

Extraordinary



# Federal Republic of Nigeria

## Official Gazette

No. 25

Lagos -- 1st March, 2017

Vol. 104

Government Notice No. 28

The following is published as supplement to this *Gazette* :

<i>S.I. No.</i>	<i>Short - Title</i>	<i>Page</i>
3	Immigration Regulations, 2017 .. .. .	B365-395

Printed and Published by The Federal Government Printer, Lagos, Nigeria  
FGP23/32017/1.200

Annual Subscription from 1st January, 2017 is Local : N25,000.00 Overseas : N37,500.00 [Surface Mail]  
N49,500.00 [Second Class Air Mail]. Present issue N2,500.00 per copy. Subscribers who wish to obtain *Gazette* after  
1st January should apply to the Federal Government Printer, Lagos for amended Subscriptions.

IMMIGRATION ACT, 2015  
IMMIGRATION REGULATIONS, 2017



ARRANGEMENT OF REGULATIONS

Regulation :

PART I—OBJECTIVES

1. Objectives.

PART II—ENTRY INTO AND DEPARTURE FROM NIGERIA

2. Passenger lists.
3. Embarkation and disembarkation cards.
4. Business permit.
5. Residence permits.
6. Visiting permit.
7. Transit permit.
8. Temporary work permit.
9. Visa on Arrival.
10. Control of direct transit passengers.

PART III—RESIDENCE AND EMPLOYMENT OF FOREIGN NATIONALS IN NIGERIA

11. Entry for business purposes.
12. Entry for residence or employment.
13. Dependants of a Principal Immigrant.
14. Foreign nationals married to Nigerians.
15. Deportation.

PART IV—CONTROL OF CREWS AND STOWAWAYS

16. Control of members of crew and stowaways
17. Signing on of crew
18. Production of certificates and permits
19. Air crew
20. Transit visa

PART V—CONTROL OF IMMIGRANTS

21. Application of Part V of these Regulations.
22. Immigrants registry.
23. Duties of officer in charge of Immigrants' registry.
24. Notification of arrival and departure of Immigrants.

25. Registration of and form of permits to young Immigrants.
26. Change of status of residence.
27. Restriction of Immigrant's movements.
28. Liability of house holders.
29. Hotels and boarding-houses.
30. Information to be furnished by person being accommodated.
31. Power of examination.
32. Power of an Immigration Officer to demand for particulars of Immigrants.
33. Production of certificate of registration.
34. Power of arrest, detention and prosecution.
35. Power of search.
36. Venue of offences.
37. Exemptions.

PART VI—ISSUANCE OF NIGERIAN PASSPORTS AND OTHER TRAVEL DOCUMENTS

38. Power and procedure for issuance of Nigerian passports.
39. Replacement of lost or damaged passports.
40. Request for issuance of passports by Naturalized Nigerians, etc.
41. Passport to be issued to an applicant who has satisfied all the requirements.
42. Cancellation or withdrawal of passports.
43. Issuance of relevant documents to refugees in Nigeria.

PART VII—OFFENCES AND PENALTIES

44. Immigration offences.
45. Forfeiture of passport.
46. Presentation of forged travel documents to an Immigration Officer.
47. Refusal to apply for regularization of stay, etc.
48. Discharge of any person liable to repatriation without notice.
49. Altering or assisting another in altering travel document.
50. General penalties under section 60 of this Act.
51. Offences and penalties relating to control of Immigrants.
52. Offences by a body corporate.
53. Administrative fines and penalties.

PART VIII—SMUGGLING OF MIGRANTS

54. Offences, penalties and compensations relating to smuggling of migrants.
55. Offences relating to enabling illegal residence.
56. Offences relating to procurement of fraudulent travel documents.
57. Persons who may be held liable for the offence of smuggling of migrants.
58. Conspiracy to commit the offence of smuggling of migrants.
59. Attempt to commit the offence of smuggling of migrants.
60. Escape, aiding or abetting escape.
61. Obstruction of Justice.

62. Consent of a smuggled migrant not a defence.
63. Power to arrest without warrant.
64. Restitution and compensation.
65. Freezing order on banks or other financial institutions.
66. Seizure, attachment and forfeiture of assets.
67. Treatment of smuggled migrants.
68. Establishment of transit shelters.

#### PART IX—COMMAND STRUCTURE OF THE SERVICE

69. Command structure of the service.
70. Officers of the rank of Deputy Comptroller of Immigration.
71. Duties of Deputy Comptroller of Immigration.
72. Division for Regular Migration.
73. Designated officers of the service to carry arms.

#### PART X—MISCELLANEOUS

74. Employment of immigrants.
75. Acceptance of immigration responsibility.
76. Exercise of powers against any person standing trial for an offence.
77. Variation of forms.
78. Revocation and savings provisions.
79. Interpretation.
80. Citation.

#### SCHEDULES

**IMMIGRATION ACT, 2015**  
**IMMIGRATION REGULATIONS, 2017**

[27th Day of February, 2017]

In exercise of the powers conferred on me by section 112(1) of the Immigration Act, 2015 ("the Act") and of all other powers enabling me in that behalf, I, LT. GEN. ABDULRAHMAN BELLO DAMBAZAU (Rtd.), the Minister of Interior, make the following Regulations—

Commence-  
ment

**PART I—OBJECTIVES**

1. The objectives of these Regulations are, to—

Objectives.

- (a) provide legal framework for the effective implementation of the Act : and
- (b) consolidate existing Immigration Regulations.

**PART II—ENTRY INTO AND DEPARTURE FROM NIGERIA**

2.—(1) Every list of disembarking and transiting passengers to be supplied by the master of a ship or aircraft pursuant to section 16 of the Act shall show the full names and aliases (if any) of every passenger together with the initials of such passenger, the port at which he embarked and the port at which he intends to disembark, and shall be forwarded in advance to the Immigration Officer in charge.

Passenger  
lists.

(2) In the case of carriers by land, in addition to the provisions of sub-regulation (1) of this regulation, the manifest of passengers shall show the signature or thumb impression of the passengers and be supplied upon arrival at the Control Post.

(3) In this regulation, a passenger includes every person on board the ship, aircraft or carrier by land except members of the crew or stowaways.

3.—(1) Every passenger who arrives or departs Nigeria by any means from any recognized port shall produce to an immigration officer the signed and dated embarkation or disembarkation card in such form as the Minister or the Comptroller-General may require.

Embarkation  
and  
disembarkation  
cards.

(2) Every passenger who arrives or departs Nigeria by any means from any recognized port shall satisfy the immigration officer that he is the holder of a valid travel document.

(3) Nothing in this regulation shall be construed as requiring a Nigerian to complete a disembarkation card.

4.—(1) The authorization of the Minister for the establishment of a profession, business or trade in Nigeria shall, subject to such conditions as the Minister may impose, take the form of a business permit prescribed in the First Schedule to these Regulations.

Business  
permit.

