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Generation of Tax Revenue in the Nigeria Private Sector

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Abstract

Generation of tax revenue from the private sector, especially from the self-employed people has always posed a problem. Millions of Naira have been lost due to prevalence of tax evasion and avoidance among the self-employed people. Consequently, taxation cannot be used as a major instrument for revenue generation and as a key to sustainable economic development. The study was aimed at finding the causes of tax evasion and avoidance by the self-employed people with a view to exploring ways of encouraging them to comply with tax matters. Questionnaires were distributed to some self-employed people in the Federal Capital Territory, Abuja and to the staff of the Federal Board of Inland Revenue, Abuja. The field survey revealed startling information. Majority of the self-employed people indicated that they evade and avoid tax. Several factors are responsible for this and they include the following: high personal income tax rates; complexity of the assessment and collection procedures; lack of adequate tax incentives; lack of taxpayer education, high cost of compliance and so on. All these show that the Nigerian tax system is ineffective and inefficient. To revive the system, the tax laws, the tax policies and the tax administration should be reviewed. Tax evasion should be made a criminal offence in Nigeria. The tax policies should be well focused and the administrative machinery should be strengthened and this involves simplifying the assessment and collection procedures and reviving the enforcement machinery. If the recommendations of the study are implemented, the self-employed people will be tax compliant and this will

increase the tax revenue and also taxation can then be used as a key to sustainable economic development.

Introduction

Every year billions of Naira are lost because of tax evasion and avoidance by the self-employed people. Both the Federal and State governments have applied various measures to solve this problem but to no avail. The question is: why is tax evasion and avoidance prevalent among the self-employed persons? This can be seen from the tax revenue generated over the years from the self-employed people in the Federal Capital Territory, Abuja. Statistics have shown that the amount of tax revenue generated over the years from the self-employed people is below expectations. The prevalence of tax evasion and avoidance especially among the self-employed people has made some state governments to engage the services of tax contractors in order to generate the much-needed revenue. Engaging the services of tax contractors is not the solution to this problem because their activities are detrimental to the economy.

The study will find out the causes of tax evasion and avoidance by the self-employed people with a view to exploring ways of encouraging them to be tax compliant in order to boost government revenue. This entails reviewing the tax laws, tax policies and tax administration.

If the self-employed persons are made to pay tax, the tax revenue will increase significantly and this will enable the governments to prosecute various economic and social programmes, which are geared towards improving the living standard of the people.

Research Questions

For the purposes of this study, the following research questions are posed:

- i. Why is tax evasion and avoidance prevalent among the self-employed people?
- ii. What are the causes of tax evasion and avoidance by the self-employed people?
- iii. How can the self-employed be made to be tax compliant?
- iv. Does the Nigerian tax system meet the requirements of the principles of a good tax system?

Theoretical and conceptual issues

Taxation is usually used as a major instrument for revenue generation but Akujobi (1988:25) has a contrary view; he postulated that this function of taxation, in recent years can be questioned because government has the power to create money. However, Naiyeju (1987:20) is of the opinion that the revenue objective of taxation is still important. The revenue function of taxation is still important in any economy.

Government can raise the required revenue through taxation. Taxation can be used as a principal tool for generating revenue for government for the prosecution of various expenditure programmes which are geared towards raising the living standard of the citizens. Government needs money to build schools and hospitals, to maintain law and order, to construct and maintain roads and so on. Through taxation the required revenue or fund could be raised.

This study disagrees with the view that this function of taxation is not relevant as government can create money. If government resorts to minting money anytime it needs funds, then there will be inflation. In order to control inflation, government should not resort to minting money rather the required funds can be generated through taxation.

