

A BILL

FOR

AN ACT TO REPEAL THE EXCLUSIVE ECONOMIC ZONE ACT E7 LFN 2010 AND THE TERRITORIAL WATERS ACT CAP. T5 LFN 2010 AND ENACT THE MARITIME ZONES ACT TO PROVIDE FOR THE MARITIME ZONES OF NIGERIA AND FOR MATTERS CONNECTED THEREWITH. 2020

Sponsored George Thompson Sekibo

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 1.-(1) The normal baseline for measuring the breadth of the
2 territorial waters of the Federal Republic of Nigeria (hereinafter referred to
3 in this Act as "Nigeria") shall be the low water line along the coast and low-
4 tide elevations as marked on large scale charts officially recognised by
5 Nigeria.

Normal Baselines
and delineation
of Baselines

6 (2) Notwithstanding the provisions of sub-section I of Section of
7 this Act, the Minister or Appropriate Authority may, if it deems it
8 appropriate and in accordance with the applicable principles of international
9 law delineate straight baselines joining appropriate base points for
10 measuring the breadth of the territorial waters in the following localities-

11 (a) where the coastline is deeply indented and cut into:
12 (b) where due to the presence of a delta and other natural
13 conditions, the coastline is highly unstable, the appropriate points may be
14 selected along the furthest seaward extent of the low water line and,
15 notwithstanding subsequent regression of the low water line, the straight
16 baselines shall remain effective until changed by Nigeria in accordance with
17 this Act;

18 (c) where a river flows directly into the sea, the baseline shall be a

1 straight line across the mouth of the river between points on the low water of its
2 banks.

3 (3) For the purposes of this section, "appropriate base points" shall
4 include-

5 (a) the outermost permanent harbour works which form an integral
6 part of a port;

7 (b) low tide elevations.

8 (4) The Minister or Appropriate Authority may, delineate a closing
9 line across the mouth of a Bay and the waters enclosed shall be considered as
10 internal waters of Nigeria, if the Bay satisfies the following criteria-

11 (a) The Bay is a well-marked indentation whose penetration is in such
12 proportion to the width of its mouth as to contain landlocked waters and
13 constitute more than a mere curvature of the coast, and whose area is as large
14 as, or larger than, that of the semi-circle whose diameter is a line drawn across
15 the mouth of the indentation;

16 (b) the area of an indentation for the purposes of measurement, is that
17 line between the low water mark around the shore of the indentation and a line
18 joining the low water mark of its natural entrance points;(c) where, due the
19 presence of islands, an indentation has more than one mouth, the semi-circle
20 shall be drawn on a line as long as the sum total of the lengths of the lines across
21 the different mouths;

22 (d) islands within an indentation shall be included as if they were part
23 of the water area of the indentation;

24 (5) The Minister or Appropriate Authority shall designate officially
25 recognised charts for the purposes of this section and shall cause to be prepared
26 such charts or geographical coordinates showing the baselines of the territorial
27 waters as it may deem fit.

Internal waters

28 2. The internal waters of Nigeria for all purposes, consist of the
29 waters on the landward side of the straight baselines or closing lines from
30 which the breadth of the territorial waters of Nigeria is measured.

1 3.-(1) The waters within a distance of twelve nautical miles from Territorial waters
2 the baselines shall be the territorial waters of Nigeria.

3 (2) The sovereignty of Nigeria shall extend beyond its land
4 territory and internal waters to the territorial waters, the airspace over the
5 territorial waters as well as its seabed and subsoil.

6 (3) The right of innocent passage shall be enjoyed by vessels of all
7 States in the territorial waters of Nigeria in accordance with International
8 Law and laws enacted by Nigeria for this purpose.

9 (4) Where the distance between the coast of Nigeria and the coast
10 of a neighbouring State is less than 24 nautical miles, Nigeria shall delimit
11 the territorial waters boundary with that State, on the basis of agreement
12 with that State and where agreement cannot be reached, unless there is an
13 agreement with that state to the contrary, the territorial waters boundary with
14 that State shall be the median line every point of which is equidistant from
15 the nearest points on the baselines from which the breadth of the territorial
16 waters of Nigeria and that State is measured.