(2) Nothing, in any business permit shall entitle the holder of such permit to enter or remain in Nigeria unless such person is in possession of a valid residence permit or appropriate valid visa for residential purposes, as the case may be.

(3) A business permit may, at any time, be revoked, varied or cancelled by the Minister.

(4) Every person to whom a business permit has been issued shall notify the Minister or the Comptroller-General within twenty-one days of any change in the name, nature or address of the business or trade.

Residence  
permits.

5.—(1) Subject to the provisions of section 37 of the Act, the Comptroller-General may upon application in respect of a person who has been lawfully allowed entry into Nigeria, grant to such person residence permit in a prescribed manner.

(2) A residence permit granted pursuant to this regulation shall be valid for a period not exceeding two years, and may be renewed.

(3) The residence permit issued under section 37 of the Act shall be valid for entry into Nigeria unless otherwise directed by the Comptroller-General.

(4) A residence permit may be issued subject to any condition as the Comptroller-General may direct or require to be endorsed on such permit including—

(a) the area in which the holder of the permit shall reside or work ;

(b) the occupation or business activity which the holder may engage in subject to any restrictions, prohibitions or limitations ;

(c) the duration of the validity of the permit or of the holder's stay in Nigeria ; and

(d) any other condition in the interest of public safety and security, as the Comptroller-General may direct or require to be endorsed on such permit.

(5) A residence permit may at any time be revoked or varied by the Comptroller-General if he deems fit.

(6) The Comptroller-General may issue a new permit subject to new conditions as he may reasonably impose and where such permit is revoked without replacement, the provisions of section 39 of the Act shall apply.

(7) A foreign national who has imported an annual minimum "threshold of capital" over a period of time as stipulated under section 37(11) of the Act may be issued a permanent residence permit provided that the investment is not withdrawn and the foreign national has complied with any other condition prescribed for the issuance of such permit.

(8) The Minister may authorize the issuance of a residence permit to a Nigerian by birth who had earlier renounced his nationality in line with the provisions of the Act.

(9) Citizens of member States of the Economic Community of West African States shall be issued with residence cards provided they register with the Nigeria Immigration Service at the Local Government Area Headquarters or Command Headquarters of their State of residence or the Federal Capital Territory, as the case may be.

6.—(1) Every visitor to Nigeria shall obtain and hold a valid visiting permit issued by the Comptroller-General for a period not exceeding ninety days. Visiting permit.

(2) An endorsement in the form of a stamp or sticker on the passport of a person visiting Nigeria containing such particulars as relate to the port of entry, the date of entry, the period during which the visitor is permitted to remain in Nigeria and such other conditions or information as the Comptroller-General may require shall be sufficient, unless otherwise varied or revoked by the Comptroller-General.

(3) No visiting permit shall be issued to any person—

(a) unless the Immigration Officer is satisfied that such person is in possession of a return ticket or an onward transportation ticket to a country to which his admission is guaranteed; or

(b) where such person has not made or is unable to make adequate arrangements for his maintenance in or departure from Nigeria.

7.—(1) A transit permit shall take the form of an endorsement by stamp or sticker on the passport of the applicant and such endorsement shall contain particulars of the port of entry, the date of entry and the period for which the person is permitted to remain in Nigeria in transit. Transit permit.

(2) The initial transit permit shall be issued for a period not exceeding seven days, unless the period is extended, in respect of certain persons or class of persons, or in any special case, by the Comptroller-General.

(3) An application for the extension of a transit permit shall be made to the appropriate Immigration Office before the expiration of the original permit stating the reasons for which an extension is required and the period of extension.

(4) An Immigration Officer not below the rank of an Assistant Superintendent of Immigration II may further extend the transit permit for a period not exceeding fourteen days from the original date of entry: provided that no further extension beyond this period shall be given except with the consent of the Comptroller-General.

(5) A transit permit shall not be issued unless the Immigration Officer is satisfied that the person applying for the issue of such permit has an onward passage ticket to a destination outside Nigeria and to which he has entry facilities and sufficient funds for his maintenance.

Temporary  
work permit.

8. Pursuant to the provisions of section 37(8) of the Act, the Comptroller-General may authorise the issuance of temporary work permit, and where necessary, outside quota provision, which may be issued by way of a letter of approval transmitted to the appropriate Nigerian Mission.

Visa on  
arrival.

9. Upon application in the prescribed manner, the Comptroller-General may approve the issuance of visa on arrival in respect of any person and such person shall be allowed entry through the designated port.

Control of  
direct transit  
passengers.

10.—(1) An Immigration Officer may grant permission to any transit passenger by the endorsement on the passport of the passenger to the effect that such passenger may land from a ship or aircraft while the ship or aircraft is in port and such permission shall be revocable at the discretion of that Immigration Officer.

(2) Where permission to land is refused or where such permission has been revoked, the master of the ship or aircraft shall accordingly be informed in writing and shall not permit the passenger to land or go ashore.

(3) An Immigration Officer may grant permission to any transiting passenger by road by the endorsement on the passport or travel documents of the passenger to the effect that such passenger may land from the carrier by land while the carrier is in park or terminal and such permission shall be revocable at the discretion of that Immigration Officer.

#### PART III—RESIDENCY AND EMPLOYMENT OF FOREIGN NATIONALS IN NIGERIA

Entry for  
business  
purposes.

11.—(1) An Immigrant wishing to enter Nigeria for business purposes pursuant to section 36 (1) of the Act shall be in possession of a valid entry visa unless such Immigrant is a citizen of a country with which Nigeria has entered into a reciprocal visa abolition agreement; provided that where citizens of such countries with which Nigeria has entered into such agreement are coming into Nigeria for employment purposes, they shall come in with the appropriate visa.

(2) Pursuant to section 20 of the Act, the entry visa referred to under sub-regulation (1) of this regulation shall be obtained at the relevant Nigerian foreign mission.

(3) No visa shall entitle the holder to enter or remain by way of extension in Nigeria beyond the prescribed period without the consent in writing of the Comptroller-General given on such terms and conditions as he may deem fit.



(4) Pursuant to section 37 (13) of the Act, the provisions of these Regulations relating to foreign nationals requiring visas, work permits and residence permits shall not apply to nationals of Member States of the Economic Community of West African States who are exempted from requiring entry visas, and are allowed to reside, work and undertake commercial and industrial activities within Nigeria; provided that such citizens shall register with the Service as nationals of the Economic Community of West African States.

12.—(1) The authorization of the Minister shall be obtained in writing for the establishment of a business, trade or profession in Nigeria.

Entry for  
residence or  
employment.

(2) The authorization by the Minister referred to under sub-regulation (1) of this regulation shall, subject to conditions as he may impose, take the form of grant of Business Permit or Expatriate Quota or both in the prescribed form; provided that where the Minister issues a stay of action, it shall operate as a bar to deportation during the pendency of an application for renewal of Expatriate Quota.

(3) Any form of employment of a foreigner or acceptance of offer of employment by an immigrant shall be with the consent in writing of the Comptroller-General and such consent shall be presented to an Immigration Officer either at the Port of Entry or when requested to do so while staying in Nigeria.