Apart from using taxation as an instrument for revenue generation, it can also be used to accomplish various economic and social objectives. Rabiou (1981:2) is of the same view. According to him government can use taxation to accomplish some economic objectives such as influencing consumer demand and providing incentives for production investment and savings. Buhari (1993:78) classified the objectives of taxation into four broad headings: revenue generation, income distribution, regulation and stabilization of the economy. Hanson (1988:565) listed the reasons for the imposition of taxes as follows: payment for the cost of general administration, defense and social services, curtailing the consumption of harmful commodities, redistribution of labour and reduction in inequality of income. Harvey (1982:369) summarized the purpose of taxation as follows: payment for the goods and services produced by the country, achieving equitable distribution of wealth and income, compensating social costs and benefits and regulation of the economy. He explained that the economy of a country should be regulated in order to develop important industries, to protect infant industries, to move factors of production from one industry to another, to reduce unemployment, to allocate resources and to encourage the growth of the national income.

Actually, various economic and social objectives can be accomplished through taxation as pointed out by these authors. For instance, taxation can be used to stimulate economic growth, to encourage the consumption of certain goods, to redistribute wealth and income, to control inflation, depression and deflation, to protect new industries, to maintain a favourable balance of payment and to discourage rural-urban population drift. All these objectives are geared towards economic growth and development and are aimed at improving the welfare and living standard of the citizens.

Adam Smith laid down the requirements of a good tax system. These requirements are known as the cannons of taxation. According to him a good tax system must be

based on the following principles: equity principle, convenience principle, certainty principle and cost of collection principle. (Harvey. 1982:370-371). Musgrave and Musgrave (1989:217) also summarized the requirements of a good tax system. They are of the opinion that a good tax system should be easily administered, efficient in resource use, equitable in burden distribution and should be able to accomplish macro-policy objectives. The study will now discuss the Adam Smith's cannons of taxation.

The equity principle also known as the ability to pay principle states that people should pay tax according to their abilities. That is taxes paid should be proportional to the income of the people. That tax burden should be equitably distributed.

A good tax system should also be based on the principle of certainty. By this principle Adam Smith means that the time of payment, the manner of payment and the amount to be paid should be clear to the taxpayer (Harvey, 1982:371). The amount to be paid should not be fixed arbitrarily. For a tax system to be efficient and effective, the taxpayer should always know the time of payment, the mode of payment and the amount to be paid.

According to Harvey (1982:371) the principle of convenience was also enunciated by Adam Smith. This principle is in respect of the time and mode of payment. The time and manner of payment should be convenient to the taxpayer.

The cost of collection principle is another principle postulated by Adam Smith. He postulated that the total cost of collection should be small when compared with the tax yield (Harvey, 1982:371).

Other principles include simplicity and the effect on the economy. A good tax system should be simple and well understood by both the taxpayers and the tax administrators. It should be easily administered. Also it should be capable of being used to achieve economic objectives. The objectives can be to control inflation, to encourage savings and investment, to curtail consumption of certain goods and so on.

The Nigerian tax system does not meet the requirements of these principles. The tax burden is not equitably distributed. The time and the manner of payment is not certain and convenient to the taxpayers. Even the amount to be paid is arbitrarily fixed by tax contractors in some states. Also the tax system is not well understood by both the taxpayers and tax administrators. As a result of this, the Nigerian tax system cannot be used to achieve economic objectives. The Nigerian tax system should meet the requirements of these principles in order to operate efficiently and effectively.

Research methodology

The instruments of investigation used were questionnaires and personal interview. There were two sets of questionnaires; the first set was distributed to the self-

employed people in the Federal Capital Territory, Abuja while the second set was distributed to the employees of the Federal Inland Revenue Service, Abuja Area Tax Office.

Nine hundred questionnaires were distributed to the self-employed people in the Federal Capital Territory, Abuja. The number of responses received was five hundred and twelve. The number of questionnaires distributed to the employees of the Federal Inland Revenue Service, Abuja Area Tax Office was sixty. The number of responses received was fifty-two. The methods of analysis that were used were the percentage method and the confidence interval method.

Results/findings regular payment of tax (as and when due)

The self-employed people were asked whether they pay their tax regularly. The response to this question is shown in the table 1 below.

