorship and infringement adequately address AI-assisted creation and innovation. While the consultation does not alter Singaporean law, it provides an indication of the IP issues regulators are considering as AI becomes increasingly integrated into creative and technological development.²¹

APPLE HIT WITH \$5.7 BILLION PATENT VERDICT OVER HAPTIC TECHNOLOGY

A U.S. jury has ordered Apple to pay more than \$5.7 billion to Taction Technology, a San Diego-based technology company, after finding that Apple infringed two patents covering haptic technology used to generate vibrations in devices such as iPhones and Apple Watches. The technology enables users to receive physical feedback when interacting with a device, such as pressing a button or receiving a notification. The verdict follows a 2023 ruling by a San Diego judge that Apple had not infringed Taction's patents. Apple has disputed the latest verdict and said it will appeal, arguing that its Taptic Engine technology is fundamentally different from Taction's technology. The award highlights the significant financial exposure that patent disputes can create where patented technology is incorporated into widely distributed consumer products.²²

OPENAI AND NEW YORK TIMES COPYRIGHT LITIGATION MOVES TOWARDS KEY AI TRAINING RULING

The New York Times, OpenAI and Microsoft have asked a U.S. federal court to rule on whether copyrighted newspapers, books and other works can lawfully be used to train AI systems without permission. The consolidated litigation includes claims brought by the Times and authors including John Grisham, George R.R. Martin and Jonathan Franzen. At issue is whether AI training constitutes fair use under U.S. copyright law, including whether the use is sufficiently transformative and how the commercial impact on copyright owners should be assessed. The case could become an important reference point for the growing number of copyright disputes involving generative AI.²³

²⁰ <https://www.reuters.com/business/media-telecom/us-appeals-court-upholds-thomson-reuters-landmark-win-ai-training-lawsuit-2026-09-29/>

²¹ <https://www.lexology.com/library/detail.aspx?g=ab573339-7aba-40f3-8a45-d109cb046e45>

²² <https://www.bbc.com/news/articles/c6je85n2vyleo>

²³ <https://www.reuters.com/legal/litigation/openai-new-york-times-case-tees-up-key-test-ai-training-under-copyright-law-2026-09-08/>

ANTHROPIC SETTLES AI COPYRIGHT CLASS ACTION FOR \$1.5 BILLION

Anthropic has agreed to a \$1.5 billion settlement with authors who alleged that the company used hundreds of thousands of pirated books to train its AI models. A U.S. federal judge approved the settlement in July 2026, making it the largest copyright class-action settlement in U.S. history. Anthropic denied wrongdoing. The settlement demonstrates the financial exposure associated with the use of copyrighted works in AI development, while leaving broader questions concerning the legality of AI training to be resolved in other litigation.²⁴

BIRKENSTOCK WINS COPYRIGHT CASE AGAINST LIDL IN DUTCH COURT

The District Court of Gelderland in the Netherlands has ruled that Lidl infringed Birkenstock's copyright by selling lookalike versions of five Birkenstock sandal models. The Court found that certain elements of the sandals, including the distinctive shape of the footbed and a strap configuration on the Madrid model, contained sufficient original creative expression to attract copyright protection. Lidl was ordered to stop selling the infringing sandals in the Netherlands, provide information on their sales and pay damages, with a €5,000 daily penalty for non-compliance. The decision follows a 2025 ruling by Germany's Federal Court of Justice that denied copyright protection to Birkenstock sandals, highlighting the differing approaches European courts may take to copyright protection for industrial designs. The Dutch decision remains subject to appeal.²⁵

NVIDIA SETTLES TRADEMARK DISPUTE OVER "MODULUS" AI SOFTWARE

Nvidia has settled a U.S. trademark lawsuit brought by Modulus Financial Engineering over Nvidia's use of the name "Modulus" for its open-source AI software. Modulus Financial alleged that the identical name was likely to confuse consumers, particularly given its longstanding use of the Modulus mark for financial technology services. The case was pending before the U.S. District Court for the Western District of Texas and had been scheduled for trial in October 2026. Nvidia had denied the allegations and changed the software's name to Nvidia PhysicsNeMo in 2025. The terms of the settlement have not been disclosed. The dispute illustrates that AI product development does not remove ordinary trademark-clearance risks, particularly where a technology product enters a market in which an identical or similar mark is already in use.²⁶

SPORTS AND GAMING SECTOR

AFRICA LAUNCHES ITS FIRST SAFER GAMBLING WEEK

The Africa Safer Gambling Week marked its inaugural week in September 2026, bringing regulators and gaming industry stakeholders together across several African markets to focus on player protection and responsible gambling. The initiative included countries such as Nigeria, South Africa, Uganda, Malawi, Tanzania and Kenya, and emphasised safer gambling and consumer protection. The initiative comes amid increasing digitalisation of betting and gaming, making issues such as age verification, responsible-gambling tools, advertising, consumer protection and data handling increasingly important.