(4) A residence permit shall not be issued to any Immigrant unless the foreigner is in possession of a valid visa at the time of entry into Nigeria or satisfies other conditions that the Comptroller-General may impose, in the case of an Immigrant already in the country.

(5) Residence permits issued pursuant to sections 36 and 37 of the Act shall be used for purposes of re-entry into Nigeria by the holder within the period of validity of such permits while expatriates awaiting regularization shall be allowed re-entry within ninety days from the date of endorsement of "Awaiting Regularization" on their passports.

13. Dependants of any Principal Immigrant may be issued residence permits for a period not exceeding the validity of the Principal Immigrant's residence permit.

Dependants  
of a  
Principal  
Immigrant.

14. Foreign nationals married to Nigerians may be issued with residence permits and such permits shall serve as multiple re-entry permits irrespective of the class of visas with which they entered Nigeria; provided that they comply with other conditions the Comptroller-General may reasonably impose or require.

Foreign  
nationals  
married to  
Nigerians.

Deportation.

15.—(1) Where the Court makes a Deportation Order against any person in pursuance of section 45 (1) of the Act—

(a) an Immigration Officer shall obtain from the Court a record of the proceedings in triplicate and forward to the Comptroller-General who shall transmit same to the Minister for his information ; and

(b) the record shall be accompanied by a report from the Immigration Officer giving details of the full name and particulars, including place and date of birth and nationality of the person.

(2) Where an Immigration Officer becomes aware of any case in which the Minister may order deportation pursuant to section 45 (2), (3) and (4) of the Act, he shall forward a full report on the case to the Comptroller-General for the information of the Minister.

(3) Where a person charged with an offence upon conviction of which the offender—

(a) may be recommended for deportation under the Act or any other Act ; or

(b) is to be remanded beyond twenty-one days pursuant to section 48 of the Act ;

an Immigration Officer may make application to the relevant court to that effect for the deportation or remand.

(4) Where a person is under detention or serving a sentence and a recommendation for deportation has been made or is likely to be made, an Immigration Officer shall obtain and forward to the Comptroller-General full descriptive particulars of such person, including particulars of his passport, together with two passport-sized photographs.

(5) Where the person is not in possession of any passport, full particulars of his alleged nationality shall be obtained and forwarded together with particulars of persons who are his next of kin or any other person who can identify him in that country to assist the Minister in determining his nationality under section 28 of the Act.

#### PART IV—CONTROL OF CREWS AND STOWAWAYS

16.—(1) A member of the crew of a ship or aircraft shall not land or go ashore without the consent of an Immigration Officer.

(2) Where the consent of the Immigration Officer to land has been refused or withheld, the master of the ship, aircraft or carrier by land shall take such steps as may be necessary for preventing any member of the crew of the ship, aircraft or carrier by land from disembarking while the ship, aircraft or carrier by land remains at the Port.

Control of  
members of  
crew and  
stowaways.

(3) Before the arrival of a ship, aircraft or carrier by land at any Port, the master of the ship, aircraft or carrier by land shall provide the Immigration Officer with a list of all members of the crew and stowaways.

17. All members of the crew of a ship, aircraft or carrier by land who are not citizens of Nigeria and who sign on as members of the crew of a ship, aircraft or carrier by land at a Port or Control Post, as the case may be, in Nigeria shall report before an Immigration Officer and complete the Embarkation Cards before boarding the ship, aircraft or carrier by land on which they are signing on.

Signing on of  
Crew.

18. An immigrant while in Nigeria, shall if so required by an Immigration Officer, produce as and when necessary a valid passport, a residence permit, visiting permit, transit permit or other travel documents.

Production  
of  
certificates  
and permits.

19.—(1) All members of a crew of an aircraft arriving in Nigeria and disembarking from an aircraft for the purpose of joining another aircraft shall report to an Immigration Officer both on arrival and departure, and every such person shall be in possession of a valid passport and may be issued with a transit permit for the duration of their stay.

Air Crew.

(2) Further to the provisions of sub-regulation (1) of this regulation, every member of a crew of an aircraft who is not a citizen of Nigeria shall in addition to a valid passport hold a valid visa.

(3) The exercise of the power to issue any transit permit for purposes of this regulation by an Immigration Officer shall be subject to any specific or general directions of the Comptroller-General and such permit may be given in the form of an instruction to the agent, Captain or Pilot of the aircraft concerned.

20.—(1) Every member of a crew of an aircraft arriving in Nigeria and disembarking from an aircraft for the purpose of joining another aircraft—

Transit Visa.

(a) shall report to an Immigration Officer both on arrival and departure :

(b) shall be in possession of a valid passport or any other appropriate valid travel document ; and

(c) may be issued with a transit visa for the duration of his stay.

(2) The power to issue any transit visa for the purpose of sub-regulation (1) of this regulation may be exercised in such manner and subject to such conditions as the Comptroller-General may deem fit from time to time.

## PART V—CONTROL OF IMMIGRANTS

Application  
of Part V of  
these  
Regulations.

21. Except as provided under regulation 30 of these Regulations, the provisions of this Part of these Regulations shall not apply to—

- (a) a young person who has not attained the age of eighteen years ;
- (b) a person who is entitled to diplomatic immunity and has been duly accredited to the Government of the Federation of Nigeria ;
- (c) a visiting Head of State, his family and his suite ;
- (d) a seaman, unless he leaves his ship and remains ashore for a period exceeding twenty-eight days ; and
- (e) an Immigrant, who enters Nigeria and holds a visitor's permit during the validity of such permit, unless he remains in Nigeria for more than ninety days.

Immigrants  
registry.

22.—(1) The Service shall maintain a Registry of Immigrants.

(2) A register of all Immigrants shall be kept in the registry containing such information and particulars of an Immigrant as the Comptroller-General may from time to time direct.

Duties of  
officer in  
charge of  
Immigrants'  
registry.

23. The officer in charge of the registry shall furnish—

(a) copies of all entries in the State Registry of Immigrants and such other information as may be required for the identification, registration and control of Immigrants ;

(b) particulars of the date and place of offence, the offence charged, the court in which the case was dealt with and the result in respect of any offence committed by any Immigrant against the Act, any other Act or Regulations ; and

(c) the information supplied to him by the Immigrant.

Notification  
of arrival and  
departure of  
Immigrants.

24.—(1) An Immigration Officer permitting an Immigrant to land in, or otherwise to enter, and to remain in Nigeria for any period exceeding ninety days shall—

(a) invite the attention of such Immigrant to the notice prescribed in the Second Schedule to these Regulations ; and

(b) transmit forthwith to the Comptroller-General particulars of such Immigrant in the Form set out in the Third Schedule to these Regulations.

(2) An Immigration Officer to whom an Immigrant reports his departure from Nigeria shall forthwith transmit to the Comptroller-General particulars of the Immigrant in the prescribed form.

