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## Tax Evasion and Avoidance by SMEs and Its Effect on Bayelsa State Economy

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### **Abstract**

*This research paper examined tax evasion and avoidance by small and medium scale enterprises (SMEs) and its effect on Bayelsa state's economy. The survey research design was adopted and data for the study collected from a sample 20 employees of Bayelsa State Board of Internal Revenue through the issue of 20 questionnaire. The multiple regression analysis was adopted as the method of data analysis. Result of the data analyses revealed that there is negative relationship between tax evasion and the economy of Bayelsa state. However, the relationship between the variables was not statistically significant implying that the effect of tax evasion on the economy cannot entirely account for the poor economic performance of the state. The result also showed that there is a significant negative relationship between tax avoidance and the economy. The research concluded that there is overwhelming evidence that tax evasion and avoidance by small and medium scale enterprises are detrimental to Bayelsa state economy. This is because tax evasion and avoidance reduce the quantum of funds available to the state to meet with its economic and financial obligations to the citizens of the state. However, the extent of the effect of tax evasion on the state's economy is quite minimal. On the other hand, the state appears to loss more revenue through tax avoidance than by tax evasion. It is thus recommended that Bayelsa state should find a lasting solution to the menace of tax evasion and tax avoidance. It is proposed that the state should adopt the 'carrot and stick' approach to solve the problem. This should take the form of offering incentives to prospective tax payers as well as stiff punishment to defaulters. Finally, proper utilization of tax revenue will also improve /boost tax compliance level in the state.*

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**Keywords:** Taxation, Tax Avoidance, Tax Evasion, Internally Generated Revenues, Economy

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### **Introduction**

The benefits received theory of taxation proposed that citizens should be asked to tax in proportion or commensurate with the benefits they receive through the services by the government (Okwara & Amori, 2017). Hence, in the view of this theory, the relationship between the tax payer and the government is a contractual one in which case the government can only demand that citizens pay tax if the ones previously collected are well utilized to the satisfaction of tax payers. Where tax payers' opinion is that previous taxes were not properly utilized, the fallout will likely be reluctance or even refusal to pay taxes in the future. From above, we can get a glimpse of the reasons why tax avoidance and evasion is so rife in Nigeria.

Adebisi and Gbegi (2013) observed that expectation of taxpayers is that paying their taxes will

afford them the opportunity to enjoy social amenities such as educational system, health care system and good transportation network et. However, where these services/infrastructure are in disorder and state of disrepair or simply not available due to some situational conditions, taxpayers will not be forth coming in paying their taxes. Tax avoidance and evasion is a universal problem. This is especially the case in a developing country like Nigeria where citizens can marshal some very strong arguments to justify their reluctance to pay tax.

First is the question as to what the government has achieved with the decades of revenue generated from the crude oil and gas exports. Second is the dismal state of infrastructure and poor services from the government. Added to the above is the pervasive corruption hence, citizens reluctance to pay tax may justified on the grounds that 'benefits received' does not justify future payments. Kiabel and Nwokah (2009) opine by stating that although tax evasion are problems that face every tax system, the Nigerian situation seems unique when viewed against the scale of corrupt practices prevalent in Nigeria. Tijani and Ogundeji (2013), further asserted that there is widespread and persistent public resistance to paying tax in the country which can be attributed to dissatisfaction with performance of the government.

However, evading and/or avoiding paying taxes as a response to poor performance by the government only worsens the already bad situation as many states in the country are finding it difficult to pay salaries or deliver even the most basic services. According to Adedeji and Oboh (2012), one of the greatest problems facing the Nigerian tax system is the menace of tax leakages in the form of tax evasion and tax avoidance. While tax evasion is the willful and deliberate violation of the tax laws in order to escape tax obligation, tax avoidance is the active means taxpayers seek to reduce, or remove altogether their tax liability within the provision of the tax laws (Alm and Martinez, 2001). Sikka and Hampton (2005) also stated that tax evasion is one of the major social problems inhibiting development in developing countries. It is in view of the above that this research paper is set forth with the purpose of investigating the effect of tax evasion and avoidance on the economy of Bayelsa state, Nigeria.

### **Statement of the Problem**

Government is expected to provide essential and critical services to citizens using the proceeds of revenue generated through taxation and other sources. In Nigeria, with the unreliable nature of revenue from crude oil export, governments at all levels are beginning to depend more and more on revenue generated through taxation.