²⁴ <https://www.anthropiccopyrightsettlement.com/faq>

²⁵ <http://www.birkenstock-group.com/de/en/detail-press/birkenstock-wins-copyright-case-against-lidl-dutch-court-orders-injunction-against-lookalikes-of-birkenstock-classics/>

²⁶ <https://www.reuters.com/legal/litigation/nvidia-settles-trademark-lawsuit-over-modulus-ai-software-2026-09-28/>

NIGERIA'S BOOKMAKERS AND AFRICAN IGAMING ALLIANCE SIGN COOPERATION AGREEMENT

The Association of Nigerian Bookmakers (ANB) and the African iGaming Alliance (AiA) signed an MoU in September 2026 to strengthen cooperation on issues affecting Nigeria's regulated gaming and iGaming sector. The MoU is intended to promote knowledge exchange and engagement around responsible, transparent and sustainable gaming. The MoU is notable against the backdrop of an increasingly fragmented African gaming market, where operators and regulators must navigate different licensing and compliance frameworks.

FIFA AND CAF SUSPEND NFF ELECTORAL PROCESS

FIFA and the Confederation of African Football (CAF) have suspended the electoral process of the Nigeria Football Federation (NFF) amid a leadership crisis within the federation. In a letter dated 7th September 2026, the two bodies directed that no further steps be taken in relation to the election while they assess the legal, governance, administrative and electoral implications of recent developments with the NFF. FIFA and CAF further held a joint governance assessment mission in Nigeria with the NFF, its electoral bodies, the Federal Government, State Football Associations, leagues, players, coaches, referees, clubs, media sponsors and supporters. The mission is expected to report back to FIFA and CAF on possible reforms to Nigerian football governance.

DAZN SECURES LALIGA BROADCASTING RIGHTS ACROSS SUB-SAHARAN AFRICA

LaLiga announced that DAZN secured exclusive rights to broadcast all 380 LaLiga EA Sports matches each season across 48 Sub-Saharan African markets for the 2026/2027 – 2027/2028 seasons. The deal significantly expands the availability of international football content through a digital sports platform.

DATA PROTECTION & PRIVACY

FEDERAL HIGH COURT UPHOLDS NDPC'S POWER TO REGISTER DATA CONTROLLERS AND PROCESSORS OF MAJOR IMPORTANCE

The Federal High Court has affirmed the Nigeria Data Protection Commission's (NDPC) authority to require Data Controllers and Data Processors of Major Importance (DCPMIs) to register with the Commission. In *Emmanuel Harunna v. Nigeria Data Protection Commission*²⁷ the Court rejected a challenge to the registration regime by a Point-of-Sale (PoS) operator who argued, among other things, that PoS operators should not fall within the DCPMI regime.

The decision confirms that the registration requirement is grounded in the Nigeria Data Protection Act 2023 ("NDPA") and is not merely an administrative requirement introduced by the NDPC's registration guidance. The judgment reinforces the need for businesses processing personal data at scale to assess their DCPMI status and comply with the applicable registration and governance requirements.²⁸

FEDERAL GOVERNMENT DIRECTS MDAs TO IMPLEMENT THE NIGERIA DATA PROTECTION ACT

The Federal Government has directed Ministries, Departments and Agencies (MDAs) to comply fully with the NDPA and the regulations, guidelines and directives issued by the NDPC. The Circular requires MDAs to designate and register Data Protection Officers, engage licensed Data Protection Compliance

²⁷ FHC/L/CS/1116/2024

²⁸ *Emmanuel Harunna v Nigeria Data Protection Commission*- Federal High Court decision/report. [Legal500 report on the NDPC registration judgment](#)

Organisations where required, provide adequate resources for compliance, and they must also make budgetary provisions and file audit returns on time.