17 (5) Having regard to International Law and State practice, the
18 Minister or Appropriate Authority may by regulations amend limits of
19 territorial waters as the may be necessary from time to time.

20 4.-(1) Any act or omission which:

21 (a) is committed within the territorial waters of Nigeria, whether by
22 a citizen of Nigeria or a foreigner; and

23 (b) would, if committed in any part of Nigeria, constitute an
24 offence under the law in force in that part, shall be an offence under that law
25 and the person who committed it may be arrested, tried and punished for it
26 as if he had committed it in that part of Nigeria.

27 (2) Subsection (1) of this section-

28 (a) shall apply whether or not the act or omission in question is
29 committed on board or by means of a ship or in, on or by means of a structure
30 resting on the sea bed or subsoil; and

Jurisdiction in
respect of offences
committed in
territorial waters

1 (b) shall, in the case of an act or omission committed by a foreigner
2 on board or by means of a foreign ship, apply notwithstanding that the ship is a
3 foreign one.

4 (3) For the purposes of the issue of a warrant for the arrest of any
5 person who is by virtue of this section liable to be tried in some part of Nigeria
6 for an offence, that offence may be treated as having been committed in any
7 place in that part.

8 (4) Any jurisdiction conferred on any Court by this section shall be
9 without prejudice to any jurisdiction (and in particular any jurisdiction to try
10 acts of piracy as defined by the law of nations) exercisable apart from this
11 section by that or any other Court.

12 (5) Nothing in this section shall be construed as derogating from
13 possessed by Nigeria under the law of nations, whether in relation to persons on
14 board such ships or otherwise.

15 (6) In this section-
16 "foreigner" means a person who is not a citizen of Nigeria;
17 "foreign ship" means a ship of any country other than Nigeria;
18 "ship" includes floating craft and floating structured of every description.

Restriction on
trial of persons
other than Nigerian
citizens for offences
committed in
territorial waters

19 (7) Subject to the provisions of this section, a Nigerian Court shall not
20 try a person who is not a citizen of Nigeria for any offence committed on the
21 open sea within the territorial waters of Nigeria unless before the trial the
22 Attorney- General of the Federation has issued a certificate signifying his
23 consent to the trial of that person for that offence;

24 (8) Nothing in subsection (1) of this section-

25 (a) shall affect any power of arrest, search, entry, seizure or custody
26 exercisable with respect to an offence which has been, or is believed to have
27 been, committed as aforesaid;

28 (b) shall affect any obligation on any person in respect of a
29 recognizance or bail bond entered into a consequence of his arrest, or the arrest
30 of any other person, for such an offence;

1 (c) shall affect any power of any court to remand (whether on bail
2 or in custody) a person brought before the court in connection with such an
3 offence;

4 (d) shall affect anything done or omitted in the course of a trial
5 unless in the course of the trial objection has already been made that, by
6 reason of Subsection (1) of this section, the court is not competent on
7 proceed with the trial, or

8 (e) shall, after the conclusion of a trial, be treated as having affected
9 the validity of the trial if no such objection as aforesaid was made in the
10 proceedings at any stage before the conclusion of the trial.

11 (9) Subsection (1) of this section shall not apply to the trial of any
12 act of piracy as defined by the law of nations.

13 (10) A document purporting to be a certificate issued for the
14 purposes of subsection (1) of this section and to be signed by the Attorney-
15 General of the Federation shall received in evidence and shall, unless the
16 contrary is proved, be taken to be a certificate issued by the said Attorney-
17 General.

18 (11) Nothing in this section shall be construed as derogating from
19 the provisions of any other enactment restricting the persecution of any
20 proceedings or requiring the consent of any authority to the prosecution
21 thereof;

22 (12) in this section, "offence" means any act or omission which by
23 virtue of section 2 of this Act or any other enactment is an offence under the
24 law of Nigeria or any part thereof.