However, revenue from taxes is severely constrained by tax evasion and avoidance. As noted by Alm and Martinez (2001), tax evasion is the willful and deliberate violation of the tax laws in order to escape tax obligation while tax avoidance is the active means taxpayers seek to reduce, or remove altogether their tax liability within the provision of the tax laws (Alm and Martinez, 2001). Even though the problem of tax evasion is universal, its impact is more notable on natural resources dependent countries like Nigeria where the country is constantly at the mercy international fluctuations in global commodity prices. Thus, news of infrastructure collapse and inability to pay mere has become the new normal in many states in Nigeria.

This problem is further exacerbated by the high rate of tax evasion and avoidance in the country. We embark on this research with the knowledge that tax evasion and avoidance have been the topic of numerous empirical research. However, most of the research have focused either on Nigeria as a single entity (Nnadi & Ugwu, 2017; Onyeka & Nwankwo, 2016; Tijani & Ogundeji, 2013; Adebisi & Gbegi, 2013) or some specific states or regions of the country (Akinleye & Ogunmakin, 2016; Al- Mustapha & Hamza, 2016; Ellawule, 2017; Folayan & Adeniyi, 2018; Kiabel & Nwokah, 2009; Muzainah, & Zakariya'u, 2016). However, none of the previous research has been focused on Bayelsa which is rich in natural resources (crude oil and gas). Consequently, this research paper will investigate the effect of tax evasion and avoidance on the

economy of Bayelsa state, Nigeria.

### **Hypotheses**

**H<sub>01</sub>:** Tax evasion does not significantly affect the economy of Bayelsa state

**H<sub>02</sub>:** Tax avoidance does not significantly affect the economy of Bayelsa state

### **Bayelsa State: Economy and Tax Administration**

Bayelsa is one of the six states that constitute the South-South geopolitical zone. The Annual Abstract of Statistics (2016) of the NBS puts the estimated population of the state as at 2015 at 2.21 million. Bayelsa is one of the major oil producing states in Nigeria. Consequently, the economy of the state is to a large extent dependent on revenue from earnings from the oil and gas sector. Furthermore, NBS Internally Generated Revenue at State level report for 2018 put the IGR of the state at N8.714 billion, N7.905 billion and N12.524 billion respectively for 2015, 2016 and 2017. For the purpose of context, the state's total revenue for 2018 was N166.741 billion out of which only N13.637 billion was internally generated revenue. Thus, the IGR constitute less than 10% of its total annual revenue for 2018.

Its total domestic debt for 2018 was N130.043 billion while the external debt of the state for 2018 was \$56.623 million (USD) or N2.033 billion at official exchange rate of N307 to \$1. This paints a picture of a state that is largely dependent on allocation from the federal government for its operations. According to BudgIT (2018), Bayelsa state hosts Nigeria's largest crude oil and natural gas deposits and a budget of N318bn for the 2018 financial year. It further stated that the actual revenue for 2017 was N117.78bn, while annual recurrent expenditure was an estimated N155.1 billion. This show that there is a wide gap between the states total revenue and its budgeted expenditure. Similarly, in the absence of allocation from the centre, Bayelsa's fiscal survival appear doubtful.

The route to fiscal sustainability would include reducing recurrent expenditure and expanding its tax revenue base. However, as noted by Odubo, Eniye and Tonye, (2016), tax administration in Bayelsa state is faced with a multitude of challenges which include: lack of proper documentation of tax payers, undocumented tax collection by revenue agents, low tax compliance rates, revenue leakages as a result of corruption. In the words of the authors, "Bayelsa State tax administrators are faced with the challenge of coping with an unorganized pattern and clashes of interest in tax collection from the informal sector, resulting in very low tax compliant rate. The adverse effects is the low turnover of internally generated revenue. There are no proper documentation on taxes collected by all MDA's. Where there is, the MDA's remits whatsoever that is deemed fit to the BIRS. In most cases the collection ministry or agency does not remit at all. Remittances are not consistent, due to the fact that the MDA's commissioned agent(s) are directly engaged by the ministry or agencies without knowledge of the office of the Attorney General or Board of Internal revenue. There are also too many unknown persons engaged in the collection of taxes in the state. The monies collected are direct to the individuals by cash which makes it impossible and difficult to know how much was actually remitted by the tax-payer".