Significantly, the Circular places direct responsibility on Permanent Secretaries, Accounting Officers and Chief Executive Officers of MDAs for ensuring institutional compliance with the NDPA and the Circular. This signals a more structured approach to data protection compliance across the public sector, with accountability extending to the leadership of government institutions.²⁹

FCT HIGH COURT AWARDS ₦15 MILLION AGAINST STANBIC IBTC OVER UNLAWFUL RETENTION AND MARKETING USE OF CUSTOMER DATA

On 29th July 2026, the FCT High Court held that Stanbic IBTC's continued retention and processing of former customers' data after their accounts closed, without a lawful basis, breached the NDPA, section 37 of the Constitution and the Federal Competition and Consumer Protection Act (FCCPA) 2018. The Claimants had sought ₦250 million. The Court awarded ₦15 million in general damages with 10% post-judgment interest. It ordered deletion of data the bank is not legally required to retain and restrained further processing without lawful basis.³⁰

The Court noted the bank's failure to honour the customers' requests for erasure and its continued transmission of unsolicited marketing communications. The decision highlights the need for financial institutions to align data retention practices with applicable statutory obligations, respond appropriately to erasure and objection requests, and ensure that former customers' data is not used for unsolicited marketing.

THE FEDERAL HIGH COURT, ABUJA AND IMO STATE HIGH COURT DISMISS PRIVACY CLAIMS AGAINST FCMB AND META

In July 2026, two Nigerian courts dismissed substantial privacy claims against FCMB and Meta, highlighting the importance of establishing evidence of an actual data protection violation. On 14th July, the Federal High Court, Abuja, dismissed a ₦100 million claim against FCMB concerning the alleged unauthorised use of the claimant's BVN and personal data to open an account. The Court noted that FCMB had investigated the complaint and permanently closed the account, while affirming that the decision did not relieve banks of their obligations under the NDPA.³¹

On 21st July, the Imo State High Court dismissed a US\$25 million privacy claim against Meta, finding that the claimant's allegations were unsupported by sufficient evidence after the NDPC orders relied upon in the case had been set aside by consent judgment.³²

The decisions reinforce that privacy claims must be supported by evidence establishing the alleged infringement. They also show that a controller's remedial response may be relevant to the Court's assessment, while regulatory findings relied upon by a claimant must remain legally effective and applicable to the claim.

²⁹ <https://www.channelstv.com/2026/08/04/fg-issues-compliance-circular-to-mdas-on-data-protection/>

³⁰ <https://saharareporters.com/2026/08/01/court-slams-stanbicibtc-over-data-privacy-breach-awards-ex-customers-n15million-orders>

³¹ *Anyakora Onyedika Araka v First City Monument Bank Plc (FCMB)*, <https://www.lawyerd.org/news/federal-high-court-dismisses-n100-million-privacy-breach-suit-against-fcmb/>

³² *Chika B. Chukwuemeka v Meta Platforms Inc.*, <https://thenigerialawyer.com/applicant-failed-to-prove-meta-violated-her-privacy-or-data-protection-rights-court-dismisses-25m-suit/>

FG SUSPENDS ENFORCEMENT OF NEW DIGITAL-ECONOMY REGULATIONS PENDING A HARMONISED FRAMEWORK

On 7th July 2026, the Minister of Communications, Innovation and Digital Economy directed the Nigerian Communications Commission (“NCC”), National Information Technology Development Agency (“NITDA”) and NDPC to maintain the regulatory status quo and defer enforcement of recently issued regulations, codes, guidelines and directives relating to internet platforms, online intermediaries and other cross-cutting digital economy issues.

The directive was issued to address overlapping regulatory mandates and reduce compliance uncertainty across the digital economy. A Joint Technical Coordination Committee will consult stakeholders and develop recommendations for a harmonised national framework, while regulations falling squarely within an agency’s existing statutory mandate remain operational.³³

SERAP URGES NATIONAL ASSEMBLY TO REJECT PROPOSED DATA PROTECTION AMENDMENT BILL

In a letter dated 18th July 2026, the Socio-Economic Rights and Accountability Project (SERAP) urged the National Assembly to reject a proposed amendment to the NDPA, sponsored by Senator Ned Nwoko. The Bill would require social media platforms, data controllers and processors to maintain physical offices in Nigeria and would empower the NDPC to shut down or prohibit non-compliant entities within 30 days.