25.—(1) An Immigrant resident in Nigeria who has attained the age of eighteen years and is not exempted from the provisions of these Regulations shall —

Registration of and form of permits to young Immigrants.

(a) within twenty-one days of attaining that age, report to an Immigration Officer in the State in which he resides and submit his passport and residence permit to him for examination;

(b) supply to the Immigration Officer three recent passport photographs of himself that are of good quality; and

(c) enter in his own handwriting on two copies of the prescribed Form his personal particulars and such further information as the Immigration Officer may require for the purposes of registration and where he is not literate in English language, he shall provide such information as is necessary to enable a responsible person to complete the prescribed Forms on his behalf.

(2) The permit to any person of or above the age of eighteen years shall be in the same form as a residence permit or visiting permit and shall contain such particulars and conditions as the Comptroller-General may require.

26. An Immigrant who has been registered in accordance with the provisions of these Regulations shall—

Change of status of residence.

(a) within seven days of any circumstance occurring which affects the accuracy of any information previously notified to an Immigration Officer, furnish to the Immigration Officer in the State where he resides the full particulars of such circumstance;

(b) where he intends to change his residence to another place within the State in which he resides give at least seven days' notice of his intention to the Immigration Officer in the State before the change;

(c) where he intends to change his place of residence from one state to another, give at least seven days' notice to an Immigration Officer in the State in which he resides before such change;

(d) within seven days of changing his place of residence, report to an Immigration Officer of the new State in which he resides and submit to him for examination his passport, residence permit and certificate of registration and full particulars of his residential and postal addresses; and

(e) before leaving his place of residence for any period which exceeds seven days, give notice to an Immigration Officer in the State in which he resides of his intended destination.

27. The Comptroller-General may, by notice in writing addressed to any Immigrant, require him to report to an Immigration Officer at a time and place stated and to provide such Officer with any information regarding his movements and such other information as such Officer may require which is in the power of the Immigrant to provide.

Restriction of Immigrant's movements.

Liability of  
house  
holders.

28. The householder of any premises in which an Immigrant, who is required to comply with any or all of the provisions of these Regulations resides, shall take all reasonable measures to ensure that such Immigrant complies with these Regulations and where an Immigrant fails to do so, he shall within the periods prescribed in these Regulations notify an Immigration Officer in the State in which he is resident, of such Immigrant's failure to comply, or intention not to comply with any of the provisions of these Regulations.

Hotels and  
boarding-  
houses.

29. The owner or manager of any boarding-house, hotel, lodging-house or rest-house or any premises where lodging or sleeping accommodation is provided for payment, shall—

(a) maintain a register in the Form set out in the Fourth Schedule to these Regulations :

(b) require every person accommodated or boarded in such premises to enter his full name, address and occupation therein : and

(c) require every Immigrant accommodated or boarded in such premises to enter therein, such further particulars as are provided for in the Fourth Schedule to these Regulations.

Information  
to be  
furnished by  
person being  
accommo-  
dated.

30. A person accommodated or boarded at any of the premises described under regulation 29 of these Regulations shall enter in the register provided, the particulars prescribed in the said regulation, provided that, where the person is an illiterate or is unable to enter such particulars in a language in common use in Nigeria, he shall provide such information as may be necessary to enable the owner or manager or other responsible person to enter such particulars in the register.

Power of  
examination.

31. A register maintained under the provisions of regulation 29 of these Regulations shall at all times be available for inspection by an Immigration Officer acting in the execution of his duty.

Power of an  
Immigration  
Officer to  
demand for  
particulars  
of  
Immigrants.

32. An Immigration Officer may, by notice in writing addressed to the owner or manager of any boarding-house, hotel, lodging-house or rest-house or any premises where lodging or sleeping accommodation is provided for payment, require such owner or manager to provide to the Immigration Officer in the State in which such premises is situated—

(a) daily list showing particulars as prescribed in the Fourth Schedule to these Regulations of every Immigrant who was accommodated at such premises during the previous twenty-four hours ; and

(b) a list of any or all Immigrants accommodated at such premises during any period specified in the notice, at such times and at such intervals as may be specified.

33.—(1) An Immigrant shall, upon demand by an Immigration Officer, produce his certificate of registration and provide such information as to his name, address and occupation as may be requested by an Immigration officer.

Production of certificate of registration.

(2) Where an Immigrant is exempted from the requirements of the Act or these Regulations, he shall satisfy the Immigration Officer that he is so exempted.

34.—(1) An Immigration Officer, may arrest without a warrant, any Immigrant found committing an offence, or whom he reasonably suspects of having committed an offence under the Act or these Regulations.

Power of arrest, detention and prosecution.

(2) An arrested Immigrant may be detained or prosecuted.

(3) Any detained Immigrant shall be subjected to humane treatment.

35. An Immigration Officer, may, without a warrant, enter and search any premises in which he reasonably believes that an offence under the Act or these Regulations has been, is being or is about to be committed.

Power of search.

36. An offence against any of the provisions of these Regulations shall, for the purposes of prosecution, be deemed to have been committed at the place where the offence took place, or where the offender was apprehended.

Venue of offences.

37. The Minister may, by order, declare any Immigrant, or any class of Immigrants, exempted from the requirements to comply with any or all of these Regulations.

Exemptions.

#### PART VI—ISSUANCE OF NIGERIAN PASSPORTS AND OTHER TRAVEL DOCUMENTS

38.—(1) The power to issue Nigerian Passports shall be vested in the Comptroller-General.

Power and procedure for issuance of Nigerian passports.

(2) Nigerian Passports shall be issued only to *bona fide* Nigerians within and outside Nigeria.

(3) Diplomatic and Official Passports shall be issued at the Immigration Headquarters in accordance with the eligibility list for the time being in force subject to—

(a) the discretion of the President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria ; and

(b) the powers conferred on the Comptroller-General under the Act.

(4) Application for Standard Nigerian Passports shall be made to the—

(a) appropriate Immigration Office closest to the applicant's place of residence in Nigeria ;

(b) appropriate Nigerian Diplomatic Mission established in a foreign country ; or

(c) Nigerian Diplomatic Mission in the nearest country performing Immigration duties for the country in which the applicant is resident, where there is no Nigerian Diplomatic Mission.

(5) Pursuant to section 2(b) of the Act, travel documents to be issued by the Service shall include ECOWAS Travel Documents.

Replacement  
of lost or  
damaged  
passports.

39. All requests for—

(a) replacement of lost or damaged passports for applicants in Nigeria shall be processed at the Immigration Headquarters; provided that in the case of a damaged passport with less than six months validity, it may be processed at any Passport Issuing Centre;

(b) replacement of lost or damaged passports for Nigerians resident abroad shall be forwarded by the appropriate Nigerian Diplomatic Mission and processed at the Immigration Headquarters;

(c) change or amendment of data or both shall be processed at the Immigration Headquarters; and

(d) re-issuance or replacement of Diplomatic and Official Passports shall be processed only at the Immigration Headquarters.