Double taxation is also rife as "individual business premises may pay same fee with different name to sanitation authority, local government council, trade and investment ministry etc. The fact still remains that the remittances are intricate to the central purse. Further observations have also shown that most business owners bribe tax collectors to evade tax payment. There are reports of unauthorized discounts by tax collectors, arbitrary fixing of taxes, individuals and business owners avoiding tax payment by closing shops when tax collectors are sighted and individuals commissioning themselves as tax collectors for personal gains" (Odubo, Eniye & Tonye, 2016).

The state has also taken some actions to improve its revenue and deal with tax evasion and avoidance. As noted by Kiabel and Oyadonghan (2014), the state government not too long ago introduced a new tax policy and administration model on incomes arising from an employment, trade and business, profession or vocation. This included increasing the tax rate on employees of the state government and an accountability initiative where the government provides regular information on its utilization of revenue to its citizens. Even though the state has recorded marginal improvement in its IGR, more still needs to be done as the IGR-expenditure gap is still very wide.

### **Empirical Review**

Tax evasion and avoidance has received a lot of research interest considering that it is one of the serious threats to tax revenue generation around the world. This is particularly true where a large proportion of economic activities are in the informal sector where the government has very little influence. Empirical research on the subject matter in Nigeria has been attempted at both the national and state levels and the findings quite varied. For example, Ellawule (2017) evaluated the effect of tax evasion on the economic development of Yobe state. This studies which was necessitated by the fact that the Yobe was not generating enough revenue through taxation relied on secondary sources for data which were analyzed using Chi-Square revealed that tax evasion has the significant effect of the economic development of the state. It is recommended among others that the state government should improve the governance and to reduce the insurgency in the state.

Folayan and Adeniyi (2018) conducted a study in order to identify the effects of tax evasion on government revenue generation in Oyo State. Structured questionnaire was used to collect data from a sample of 165 respondents and supplemented with secondary data from National Bureau of Statistics (NBS) and Office of Budget and Economic Planning. Data collected were analyzed using descriptive and inferential statistical tools. The findings showed that internally generated revenue between 2011 and 2016 did not meet the estimates revenue as it was expected. The results also revealed that, the tax evasion has adverse effect on government revenue generation in Oyo state which typically results in revenue loss.

Eja, Idaka and Ogar-Abang (2018) examined the inhibiting factors to tax revenue generation in Cross River State with specific focus on tax evasion and avoidance. Data for the study was collected using structure questionnaire which was administered on a sample of 169 staff of Cross River State board of internal revenue and analyzed using ordinary least square multiple regression technique. From the analyses it was discovered that there is a negative and insignificant correlation between lack of infrastructural facilities and government tax revenue in the State; also, there is a negative and significant relationship between tax evasion and avoidance and government tax revenue in the state. Based on these finding the study recommends that government should encourage tax payers' morale through the provision of quality infrastructural facilities and other incentives to enhance its revenue generation.

Al-Mustapha and Hamza (2016) investigated the determinants of informal sector tax evasion in Sokoto Metropolis. A survey was conducted using a seven-point Likert scale that included 13 arguments and the research instrument was distributed to a sample of 317 tax payers within Sokoto Metropolis. The collected data was analyzed using regression analysis. The results of the study showed that taxation and fiscal factors, economic factors and administrative factors, among other factors are statistically significant for individuals' tax-evasion behavior.

Akinleye and Ogunmakin (2016) examined the effect of tax avoidance on government budget implementation in Southwest Nigeria for the period 1999-2014. For the purpose of the study,

Ekiti, Ondo, Osun and Ogun states were selected through simple random sampling to take part in the research. Data for the study was collected through secondary sources from the revenue agencies in the sample states in the form of data on VAT, PAYE, CGT, and WIT. Results of the studied indicated that tax avoidance variables from the model were statistically significant for assessing and determining the performance of budget implementation. The results also showed that 61 percent of the expected revenue of the states was hampered by avoidable consequence of tax avoidance through non-compliance with collection and remittances.

Worried about the major societal problems inhibiting development in developing countries, Muzainah and Zakariya'u (2016) assessed the determinants of tax evasion in Gombe state. The study was conducted through a survey research design. A questionnaire was used to gather data from 303 randomly selected public and private sector personal taxpayers in the state. The results of the analysis showed that tax system, income level and education level have significant positive relationship with tax evasion. On the other hand, tax rate and corruption (CR) have positive but insignificant relationship with tax evasion.