The Bill had reportedly passed second reading in the Senate and was referred to the Senate ICT Committee. SERAP argues that the proposed requirements could amount to an indirect regulation of social media platforms. The proposal forms part of a broader review of the NDPA by the National Assembly’s ICT Committees, which commenced in May 2026.³⁴

NDPC SIGNALS THAT DATA PROTECTION PRINCIPLES APPLY TO AI TRAINING AND AUTOMATED DECISION-MAKING

At the Corporate Affairs Commission’s 2026 annual retreat, officials of the NDPC stated that data protection principles should extend to AI training processes and that Data Protection Impact Assessments (“DPIAs”) should be conducted for high-risk automated decision-making.

The position was presented as part of a broader, multi-layered approach to AI governance. While the presentation does not constitute binding AI-specific regulation, it indicates the issues the NDPC may examine where AI systems process personal data. This is particularly relevant given the NDPA provisions on automated decision-making and the NDPC’s ongoing regulatory activity in the area.³⁵

NIGERIA COMMISSIONS NEW NDPC HEADQUARTERS IN ABUJA

On 14th September 2026, the Federal Government commissioned the new headquarters of the Nigeria Data Protection Commission (NDPC) in Abuja. At the commissioning, the NDPC disclosed that it has licensed 356 Data Protection Compliance Organisations and facilitated over 27,000 jobs through the data protection compliance ecosystem. The National Commissioner, Dr Vincent Olatunji, also described the facility as the largest Data Protection Authority office in Africa. The development reflects

³³ <https://www.vanguardngr.com/2026/07/fg-suspends-enforcement-of-new-internet-platform-digital-economy-regulations-2/>

³⁴ <https://www.lawyrd.org/news/serap-urges-national-assembly-to-reject-data-protection-amendment-bill/>

³⁵ <https://ndpc.gov.ng/integrating-privacy-in-automated-registries-ndpc-sets-ai-governance-benchmarks-at-cac-annual-retreat/>

the growing institutional capacity being built around Nigeria's data protection regime since the enactment of the Nigeria Data Protection Act in 2023.³⁶

TOGO AND MALI REGULATORS STRENGTHEN COOPERATION ON DATA PROTECTION AND AI

On 23 September 2026, the data protection authorities of Togo and Mali agreed to strengthen cooperation on data protection, cybersecurity and artificial intelligence. The cooperation framework provides for the exchange of information, collaboration on complaints and compliance checks, and joint capacity-building initiatives. The regulators also identified cross-border data transfers, AI and digital sovereignty as areas requiring closer coordination. The development reflects a broader move among African regulators towards practical cooperation where digital services and personal data increasingly operate across national borders.³⁷

ZIMBABWE BEGINS MANDATORY DATA PROTECTION INSPECTIONS

The Postal and Telecommunications Regulatory Authority of Zimbabwe ("POTRAZ") began mandatory, risk-based inspections of data controllers under Zimbabwe's Cyber and Data Protection Act. The inspections assess whether organisations processing personal data of 50 or more individuals hold the required data controller licence and have appointed a Data Protection Officer. Financial institutions and insurers are among the sectors being prioritised. The move signals a shift from registration towards active, risk-based enforcement of data protection requirements, with organisations expected to have their licensing, DPO and compliance arrangements in place before inspection.

SINGAPORE FINALISES GUIDANCE ON PERSONAL DATA AND GENERATIVE AI

On 20th July 2026, Singapore's Personal Data Protection Commission (PDPC) issued final Advisory Guidelines on the Use of Personal Data in Generative AI, following a consultation that closed on 1st July. The Guidelines clarify how binding PDPA obligations apply to the development and use of generative AI.

Where consent is relied upon to use personal data for AI model training or fine-tuning, organisations must provide AI-specific notifications rather than rely on general statements about product development. The Guidelines also recognise that the Publicly Available Exception may apply to certain web-scraped data, subject to the applicable requirements. The guidance provides a useful regulatory comparator for Nigerian businesses as the NDPC develops its approach to AI governance.³⁸

KENYA ISSUES CROSS-BORDER DATA TRANSFER GUIDANCE AND PROPOSES ADDITIONAL SENSITIVE DATA CATEGORIES

Kenya's Office of the Data Protection Commissioner (ODPC) has issued Guidance Notes on Cross-border Data Transfers and, on 11 September 2026, published a draft notice proposing additional considerations for the treatment of sensitive personal data in international transfers.

