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**PROEM**

The establishment of the Nigerian Content Development and Monitoring Board (NCDMB) in 2010 by the Nigerian Oil and Gas Industry Content Development Act, 2010 (the 'Act') was an initiative designed to drive local content development in Nigeria by the imposition of standards on capacity building, technology transfer and training in the Oil and gas industry.

The overall objective of the following ministerial regulations is to provide pragmatic strategies for the implementation and enforcement of the respective enabling sections of the Act.

**Nigerian Oil and Gas Industry Content Development Compliance and Enforcement Regulation 2021** The purpose of this Regulation is to ensure compliance with the provisions of this Act and other Regulations made pursuant to the Act.

**THE NIGERIAN OIL AND GAS INDUSTRY CONTENT DEVELOPMENT  
ACT (2010 No. 2)**

**NIGERIAN OIL AND GAS INDUSTRY CONTENT DEVELOPMENT  
COMPLIANCE AND ENFORCEMENT REGULATION, 2021**



**ARRANGEMENT OF REGULATIONS**

*Regulation :*

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2. Application of Regulation.
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4. Failure to obtain Certificate of Authorization from the Board.
5. Failure to give first consideration and comply with minimum Nigerian Content.
6. Failure to give exclusive consideration to Nigerians in the junior and intermediate cadre.
7. Failure to give first consideration to Nigerian Independent Operators to bid on land and swamp operating areas.
8. Failure to give exclusive consideration to Nigerian Indigenous Service Companies to bid on land and swamp operating areas.
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**THE NIGERIAN OIL AND GAS INDUSTRY CONTENT DEVELOPMENT  
ACT (2010 No. 2)**

**NIGERIAN OIL AND GAS INDUSTRY CONTENT DEVELOPMENT  
COMPLIANCE AND ENFORCEMENT REGULATION, 2021**

[26th Day of February, 2021]

Commence-  
ment.

In exercise of the power conferred on the Minister of State for Petroleum Resources by Section 101 of the Nigerian Oil and Gas Industry Content Development (NOGICD) Act, Cap P10, Laws of the Federation of Nigeria 2010 these Regulations are made this 26th day of February, 2021.

**PART I—OBJECTIVE, APPLICATION, OFFENCES AND PENALTIES**

1. The purpose of this Regulation is to ensure compliance with the provisions of the Nigerian Oil and Gas Industry Content Development Act 2010 (The Act) and other Regulations made pursuant to the Act, and give effect to Section 68 of the Act in ensuring efficient and accountable promotion of Local Content in the diverse sects of the Oil and Gas Industry in Nigeria.

Objective of  
Regulation.

2. This Regulation shall apply to all Persons and Agencies subject to the Act and Regulations made pursuant to the Act.

Application  
of  
Regulation.

3.—(1) Any Operator, Alliance Partner, Contractor or Project Promoter who, in bidding for any Licence, Permit or Interest, fails to submit a Nigerian Content Plan as required by the provisions of Section 7, 10 and 13 of NOGICD ACT, is liable for an offence and upon conviction, be punishable under Section 68 of the Act.

Failure to  
Submit or  
falseification  
of Nigerian  
Content  
Plan.

(2) Any Operator, Alliance Partner, Contractor or Project Promoter who submits a falsified Nigerian Content Plan to the Board with intent to defraud, shall be liable for a felony and upon conviction, punishable under Sections 125A and 435 (2) of the Criminal Code Act and other relevant laws applicable in Nigeria.

4.—(1) Any Operator, Alliance Partner, Contractor or Project Promoter who, in bidding for any Licence, Permit or Interest, Fails to obtain the Certificate of Authorization from the Board for a project as required by the provisions of Section 8 of NOGICD ACT, is liable for an offence and upon conviction, be punishable under Section 68 of the Act.

Failure to  
obtain  
Certificate of  
Authorization  
from the  
Board.

(2) Any Operator, Alliance Partner, Contractor or Project Promoter who forges a Certificate of Authorization with intent to defraud, shall be liable for a felony and upon conviction, punishable under Sections 125A and 435 (2) of the Criminal Code Act and other relevant laws applicable in Nigeria.



