ABILL

FOR

AN ACT TO ESTABLISH THE NATIONAL MARITIME SECURITY INFRASTRUCTURE DEVELOPMENT FUND TO PROVIDE FOR MARITIME DEFENCE FUNDING AND FOR RELATED MATTERS

	Sponsored by Hon. Tony Nwoye	
	. []	Commencement
	BE IT ENACTED by the National Assembly of the Federal	
	Republic of Nigeria as follows:	
1	1(1) There is hereby established the National Maritime Security	Establishment of the Fund
2	Infrastructure Development Fund (hereinafter referred to as "the fund").	Of the Fund
3	(2) From the commencement of this Act, there shall be paid by all	
4	maritime users, a Maritime Defence and Infrastructure Security levy.	
5	(3) the levy shall be paid not later than the first quarter of every	
6	year.	
7	2(1) The rate of levy payable under this Bill shall be as follows:	Contributions to the Fund
8	(a) Vessels lifting oil or; gas from Nigeria or operating fishing	to me runa
9	business in the Nigerian territorial waters shall pay a Maritime Defence levy	
10	per entry;	
11	(b) All offshore oil and gas prospecting and producing companies	
12	shall pay an annual maritime Defence and Infrastructure Security levy to	
13	safeguard their operations and the sca lanes;	
14	(c) All oil servicing companies, independent oil marketers, vessels	
15	transporting oil and gas within Nigeria and oil bunkering agents shall pay an	
16	annual levy;	
17	(d) All commercial vessels and private yatch shall pay per entry.	
18	(2) Notwithstanding the provisions of this section, the National	
19	Assembly may from time to time appropriate monies to the fund.	
20	(3) A certificate of payment, in the prescribed form, shall be issued	

	1	on payment of the levy.
	2	•
	3	(4) A record of payment, of the levies shall be kept at the Office of the Accountant General of the Federal Government.
Establishment	4	
of the Board	5	3. There is hereby established for the management of the Fund, a
	6	National Maritime Security Infrastructure Board (in this Act referred to as "the Board"), which shall consist of:
•	7	(a) a Chairman;
	8	
	9	(b) 6 Eminent persons drawn from the six geo-political zones of the Country;
	10	•
	11	(c) the Accountant-General of the Federation;(d) a representative of:
	12	(i) the Nigerian Navy;
	13	
	14	(ii) the Nigerian Army;
	15	(iii) the Nigerian Air force;
	16	(iv) the Nigeria Police;
	17	(v) the Nigerian Immigration Service;
	18	(vi) the Nigerian Maritime and Safety Administration Agency
		(vii) the Office of the National Security Adviser; and
	19	(e) a legal practitioner within the meaning of the legal practitioner's
	20	Act who shall serve as the secretary of the Board.:
Appointment of Chairman and Members	21	4(1) The Chairman and members of the Board shall:
of the Board	22	(a) be appointed by the President, subject to confirmation by the
	23	Senate; and
	24	(b) Shall be eminent persons of high integrity and experience.
	25	(2) A member of the Board shall hold office for a period of 4 years at
	26	the first instance and may be re-appointed for a further term of 4 years and no
	27	more,
	28	(3) A member of the Board may resign his appointment by notice in
	29	writing under his hand addressed to the President, which resignation shall take
	30	effect only upon approval by the President.

4	(4) Notwithstanding the provision of section 4 of this Act, a person	
2	shall cease to hold office as a member of the Board if:	٠.
3	(a) he becomes bankrupt, suspends payment or compounds with	
4	his creditors;	
5	(b) he is convicted of felony or any offence involving dishonesty or	
6	fraud;	
7	(c) he becomes of unsound mind, or incapable of carrying out his	
8	duties;	
9 🕾	(d) he is guilty of serious misconduct in relation to his duties.	
10	(5) where a vacancy occurs in the membership of the Board, it shall	
11	be filled by the appointment of a successor, so however, that the successor	
12	shall represent the same interest and shall be appointed by the president,	
13	subject to the confirmation of the Senate.	
14	5(1) The Board shall prescribe the amount payable under this Bill	Appointment of
15	and appoint levy collectors who shall collect the levies and perform other	Levy Collectors
16	duties, which the Board shall from time to time determine.	
17	(2) The Board shall also appoint a manager who shall be	
18	accountable to the Board for money paid or received from the maritime	
19	users.	
20	(3) A person to be so appointed as manager shall hold a minimum	N. Car
21	of first degree or its equivalent in Accounting, Banking and Finance or any	·
22	other related field with at least 7 years cognate experience in Accounting,	
23	Banking and Finm1ce and membership of a recognized professional	
24	financial body.	
25	(4) Notwithstanding the generality of the provisions of this Bill, the	
26	board may make regulations for all or any of the following purposes:	
27	(a) The forms of certificates to be issued;	
28	(b) The forms of Annual Returns as provided under section 3 of the	
29	$\textbf{Bill:} \{ (x,y_1,y_2, \dots, y_n) \in \mathbb{N} \mid x \in \mathbb{N} \mid x \in \mathbb{N} \} \} = \{ (x,y_1,y_2, \dots, y_n) \in \mathbb{N} \mid x \in \mathbb{N} \} \}$	
30	(c) Providing for such other matters as are contemplated by, or are	٠