Table 1: Responses of the self-employed people in the Federal Capital Territory on Regular Payment of Tax (As and when due)

Option	Number	Percentage of Responses
Yes	177	35
No	238	46
Not at all	90	18
Did not answer	7	1
<i>Total</i>	<i>512</i>	<i>100</i>

Source: Field Survey Work, 1999.

The information from the above table 1 is startling. Forty-six percent (46%) of the respondents admitted that they do not pay their tax regularly while eighteen percent (18%) admitted that they do not pay tax at all. This means that a total of three hundred and twenty-eight (64%) respondents evade and avoid tax. This study can then conclude that majority of the self-employed people in the Federal Capital Territory evade and avoid tax. However, thirty-five percent (35%) of the respondents indicated that they pay tax regularly, as and when due while one percent (1%) of the respondents did not answer the question. The study will then estimate the population proportion of all the self-employed people in the Federal Capital Territory who evade and avoid tax.

Confidence interval of the population proportion of all the self-employed people who evade and avoid tax

The study will estimate the confidence interval of the population proportion of the self-employed people in the Federal Capital Territory, Abuja who evade and avoid tax using the sample data. The estimation is as follows:

- a. The confidence coefficient, $1 - \alpha = 0.90$
- b. The critical values that correspond to the confidence coefficient are $Z_{\alpha/2} = \pm 1.645$
- c. The sample size $(n) = 512$
- d. The sample proportion, $(P) = \frac{328}{512} = 0.64$
- e. The population proportion (p) is unknown and it is to be estimated using the sample proportion (P) —

Therefore, the estimated standard error of the proportion is:

$$S_{\bar{p}} = \sqrt{\frac{(\bar{p})(1 - \bar{p})}{n}} = \sqrt{\frac{0.64(1 - 0.64)}{512}}$$

$$= \sqrt{\frac{(0.64)(0.34)}{512}} = 0.021$$

Substituting the formula

$$\bar{P} - Z_{\alpha/2} S_P < P < \bar{P} + Z_{\alpha/2} S_P \quad -$$

- g. Then the 90% confidence interval is:
 $0.64 - 1.645 (0.021) < P < 0.64 + 1.645 (0.021)$
Simplified as follows: $0.61 < P < 0.67$

This further affirms the conclusion of the study that majority of the self-employed people evade and avoid tax since the 90 confidence interval, for the population

proportion of all the self-employed people in the Federal Capital Territory, Abuja who evade and avoid tax is 0.61 <math>P < 0.67</math>

Also the employees of the Federal Inland Revenue Service, Abuja Area Tax Office agreed that there is prevalence of tax evasion and avoidance among the self-employed people. Their responses are presented in table 2 below.

Table 2 Responses of Staff of the Federal Inland Revenue Board, Abuja on the Prevalence of

Option	Number	Percentage of Responses (%)
Yes	49	94
No	3	6
<i>Total</i>	<i>52</i>	<i>100</i>

Source: Field Survey Work, 1999.

It can be observed from the above table 2 that majority of the respondents (94%), that is the employees of the Abuja Area Tax Office of the Federal Inland Revenue Service agreed that there is prevalence of tax evasion and avoidance among the self-employed people in the Federal Capital Territory.

The respondents that evade and avoid tax gave reasons for doing so and some of their reasons are as follows:

- i. High personal Income Tax rates,
- ii. High compliance cost;
- iii. The complexity of the assessment and collection procedures;
- iv. Lack of adequate tax incentives;
- v. Inadequate taxpayer education;
- vi. And the way government spends tax revenue. Other reasons include
- vii. Low per capita income;
- viii. Economic recession which affects adversely business organizations;
- ix. Inequitable distribution of tax burden;
- x. Inadequate information as regards taxation;

- xi. Penalties for tax evasion are not severe;
- xii. The importance of taxation is not appreciated;
- xiii. Government does not provide the enabling environment for business;
- xiv. Lack of awareness;
- xv. The time and mode of payment is not very clear and
- xvi. Lack of proper law enforcement machinery to prosecute tax evaders.