Request for  
issuance of  
passports  
by  
Naturalized  
Nigerians,  
etc.

40.—(1) All requests for issuance of fresh passports by Naturalized or Registered Nigerians and in respect of children adopted by Nigerians or non-Nigerians shall be processed at the Immigration Headquarters.

(2) All requests for re-issuance of passports by Naturalized or Registered Nigerians shall be processed at the Immigration Headquarters.

(3) All requests for the re-issuance of passports to adopted children may be processed at any Passport Issuing Centre.

(4) All requests for issuance of passports in respect of a minor shall be supported with a consent letter from either parent.

(5) In the case of minors who are orphans, a letter of consent under sub-regulation (4) of this regulation shall be required from a lawful guardian, a person having lawful custody of the minor, an Orphanage Home or the appropriate Government Institution.

41.—(1). Upon the receipt of an application for Nigerian passport, the Officer in charge of issuance of passports shall forthwith issue the passport to the applicant who has satisfied all the requirements.

(2) Where an applicant fails to satisfy any requirement, the Officer shall notify the applicant in writing of the requirement or requirements he needs to satisfy within such reasonable period as may be specified in that notice.

Passport to  
be issued to  
an applicant  
who has  
satisfied all  
the  
requirements.



42.—(1) Subject to the provisions of the Act, the Minister may at any time cancel or withdraw any passport issued to any person where—

- (a) the passport is obtained by fraud ; or
- (b) a person unlawfully holds more than one passport at the same time.

(2) The number of the passport, name and particulars of the holder of any passport withdrawn or cancelled pursuant to the provisions of section 13 of the Act shall be published in the Official Gazette and on the website of the Service.

Cancellation  
or  
withdrawal  
of  
passports.

43. Relevant Immigration documents shall be issued to deserving refugees in Nigeria as may be—

- (a) certified by the National Commission for Refugees ; and
- (b) authorised by the Comptroller-General.

Issuance of  
relevant  
documents  
to refugees  
in Nigeria

#### PART VII—OFFENCES AND PENALTIES

44.—(1) A person who—

(a) aids or assists any person to enter Nigeria in contravention of any of the provisions of the Act ;

(b) while refusal of admission is in force in relation to him enters or remains within Nigeria otherwise than in accordance with the directives or under the authority of an Immigration Officer ;

(c) contravenes or fails to comply with any condition imposed on him under the Act or these Regulations ; or

(d) restricts or obstructs, any Immigration Officer in the lawful execution of his duty ;

commits an offence under section 56 of the Act.

Immigration  
offences.

(2) A person who knowingly harbours another person or persons whom he knows or has reasonable ground for believing to have committed an offence under section 56(1) of the Act, commits an offence.

(3) A person who—

(a) makes or causes to be made to any Immigration Officer any return, statement or representation which he knows to be false or does not believe to be true ;

(b) refuses or fails to produce or furnish to any such officer any document or information which he is required to produce or furnish to that officer under the Act or otherwise obstruct any such officer in the exercise of his function ; or

(c) without lawful authority, alters any document issued or made under or for the purpose of the Act or has in his possession any forged or altered

passport or other travel document, or produces or reproduces any travel document without lawful authority:  
commits an offence.

(4) Any person who commits any of the offences prescribed under section 56 (1) and (2) of the Act shall be liable to imprisonment for a term of ten years or a fine of Two Million Naira, or both.

(5) Any person who commits any of the offences prescribed under section 56 (3) of the Act shall be liable to imprisonment for a term of five years or a fine of One Million Naira, or both.

(6) Where a person is charged with any of the offences under the Act and the evidence establishes an attempt to commit that offence, he may be convicted of having attempted to commit that offence and is liable to half of the penalty provided for that offence in the Act.

(7) Where a person is charged with attempt to commit any of the offences under the Act and the evidence establishes the commission of the full offence, the offender shall not be entitled to acquittal but shall be convicted of the offence as prescribed by the Act.

45.—(1) The Nigerian passport of any person convicted of an offence under the Act and any other enactment, shall be forfeited to the Federal Government and shall not be returned to that person unless the Minister so directs.

(2) A Nigerian deported for immigration related offences shall not be issued another passport until after two years of his deportation.

(3) A Nigerian deported for any other criminal offence, shall not be issued another passport until after five years of his deportation.

(4) Any person found guilty of fraudulently acquiring or possessing multiple Nigerian passports shall not be issued any other passport until after five years of his being convicted for such offence.

46. A person who presents forged travel documents to an Immigration Officer for the purpose of traveling out of Nigeria for human trafficking for the purpose of prostitution, child labour or child abuse commits an offence under section 57(4) (b) of the Act and is liable on conviction to a term of ten years imprisonment or to a fine of Two Million Naira or both.

47. Any expatriate who fails, neglects or refuses to apply for the—

(a) regularization of his stay in Nigeria within the stipulated period of three months ;

(b) renewal of his Business Permit, Transit Visa, Visitors Pass, or Temporary Work Permit (TWP) after expiration : or

Forfeiture of  
passport.

Presentation  
of forged  
travel  
documents  
to an  
Immigration  
Officer.

Refusal to  
apply for  
regularization  
of stay, etc.

(c) renewal of his residence permit thirty days after its expiration ;  
 commits an offence under section 57(5)(c) of the Act and is liable on conviction to a term of three years imprisonment or a fine of Five Hundred Thousand Naira or both.

48.—(1) An employer of a person liable to repatriation who—

(a) discharges such a person without giving notice to the Comptroller-General ; or

(b) causes such a person to be re-designated or change his employment, without the approval of the Comptroller-General :

commits an offence under section 58 of the Act and is liable on conviction to a term of five years imprisonment or to a fine of one million Naira or both.

(2) Where an employer convicted under sub-regulation (1) of this regulation is not a citizen of Nigeria, the employer and his dependants shall, if the Minister thinks fit, be deported and the business of the employer may be wound-up as prescribed by the Act.

49. A person who alters or assists another in altering travel document, or who produces or reproduces, or assists in the production or reproduction of any travel document without lawful authority, commits an offence under section 59 of the Act and is liable on conviction to a term of five years imprisonment or to a fine of One Million Naira or both.

50.—(1) A person guilty of an offence under the Act, where no specific penalty is provided, is liable on conviction to a term of one year imprisonment or a fine of One Hundred Thousand Naira or both and the Court may, if it thinks fit, order the deportation of the offender.

(2) An agent, who is not a body corporate and who is guilty of an offence under the Act, shall where no specific penalty is provided be liable on conviction to a term of ten years imprisonment or a fine of Two Million Naira or both.

(3) For the purpose of the trial of a person for any offence under the Act, the offence shall be deemed to have been committed either at the place at which it was committed, or at any place at which the offender may be.