Failure to  
give first  
consideration  
and comply  
with  
minimum  
Nigerian  
Content.

5.—(1) Any Operator, Alliance Partner or a Contractor who fails to give first consideration to Nigerian goods and services in accordance with Section 10 (1) (a) and 12 of the NOGICD Act, shall be liable of an offence and upon conviction, be punished under Section 68 of the Act.

(2) Any Operator, Alliance Partner, Contractor or Project Promoter who makes a false representation to the Board, or any other public body that First consideration is given to Nigerians in accordance with Section 10(1)(a) and 10(1)(b) of the NOGICD Act, shall be liable for an offence of falsification of information under Section 125A of the Criminal Code Act or any other relevant law applicable in Nigeria and upon conviction, be punished under the same law.

(3) Any Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who fails to give first consideration for employment and training in any project executed in accordance with the provision of Section 10(1)(b) of the Act, is liable for an offence under Section 28 of the NOGICD Act and upon conviction, be punished under Section 68 of the Act.

(4) An Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian oil and gas industry who fails to submit to the Board an Employment and Training Plan with its required content is liable for an offence under Section 29 of the NOGICD Act and upon conviction, shall be punished under section 68 of the Act.

(5) Any Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian oil and gas industry who makes a false representation to the Board that it has complied with submitting to the Board an Employment and Training Plan with its required content is liable for an offence under Section 125A of the Criminal Code Act, the corresponding Penal Code section and any other relevant provision.

(6) Any Operator, Alliance Partner or a Contractor who fails to comply with the minimum Nigerian Content in accordance with Section 11 (3) of the NOGICD Act and the schedule to the Act, shall be liable of an offence and upon conviction, be punished under Section 68 of the Act.

(7) Any Operator, Alliance Partner, Contractor or Project Promoter who makes a false representation to the Board, or any other public body that the minimum Nigerian Content has been complied with, shall be liable for an offence of falsification of information under Section 125A of the Criminal Code Act or any other relevant law applicable in Nigeria and upon conviction, be punished under the same law.

(8) Where the contravention in Sub rule 2, 3 and 4 above is—

(a) Continuous in respect of different contracts, or

(b) Occurs in different occasion in a particular transaction. It will amount to separate offences and shall be charged separately.



6.—(1) Any Operator, Alliance Partner, Contractor, Project Promoter or Company operating in the Nigerian Oil and Gas Industry who employs a Non-Nigerian in its junior and intermediate cadre or any other corresponding grades designated by the Operator or Company is liable for an offence under Section 35 of the NOGICD Act and upon conviction, be punished under Section 68 of the Act.

Failure to give exclusive consideration to Nigerians in the junior and intermediate cadre.

(2) Any Operator, Alliance Partner, Contractor, Project Promoter who falsely represents to the Board that the Operator or Company employed Nigerians in its junior and intermediate cadre or any other corresponding grade as required under section 35 of the NOGICD Act, shall be liable for offences under Sections 125A and 435 of the Criminal Code Act or any other relevant law Applicable in Nigeria and upon conviction, punishable under the same law. Exclusive Consideration to Nigerians for the junior and intermediate cadre.

7.—(1) Any Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who fails or omits to give first consideration to Nigerian Independent Operators that have met the necessary requirement as specified by the Minister for the award of Oil Blocks, Oil Field Licenses, Oil Lifting and in all Project for which contract is to be awarded, is liable for an offence under Section 3(1) of the NOGICD Act and upon conviction, be punished under Section 68 of the Act.

Failure to give first consideration to Nigerian Independent Operators to bid on Land and Swamp operating areas.

2. Any Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who makes false representation to the Board, that first consideration has been given to Nigerian Independent Operators who have met the necessary requirement as specified by the Minister for the award of oil Blocks, Oil Field Licenses, Oil Lifting and in all project for which contract is to be awarded, is liable for a felony and upon conviction, punishable under Sections 125A of the Criminal Code Act or any other relevant law Applicable in Nigeria.