All these reasons can be said to be the causes of tax evasion and avoidance by the self-employed.

The study will now compare the tax revenue generated from the self-employed people and that of employees and withholding tax in the Federal Capital Territory, Abuja from 1996 to 1999.

Comparison of the Tax Revenue Generated from the Self-Employed People, the Employees and Withholding Tax in the Federal Capital Territory, Abuja from 1996 to 1999

Table 3 below shows the comparison of the tax revenue generated from the self-employed people, the employees and withholding tax in the Federal Capital Territory, Abuja from 1996 to 1999.

Table 3 Comparison of the Tax Revenue Generated from the Self-employed People, the Employees and Withholding Tax in the Federal Capital Territory, Abuja from 1996 to 1999

Year	Tax Revenue Generated from Self-employed People	Tax Revenue Generated from Employees (P AYE)	Tax Revenue Generated from Withholding Tax
1996	582,921.34	87,200,215.98	163,722,229.00
1997	648,537.41	140,150,279.00	346,539,342.40
1998	1,512,335.87	182,982,135.90	520,417,544.30
1999	1,367,930.62	240,336,871.49	625,096,793.00
Total	4,111,725.24	650,669,502.37	1,655,775,908.70

Source: Federal Inland Revenue Service, Abuja Tax Office.

It can be clearly seen that the tax revenue generated from the self-employed in the Federal Capital Territory, Abuja in each year is very small when compared with the

tax revenue generated from the employees and from withholding tax. Also the total tax of 4, 111,725.24 generated from the self-employed people from 1996 to 1999 is very small when compared with 650,669,502.37 generated from the employees and 1,655,775,908.70 generated from withholding tax during the same period. This comparison shows that over the years, enough tax revenue has not been generated from the self-employed people. This, as already confirmed, is due to tax evasion and avoidance by the self-employed people. Enough tax revenue can be realized from the self-employed people if they are made to be tax compliant.

Discussion of the findings

The finding that is most astonishing is that the majority of the self-employed people agreed that they evade and avoid tax. This refers to those that do not pay their taxes regularly and those that evade tax. This revelation was startling. The self-employed people answered the questions correctly. They were candid in their answers because most of them believed that the research is for academic purposes. Aneni (1999:25) deplored the situation, he lamented that many Nigerians evade and avoid tax and he attributed this to the failure of tax administration or inadequate enforcement machinery.

The tax officers also agreed that tax evasion and avoidance by the self-employed - people adversely affect the revenue base of the Federal Government. This could also be seen from the amount of tax revenue generated from the self-employed people by the Abuja Area Tax Office of the Federal Inland Revenue Service. The total amount of tax generated from the self-employed people for the five years is so small and insignificant when compared with the amounts generated from the employees (PAYE System) and withholding tax for the same period. If self-employed people are made to pay tax, the tax revenue generated in the Federal Capital Territory will significantly increase.

The study found out that tax evasion and avoidance by the self-employed people can be attributed to so many factors. These factors act jointly and severally in making the self-employed people to evade and avoid tax. The following are the factors:

- i. High rates of personal income tax;
- ii. High cost of compliance;
- iii. Inadequate tax incentives;
- iv. Inadequate taxpayer education;
- v. Non severity of tax penalties;
- vi. Ambiguous tax laws;
- vii. Cumbersome tax assessment and collection procedures;
- viii. Lack of effective enforcement machinery;
- ix. Ignorance and illiteracy;

- x. Non-provision of basic amenities;
- xi. Non identification of the taxpayer; and
- xii. Ineffective tax policies.

All these factors are jointly and severally responsible for the tax evasion and avoidance by the self-employed people. This means that the Joint Tax Board and the Federal Board of Inland Revenue have a lot to do. Watoseninyi (1996:41) summed it all. His verdict is that our tax management is not effective. Actually our tax system does not meet some of the principles of a good tax system which have been pointed out. The principles are simplicity, convenience and certainty.