51.—(1) An Immigrant who fails to comply with any of the provisions of these Regulations or who fails to comply with a notice issued under the provisions of these Regulations commits an offence and is upon—

(a) the first conviction liable to a fine not exceeding five hundred thousand Naira or a term of imprisonment not exceeding three months ; and

(b) a subsequent conviction to a fine not exceeding one million Naira or a term of imprisonment not exceeding six months or both such fine and imprisonment.

Discharge of any person liable to repatriation without notice.

Altering or assisting another in altering travel document.

General penalties under section 60 of the Act.

Offences and penalties relating to control of Immigrants.

(2) A person, not being an Immigrant, who fails to comply with any of the relevant provisions of these Regulations or who fails to comply with a notice issued under the provisions of these Regulations commits an offence and is upon—

(a) the first conviction liable to a fine not exceeding five hundred thousand Naira or a term of imprisonment not exceeding three months ; and

(b) a subsequent conviction liable to a fine not exceeding one million Naira or a term of imprisonment not exceeding six months or both such fine and imprisonment.

(3) A person who aids or abets any other person committing any offence against any provision of these Regulations or knowingly harbours any person who has committed any offence under these Regulations commits an offence and is upon—

(a) the first conviction liable to a fine not exceeding five hundred thousand Naira or a term of imprisonment not exceeding three months ; and

(b) a subsequent conviction liable to a fine not exceeding one million Naira or a term of imprisonment not exceeding six months or both such fine and imprisonment.

Offences  
by a body  
corporate.

52.—(1) Where an offence under the Act, these Regulations or any other relevant law committed by a body corporate is proved to have been committed on the instigation or with the connivance of or is attributable to any neglect on the part of a director, manager, secretary of the body corporate, or any person purporting to act in any such capacity, the officer or person shall be liable on conviction to a term of three years imprisonment or to a fine of Two Million Naira or both.

(2) Where the offence committed by the body corporate is an offence relating to smuggling of migrants, the Director, Manager, Secretary or such other persons purporting to act in any such capacity, shall be liable to the penalty prescribed for individuals under the various provisions for such offences under the Act.

(3) A body corporate convicted of an offence under the Act, is liable on conviction to a fine of Five Million Naira and the Court may issue an Order to wind-up the body corporate.

(4) Where a body corporate is convicted of an offence relating to smuggling of migrants, it shall be liable on conviction to a fine under the Act, and the Court may issue an Order to wind-up the body corporate and its assets and properties transferred to the Smuggling of Migrants Trust Fund.

(5) Nothing contained in sub-regulations (1) and (2) of this regulation shall render any person liable to any punishment if he proves that the offence

was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(6) A body corporate that refuses to renew its Expatriate Quota within the stipulated time or render its Expatriate Quota monthly returns, commits an offence and is liable on conviction to a fine of Three Million Naira.

(7) A body corporate shall—

(a) engage Nigerian employees who shall understudy expatriate employees ; and

(b) not allow the unauthorized utilization of its expatriate quota positions by any other organization.

(8) A body corporate who—

(a) refuses to employ Nigerians to understudy expatriate employees ; or

(b) allows the unauthorized utilization of its expatriate quota positions by any other organization ;

commits an offence and is liable to a fine of three million Naira for each month the position has been occupied by an expatriate without such understudy, and the affected expatriate employees shall be deported.

53. Any person who acts in contravention of or fails to comply with any —

(a) of the provisions of these Regulations ;

(b) condition set out for the grant of any visa or permit ; or

(c) directive or instruction given pursuant to any of the provisions of these Regulations ;

Administrative  
fines and  
penalties.

may upon the approval of the Comptroller-General be liable to an administrative fine or penalty not exceeding one million Naira.

#### PART VIII—SMUGGLING OF MIGRANTS

54.—(1) A person who intentionally or knowingly in order to obtain financial, material or other forms of benefit, from another person, procures, facilitates or promotes the illegal entry of a person into Nigeria, not being a citizen or permanent resident of Nigeria, commits an offence and is liable on conviction to a term of ten years imprisonment or to a fine of not less than one million Naira or both, and shall in addition—

Offences,  
penalties and  
compensations  
relating to  
smuggling of  
migrants.

(a) refund to the migrant all monies obtained from him in the course of the commission of the offence ; and

(b) compensate the smuggled migrant as may be determined by the court.

(2) Where the smuggled person's life or safety has been endangered or subjected to torture, inhuman or degrading treatment, exploitation, or the

offence is committed by a member of a criminal group, the offender shall be liable to the punishment prescribed under the Act.

(3) Where the smuggled migrant is a citizen of a Member State of the Economic Community of West African States and the receiving country is also a Member State of the Economic Community of West African States, the offender shall be liable to the punishment prescribed under the Act.

Offences relating to enabling illegal residence.

55.—(1) Any person who, intentionally or knowingly, in order to obtain a financial or material benefit, procures, facilitates, promotes or enables a person who is not a citizen or permanent resident of Nigeria to stay illegally in Nigeria as a smuggled migrant by means of a fraudulent identity document, residence permit or any other illegal means: commits an offence and is liable on conviction to a term of ten years imprisonment or a fine of not less than one million Naira or both.

(2) The offender under sub-regulation (1) of this regulation shall be liable to refund to the smuggled migrant all monies obtained from him in the course of the commission of the offence.

Offences relating to procurement of fraudulent travel documents.

56.—(1) Any person who for a financial or material benefit intentionally procures or possesses a fraudulent travel or identity document to enable the smuggling of a migrant, commits an offence and is liable on conviction to seven years imprisonment or a fine of not less than one million Naira or both and shall in addition—

(a) refund to the smuggled migrant all monies obtained from him in the course of the commission of the offence; and

(b) compensate the smuggled migrant as may be determined by the court.

(2) Subject to the provisions of the Act, where the smuggled person's life or safety has been endangered or subjected to torture, inhuman or degrading treatment, exploitation, or the offence is committed by a member of a criminal group, the offender shall be liable to imprisonment for a term of twelve years or a fine of not less than two million Naira or both.

Persons who may be held liable for the offence of smuggling of migrants

57. Pursuant to section 70 of the Act, the persons or group of persons who may be held liable for the offence of smuggling of migrant include anyone who—

(a) organizes or directs any other person to commit the offence;

(b) participates as an accomplice;

(c) procures another person by any means;

(d) aids, abets or counsels any person to commit the offence; or

(e) does any act preparatory to or in furtherance of the commission of the offence.

58. Any person who conspires to commit the offence of smuggling of migrant as provided for under the Act or any other relevant law shall be liable to the full penalty prescribed in the Act or that other relevant law but where the offence is not committed, the conspirator shall be liable to half of the penalty provided for the offence.

Conspiracy to commit the offence of smuggling of migrants.

59.—(1) Any person who attempts to commit any offence under the Act or any other relevant law shall be liable to a penalty of not less than half of the penalty prescribed for the offence.

Attempt to commit the offence of smuggling of migrants.

(2) Where the evidence establishes the commission of the full offence, the offender shall not be entitled to acquittal but shall be convicted for the commission of the offence, and shall be liable to the penalty provided for the offence under the Act.