At the national level, Nnadi, Ugwu (2017) evaluated the effect of tax avoidance and tax evasion on economic growth and development in Nigeria. The data gathered through the issue of questionnaire were analysed using OLS regression technique. The study revealed that there is no significant relationship between economic growth and tax evasion and tax avoidance in Nigeria, the work also revealed that tax avoidance has no significant positive effect on economic growth. The study thus concluded that the application of modern equipped database of tax avoidance whose human resource practices would properly align to the use of international best practices would improve their revenue generation in Nigeria.

Similarly, Adedeji and Oboh (2012) examined the economic implication of tax leakages on the Nigerian economy using a survey research design and data collected through the structured questionnaire administered to 185 respondents. Findings from the empirical analysis using Kendall's w-test and Chi-square test statistics revealed that tax evasion and avoidance have adversely affected economic growth and development in Nigeria, and also, that lack of good governance is the basis for which tax leakages activities is perpetrated. The study therefore recommends that the government should embrace and promote good governance so as to encourage voluntary compliance of tax liability by the citizenry.

### **Methodology**

This research paper adopted the survey research design for the study. This choice of the design was a result of the nature of the phenomena under investigation which is not directly observable. Thus requiring the adoption of an appropriate method suitable for eliciting measurable responses from those subjects who are in a position to provide accurate information on the phenomena. Data was collected through the issue of structured questionnaire to respondents who were selected from the pool of employees of Bayelsa State Board of Internal Revenue on the basis of convenience and availability. This was as result of the inability to determine the exact staff strength of the agency. Thus, the number of individual respondents sampled for the study was 20 respondents.

The research instrument was a structured questionnaires measured on a 5-point likert ranging from Strongly Agree (SA), Agree (A), Undecided (UN), Disagree (DA) and Strongly Disagree (SD). The questionnaire items related to issues relating to tax evasion (*EVASION*), tax avoidance (*AVOIDANCE*) and the state of Bayelsa economy (*ECONOMY*). The collected data was analyzed using multiple regression analyses using the following model. In its general form the regression model is given

as:  $B_0 + B_1X_1 + B_2X_2 + \dots + B_NX_N + U$   
 $Y = \dots \dots \dots (1)$

Where Y = Dependent Variable  
 $X_1 \dots \dots \dots X_N$  = Independent Variables  
 $B_1 \dots \dots \dots B_N$  = Coefficients of independent variables  
 $B_0$  = Constant Term  
 $U$  = Error Term

For the purpose of the study, we posit that the economy responds to tax evasion and avoidance in the state. This is stated functionally as:

Where *EVASION* and *AVOIDANCE* denote tax evasion and tax avoidance.

$ECONOMY = f(EVASION, AVOIDANCE) \dots \dots \dots (2)$

$ECONOMY = \beta_0 + \beta_1 EVASION + \beta_2 AVOIDANCE \dots \dots (3)$

$ECONOMY_{it} = \beta_0 + \beta_1 EVASION_{it} + \beta_2 AVOIDANCE_{it} + \epsilon_t \dots \dots \dots (4)$

It is expected that  $\beta_1, \beta_2 < 0$ .

**Data Presentation and Analysis**

As stated in the section above, the research instrument was distributed 20 respondents consisting of employees of Bayelsa State Board of Internal Revenue. The research instruments were duly completed and retrieved.

**Table 1: Model Summary**

Model	R	R Square	Adjusted Square	R. Error of the Estimate
1	.240 <sup>a</sup>	.058	.051	.10219

a. Predictors: (Constant), AVOIDANCE, EVASION

Table 1 indicates that the coefficient of correlation (R) gave a value of 0.240 which implies that the strength of the relationship between the economy and tax evasion and avoidance is 24%. Furthermore, the coefficient of determination (R-Square) gave a value of 0.058 which indicates that tax evasion and avoidance can only account for about 5.8% of the variations in the economy of Bayelsa state. This means that about 94% of the variations in the economy of Bayelsa state are attributable to other factors beyond tax evasion and avoidance.