8.—(1) Any Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who fails to give exclusive consideration to Nigerian Indigenous Service Companies which demonstrate ownership of equipment, Nigerian personnel and capacity to execute such work to bid on Land and Swamp Operating Areas, is liable for an offence under Section 3(2) of the NOGICD Act and upon conviction, be punished under Section 68 of the Act.

Failure to give exclusive consideration to Nigerian indigenous service companies to bid on Land and Swamp operating areas.

(2) Any Operator, Alliance Partner, Contractor, Project Promoter who falsely represents to the Board that exclusive consideration is given to Nigerian Indigenous Service Companies which demonstrate ownership of equipment, Nigerian personnel and capacity to execute such work to bid on Land and Swamp Operating areas, as required under section 3 (2) of the NOGICD Act, shall be liable for an offence under Sections 125A and 435 of the Criminal Code Act or any other relevant law Applicable in Nigeria and upon conviction, punishable under the same law. Liability for failure to give first consideration to Nigerian Independent Operators to bid on Swamp Operating Areas. Failure to give exclusive consideration or Falsely representing that such has been given.



Failure to make remittance, contributions or deductions to the board on any contract awarded.

9.—(1) Any Operator, Contractor, Subcontractor, Alliance Partner or other entity who fails to pay, deduct or remit to the Board, the sum of one percent of any contract awarded or any part thereof yet to be paid in the upstream sector of the Nigeria Oil and Gas industry, shall be liable for an offence contrary to the provision of Section 104 (2) of the NOGICD Act and upon conviction, be punished under Section 68 of the Act.

(2) Any Operator, Contractor, Subcontractor, Alliance Partner or other entity who falsely represents to the Board that it has complied with the provision of Section 104 (2) of the NOGICD Act, shall be liable for offences contrary to Sections 125A and 435 of the Criminal Code Act or any other relevant law Applicable in Nigeria and upon conviction, punishable under the same law.

Failure to submit documents during pre-qualification stage.

10.—(1) Any Operator or Project Promoter who fails to submit any or all of the following documents to the Board for approval in accordance with Section 20 of the NOGICD Act—

- (a) a description of the scope of work ;
- (b) a copy of the pre-qualification notification, if these documents differ from the standard pre-qualification notification previously reviewed by the Board ;
- (c) a list of companies, indicating locations of head offices, to whom questionnaires shall be issued ; and
- (d) anticipated dates for closure of prequalification and commencement of technical evaluation, issuance of an Invitation to Tender (ITT), shall be liable for an offence contrary to Section 20 of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

(2) Any Operator or Project Promoter who submits a false document with intent that it may in any way be used or acted upon as genuine, shall be liable for felony under Sections 125A and 465 of the Criminal Code Act and punishable under Section 125A and 467 of the Act or any other relevant law Applicable in Nigeria. Failure to Remit, contribute and deduct to the Nigerian Content Development Fund. Falsifying or failing to submit the required documents during Pre-qualification stage.

Failure to submit required documents during bidders list stage.

11.—(1) Any Operator, Project Promoter or Alliance Partner who fails to submit the following documents as required by Section 21 of the NOGICD Act for the prior approval of the Board before issuing an Invitation to Tender—

- (a) a list of bidders ;
- (b) a copy of the Invitation to Tender (ITT),
- (c) a description of corporate ownership (main shareholders by percentage) of bidders,
- (d) location of any Nigerian based office, plant or facility,



Failure to make remittance, contributions or deductions to the board on any contract awarded.

9.—(1) Any Operator, Contractor, Subcontractor, Alliance Partner or other entity who fails to pay, deduct or remit to the Board, the sum of one percent of any contract awarded or any part thereof yet to be paid in the upstream sector of the Nigeria Oil and Gas industry, shall be liable for an offence contrary to the provision of Section 104 (2) of the NOGICD Act and upon conviction, be punished under Section 68 of the Act.