60.—(1) Where any person in lawful custody escapes, or aids, facilitates or abets the escape of a person in lawful custody of the Service, that person who assisted the other person to escape shall upon conviction, be liable to the punishment prescribed under the Act.

Escape, aiding or abetting escape

(2) Where the offender, in the course of escaping, or aiding or abetting escape endangers the life or safety of any law enforcement officer or witness, he shall be liable to a term of fifteen years imprisonment or to a fine of three million Naira or both and in addition—

(a) compensate the officer or witness as the case may be as may be determined by the court : and

(b) all assets traceable to have been derived from the commission of the offence shall be forfeited and paid into the Objects of Smuggling of Migrants Trust Fund established under section 97 of the Act.

61.—(1) Any person who obstructs justice by any form of interference with evidence, exhibits or witness through the use of physical force, intimidation, blackmail or similar acts, commits an offence and is liable on conviction to fourteen years imprisonment or to a fine of two million Naira or both.

Obstruction of Justice.

(2) Where in the course of the interference, the offender who is a member of a criminal group, endangers the life of a witness, law enforcement officer or such other persons working to enforce the provisions of the Act, he shall be liable to the punishment prescribed under the Act.

(3) The offender under sub-regulation (2) of this regulation shall compensate any person affected by his offence and all assets traceable to have been derived from the commission of such an offence shall be forfeited and paid into the Objects of Smuggling of Migrants Trust Fund established under section 97 of the Act.

Consent of a smuggled migrant not a defence.

62. Subject to the provisions of the Act, the consent of a smuggled migrant shall not—

(a) be a defence for an offender :

(b) constitute a bar to the commencement of civil proceedings against the offender : or

(c) exempt the offender from any liability created under the Act.

Power to arrest without warrant.

63. An Immigration Officer may arrest without warrant any person whom he has reasonable grounds to believe has committed an offence under the Act.

Restitution and compensation.

64. Subject to the provisions of section 78 of the Act, the court may, as it deems fit, make Order or Orders for restitution and compensation of a smuggled person irrespective of his immigration status.

Freezing order on banks or other financial institutions.

65.—(1) Notwithstanding anything contained in any other enactment, where any person is arrested or is under investigation for an offence under the Act or any other relevant law, the Comptroller-General may, if satisfied that the money in the account of an arrested person is made through the commission of an offence under the Act or any other relevant law, apply to the court *ex parte* for an Order authorizing the Service to issue or instruct a bank examiner or such other appropriate regulatory authority to issue an order as specified in Form B of the Schedule to the Act, addressed to the manager of the bank or any person in control of the financial institution where the account is or believed by him to be or the head office of the bank or other financial institution, to freeze the account.

(2) The Comptroller-General or bank examiner may by such Order of the court, direct the bank or other financial institution to supply any information and produce books and documents relating to the account and to stop all outward payments, operations or transactions, including any Bill of Exchange, in respect of the account or accounts of the arrested person or a person under investigation.

Seizure, attachment and forfeiture of assets.

66.—(1) The Passport or any other travel document of any Nigerian convicted of the offence of smuggling of migrant shall be forfeited unless the Minister directs otherwise or on the exercise of the Prerogative of Mercy under the Constitution of the Federal Republic of Nigeria.

(2) Subject to the provisions of section 82 of the Act, a convicted person under the Act shall forfeit—

(a) all the assets and properties which are the subject of an Interim Attachment Order of the court after an attachment by the Service as specified by the provisions of the Act :



(b) any assets or properties derived from any proceeds obtained directly or indirectly not already disclosed in the Assets Declaration Form specified in Form A of the Schedule to the Act, or not subject of an Interim Attachment Order ; and

(c) any property or instrumentalities used in any manner to commit or to facilitate the commission of such offence not already disclosed in the Assets Declaration Form or not subject of an Interim Attachment Order.

(3) The amount of forfeited assets and properties shall be vested in the Federal Government of Nigeria and their proceeds shall be paid into the Consolidated Revenue Fund of the Federation from which they shall be immediately paid into the Objects of Smuggling of Migrants Trust Fund.

(4) The means of conveyance of smuggled migrants including vehicles, vessels, aircraft or other means of transportation shall be subject to forfeiture, except where—

(a) it is established that the means of conveyance used by the offender is used in the transaction of business as a common carrier and the owner or any person in charge of such means of conveyance was not a consenting party or was not privy to the commission of the offence ;

(b) the owner of the means of conveyance establishes that such means of conveyance was unlawfully and criminally in the possession of a person who is not the owner ; or

(c) it is established that the means of conveyance was used without the knowledge, consent or willful connivance of the owner.

67.—(1) The protection of the rights of smuggled migrants is hereby guaranteed and it shall be the responsibility of the Service to ensure that a smuggled migrant—

Treatment  
of smuggled  
migrants.

(a) is not subjected to discriminatory treatment on account of race, colour, gender, age, language, religion, political or other opinion, cultural beliefs or practices, national, ethnic or social origin, property, birth or other status, including his status as a smuggled migrant ;

(b) has access to adequate health and other social services during the period of his temporary residence in Nigeria ;

(c) has access to the embassy, high commission or consulate of the country of which he is a citizen or where there is no embassy, high commission or consulate, has access to the diplomatic representative of the State that takes charge of the country's interest or nationals, to protect him ;

(d) is able to return home safely, if he wishes and when he is able to do so ; and

(e) is not denied temporary residence visas during the pendency of any criminal, civil or other legal actions.

(2) The Service shall ensure that investigation, detection, gathering and interpretation of evidence are conducted in such a manner as to minimize intrusion into the personal history of a smuggled migrant and that the identity of a person smuggled is protected.

(3) The Service shall ensure that--

(a) the use of any person's history of being smuggled to discriminate or cause harm to such person, his family or his friends in any way whatsoever, particularly with regard to freedom of movement, marriage or search for gainful employment, is prohibited ;

(b) steps are taken to maintain and rehabilitate facilities provided for smuggled migrants : and

(c) a smuggled migrant and his family are protected from intimidation, threats, and reprisals from smugglers and their associates, including reprisals from persons in position of authority.

Establishment of transit shelters.

68. The Service shall establish Transit Shelters to provide a range of services to smuggled migrants, including counseling services, post-arrival orientation, information and programmes to promote social integration, as well as welfare programmes to assist smuggled migrants.

PART IX—COMMAND STRUCTURE OF THE SERVICE

Command structure of the service.

69. Pursuant to the provisions of section 6 of the Act, the command structure of the Service shall include officers of the rank of Deputy Comptroller of Immigration.

Officers of the rank of Deputy Comptroller of Immigration.

70. In line with the provisions of section 3(4) (b) of the Act, such other officers to be appointed by the Board may include Officers of the Rank of Deputy Comptroller of Immigration.

Duties of Deputy Comptroller of Immigration.

71. The duties of Deputy Comptroller of Immigration shall be as prescribed in the Service schedule of duties and such other duties as may be directed by the Comptroller-General.

