

# **NIGERIAN MARITIME ADMINISTRATION AND SAFETY AGENCY**

## **REQUIREMENT AND CONDITIONS FOR OBTAINING SERVICES AND PRODUCTS FROM THE MARITIME LABOUR SERVICES DEPARTMENT**

### **BACKGROUND**

The Maritime Labour Services Department is established to provide an enabling environment for Maritime Labour activities to thrive, and for Nigerian Dockworkers and Seafarers to have decent working and living conditions at seaports and on-board ships.

The mission of the Department is to develop Indigenous Maritime Labour Capacity for possible employment, wealth creation and enhancement of Industrial harmony onboard ships and sea-ports in Nigeria

### **FUNCTIONS OF THE DEPARTMENT**

In line with the overall objectives and scope of both the NIMASA Act 2007, Coastal and Inland Shipping (Cabotage) Act, 2003, the Merchant shipping Act 2007 and Maritime Labour Convention (MLC) 2006, the Maritime Labour Department is mandated to:

1. Regulate the Implementation of Seafarers and Dockworkers Employment, Safety and Health standards in relation to the provision of Maritime Labour in Nigeria;
2. Register and maintain a register of every Maritime Labour Employer;
3. Register and maintain a register of Maritime Labour Personnel;
4. Ensure that Maritime Labour Employers and Maritime Labour comply with existing regulations and standards relating to crewing, wages, and safety welfare and training at Ports and on board vessels;

5. Make regulations prescribing the Conditions of Services for Maritime Labour;
6. Ensure that employers of Maritime Labour implement the agreed Conditions of service for the Maritime Labour Industry, in line with the National Joint Industrial Council (NJIC) Collective Bargaining Agreement (CBA);
7. Provide direction on qualification, certification, employment and welfare of Maritime Labour;
8. Develop and implement policies & programs which facilitate the growth of local capacity to manned ships;
9. Enforce and administer the provisions of the Coastal and Inland shipping Act, 2003 with regards to manning of Cabotage vessels;
10. Perform Flag and Port State duties on Maritime Labour Convention, 2006;
11. Establish the procedure for the implementation of ILO/IMO Conventions, Codes, Circulars and Resolutions to which Nigeria is a party to on Maritime Labour;
12. Undertake the general system management for the production and issuance of the Seafarers Identity Document (SID);
13. Investigate and resolve disputes relating to employment and welfare of Maritime Labour in the Nigerian Maritime Industry.
14. Undertake regular inspections to ensure that Maritime Labour Employers comply with National and International regulations on Health, Safety and welfare;
15. Handle Maritime Labour industrial relation issues (accidents, complaints, wages, injury) and enforce employees compensation Benefits;
16. Ensure that Maritime Labour Employers engage only registered Dockworkers in any Port, Terminal, Jetty or Offshore Platform and Seafarers on board Cabotage Vessels.

## **THE DOCKWORKERS REGISTRATION, TRAINING AND INDUSTRIAL RELATION DIVISION**

### **REQUIREMENTS FOR REGISTRATION OF DOCK WORKERS OR STEVEDORERS:**

An application accompanied by the following-

- a. Receipt of payment of a registration fee of N50,000 to the Agency
- b. Evidence of the qualification, training, skills, competence and experience of the Dock worker or Stevedore.

### **REQUIREMENT FOR STEVEDORING LICENSE:**

An application accompanied by-

- a. A copy of the Stevedoring Registration Certificate issued to it by the Agency; and
- b. Evidence of payment to the Agency of N50,000 Stevedoring license fee
- c. The Agency shall within 14 days of the receipt of an application for a Stevedoring license, issue to the applicant, a Stevedoring license.
- d. The duration of a Stevedoring license shall be four years with effect from the date of its issuance unless it is cancelled or suspended.

### **RENEWAL OF STEVEDORING LICENSE:**

An application for the renewal of a Stevedoring license shall be-

- a. Made to the Agency at least two months before the expiry of the Stevedoring license and Subject to the payment of N100,000 renewal fee
- b. The application for the renewal of a Stevedoring license shall be supported by:
  - i. Evidence of payment of the renewal fee of N100,000 and
  - ii. Evidence of payment of all statutory fees and levies on previous stevedoring charges

- iii. An application for the renewal of a stevedoring license made after the expiry of the Stevedoring license shall attract a late renewal fee of fee of **N50,000** in addition to the renewal fee
- iv. In the event of the loss or defacing of a stevedoring license, a duplicate of stevedoring license may be obtained from the Agency on the “submission of an application for a duplicate stevedoring license accompanied by an affidavit explaining the facts and circumstances of the loss or defacing of the stevedoring license and a payment of **N10,000** processing fee