25 **5.-(1)** The contiguous zone of Nigeria shall be the sea beyond the Contiguous zone
26 territorial waters but within a distance of 24 nautical miles from the
27 baselines from which the breadth of the territorial waters is measured.

28 (2) The Minister or Appropriate shall have the jurisdiction to
29 exercise control as it deems necessary to prevent the infringement of its
30 customs, fiscal, immigration or sanitary laws and regulations within the

1 territory or territorial waters of Nigeria.

2 (3) Where persons who are responsible for the enforcement of
3 customs, fiscal, immigration or sanitary laws and regulations in Nigeria have
4 reasonable grounds to believe that a person in the contiguous zone of Nigeria if
5 he were to be allowed entry into the territory or territorial waters of Nigeria
6 would commit an offence, they shall prevent the entry of that person into the
7 territory or territorial waters of Nigeria and the commission of the offence.

8 (4) Where there are reasonable grounds to believe that a person within
9 the territory or territorial waters of Nigeria has committed an offence against
10 the customs, fiscal, immigration or sanitary laws and regulations of Nigeria,
11 power of arrest, entry, search and seizure or other powers that can be exercised
12 in Nigeria with regard to such offence shall be exercised in the contiguous zone
13 of Nigeria.

14 (5) The powers of arrest and seizure in the contiguous zone of Nigeria
15 shall be exercised subject to the consent of the Attorney General of the
16 Federation and Minister of Justice.

17 (6) The Minister or Appropriate Authority shall have the power to
18 make Regulations to put in place measures aimed at the prevention of the
19 infringement of the customs, fiscal, immigration, sanitary laws and regulations
20 of Nigeria in the Contiguous zone.

Archaeological
and Historical
Objects

21 6.-(1) Subject to any other law, Nigeria shall have regard to
22 objects of an archaeological or historical nature found in the contiguous zone,
23 the same rights and powers as it has in respect of its territorial waters.

24 (2) In order to control traffic in such archaeological and historical
25 objects, the Appropriate Authority may presume that their removal from the
26 seabed in the contiguous zone without its approval would result in an
27 infringement within its territory or territorial waters of its laws concerning such
28 objects.

29 (3) The Minister or Appropriate Authority may make regulations for
30 the purpose of ensuring that preventive measures are put in place to control,

1 avoid or prevent the traffic in archaeological and historical objects found in
2 the contiguous zone and that adequate licensing procedures are put in place
3 for their removal where necessary.

4 7.-(1) Any person who while in the territory or the territorial sea of
5 Nigeria commits an offence against the customs, fiscal, immigration or
6 sanitary laws and regulations of Nigeria and is apprehended in the
7 contiguous zone shall be charged to the Federal High Court which shall have
8 jurisdiction to entertain such matters.

Jurisdiction and
penalty

9 (2) Any person who while in the contiguous zone of Nigeria
10 removes from the seabed of that zone, any archaeological or historical objects
11 without the approval of the appropriate authority commits an offence and
12 shall be charged to the Federal High Court which shall have jurisdiction to
13 entertain such matters.

14 (3) Such offences shall be treated for the purposes of this Act as
15 taking place in Nigeria.

16 (4) Any person found guilty of removing archaeological or
17 historical objects from the seabed of the contiguous zone of Nigeria in
18 violation of this Act shall, on conviction be liable to imprisonment for a term
19 of not less than two years or fine of not less than 500,000.00.

20 8.-(1) The Exclusive Economic Zone of Nigeria shall be the area
21 beyond and adjacent to the territorial waters and which extends to a distance
22 of 200 nautical miles from baselines used to measure the breadth of the
23 territorial sea.

Exclusive
Economic Zone

24 (2) In cases where part of the Exclusive Economic Zone of Nigeria
25 overlaps with part of the Exclusive Economic Zone of a neighbouring State,
26 the delimitation between the Exclusive Economic Zone of Nigeria and the
27 Exclusive Economic Zone of the other State shall be effected by agreement
28 in good faith on the basis of international law.