(2) Any Operator, Contractor, Subcontractor, Alliance Partner or other entity who falsely represents to the Board that it has complied with the provision of Section 104 (2) of the NOGICD Act, shall be liable for offences contrary to Sections 125A and 435 of the Criminal Code Act or any other relevant law Applicable in Nigeria and upon conviction, punishable under the same law.

Failure to submit documents during pre-qualification stage.

10.—(1) Any Operator or Project Promoter who fails to submit any or all of the following documents to the Board for approval in accordance with Section 20 of the NOGICD Act—

- (a) a description of the scope of work ;
- (b) a copy of the pre-qualification notification, if these documents differ from the standard pre-qualification notification previously reviewed by the Board ;
- (c) a list of companies, indicating locations of head offices, to whom questionnaires shall be issued ; and
- (d) anticipated dates for closure of prequalification and commencement of technical evaluation, issuance of an Invitation to Tender (ITT), shall be liable for an offence contrary to Section 20 of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

(2) Any Operator or Project Promoter who submits a false document with intent that it may in any way be used or acted upon as genuine, shall be liable for felony under Sections 125A and 465 of the Criminal Code Act and punishable under Section 125A and 467 of the Act or any other relevant law Applicable in Nigeria. Failure to Remit, contribute and deduct to the Nigerian Content Development Fund. Falsifying or failing to submit the required documents during Pre-qualification stage.

Failure to submit required documents during bidders list stage.

11.—(1) Any Operator, Project Promoter or Alliance Partner who fails to submit the following documents as required by Section 21 of the NOGICD Act for the prior approval of the Board before issuing an Invitation to Tender—

- (a) a list of bidders ;
- (b) a copy of the Invitation to Tender (ITT),
- (c) a description of corporate ownership (main shareholders by percentage) of bidders,
- (d) location of any Nigerian based office, plant or facility,

(e) anticipated dates for closure of bids and award of contract or purchase order ; and

(f) any other information requested by the Board, shall be liable for an offence contrary to Section 21 of the NOGICD Act, and upon conviction, punishable under Section 68 of the Act.

(2) Any Operator, Project Promoter or Alliance Partner who fails to submit all necessary documents as required by the Act or any other law shall be charged separately for that failure in respect of each document.

(3) Where the Operator, Project Promoter or Alliance Partner partially submits the relevant document but fails to submit the rest; the operator will be charged separately for those documents he failed to submit.

(4) Any Operator, Project Promoter or Alliance Partner who submits a false document with intent that it may in any way be used or acted upon as genuine, shall be liable for felony contrary to Section 125A and 465 of the Criminal Code Act and upon conviction, punishable under Sections 125A and 467 of the Act or any other relevant law Applicable in Nigeria.

12.—(1) Any Operator who fails to submit to the Board for approval, the following documents—

Conspiracy and contravention in relation to Section 17 of the Act.

(a) advertisements,

(b) pre-qualification criteria,

(c) technical bid documents,

(d) technical evaluation criteria; and

(e) the proposed bidders' lists in respect of proposed projects, contracts, subcontracts and purchase orders in excess of \$1,000,000 (USD), shall be liable for an offence contrary to Section 17 (1) and 18 of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

(2) Any Operator who fails to submit all necessary documents as required by the Act or any other law shall be charged separately for that failure in respect of each document.

(3) Any Operator who submits a false document with intent that it may in any way be used or acted upon as genuine, shall be liable for felony contrary to Sections 125A and 465 of the Criminal Code Act and upon conviction, punishable under Sections 125A and 467 of the Act or any other relevant law Applicable in Nigeria.

13.—(1) Any Operator who fails to submit any or all of the following documents—

Violation in respect of Section 22 of the Act.

(a) the name of the selected Contractor or Vendor ;

(b) a list of designated Sub-Contractors or Sub-Vendors ;

(c) where applicable, a list of proposed Sub-Suppliers ;

(d) for construction or service contracts; the estimated Nigerian employment (in person-hours) ;



- (e) contract or purchase order commencement and completion dates ;
- (f) award Notification Form signed by an appropriate official of the Operator ; and
- (g) statement of award rationale (evaluation of bids),

to the Board for approval in accordance with Section 22 of the NOGICD Act; prior to the award of contract, subcontract or purchase order to the selected bidder, shall be liable for an offence contrary to Section 22 of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

(2) Any Operator who fails to submit all necessary documents as required by the Act or any other law shall be charged separately for that failure in respect of each document.