Division for Regular Migration.

72. Pursuant to the provisions of section 61 (2) of the Act, the Division for Regular Migration shall have responsibility for handling matters relating to regular migrants.

Designated officers of the service to carry arms.

73. For the efficient and effective discharge of the duty of border surveillance and patrol, in accordance with the provisions of section 2(d) of the Act and the performance of such para-military duties conferred by section 2(f) of the Act, amongst other duties, it shall be lawful for designated officers

of the Service to carry arms, lethal weapons and such other gadgets that may be reasonably required or necessary.

#### PART X—MISCELLANEOUS

74.—(1) An application relating to employment in Nigeria of any person who is a national of any country other than Nigeria, shall be made to the Comptroller-General in writing.

Employment  
of  
immigrants.

(2) An application under sub-regulation (1) of this regulation shall contain particulars as to the full name of the prospective employee, date and place of birth, nationality, date and place of issue of passport, and such other information as the Comptroller-General may require.

75. An immigrant may be permitted by an Immigration Officer to enter or remain in Nigeria upon the immigrant or some other person on his behalf accepting full immigration responsibilities.

Acceptance  
of  
immigration  
responsibility.

76. A power exercisable under the Act in the case of any person may be exercised notwithstanding that proceedings for an offence under the Act have been taken against him.

Exercise of  
powers  
against any  
person  
standing trial  
for an  
offence.

77. Where a person wishes to make an application under any of the provisions of the Act or the Regulations made thereunder and the form of the application as prescribed by any regulation or an order under the Act or under the Regulations revoked by regulation 78 of these Regulations is unsuitable to the particular case, the Minister or the person to whom the application is to be made may authorise the application to be made in some other form, and such other form may, in like manner, be varied to suit any particular case.

Variation of  
forms.

78.—(1) The Immigration Regulations, 1963 is revoked.

(2) The Immigration (Control of Aliens) Regulations, 1963 is revoked.

Revocation  
and savings  
provisions.

(3) Without prejudice to section 6 of the Interpretation Act, the revocation of the Regulations specified in sub-regulations (1) and (2) of this regulation shall not affect anything done or purported to be done under or pursuant to the revoked Regulations.

(4) Subject to the provisions of the Act, the Minister may, from time to time, amend or revoke the provisions of these Regulations.

79. In these Regulations all the words used shall have same meaning as is attached to them and be construed in the same manner as in the Act, and in particular—

Interpretation.

“Act” means the Immigration Act, 2015 ;

"*Board*" means the Civil Defence, Fire, Immigration and Prisons Services Board (CDFIPB) or the Board of Objects of Smuggling of Migrants Trust Fund as the case may be :

"*Constitution*" means the Constitution of the Federal Republic of Nigeria, 1999 (as amended) :

"*Comptroller-General*" means Comptroller-General of Nigeria Immigration Service :

"*Immigration Headquarters*" means the operational and administrative office of the Nigeria Immigration Service, where the official seat of the Comptroller-General is situated :

"*Inhuman or degrading treatment*" includes treatment inflicted by any person that causes severe physical or mental pain, suffering or injury, or feelings of fear, anguish or inferiority that are capable of humiliating or debasing a person :

"*Offender*" includes but not limited to a convicted person under the Act :

"*Passport*" means a document of protection and authority to travel issued by the Nigeria Immigration Service to Nigerians wishing to travel outside Nigeria and includes—

(a) Standard Nigerian Passport :

(b) Nigerian Diplomatic Passport :

(c) Nigerian Official Passport :

(d) Nigerian Pilgrim's Passport : and

(e) Seaman's Passport or Seaman's Certificate of Identity :

"*Resident*" when used in relation to an Immigrant means a person entering and remaining in Nigeria for ninety days or more :

"*State*" means a State of the Federation or the Federal Capital Territory, Abuja ;

"*Smuggling of Migrants Trust Fund*" means the Objects of Smuggling of Migrants Trust Fund established under section 97 (1) of the Act : and

"*Stowaway*" means any person who, with the intention of evading immigration formalities, secretes himself on board a ship, aircraft or carrier by land, with or without payment for his passage.

Citation.

80. These Regulations may be cited as the Immigration Regulations, 2017.

SCHEDULES

FIRST SCHEDULE

[Regulation 4 (1)]

BUSINESS PERMIT

Permit No.....

Name of business .....

Name of Proprietors/Directors/Partners/Owners.....

.....

.....

Nature of business permitted .....

.....

.....

Place where business is permitted .....

.....

Any other conditions endorsed on the operation of the business .....

.....

.....

.....

Permitted expatriate quota .....

Positions in which expatriate quota is permitted .....

.....

*Minister  
Ministry of Interior*

*Note: Possession of this permit does not exempt the holder from the requirements of any residence permit or visa where applicable for entry into and residence in Nigeria.*

SECOND SCHEDULE [Regulation 24(1)(a)]

NOTICE TO ARRIVING AND DEPARTING IMMIGRANTS

1. A person who has attained the age of eighteen years and who is not a citizen of Nigeria, or who is not otherwise exempted from compliance with Registration, and who intends to reside in Nigeria for any period exceeding Ninety days shall register with the designated Immigration Officer in the State in which he or she resides, within twenty-one days of the date of arrival in Nigeria.
2. The address of the designated Immigration Officer at Abuja is—  
Nigeria Immigration Service Headquarters,  
Airport Road,  
Abuja.
3. Outside Abuja, the office of the designated Immigration Officer is situated at the Commands of the Nigeria Immigration Service in the State concerned.
4. A person required to register shall produce to the designated Immigration Officer his, or her, passport, residence permit and three recent passport photographs.
5. Failure to register within the time specified shall render the person concerned liable to a fine as prescribed by the Act

THIRD SCHEDULE [Regulation 24(1)(b)]

PARTICULARS OF IMMIGRANTS

Government of the Federal Republic of Nigeria

Mr/Mrs/Miss .....

A citizen of .....

\*was permitted to enter/\*left Nigeria at (place) .....

on (date) ..... by (name of air or shipping line or vehicle  
number) .....

and intends to reside at (state address if entering Nigeria) .....

.....

.....

Signature.....  
Immigration Officer

Place.....  
Date.....

## FOURTH SCHEDULE

[Regulation 29 (a) and (c)  
and Regulation 32(a)]

## HOTEL REGISTER

Full Name in Block Letters	Last Address	Occupation or Profession	Nationality Passport Number	Date of Arrival	Date of Departure	Destination	Signature

MADE at Abuja this 27th day of February, 2017.

LT. GEN. ABDULRAHMAN BELLO DAMBAZAU (RTD.)  
*Honourable Minister of Interior*

## EXPLANATORY NOTE

*(This note does not form part of these Regulations but is intended to explain its purport)*

These Regulations seek to complement and enhance the provisions of the Immigration Act, 2015, provide legal framework for the effective implementation of the Act, and consolidate existing Immigration Regulations.