29 (3) In the absence of an agreement, the delimitation of this zone as
30 between Nigeria and any other coastal State involved shall not extend

Sovereign Rights
and Jurisdiction
for the Exploration,
Exploitation, etc
of the Exclusive
Economic Zone

1 beyond the median line or the equidistance line measured from the respective
2 baselines from which the breadth of their territorial waters is measured.

3 **9.**-(1) In the Exclusive Economic Zone, Nigeria has-

4 (a) sovereign rights for the purposes of exploring, exploiting,
5 conserving and managing the natural resources whether living or non-living
6 resources of the waters superjacent to the seabed and of the seabed and its
7 subsoil and with regard to other activities for the economic exploration and
8 exploitation of the zone, such as, the production of energy from the water,
9 currents and winds;

10 (b) jurisdiction as provided for in the relevant provisions of the
11 Convention with regard to-

12 (i) the establishment and use of artificial islands, installations and
13 structures,

14 (ii) marine scientific research,

15 (iii) the protection and the preservation of the marine environment;

16 (c) other rights and duties provided for in the Convention

17 (2) Such rights or jurisdiction shall vest in the Federal Government of
18 Nigeria who shall exercise such by itself, or by such Minister or Appropriate
19 Authority as it may designate in that behalf either generally or in any special
20 case.

21 (3) Nigeria may, modify the application of the provisions of
22 subsection (1) of this section, by virtue of any Treaty, Convention or agreement
23 to which Nigeria is a Party.

Marine protected
areas

24 **10.**-(1) Nigeria shall designate under this section for social
25 protection, areas within its internal waters, territorial water or the exclusive
26 economic zone as marine protected areas.

27 (2) Such areas that are designated as marine protected area shall be
28 used for the conservation and protection of-

29 (a) endangered or threatened marine species;

30 (b) unique habitats;

1 (c) commercial and non-commercial fishery resources and their
2 habitats; and

3 (d) marine areas of high biodiversity.

4 **11.**-(1) In the Exclusive Economic Zone and on the Continental
5 Shelf, Nigeria shall have the exclusive right to construct, authorise and
6 regulate the construction, operation and use of artificial islands, installations
7 and structures and may authorise an Appropriate Authority to exercise this
8 right.

Exclusive right
of jurisdiction as
regards establishment
and use of islands,
installations, etc.

9 (2) Nigeria shall have exclusive jurisdiction over such artificial
10 islands, installations and structures, including jurisdiction with regard to
11 customs, fiscal, health, safety and immigration laws and regulations.

12 (3) The Minister or Appropriate Authority shall give due notice of
13 the construction of such artificial islands, installations or structures and
14 permanent means for giving warnings of their presence shall be maintained.

15 (4) The Minister or Appropriate Authority may direct that any
16 installation or structure which is abandoned or becomes disused shall be
17 removed to ensure safety of navigation,

18 (5) Such removal of disused or abandoned installation or structure
19 shall be subject to fishing, the need to protect the marine environment, and
20 the rights and duties of other states

21 (6) The Minister or Appropriate Authority shall give due publicity
22 to the depth, position and dimensions of any installations or structures not
23 entirely removed.

24 (7) The appropriate Authority may, for the purpose of protecting an
25 artificial island, installation or structure and for safety of navigation, by
26 order published in the Federal Gazette, prohibit any ship or person from
27 entering a designated area specified in such order.

28 (8) If any ship enters any part of a designated area in contravention
29 of an order made under this section, its owner or master shall be liable on
30 conviction to imprisonment for twelve months or to a fine of N5,600,000 or

1 both, unless he proves that the prohibition imposed by the order 'was not, and
2 would not on reasonable inquiry have become known to the master or the
3 owner of the ship.

4 (9) In this section, "designated area" means any area of the Exclusive
5 Economic Zone or Continental Shelf so designated by the appropriate
6 authority for the purposes of subsection (1) of this section.