(3) Any Operator who submits a false document with intent that it may in any way be used or acted upon as genuine, shall be liable for felony contrary to Sections 125A and 465 of the Criminal Code Act and upon conviction, punishable under Sections 125A and 467 of the Act or any other relevant law Applicable in Nigeria.

Contravention  
of Expatriate  
Quota  
Requirements.

14.—(1) Any Operator, Alliance Partner, Contractor or Project Promoter who fails to make an application to, and obtain the approval of the Board before making application for expatriate quota to the Ministry of Internal Affairs or any other agency or Ministry of the Federal Government, is liable for an offence under Section 33 (1) of the NOGICD Act and upon conviction, be punished under Section 68 of the Act.

(2) Any Public Officer who fraudulently issues an Expatriate quota approval exceeding the number approved by the Board, is liable for an offence under Section 8 of the ICPC Act or any other relevant law Applicable in Nigeria and upon conviction, punishable under the same law.

(3) Any Operator, Alliance Partner, Contractor or Project Promoter who falsely alters the Board's approved Expatriate quota, either by increasing the quota or extending the quota duration with intent that it may in any way be used or acted upon as genuine, shall be liable for an offence under the provisions of Sections 125A and 465 of the Criminal Code Act and upon conviction, be punished under Sections 125A and 467 of the Act or any other relevant law Applicable in Nigeria.

(4) Any Operator, Alliance Partner, Contractor or Project Promoter who forges an Expatriate quota approval, issued by the Board with intent that it may in any way be used or acted upon as genuine, is liable for an offence under Section 465 of the Criminal Code Act and upon conviction, punishable under Sections 125A and 467 of the Act or any other relevant law Applicable in Nigeria.

(5) Any Operator, Alliance Partner, Contractor or Project Promoter who falsely represents to the Ministry of Internal Affairs or any other Agency or Ministry of the Federal Government that they made an application to, and received



the approval of the Board before making application for expatriate quota to the Ministry of Internal Affairs or any other Agency or Ministry of the Federal Government, is liable for a felony and upon conviction, punishable under Sections 125A of the Criminal Code Act or any other relevant law Applicable in Nigeria.

(6) An Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian oil and gas industry who fails to keep the non-Nigerian citizens in its employment at a maximum of five percent as expatriate positions to take care of investment interest is liable for an offence under sections 31(1) of the NOGICD Act and upon conviction, shall be punished under section 68 of the Act.

(7) Any Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian oil and gas industry who makes a false representation to the Board, that it complied with giving only five percent of its employment quota to non-Nigerians is liable for an offence under Section 125A of the Criminal Code Act, the corresponding penal code section and any other relevant provision.

15.—(1) Any Person or Entity who receives or acts on a promise to receive any benefit to influence the amount of Expatriate quota that an entity is entitled to, shall be liable for an offence under Section 8 of the ICPC Act or any other relevant law Applicable in Nigeria and upon conviction, punishable under the same law.

Liability of persons and entity in respect of Expatriate Quota Violation.

(2) Any Operator, Alliance Partner, Contractor, Project Promoter or other entity who influences or falsifies the number of Expatriate Quota to be more or less than the approved number by offering, promising to offer, giving or conferring any form of benefit to any Public Officer, shall be liable for an offence under Section 125A of the Criminal Code Act, and section 8 of the ICPC Act or any other relevant law Applicable in Nigeria and upon conviction, punishable under the same law.

(3) For the avoidance of doubt, all persons and entities shall be charged with Conspiracy to commit the above offences referred to in this Regulation, and punishable under Section 518 of the Criminal Code Act or any other relevant law Applicable in Nigeria.