### **FEES**

- a. Registration fee for Docklabour employer of Stevedoring company desirous of engaging in Stevedoring work –N250,000.00
- b. Registration fee for Dockworkers or stevedores-N50,000.00
- c. Stevedoring licensee fee –N500,000.00
- d. Renewal of Stevedoring license fee-N100,000.00
- e. Late renewal fee after the Stevedoring license expires –N50,000.00
- f. Processing fees for loss of Stevedoring license –N10,000.00

### **FINES**

- 1. A person who is not registered dockworkers or Seafarers and engages in the performance of Dockwork in any port, terminal or offshore platforms or Terminal in Nigeria or on Board any Nigerian vessel commits an offence and is liable on conviction to a fine of not less than N50, 000.00 or to a maximum term of imprisonment of 6 months or both. *NIMASA ACT 2007 , section 27(3)*
- 2. An employer of Dockworkers or Seafarers including shipping companies, stevedoring companies Jetty or Terminal operator who engages a Dockworker or Seafarer who is not registered with and certified by the

agency. Commits an offence and shall in addition to any penalty provided in any other law be liable to a fine of not less than N1, 000,000.00 for each person so employed. *NIMASA ACT 2007 , section 27(4)*

3. Any Docklabour employer that fails to deduct and pay 0.5% of stevedoring charges to NIMASA is liable to pay a penalty of not less than N800,000.00
4. Any operator who fails, refuses or neglects to engage or use any registered Dockworker or Docklabour company is liable to a penalty of not less than N5, 000,000.00 in addition to the workstation being sealed up.

**TIMELINES/DEADLINES OF SUBMITTED APPLICATIONS:**

Duration for processing/approval of application forms by the Agency after payments is subject to the time of confirmation of the submitted bank guarantee by the applicant's bank.

## **REQUIREMENTS/ELIGIBILITY TO ENGAGE IN STEVEDORING WORK.**

The person shall be:

- a) A corporate body registered in Nigeria and has a minimum fully paid up authorized share capital of N5,000,000.00 of which not less than 60% is owned by Nigerian citizen free from-
  - i. any trust or fiduciary obligation in favour of any person who is not a citizen of Nigeria; and
  - ii. any contract or understanding or scheme by which the control of any interested voting power in the company in excess of 40% of its shares is conferred on or permitted to be exercised by a person who is not a citizen of Nigeria,
- b) has been duly registered by the Agency upon satisfying the requirements for registration specified in these Regulations,
- c) employs only stevedores or dock workers that are registered and certified the Agency;
- d) as the Agency may demand from time to time, submits to the Agency, evidence of its compliance with existing regulations and standards in relation to wages, safety welfare and training of Dockworkers and Seafarers at ports and on board ships or work locations;
- e) has obtain a stevedoring license from the Agency; and
- f) Has fulfilled all other requirements prescribed by these Regulations.

## **REQUIREMENTS FOR REGISTRATION OF DOCKLABOUR EMPLOYERS OR STEVEDORING COMPANIES:**

- (1) An application for registration accompanied by the following-
  - (a) Receipt of payment of a registration fee of N250, 000.00 to the Agency;
  - (b) A written undertaking by the Director and Company Secretary of the Docklabour employer or Stevedoring company to keep accurate documents and records of all Stevedoring work rendered or obtained and the charges collected by it;
  - (c) A list of the principal employees of the Docklabour employer or Stevedoring company, their qualification, technical competence and experience to render Stevedoring services;
  - (d) Evidence of previous assignments carried out by the Docklabour employer or Stevedoring Company;
  - (e) Copies of the registration certificates of Dockworkers or Stevedores employed by the Docklabour employer or Stevedoring Company;
  - (f) A list of the Stevedoring cargo handling operational plants and equipment including protective gear and work accessories owned, being used or to be used by the employer of Docklabour or Stevedoring Company;
  - (g) Evidence of adequate insurance cover for health, personal injury, disability, loss of life, loss of earnings and compensation relating to any incidents affecting Dockworkers or Stevedores in the course of the work of the Dock labour employer or Stevedoring Company;
  - (h) Certified true copies of the Certificate of Incorporation, Memorandum and Articles of Association, Particulars of Directors, Shareholders, Company Secretary and registered place of business of the Docklabour employer or Stevedoring Company;
  - (i) A certified True copy of the Docklabour employer's Stevedoring Company's Share Allotment Form.