7 (10) For the purposes of this Section, "due notice or due publicity"
8 shall include the timely issuance of notices to mariners under the Merchant
9 Shipping Act.

Prevention and
enforcement in
the Exclusive
Economic Zone

10 **12.**-(1) Nigeria shall have the power to exercise control as it deems
11 necessary, to prevent infringement of its customs, fiscal, health, safety and
12 immigration laws and regulations within its exclusive economic zone.

13 (2) Any person who while within the exclusive economic zone of
14 Nigeria commits an actor makes an omission which infringes against the
15 customs, fiscal health, safety or immigration laws and regulations shall be
16 charged before the Federal High Court.

17 (3) Such acts or omission shall be treated for the purposes of this Act,
18 as taking place in Nigeria.

19 (4) Arrested vessels and their crews shall be promptly released on
20 their provisions of reasonable bond or other more acceptable security.

Managing and
utilization of the
living resources

21 **13.**-(1) Nigeria shall promote the optimum utilization of its exclusive
22 economic zone.

23 (2) There shall be a determination of the capacity of Nigeria to harvest
24 its living resources, in the exclusive economic zone

25 (3) If Nigeria does not have the capacity to harvest the entire
26 allowable catch, it shall, through agreements or other arrangements give other
27 States access to the surplus of the allowable catch.

28 (4) In giving access to other States to its exclusive economic zone, it
29 shall consider the significance of such living resources to its economy and its
30 national interest.

1 (5) Nationals of other States fishing In the exclusive economic
2 zone of Nigeria shall comply with the conservation measures and with other
3 terms and conditions provided in the laws and regulations of Nigeria.

4 **14.**-(1) The Continental Shelf of Nigeria comprises the seabed and
5 subsoil of the submarine areas that extend beyond Nigeria's territorial
6 waters throughout the natural prolongation of Nigeria's land territory to the
7 outer edge of the continental margin, or to distance of 200 nautical miles
8 from the baselines from which the breadth of the Nigeria's territorial waters
9 is measured. where the outer edge of the continental margin does not extend
10 up to that distance and for the avoidance of doubt, any rights in the seabed
11 and subsoil of the continental shelf of Nigeria and its resources shall vest in
12 the Federal Government of Nigeria.

Delineation and
Delimitation of
the Continental
Shelf of Nigeria

13 (2) Subject to International Law and State practice, the outer limits
14 of the Continental Shelf of Nigeria shall not exceed 350 nautical miles from
15 the baselines from which the breadth of the territorial water is measured.

16 (3) In cases where part of the continental shelf of Nigeria overlaps
17 with part of the continental shelf of a neighbouring coastal State, then the
18 delimitation between the continental shelf of Nigeria and the Continental
19 Shelf of the other State shall be effected by agreement in good faith on the
20 basis on international law to achieve equitable solution.

21 (4) The Minister or Appropriate Authority may on the
22 recommendation of the National Boundary Commission make regulation
23 causing charts to be prepared and prescribing geographical co-ordinates of
24 points from which the outer limits of the continental margin or other outer
25 limits of the continental shelf of Nigeria may be determined.

26 (5) The Minister or Appropriate Authority shall submit to the
27 Secretary General of the United Nations Organisation charts and relevant
28 information, including geodetic data permanently describing the outer
29 limits of Nigeria's continental shelf.

Exploration,
Exploitation etc.
of the Continental
Shelf

1 **15.**-(1) Nigeria has Sovereign and exclusive rights over its
2 continental shelf for the purposes of exploring and exploiting the minerals and
3 other non-living natural resources of the seabed and sub-soil of the continental
4 shelf, together with living organisms belonging to sedentary species and for the
5 avoidance of doubt, any rights of Nigeria in the continental shelf are vested in
6 the Federal Government of Nigeria and shall be exercised by such Appropriate
7 Authority as the Government may designate in that behalf either generally or in
8 any specific case.

9 (2) The application of the provisions of subsection (1) of this section,
10 may be modified by Nigeria by virtue of any Treaty Convention or Agreement
11 to which Nigeria is a party.