The self-employed people indicated that reducing the personal income tax rates, simplifying the tax assessment and collection procedures and provision of adequate tax incentives will encourage them to pay their taxes voluntarily as and when due. Other things that will make them to pay tax are proper enlightenment, introduction of installmental payment of tax and making tax evasion a criminal offence. Some of them felt that they are not benefiting from the tax they are paying. This calls to question the government expenditure pattern. The, various governments should review their expenditures pattern and refocus their expenditures on social amenities that will touch the lives of the people. Such amenities include pipe borne water, electricity, roads, hospitals and so on.

The self-employed people do not keep proper accounting records. Most of them do not prepare the annual financial statements of their businesses, not to talk of engaging the services of external auditor to audit their accounts. All these make assessment and collection procedures difficult and cumbersome.

The employees of the Federal Inland Revenue Service, Abuja Area Tax Office indicated that they are not properly motivated and remunerated. Some of them suggested ways of improving their condition of service and remuneration as follows:

- i. Regular training which involves the establishment of Tax Academy to train officers;
- ii. Provision of operational tools;
- iii. Regular promotion and reward for excellence;
- iv. Special salary scale;
- v. Provision of enabling environment and law;
- vi. Provision of adequate monetary incentives in respect of allowances such as housing allowance, transport allowance and so on;
- vii. Free medical facilities and

viii. Establishment of insurance scheme against hazards and so on.

All these are various ways of motivating the tax officers and administrators and they are geared towards enhancing their performance and achieving a high level of efficiency. Most of the employees want our tax laws especially the Personal Income Tax Laws to be re-written in Plain English.

Recommendations

To revive the Nigerian tax system, a tripartite approach is recommended and this is in relation to the three taxation processes which are the tax policies, the tax laws and the tax administration. These taxation processes should be reviewed. The tax policies must be well coordinated and focused. The study agrees with Ale (1997:7) that tax policies must be consistent. That policy somersault scares the investors (foreign and local) since it is a proof of inconsistency. Some of the policies should be reviewed with the aim of making them consistent. For instance our personal income tax rates should be drastically reduced in order to achieve the objective of the policy of low tax regime which is to encourage savings and investments, by reducing the tax burden on the citizens.

The policies should also be geared towards providing other tax incentives. Adequate and comprehensive tax incentives are necessary because savings and investments will be encouraged and also taxpayers' burden will be reduced. Tax incentives that can elicit tax compliance are tax holidays, tax deferments, tax write-offs, tax credits, tax exemption, tax cuts and tariff reduction. Others include installment payment of tax, liberal treatment of capital expenditure, liberal treatment of expenses, tax free income and so on. The provision of these incentives will also attract foreign investments. A combination of incentives is necessary (Ale, 1999:8). Akujobi (1988:39) suggested the introduction of advance payment system. Although most of the self-employed people rejected the system, it can also be used to ensure compliance because some of them are in support of it.

The Federal and State governments should try as much as possible to provide the necessary basic amenities to the people. This will make them feel that they are benefiting from the taxes they pay. Such basic amenities include good roads, pipe borne water and electricity. Other things the government should provide are hospitals, schools and so on.

Our tax laws especially the personal income tax laws should be re-written in plain English so that a layman can read and understand them. This will, no doubt, clear the complexity and ambiguity of the tax laws. Britain is now trying to re-write their tax laws in plain English. They have seen the need for their tax laws to be re-written in plain English and they are working towards that.

Tax penalties should be made severe to deter evasion and avoidance. In connection with this, tax evasion should be made a criminal offence in Nigeria. Tax evasion is a criminal offence in some developed countries like Britain, United' States of America, Germany and France, but in Nigeria it is a civil offence. As already mentioned, majority of the self-employed people are not in support of making tax evasion a criminal offence in Nigeria. Infact, most of them indicated that making tax evasion a criminal offence will deter them from evading and avoiding tax. This is a useful information because majority of the self-employed people will be forced to honor their civic responsibility if tax evasion is made a criminal offence in Nigeria. After reviewing the tax laws, they should be given to the National Assembly for deliberation and enactment.

