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CONSTITUTION OF THE FEDERAL REPUBLIC
OF NIGERIA, 1999

NIGERIAN SHIPPERS' COUNCIL (PORT ECONOMIC
REGULATOR) ORDER, 2015



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S. I. No. 13 of 2015

**CONSTITUTION OF THE FEDERAL REPUBLIC
OF NIGERIA, 1999**

**NIGERIAN SHIPPERS' COUNCIL (PORT ECONOMIC
REGULATOR) ORDER, 2015**

[25th Day of March, 2015]

Commence-
ment.

In exercise of the powers conferred upon me by section 5 and section 148 of the Constitution of the Federal Republic of Nigeria, 1999 and all other powers enabling me in that behalf, I, DR. GOODLUCK EBELE JONATHAN, President of the Federal Republic of Nigeria, make the following Order—

1. The objectives of this Order are to—

Objectives.

(a) institute an effective regulatory regime at Nigerian ports for enhanced efficiency ; and

(b) address the negative impact of port concession activities on the economy due to the absence of an economic regulator and to realize the optimal benefits of the Federal Government of Nigeria's port reform processes.

2. As from the commencement of this Order, the Nigerian Shippers' Council (hereinafter referred to as "the Council") shall—

Appointment
of the
Nigerian
Shippers'
Council as
Interim Port
Economic
Regulator.

(a) be the interim economic port regulator for Nigerian ports ;

(b) regulate tariffs, rates, charges and other related economic services at Nigerian ports ; and

(c) monitor all matters relating to the cost, standard and quality of services rendered by the regulated service providers.

3.—(1) The Council shall—

Role of the
Council.

(a) regulate economic activities at Nigerian Ports ;

(b) set and enforce standard operating guidelines for Nigerian Ports ;

(c) regulate Nigerian Ports concession agreements ; and

(d) carry out other related acts that are incidental to its role as the economic port regulator.

(2) Notwithstanding the provisions of this Order, the Nigerian Customs Service shall continue to collect the 7% Port Development Levy while the distribution proceeds shall reflect the operational realities of the benefitting ministries, departments and agencies.

4. The minister in charge of transport shall, for the purposes of this Order, ensure that the Federal Ministry in charge of transport supports and assists the Council in the discharge of its role under this Order.

Role of the
Ministry in
Charge of
Transport.

Interpretation.

5. In this order—

“*regulated service providers*” include—

- (a) the Nigerian Ports Authority ;
- (b) seaport terminal operators ;
- (c) shipping companies and agencies ;
- (d) off dock terminal operators ;
- (e) cargo consolidators ;
- (f) logistics service providers ;
- (g) freight forwarders and clearing agents ;
- (h) inland container depot operators ;
- (i) stevedoring companies ;
- (j) Council for the Regulation of Freight Forwarding in Nigeria ; and
- (k) any other port service provider or user.

Citation.

6. This Order may be cited as the Nigerian Shippers’ Council (Port Economic Regulator) Order, 2015.

MADE at Abuja this 25th day of March, 2015.

DR. GOODLUCK EBELE JONATHAN, GCFR
President, Federal Republic of Nigeria

EXPLANATORY NOTE

(This note does not form part of this Order but is intended to explain its purport)

This Order seeks to appoint the Nigerian Shippers’ Council as the interim economic port regulator for Nigerian ports.