12 (3) Nigeria shall have exclusive right to authorize, permit and
13 regulate drilling for all purposes on its continental shelf.

14 (4) If any geological petroleum structure or petroleum field, or any
15 single geological structure or field of any mineral deposit extends across the
16 outer limits lines of Nigeria's extended continental shelf and the part of such
17 structure or field which is situated on one side of the dividing line is
18 exploitable, wholly or in part, from the other side of the dividing line, Nigeria
19 shall in good faith seek to reach agreement with interested parties as to the
20 manner in which the structure or field shall be most effectively exploited and
21 the manner in which the proceeds deriving there from shall be equitably
22 apportioned.

Application of
Criminal and
Civil Laws etc.

23 **16.**-(1) Any act or omission which-

24 (a) takes place on, under or above an artificial island, installation or
25 structure in a designated area or any waters within 200 meters of such island,
26 installation or structure; and

27 (b) would, if taking place in any part of Nigeria, incur liability under
28 any enactment in force in that part, shall be treated for the purposes of that law
29 as taking place in Nigeria.

30 (2) In this section, "enactment" means any Act or Law relating to

1 criminal or civil law (including torts) and any subsidiary instrument made
2 hereunder, including rules of court and in matters other than criminal
3 matters, rules of law applicable to or adopted in any part of Nigeria.

4 **17.**-(1) Any person commits an offence in, under and above an
5 artificial island installation or structure in a designated area if he unlawfully
6 and intentionally:

7 (a) seizes or exercise control over by force or threat thereof or any
8 other form of intimidation;

9 (b) performs an act of violence against any person thereon if that
10 act is to endanger safety;

11 (c) destroys or causes damage which is likely to endanger its
12 safety; or

13 (d) places or causes to be placed thereon by any means whatsoever,
14 a device or substance which is likely to destroy it or likely to endanger its
15 safety;

16 (e) intimidates a population, company or compels a government or
17 an international organisation to do or to abstain from doing any act;

18 (f) uses against or discharges therefrom any explosive, radioactive
19 material or BCN weapon in a manner that causes or is likely to cause death or
20 serious injury or damage;

21 (g) discharges oil, liquefied natural gas, or other hazardous or
22 noxious substance, which is not covered by subparagraph (a), in such
23 quantity or concentration that causes or is likely to cause death or serious
24 injury or damage;

25 (h) threatens, with or without a condition, to commit any of the
26 offences set forth above.

27 (2) The Prosecution of offences under this Section shall be at the
28 instance of the Attorney-General of the Federation.

29 (3) All such offences shall be tried by the Federal High Court.

30 **18.** Where a person is found guilty of an offence under S17 of this

1 Act, he shall on conviction be liable to imprisonment of not less than 1 year or a
2 fine of N2,500,000 or both.

3 (2) Where a body corporate is guilty of an offence under this section
4 and the offence is proved to have been committed with the consent and
5 connivance of, or to be attributable to any neglect on the part of any director,
6 manager, secretary or other similar officer of the body corporate or of any
7 person purporting to act in any such capacity, he, as well as the body corporate
8 shall be guilty of the offence and shall be liable to be proceeded against and
9 punished accordingly.

10 (3) Where the body corporate is found to be guilty of the offence, it
11 shall be liable to pay a fine of not less than N5,000,000,00.

12 (4) If a director, manager, secretary or other similar officer of the
13 body corporate or any person purporting to act in any such capacity is found
14 guilty, he shall on he shall on conviction be liable to imprisonment not less than
15 1 year or a fine of not less than N2,500,000 or both.

laying of cables
and pipes on the
continental shelf

16 **19.**-(1) The delineation of the course for the laying of pipelines and
17 cables on the continental shelf of Nigeria is subject to the consent of Nigeria.

18 (2) Nothing in this section shall affect the right of Nigeria to set terms
19 and conditions for cables and pipelines entering its territory or territorial waters
20 or its jurisdiction over cables and pipelines constructed or used in connection
21 with the exploration of its continental shelf or exploitation of its resources or
22 the operation-of artificial islands, installations and structures under its
23 jurisdiction

Power to make
Regulations

24 **20.**-(1) The Minister or Appropriate Authority may make such
25 regulations as he thinks fit for the purposes of this Act.