The guidance provides direction on the safeguards and mechanisms available to data controllers and processors transferring personal data outside Kenya under the Data Protection Act 2019 and the Data Protection (General) Regulations 2021. It is particularly relevant to businesses that rely on international

³⁶ <https://cioafrica.co/nigeria-commissions-new-ndpc-headquarters/>

³⁷ <https://africabusinessinsight.com/togo-mali-data-regulators-deepen/>

³⁸ <https://www.pdpc.gov.sg/organisations/regulations-decisions/regulatory-guidance>

cloud providers, regional processing centres and multinational service providers, reinforcing the need to assess cross-border data flows as part of their broader data protection compliance frameworks.

Separately, the draft notice proposes to treat political affiliation and trade union membership as sensitive personal data in certain cross-border transfers where the originating country classifies such information as sensitive or special-category data and the information is transferred to Kenya. If adopted, the proposal would require organisations handling such transfers to consider the classification of the data in its country of origin and comply with the additional requirements applicable to sensitive personal data.³⁹

ANGOLA DATA REGULATOR RAISES PRIVACY CONCERNS OVER PAYMENT RECEIPTS

Angola's Data Protection Agency (APD) has raised concerns about personal information, including customers' names, being printed on payment receipts issued through point-of-sale terminals operated by EMIS, the country's interbank services company. The APD questioned the legal basis for displaying such information and noted that its inclusion could expose customers' private information.

Following discussions with EMIS and the Banco Nacional de Angola, the APD proposed using codes instead of personal information on receipts. The discussions also considered whether customer consent obtained during account opening could provide a lawful basis for the processing. The development highlights the need to assess whether personal information displayed on transaction documents is necessary for the relevant purpose and whether less intrusive alternatives are available.

EMERGING TECHNOLOGIES

NATIONAL DIGITAL ECONOMY AND E-GOVERNANCE BILL NEARS FINAL PASSAGE

The Chairman of the Senate Committee on ICT and Cybersecurity, Senator Shuaib Salisu, has announced that the National Digital Economy and E-Governance Bill is at third reading in the National Assembly and will be transmitted for presidential assent within weeks, after which it will be cited as the National Digital Economy and E-Governance Act 2026. Speaking at an AI summit in Lagos in July 2026, the Senator explained that the Bill was amended again in 2026 to bring it in line with the United Nations Convention against Cybercrime adopted in December 2025.⁴⁰ The Bill is expected to establish Nigeria's first binding framework for artificial intelligence, giving the National Information Technology Development Agency ("NITDA") formal authority over algorithms, data governance and digital platforms under a risk-based model. AI systems used in finance, public administration, automated decision-making and surveillance would face closer scrutiny and annual audits, and developers would require a licence or registration before deployment.⁴¹ The Bill has already missed earlier targets for assent in November 2025 and March 2026, so businesses developing or deploying AI in Nigeria should use the remaining window to map their systems against the proposed risk categories.

³⁹ <https://www.odpc.go.ke/wp-content/uploads/2026/04/Guidance-Note-on-Cross-border-Data-Transfers.pdf>

⁴⁰ National Digital Economy and e-Governance Act 2026 Ready in Weeks (www.thisdaylive.com) Accessed via <https://www.thisdaylive.com/2026/07/09/national-digital-economy-and-e-governance-act-2026-ready-in-weeks/> accessed September 27 2026

⁴¹ Africa first: Nigeria set to approve landmark AI rules for digital economy (www.thenews.com.pk) Accessed via <https://www.thenews.com.pk/latest/1388220-africa-first-nigeria-set-to-approve-landmark-ai-rules-for-digital-economy> accessed September 27 2026

EU AI ACT TRANSPARENCY RULES AND COMMISSION FINING POWERS TAKE EFFECT

The transparency obligations in Article 50 of the EU Artificial Intelligence Act (Regulation 2024/1689) began to apply on 2 August 2026. Providers and deployers of AI systems must now tell people when they are interacting with AI, and generative systems must mark synthetic content in a machine-readable form. Systems already on the market before that date have until 2 December 2026 to meet the marking requirement, and content produced before 2 August 2026 does not need to be labelled retroactively.⁴² The same date activated the Commission's power to fine providers of general-purpose AI models, with penalties of up to 3% of worldwide annual turnover or EUR 15 million, whichever is higher. Separately, the Digital Omnibus on AI was published in the Official Journal on 24 July 2026 as Regulation (EU) 2026/1744, confirming the deferral of stand-alone high-risk obligations to 2 December 2027 and of high-risk AI embedded in regulated products to 2 August 2028.⁴³ Because the Act applies to AI systems placed on the EU market or whose outputs are used there, Nigerian technology companies serving European customers are within scope.