The administrative machinery of the Federal Board of Inland Revenue should be strengthened and this involves simplifying the assessment and collection procedures and reviving the enforcement machinery. The failure of the self-assessment scheme was because of two factors: the first factor is that most self-employed persons do not keep proper books of accounts and the second is that majority of them have not understood the operation of the scheme because of lack of publicity. Naiyeju (1992:41) also identified poor record keeping by small businesses as one of the problems that is militating against the self assessment scheme. To solve this problem, the Federal Government can sponsor a bill that will be passed by the National Assembly compelling all businesses to keep proper books of accounts which should be audited yearly by professional accountants. The state governments can do the same.

The second problem can be solved through public enlightenment programmes. The self-employed persons should be educated on the operation of the scheme. Infact, taxpayer education should be comprehensive. The mass media can be used and also personal visit should be encouraged. Seminars, symposia, workshops and conferences should be conducted as part of the enlightenment programmes and these programmes should highlight what is expected of a taxpayer. In the case of personal visits, the tax officers should visit the self-employed people in order to carry out the enlightenment programmes. This involves the identification of the taxpayer, which poses a problem. This study agrees with the suggestion of Ochei (1994:5) that a register be opened for each class of professionals. Registers should also be opened for other types of businesses,

The problem with the collection procedure as already pointed is high cost of compliance which is in terms of money spent and time wasted by the taxpayer in trying to pay tax. It is necessary to explain the new method of collection. It is a method whereby, the taxpayer after assessment goes to a designated bank to pay his tax. Some taxpayers find it difficult to go to the designated banks because of the

distance and a lot of money is spent in transportation fares. This type of thing should not be allowed because it discourages tax compliance. To solve this problem, the tax authorities both at Federal and State levels should open offices where there are no banks or where the one available is very far. The taxpayer would then be directed to pay their taxes to these offices where there are no

The second problem is the time wasted by the taxpayer in banks in trying to pay tax. Most banks offer poor services. Consequently, taxpayers are not promptly attended to. The tax authorities should discuss this issue with the management of these banks. The banks should be persuaded to open up special counters for the collection of taxes. This arrangement will make it possible for prompt and efficient services to be offered to the taxpayers. It is hoped that this will solve this problem.

Tax officers and administrators should be properly remunerated and motivated in order to enhance their performance and achieve a high level of efficiency. The ways of improving their condition of service and remuneration as suggested by them are as follows:

- i. Regular training which involves the establishment of Tax Academy,
- ii. Provision of working materials and operational tools;
- iii. Regular promotion and reward for excellence;
- iv. Special salary scale;
- v. Provision of enabling environment and law;
- vi. Provision of adequate monetary incentives in respect of allowances such as housing allowance, transport allowance and so on;
- vii. Free medical facilities and establishment of insurance scheme against hazards. The various governments should consider these suggestions.

If the administrative machineries of the tax authorities are strengthened by putting in place the recommended administrative procedures, then the state governments that are engaging the services of tax contractors will disengage their services. It is hoped that if these recommendations are implemented, the self-employed people will be encouraged to pay tax.

Conclusion

The self-employed people can be made to be tax compliant if the following measures are taken: drastic reduction of the personal income tax rates, reducing compliance cost, simplifying tax assessment and collection procedures and provision of adequate tax incentives. Other measures include adequate taxpayer education and enlightenment, making tax evasion a criminal offence and equitable distribution of tax burden. All these factors border on the three taxation processes: the tax policies, the tax law and the tax administration. The policies should be well focused and consistent, the tax laws should be rewritten in plain English and tax penalties should

be made severe. The tax administration should be simplified. All these will make the Nigerian tax system to meet the requirements of a good tax system. Consequently the self-employed people will be encouraged to pay tax and this will significantly increase the tax revenue.

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