26 (2) In particular and without prejudice to the foregoing power,
27 regulations made under subsection (1) of this section, may provide for-

28 (a) the regulation of the conduct of any person In the territorial waters,
29 the continental shelf or the exclusive economic zone;

30 (b) the regulation of the exploration and exploitation, conservation

1 and management of the resources of the continental shelf and the exclusive
2 economic zone;

3 (c) the regulation of the construction, maintenance of the artificial
4 islands, offshore terminals, installations and other structures and devices;

5 (d) the preservation and the protection of the marine environment
6 and the prevention and control of marine pollution;

7 (e) the regulation and conduct of scientific research;

8 (h) the fees in relation to licences; and

9 (g) any matter incidental to any of the matters specified in
10 paragraphs (a).

11 **21.-(1)**The-

Repeal t

12 (a) Territorial Waters Act (as amended); and

13 (b) Exclusive Economic Zones Act (as amended); are hereby
14 repealed.

15 **22.** Any Provisions of any existing laws with respect to any of the
16 maritime zones of Nigeria that are inconsistent with any provisions of this
17 Act shall be read subject to the provisions of this Act.

Supremacy of
this Act

18 **23.** Upon the enactment of this Act, The Exclusive Economic
19 Zone Act Cap. E17 Laws of the Federation 2010 and the Territorial Waters
20 Act Cap. T5 Laws of the Federation 2010 are hereby repealed.

Consequential
Repeal of Cap. E17
LFN and Cap. T5
LFN 2010

21 **24.** In this Act, unless the context otherwise requires:

Interpretation

22 "Appropriate Authority" means the Federal Government of Nigeria or any
23 of its Agencies so designated;

24 BCN weapons means biological weapons which are microbial or other
25 biological agents, or toxins whatever their origin or method of production,
26 of types and in quantities that have no justification for prophylactic,
27 protective or other peaceful purposes, chemical weapons which are toxic
28 chemical and their precursors and nuclear weapons and other nuclear
29 explosives devices;

30 "Convention" includes the United Nations Convention on the Law of the

1 Sea signed at Montague Bay on the 10th December, 1982 and its subsequent
2 amendments and protocols;

3 "Federal High Court" means the Court that has jurisdiction to try matters
4 arising in the Maritime Zones of Nigeria.

5 "Installation or structure" includes-

6 (a) any offshore drilling unit, production platform, subsea
7 installation, pumping station, living accommodation, storage structure,
8 loading or landing platform, dredger, floating crane, pipe lining or other barge
9 or pipeline, anchor, anchor cable or rig pad used in connection therewith;

10 (b) any ship, anchor, anchor cable or rig pad used in connection
11 therewith; and

12 (c) any other work or works as may be prescribed;

13 "Low Tide Elevations" means any naturally formed area of land which is
14 surrounded by and above water at low tide but submerged at high tide;

15 "Minister" includes the Minister responsible for transport or any other Minister
16 of the Federal Republic of Nigeria whose mandate covers any of the provisions
17 of this Act;

18 "Nautical Miles" means the International Nautical Miles of 1852 meters;

19 "Sedentary species" means organisms which at the harvestable stage either are
20 immobile on or under the seabed or are unable to move except in constant
21 physical contact with the seabed or the subsoil; and

22 "Ship" includes every description of vessel, boat, ship or craft designed, used
23 or capable of being used solely or partly for navigation in, on, through or
24 immediately above water without regard to methods or lack of propulsion.

Short title

25 **25.** This Bill may be cited as the Nigerian Maritime Zones
26 (Enactment) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Exclusive Economic Zone Act E7 LFN 2010 and the Territorial Waters Act Cap. T5 LFN 2010 and enact the Maritime Zones Act to provide for the Maritime Zones of Nigeria.