PRESIDENT TINUBU SIGNS EXECUTIVE ORDER ON VIRTUAL ASSETS COORDINATION

President Bola Ahmed Tinubu has signed the Presidential Executive Order on Virtual Assets Coordination, 2026, which took immediate effect on 17 July 2026. Issued under Section 5 of the 1999 Constitution, the Order responds to a fragmented regulatory environment in which agencies have overlapped in some areas and left gaps in others, exposing the country to money laundering, terrorism financing, fraud and revenue losses. Rather than creating a new regulator, it establishes a Virtual Asset Council chaired by the Central Bank of Nigeria ("CBN"), with the Nigeria Revenue Service ("NRS") and the Securities and Exchange Commission ("SEC") as vice-chairs, and the Nigerian Financial Intelligence Unit and the Office of the National Security Adviser as members. The Council will provide policy direction and work with the Attorney-General of the Federation to develop a harmonised legal and institutional framework for the sector.⁴⁴

NRS ISSUES GUIDELINES ON THE TAXATION OF VIRTUAL ASSETS

The NRS has issued its Guidelines on the Taxation of Virtual Assets through Information Circular No. 2026/21, published on 31 July 2026 and announced on 3 August 2026⁴⁵. The Guidelines apply to taxpayers, Virtual Asset Service Providers ("VASPs"), peer-to-peer ("P2P") marketplace operators and tax practitioners, and set out registration, reporting and record-keeping obligations, valuation principles and the tax treatment of virtual asset transactions under the Nigeria Tax Act 2025 and the Nigeria Tax Administration Act 2025. VASPs and P2P operators must obtain tax identification numbers or face sanctions, including fines and imprisonment. Security and investment tokens, such as tokenised equity and tokenised bonds, attract both income tax and stamp duty.

⁴² Transparency obligations under Article 50 of the AI Act (digital-strategy.ec.europa.eu) Accessed via <https://digital-strategy.ec.europa.eu/en/faqs/transparency-obligations-under-article-50-ai-act> accessed September 27 2026

⁴³ EU AI Act August 2026: GPAI Enforcement and Article 50 (kla.digital) Accessed via <https://kla.digital/blog/eu-ai-act-august-2026-what-still-applies> accessed September 27 2026

⁴⁴ Tinubu Signs Presidential Executive Order On Virtual Assets Coordination (www.thisdaylive.com) Accessed via <https://www.thisdaylive.com/2026/07/17/tinubu-signs-presidential-executive-order-on-virtual-assets-coordination/> accessed September 27 2026

⁴⁵ NRS issues new guidelines on taxation of virtual assets Accessed via https://www.nrs.gov.ng/uploads/Guidelines_on_taxation_of_Virtual_Assets_31_7_26_7cd2ef8dab.pdf accessed September 27 2026

NIGERIA'S AI GOVERNANCE RESTS ON INSTITUTIONS AND GUIDANCE, NOT YET A STATUTE

A July 2026 snapshot of Nigeria's AI governance, published by Digital Policy Alert on 5 August, confirms there is still no dedicated AI Act. The framework instead combines NITDA's National Centre for AI and Robotics (NCAIR), the National AI Trust created in February 2025 (with a High-Level AI Ethics Expert Group still an aim rather than a reality), NITDA's February 2025 rule requiring its approval for federal procurement of AI-enabled IT systems worth NGN 10 million or more, and guidance notes issued in February 2026 clarifying AI pre-deployment notification requirements under the applicable Code. The ethical commitments therefore sit largely in the National AI Strategy and in the Digital Economy Bill once it is assented to.