## APPROVED STEVEDORING CHARGES

### SUMMARY OF APPROVED RATES TO GENERATE 0.5% STEVEDORING CHARGES

S/N	ITEM	RATES	
1.	<b>CARGO DUES</b>		
A.	GENERAL CARGO		
i.	Import (foreign)	\$6.10 Per Kg or Metric Ton	
ii.	Export (foreign)	\$4.00 Per Kg or Metric Ton	
iii	Import (TWA/coastal)	\$3.00 Per Kg or Metric Ton	
iv	Export (TWA/ coastal)	\$3.00 Per Kg or Metric Ton	
B	<b>DRY BULK</b>		
i	Import (foreign)	\$4.00 Per Metric Ton	
ii	Export (foreign)	\$2.50 Per Metric Ton	
iii	Import (TWA/coastal)	\$2.00 Per Metric Ton	
iv	Export (TWA/ coastal)	\$2.00 Per Metric Ton	
C	<b>LIQYUID BULK</b>		
i	Import (foreign)	\$4.00 Per Metric Ton	
ii	Export (foreign)	\$2.50 Per Metric Ton	
iii	Import (TWA/coastal)	\$2.00 Per Metric Ton	
iv	Export (TWA/ coastal)	\$2.00 Per Metric Ton	
D	<b>CONTAINER (LADEN)</b>	20'	40'
i	Import (foreign)	\$90.00	\$ 130.00
ii	Export (foreign)	\$70.00	\$ 100.00
iii	Import (TWA/coastal)	\$70.00	\$100.00
v	Export (TWA/ coastal)	\$25.00	\$100.00



E	<b>COBNTAINER (EMPTY)</b>		
i	Import (foreign)	\$25.00	\$40.00
ii	Export (foreign)	\$25.00	\$40.00
iii	Import (TWA/coastal)	\$25.00	\$40.00
iv	Export (TWA/ coastal)	\$25.00	\$40.00
F	<b>VEHICLES</b>		
1.	Import (foreign)		
i	Up to 15 CBM	\$14.30 Per Unit	
ii	16-12CBM	\$25.80 Per Unit	
iii	25-20CBM self-propelled	\$55.80 Per Unit	
iv	Trailer/ Wagon non Mechanical	\$110.00 Per Unit	
v	Heavy Duty Vehicle over 60CBM		
G	<b>EXPORT (FOREIGN)</b>		
i	Up to 15 CBM	\$14.30 Per Unit	
ii	16-12CBM	\$13.80 Per Unit	
iii	25-20CBM self-propelled	\$17.80 Per Unit	
iv	Trailer/ Wagon non Mechanical	\$44.80 Per Unit	
v	Heavy Duty Vehicle over 60CBM		
H	<b>IMPORT (TWA/COASTAL)</b>		
i	Up to 15 CBM	\$14.30 Per Unit	
ii	16-12CBM	\$13.80 Per Unit	
iii	25-20CBM self-propelled	\$17.80 Per Unit	
iv	Trailer/ Wagon non Mechanical	\$44.80 Per Unit	
v	Heavy Duty Vehicle over 60CBM		

I	<b>EXPORT (TWA/COASTAL)</b>	
i	Up to 15 CBM	\$14.30 Per Unit
ii	16-12CBM	\$13.80 Per Unit
iii	25-20CBM self-propelled	\$17.80 Per Unit
Iv	Trailer marfi	\$44.80 Per Unit
v	Heavy Duty Vehicle over 60CBM	

### **REQUIREMENTS/CONDITIONS TO HANDLE INDUSTRIAL RELATION ISSUES**

- i. The Industrial Relations Unit mediates Industrial disputes between Maritime Labour Employers and Employees.
- ii. Registered Maritime Labour Employers and Employees are to formally lodge a complaint on Industrial disputes or potential Industrial dispute to the Agency for possible mediation.
- iii. Maritime Labour Employers and Employees are to adopt the MLC, 2006 complaint procedures and other Labour Convention as ratified by Nigeria.
- iv. Maritime Labour Employers are to report cases of Industrial accidents and deaths arising thereof to the Agency for investigation and further action.
- v. The unit handles complaints on non-payment of wages, non-pension remittance, non-payment of death and injury claims to families and Employees.
- vi. Industrial Relations Unit oversees the maintenance of peace and harmony in Maritime Labour Services.