**Table 2: Regression Coefficients**

Model	Unstandardized Coefficients		Standardized Coefficients		Sig.
	B	Std. Error	Beta	t	
1 (Constant)	.622	.061		10.132	.000
EVASION	-.044	.060	-.043	-.742	.459
AVOIDANCE	-.232	.057	.238	-4.096	.003

a. Dependent Variable: ECONOMY

Table 2 shows that there is negative relationship between tax evasion and the economy of Bayelsa state. The coefficient of regression value of -0.044 indicates that a unit increase in tax evasion is predicted to lead to a 0.044 units decrease in the economy. However, the relationship between the variables is not statistically significant considering the high significance value of 0.459 implying that the effect of tax evasion on the economy cannot be relied on to account of the poor economic performance of the state.

Furthermore, the result shows that there is a negative relationship between tax avoidance and the economy. The coefficient of regression for tax avoidance gave a value of -0.232 with the implication that a unit increase in tax avoidance is predicted to lead to a 0.232 units decrease in the economy. The result was also statistically significant with a probability value of 0.003 implying that the effect avoidance has considerable effect on the economy of the state.

### Discussion of Findings

Tax evasion and avoidance has received a lot of research interest considering that it is one of the serious threats to tax revenue generation around the world. This is particularly true where a large proportion of economic activities are SMEs and the informal sector where the government has minimal control. Thus, this research paper investigated the effect of tax evasion on and avoidance by SMEs on Bayelsa state's economy. The survey research design was adopted and data for the study collected from a sample 20 employees of Bayelsa State Board of Internal Revenue through the issue of 20 questionnaire. The multiple regression analyses was adopted for the study. Result of the data analyses revealed that there is negative relationship between tax evasion and the economy of Bayelsa state.

Thus, increase in the occurrence of tax evasion will lead to fall in economic performance. However, the relationship between the variables was not statistically significant implying that the effect of tax evasion on the economy cannot be entirely relied on to account of the poor economic performance of the state. In a similar study, Folayan and Adeniyi (2018) who conducted a survey in order to identify the effects of tax evasion on government revenue generation in Oyo State revealed that tax evasion has adverse effect on government revenue generation in Oyo state which typically results in revenue loss. In other research by Muzainah and Zakariya'u (2016) in Gombe state and Al-Mustapha and Hamza (2016) in Sokoto state, they provide further evidence that tax evasion is detrimental to the states' economies.

Furthermore, the result also showed that there is a negative relationship between tax avoidance and the economy with the implication that a unit increase in tax avoidance is predicted to lead to

decrease in the economy. The result was also statistically significant implying that the effect avoidance has considerable effect on the economy of the state. The research by Eja, Idaka and Ogar-Abang (2018) provide empirical support for our findings by showing in their research that tax avoidance had a negative effect on the economy. However, unlike in this research, their result was not statistically significant. Akinleye and Ogunmakin (2016) in their study examined the effect of tax avoidance on government budget implementation in Southwest Nigeria revealed that tax avoidance had a statistically significant negative effect on the budget implementation of the states under review. Specifically, tax avoidance was shown to lead to reduced level of budget implementation due to paucity of funds.

### **Conclusion and Recommendations**

The research concluded that there overwhelming evidence that tax evasion and avoidance by small and medium scale enterprises are detrimental to Bayelsa state economy. This because tax evasion and avoidance reduce the quantum of funds available to the state to meet with its economic and financial obligations to the citizens of the state. However, the extent of the effect of tax evasion on the state's economy is quite minimal. On the other hand, the state appears to loss more revenue through tax avoidance than by tax evasion. It is thus recommended that Bayelsa state find a lasting solution to the menace of tax evasion and tax avoidance. It is proposed that the state adopt the 'carrot and stick' approach to solve the problem. This should take the form of offering incentives to prospective tax payers in the small and medium scale enterprises community including reduction in tax payable for wiling tax payers and official recognition by the state for such businesses which can serve as a publicity for the concerned businesses. This is should go hand in hand with meting out severe and widely publicized punishment to those who choose to evade and avoid their tax obligation to the state. Punishment should include incarceration, stiff financial penalties and black listing of such defaulters. It is important that such punitive measures are widely circulated and publicized in order to show the resolve of the state in dealing with tax defaulters and thus deter them from such behaviors in the future. It is equally important that the state properly utilize funds to provide needed services and infrastructure for citizens in order to encourage compliance in the future. Finally, government must be seen as being accountable to citizens by showing evidence of how funds mobilized through taxation and other means are prudently utilized.

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