NITDA ISSUES A FOUR-PART CLOUD FRAMEWORK, EFFECTIVE 1 JANUARY 2027

NITDA's package comprises the National Cloud Computing Guideline (a Cloud First approach for government), a National Cloud Technical Guideline, the National Digital Infrastructure Assurance Framework (NDIAF) and a National Cloud Investment Strategy. Legal 500 reports that NITDA's Director-General signed the instruments on 4 August 2026 and that they take effect on 1 January 2027, with public coverage following in September. The NDIAF creates a unified certification system covering data centres, cloud services, AI infrastructure and sovereign computing facilities, and is meant to support data-localisation requirements. The investment strategy adds an Approval in Principle process to ease market entry for investors.

MOZAMBIQUE'S CONSTITUTIONAL COUNCIL STRIKES DOWN AN INTERNET SHUTDOWN DECREE.⁴⁶

In its 31 July ruling, the court declared unconstitutional provisions of a decree that let the government monitor communications, collect user data and suspend internet services, finding the government had exceeded its powers on matters only parliament can regulate. The ruling follows a Uganda shutdown before its January 2026 election and a May 2025 Kenyan High Court order barring service disruptions. The key principle is that a shutdown power must rest on lawful authority.

KENYA CONSULTS ON A DRAFT AI POLICY WHILE ITS AI BILL IS PENDING⁴⁷

Kenya released the Draft Kenya Artificial Intelligence and Other Emerging Technologies Policy 2026 for public comment until 4 August 2026. The [AI Bill](#), 2026 would apply to any business that develops, deploys or uses AI systems in Kenya, including foreign businesses, and would create an AI Commissioner and an AI Advisory Committee as regulators.

ZIMBABWE BEGINS DATA PROTECTION INSPECTION

From 1 September 2026, Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ) began mandatory inspections of organisations that collect or process personal information under the

⁴⁶ Mozambique court nullifies decree allowing government to shut down internet, <https://cpj.org/2026/08/mozambique-court-nullifies-decree-allowing-government-to-shut-down-internet/>

⁴⁷ The Artificial Intelligence Bill, 2026, <https://new.kenyalaw.org/akn/ke/bill/senate/2026-02-19/the-artificial-intelligence-bill-2026/eng@2026-02-19>

[Cyber and Data Protection Act](#), checking licensing, cybersecurity measures and data governance. It is a useful example of African regulators moving from enacting data protection laws to enforcing them.

EU AI ACT HIGH-RISK DEADLINES FORMALLY POSTPONED⁴⁸

The Digital Omnibus on AI, Regulation (EU) 2026/1744, was published on 24 July and entered into force on 27 July 2026, six days before the original 2 August high-risk deadline. Stand-alone high-risk obligations now apply from 2 December 2027, and those for AI embedded in regulated products from 2 August 2028. Article 50 transparency obligations stayed on 2 August 2026, and a new prohibition on AI systems whose foreseeable output is non-consensual intimate imagery or CSAM has a transition period to 2 December 2026.

US FEDERAL PREEMPTION OF STATE AI LAWS REMAINS UNRESOLVED⁴⁹

No federal preemption has been enacted, and binding US AI duties mostly sit in state law. A bipartisan House preemption draft has reportedly stalled since June, while the White House's March framework and the December 2025 executive order keep the push alive. That order exempts state laws on child safety and on AI compute and data centre infrastructure from preemption. Organisations should keep complying with state laws.

CHILDREN'S ONLINE SAFETY TIGHTENS IN THE UK AND EU.

The UK announced a ban on social media for under-16s on 15 June, and on 15 July announced default overnight curfews for 16- and 17-year-olds. AI “romantic companion” chatbots will also need a minimum user age of 18. In the EU, a Commission expert group recommended banning social media for under-13s, with graduated restrictions up to 16.

UNITED STATES MAKES POST-QUANTUM MIGRATION MANDATORY FOR FEDERAL SYSTEMS

The White House has signed two Executive Orders on quantum technology on 22 June 2026. The first, Executive Order 14412, titled “Securing the Nation Against Advanced Cryptographic Attacks,” requires federal agencies to move high-value assets and high-impact systems to post-quantum cryptography for key establishment by 31 December 2030 and for digital signatures by 31 December 2031.⁵⁰ The Order also directs federal contractors to comply with post-quantum Federal Information Processing Standards by the end of 2030.⁵¹ The Office of Management and Budget followed on 24 June 2026 with Memorandum M-26-15 on executing the migration, while the second Order sets out an industrial strategy for building quantum computers, sensors and networks and securing their supply chains and workforce. Nigerian banks, payment processors and telecoms operators that transact with United States counterparties should expect post-quantum requirements to reach them through contracts and vendor standards.