## **THE SEAFARERS MANNING/ WELFARE AND MLC, 2006 DIVISION**

### **1. LIST OF REQUIREMENTS AND CONDITION FOR OBTAINING MARITIME LABOUR CONVENTION, 2006 CERTIFICATE FLAG ISSUANCE AND PORT STATE CONTROL INSPECTION.**

- I. Vessels/owner, Managers or Agents are to apply to NIMASA for MLC, 2006 Certification and attach certificate of ship registry of each of the vessel.
- II. NIMASA writes to acknowledge company's letter stating appropriate fees and inclusion of Declaration of Maritime Labour Compliance part 1 (DMLC PART 1) for completion of part 2 by company.
- III. Vessel Owner, manager or agents is to complete Declaration of Maritime Labour Compliance part 2 and relevant document such as referenced section of their Safety Management System (SMS) manual and submit to the Maritime Labour Service Department of the Agency (NIMASA).
- IV. NIMASA assesses DMLC part 2 and approves or disapproves.
- V. Upon approval NIMASA conduct physical inspection of the vessel at the company's location.
- VI. In the event of any deficiency, the company is to rectify before final submission of DMLC part 2
- VII. NIMASA endorses DMLC part 1 & 2 upon satisfactory inspection of vessel
- VIII. NIMASA issues interim maritime labour certificate where applicable.
- IX. NIMASA issues full Maritime Labour Certificate upon satisfactory inspection of the company vessels.
- X. Intermediate inspection to be carried out to ensure on going compliance
- XI. Upon notification of compliant, the Agency may carry out inspection to ensure compliance.

## **2. FEES, LEVIES, TARIFFS ETC.**

Please find details below are fees applicable to both interim and full term MLC, 2006 Certification.

### **i INITIAL INSPECTION FEES**

NO.	VESSEL'S GROSS TONNAGE	INSPECTION FEE
1.	Between 80 – 499 GT	₦150,000.00
2.	Between 500 – 1999 GT	₦200,000.00
3.	Between 2000 – 4999 GT	₦250,000.00
4.	5000 and above	₦300,000.00

### **ii APPROVAL AND CERTIFICATION**

NO.	VESSEL'S GROSS TONNAGE	CERTIFICATION FEE
1.	Below 499GT	₦100,000.00
2.	Above 500> GT	₦200,000.00

The Agency reserves the right to review the fees stated above at any time in line with international best practice.

## **3. CLEAR TIMELINE /DEADLINES FOR PROCESSING APPLICATIONS AFTER PAYMENT**

1. The Maritime Labour Convention 2006 did not make clear provision for deadline for the issuance of Maritime Labour Certificate due to the presence of a window for rectification of deficiency noted on board vessels before issuance of certificate. However Guideline B5.1.3 paragraph 6 page 80 of the MLC, 2006, made mention of transfer of copies of reports of inspection on change of flag from one member state to the other within three months of the change.

## **4. REQUIREMENT FOR RENEWAL OF MLC, 2006 CERTIFICATE**

- i. Application letter from Company
- ii. Copy of expired certificate
- iii. Copy of certificate of ship registry
- iv. Inspection
- v. Certification after a satisfactory inspection.

## **5. REQUIREMENTS AND CONDITION FOR CADET PLACEMENT**

Submission of the necessary documentation that as stated below.

- i. Curriculum vitae
- ii. Birth certificate
- iii. Seafarers identity documents
- iv. Letter of introduction/recommendation for sea experience
- v. Basic mandatories (These are basic certificates of Seamanship training obtained)
- vi. Yellow card
- vii. Discharge booklet
- viii. International passports
- ix. Seafarers medical certificate
- x. Evidence of Seafarers registration with the Agency

## **6. REQUIREMENT FOR PROCESSING CABOTAGE APPLICATION**

- i. Application memo from Cabotage Services Department
- ii. Declaration of ownership/Particulars of vessels.
- iii. Crew list of the vessels.
- iv. Maritime Labour manning declaration form.
- v. Certificate of minimum safe manning.