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The second secon	1 necessary for giving full effect to the provisions of this Bill and for the	eir due
	cozera is the April to be necessary to noncessary and policing unitarity of (1) 2 administration.	
Administration of the Fund	- (-) - ways to the three in section as of the I intince (Cont	
or the rund	4 Management) Acts, with respect to disbursements from the Fund, there	shall be
47	5 paid out of the Fund such money as the Board considers necessary for:	ţ.
*	(a) the provision, construction, repairs and maintenance of the construction of the provision of the construction of the const	vessels,
	7 maritime patrol aircraft as well as necessary technology; and	e)
	8 (b) the construction, repairs and maintenance of s	
	9 infrastructure; patients	8
•	10 solub side the properties of the realization of the general in the realization of the general in	ent of
	(5) where a vacancy occurs in the member-hip of the Board, it shaft.	91
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l <mark>unds</mark> Paparimega <i>t</i> Washin Dieser L	جَـراً (1) The Board shall prescribe the amount payable under this Bill at the fund shall be shared on a yearly basis among the relevant ag	gencies
	and appoint levy collectors who shall collect the levies and perform others.	15
	entries, which the Board shall from the determine determine the Board shall from the Navy - 40%;	01
	(2) The Board shall also appear a manager who shall see ; 381 (d) (e) (3) (The Board shall see in Albanda (e) (1) (1) (1) (2)	£.
	accountable to the Board for money paid or received from the marring; (c) (c) Nigerian Army - 101 (c) (d)	X [
a. "	20 (d) Nigeria Police - 5%;	61
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· Na-	of first degree or its equivalent in Accounting, Banking and Linance or end 22 (1) Nigerian Ports Authority - 5%;	; ·-
	gainnuoco∧ ai considerate canno canno area of talli betain hoteles and canno 23 (g) Nigerian Security and Civil Defence Corps -2%;	
	enoisesting beautypoon of to gidznodmem bus callenit bas unideal 24 (h) Department of State Security Service -5%;	25
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· 1.935	(4) Notwithstand of the generality of the provided the state of the st	25
	board may make regulations for all or any of the following purposes: - 4%; board make regulations and military exercises - 4%;	26
1) 4 (8)	(a) The forms of certificates to be issued: (b) Board's Administration and operating expenses and reserved.	e -1 %;
	antilo Enoites and believe as some and the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either individual provided that the Board shall not acquire assets either the Board shall not acquire asset eithe	ally or
- St	::[]iii 30 collectively on behalf of the agencies mentioned under this section.	29
	(c) Providing for such other matters as are contemplated by, or are	30

National Maritime Security Infrastructure Fund (Est.) Bill, 2018

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	1 Agencies mentioned in missace			
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2	members of the Board shall be as prescribed by the Revenue, Mobilization	Remuneration of the Board Members		
3	and Fiscal Compission MEMORANIA MEMORANIA	Members		
4 omion	usering wife. Sills Aperson commits an offence under this Bills where in transmits and the state of the state	Offences and		
5 oneite	b antimate) (a) fails to pay the levy of pays, later than the first quarter of the	Penalty		
6 7	year; the country infrastructures in the country. (b) fails to produce a valid certificate of payment when required;			
8	(c) falsely represents that he has paid or is not liable to pay the levy			
9	or has a valid certificate of payment for the year or period in issue;			
10	(d) issues a false or counterfeit certificate of payment.			
11	(2) A company or vessel which commits an offence under this Bill			
12	shall on conviction pay a fine not less than N20 million.			
13	(3) A person who commits an offence under this Bill shall on	•		
14	conviction, pay a fine not more than N5 million.			
15	10. The Board shall have the responsibility to provide the National	Reports		
16	Assembly with a bi-annual report of the allocation and uses of money from	•		
i7	the fund.			
18	11. The Federal High Court shall have Exclusive jurisdiction in	Court with		
19	respect of any matter relating to the provisions of this Bill.	jurisdiction		
20	12Except otherwise provided in this Act:	Interpretation		
21	(a) "Maritime" means the Nigerian seas, territorial waters up to the			
22	continental shelf, oceans or whatever name called, sea lanes, etc.			
23	(b) "National Security Infrastructure" shall include	-		
24	communication infrastructure. gadgets, vessel sensors, unmanned vessel,			
25	aircraft, equipment or other forms of technological or mechanical			
26	infrastructure, principally and predominantly required to support and			
27	advance the national security of Nigeria in the maritime environment;			
28	(c) "President" means the President of the Federal Republic of			
29	Nigeria;			
30	(d) "Security Officer" means any member of the Nigeria Security			

l agencies mentioned in this Act.

Citation

- 13. This Bill may be cited as the National Maritime Security
- 3 Infrastructure Fund (Establishment) Bill 2018

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Maritime Security Infrastructure. Development Fund to ensure and provide for adequate Maritime defence funding and for other security infrastructures in the country.