⁴⁸ EU AI Act's High-Risk Deadline: Deferred, Not Cancelled, <https://labs.cloudsecurityalliance.org/research/csa-research-note-eu-ai-act-high-risk-deadline-omnibus-20260/>

⁴⁹ The Federal AI Moratorium and State-Preemption Fight: Where It Stands, <https://casrai.org/news/federal-ai-moratorium-state-preemption-fight-2026>

⁵⁰ Execution of the Migration to Post-Quantum Cryptography (www.whitehouse.gov) Accessed via <https://www.whitehouse.gov/wp-content/uploads/2026/06/M-26-15-Execution-of-the-Migration-to-Post-Quantum-Cryptography.pdf> accessed September 27 2026

⁵¹ New Executive Orders Set Federal Deadlines for Post-Quantum Cryptography Migration (www.qusecure.com) Accessed via <https://www.qusecure.com/pgc-migration-executive-orders/> accessed September 27 2026

UNITED STATES LAWMAKERS PROPOSE NATIONAL SECURITY COMMISSION ON QUANTUM COMPUTING

Representatives Mike Lawler and Pat Ryan have introduced the National Security Commission on Quantum Computing, a bipartisan bill that would create an independent 11-member commission to examine national security, economic competitiveness, foreign investment, workforce development and military applications of quantum technology. If enacted, the commission would receive up to USD 10 million in Defence Department funding, deliver an initial report within 180 days and make annual recommendations to Congress and the President until 1 October 2030. The bill follows the Department of Commerce's signing in May 2026 of nine letters of intent totalling USD 2.013 billion in proposed CHIPS Act incentives for quantum foundries and quantum computing companies.⁵²

GLOBAL TECHNOLOGY FIRMS SET POST-QUANTUM TARGETS AHEAD OF REGULATORY DEADLINES

Major technology providers are setting post-quantum security targets that run well ahead of government deadlines. Cloudflare has matched Google's 2029 target.⁵³ For full post-quantum security, including the harder task of post-quantum authentication, reports that over 65% of human-generated traffic on its network was already protected by post-quantum encryption as of April 2026. Microsoft's Quantum Safe Program targets full transition by 2033, two years before the 2035 deadline set by the National Institute of Standards and Technology for United States government systems. Although no cryptographically relevant quantum computer yet exists, none of the major players has adopted a wait-and-see position, which leaves Nigerian institutions that rely on these providers facing indirect migration pressure well before any domestic rules are issued.

EUROPEAN COMMISSION ACCELERATES DIGITAL SERVICES ACT ENFORCEMENT AGAINST MAJOR PLATFORMS

July 2026 marked the most active month yet for enforcement of the EU Digital Services Act ("DSA"). On 10 July, the European Commission preliminarily found that the addictive design of Instagram and Facebook breached the DSA. On 16 July, it accepted X's action plan to fix its advertising repository and researcher data access following a December 2025 non-compliance decision. On 20 July, it fined AliExpress EUR 550 million for failing to assess and mitigate risks from illegal products, and on 24 July it preliminarily found TikTok in breach for failing to ensure safe accounts for minors. The Commission also published its annual report on systemic risks and the report of its special panel on child safety online.⁵⁴ The enforcement actions signal a shift from policing individual pieces of content to requiring platforms to redesign core features such as infinite scroll and personalised recommendations, an approach that Nigerian regulators administering the NITDA Code of Practice for Interactive Computer Service Platforms may look to as they build out their own oversight.

⁵² U.S. Lawmakers Introduce Bill to Create National Quantum Security Commission (thequantuminsider.com) Accessed via <https://thequantuminsider.com/2026/06/18/u-s-lawmakers-introduce-bill-to-create-national-quantum-security-commission/> accessed September 27 2026

⁵³ <https://blog.cloudflare.com/post-quantum-roadmap/> accessed September 27 2026

⁵⁴ Europe's Summer of Digital Services Act Enforcement Targets Platform Design (www.techpolicy.press) Accessed via <https://www.techpolicy.press/europes-summer-of-digital-services-act-enforcement-targets-platform-design/> accessed September 27 2026

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