## **REQUIREMENT FOR REGISTRATION OF NIGERIAN SEAFARERS / SEAFARERS IDENTITY DOCUMENT (S.I.D.) ISSUANCE**

### **A. OFFICERS – DECK/ENGINE**

#### **Compulsory**

1. Two pass port photographs
2. Certificate of competency stating number, level/limitation of the certificate, Issuing authority/Country, date of issue and expiration
3. Mandatory Certificates; stating number, date of issue and date of expiration
  - Basic Firefighting
  - Personal Survival Technique
  - Elementary First Aid
  - Personal Safety and Social Responsibility
  - Medical certificate
  - Any other relevant specialized certificate
  - Seaman record book/Certificate of Discharge

#### **Others**

- Cumulative Sea time
- Current Rank onboard

### **B. Ratings-Deck/Engine/Catering**

1. Two passport photographs
2. Certificate of competency (where applicable) stating number, rating forming part of navigation / engine room watch, Issuing authority/Country, date of issue and expiration

3. Mandatory Certificates; stating number, date of issue and expiration
  - Basic Firefighting
  - Personal Survival Technique
  - Elementary First Aid
  - Personal Safety and Social Responsibility
  - Medical certificate
  - Any other relevant specialized certificate
  - Seaman record book/Certificate of Discharge

### **Others**

- Cumulative Sea time
- Current Rank on board

## **MINIMUM REQUIREMENTS FOR THE TRAINING OF NIGERIANS ON BASIC STCW 95 MANDATORY COURSES:**

As part of the Agency's support to Capacity building; *this training is conducted free of charge for the benefit of Nigerian seafarers.*

The Four basic courses for the training includes; Fire Prevention and Fire Fighting, Personal Survival Techniques, Elementary First Aid and Personal Safety and Social Responsibility.

### **REQUIREMENTS:**

#### **Category A (Seafarers with experience)**

- Detailed CV with two passport photographs
- Seamen record book and certificate of discharge
- Certificate of Competency (where applicable)
- Minimum secondary school certificate with at least a pass in English Language
- Evidence of Registration with NIMASA as a Seafarer

- A valid Seafarers medical certificate from NIMASA approved hospital

### **Category B (prospective seafarers)**

- Detailed CV with two passport photographs
- Minimum secondary school certificate with at least a pass in English Language
- Candidate must be within the ages of 17 and 40 as at the time of application
- Evidence of relevant technical certificates e.g. trade test e.t.c. obtained from government approved institutions
- A valid Seafarers medical certificate from approved Government hospital

As part of the Agency's support to Capacity building; *this training is conducted free of charge for the benefit of Nigerian seafarers.*

- detailed cv with two passport photographs
- seamen record book and certificate of discharge
- minimum secondary school certificate with at least a pass in English language
- candidate must be within the ages of 17 and 45 as at the time of application
- evidence of registration with NIMASA as a seafarer
- a valid seafarers medical certificate from NIMASA approved hospital
- basic mandatory's



## **MINIMUM REQUIREMENTS FOR THE TRAINING OF NIGERIANS ON ISPS CODE:**

As part of the Agency's support to Capacity building; *this training is conducted free of charge for the benefit of Nigerian seafarers*

- Detailed CV with two passport photographs
- Seamen record book and certificate of discharge
- Minimum secondary school certificate with at least a pass in English Language
- Candidate must be within the Ages of 17 and 45 as at the time of application
- Evidence of Registration with NIMASA as a Seafarer
- A valid Seafarers medical certificate from NIMASA approved Hospital
- Evidence of Basic Mandatory Training.

## **REQUIREMENTS FOR REGISTRATION AS A TERMINAL/JETTY AND DOCK LABOUR EMPLOYERS**

1. Name of Registered Company, provide a Certified True Copy of Incorporation, Memorandum and Article of Association, Form Co2 and Co7.
2. Head Office Address (Inclusive of P.O. Box Number) and Operational Offices.
3. Telephone Numbers, Fax and E-mail.
4. Name and brief biographical details of the promoters or principal shareholders, Directors and Officers with special reference to their Technical background.
5. Provide 3 Years Tax Clearance and the Annual Certified True Copy of the current report with CAC.
6. Provide evidence of Five Million Naira paid up share capital.
7. Provide Bank Guarantee of One Million Naira from a reputable Bank

8. Provide Workmen Compensation Policy from a reputable Insurance Company to cover Dockworkers against Industrial accident.
9. Evidence of Contribution to a reputable Pension Fund Administration (PFA).
10. Names and Number of Dockworkers under your employment.
11. Indicate the number of Dockworkers to be employed, broken down into permanent and casual, and arrange those for training.
12. Provide a complete list of cargo handling equipment and plants such as Forklifts, Gears, Slings, Shackles, Cranes, Bus, Ambulance, First Aid of essential services such as provision of water, power transport, Toilet/Shower facilities and First Aid.
13. Please indicate present type of Operations, Location and Principal Employers (if any). Give details.
14. Any other information.