16.—(1) Any Operator, Alliance Partner, Contractor, Project Promoter or other body, who while submitting a plan fails to establish in the Catchment Area where the project is to be located, a Project Office where project management and procurement decision making are to take place, to the satisfaction of the Board, shall be liable for an offence contrary to Section 25 of the NOGICD Act and upon conviction, punishable under Section 68 of the NOGICD Act.

Failure to establish a Project Office in the Catchment Area where the project is located.

(2) Any Operator, Alliance Partner, Contractor, Project Promoter or other body who while submitting a plan, falsely represents to the Board that it has a project office, where in fact it does not; shall be liable for an offence under Section 125A of the Criminal Code Act and upon conviction, punishable under the Section and other corresponding provisions.



Failure to submit mandatory information and documents.

17.—(1) An Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who fails to submit a list of all contracts, subcontracts and purchase orders exceeding US\$1,000,000.00 (one million United States Dollars) or such other limit as the Board may determine, awarded in the previous quarter is liable for an offence under Section 24 of the NOGICD Act and upon conviction, shall be punished under section 68 of the Act.

(2) Any Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who makes a false representation to the Board, that it complied with submitting a list of all contracts, subcontracts and purchase orders exceeding US\$1,000,000.00 (one million United States Dollars) or such other limit as the Board may determine, awarded in the previous quarter is liable for an offence under Section 125A of the Criminal Code Act, the corresponding Penal Code section and any other relevant provision.

(3) An Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who fails to submit the Conditions of Service and Staff Demography is liable for an offence under Section 31 (3) of the NOGICD Act and upon conviction, shall be punished under section 68 of the Act.

(4) Any Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who makes a false representation to the Board that it has complied with submitting the Conditions of Service and Staff Demography is liable for an offence under Section 125A of the Criminal Code Act, the corresponding Penal Code section and any other relevant provision.

(5) An Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who fails to submit annually to the Board a Plan setting out a programme of planned initiative aimed at the transfer of technologies from the Operator and Alliance Partners to Nigerian individuals and companies is liable for an offence under Section 44 of the NOGICD Act and upon conviction, shall be punished under section 68 of the Act.

(6) Any Operator, Alliance partner, contractor or project promoter in the Nigerian Oil and Gas Industry who makes a false representation to the Board that it has complied with submitting annually to the Board a Plan setting out a programme of planned initiative aimed at the transfer of technologies from the Operator and Alliance Partners to Nigerian individuals and companies is Liability for the failure to submit mandatory information and documents liable for an offence under Section 125A of the Criminal Code Act, the corresponding Penal Code section and any other relevant provision.

Failure to carry out all fabrication and welding activities in Nigeria.

18.—(1) Any Operator, Alliance Partner, Contractor, Project Promoter or any other entity engaged in the Nigerian Oil and Gas Industry that does not carry out all fabrication and welding activities in the country, without the prior approval of the Board shall be liable for an offence contrary to Section 53 of NOGICD Act and punishable under Section 68 of the Act. (2) Any Operator, Alliance Partner, contractor, project promoter or any other entity who falsely represents



to the Board that it carried out wielding activities in Nigeria, in accordance with section 53 of NOGICD shall be liable for an offence under Sections 125A and 435 of the Criminal Code Act or any other relevant law Applicable in Nigeria and upon conviction, punishable under the same law.

19.—(1) An Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who fails to include a "Labour Clause" in projects or contracts whose total budget exceeds ₦10,000,000.00 (ten million Naira) mandating the use of a minimum percentage of Nigerian labour in specific cadres within the time stipulated by the Board is liable for an offence under Section 34 of the NOGICD Act and upon conviction, shall be punished under section 68 of the Act.

Failure to include labour clause in projects or contracts.

(2) Any operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry who makes a false representation to the Board that it has complied with including a "Labour Clause" in projects or contracts whose total budget exceeds ₦10,000,000.00 (ten million Naira) mandating the use of a minimum percentage of Nigerian labour in specific cadres within the time stipulated by the Board is liable for an offence under Section 125A of the Criminal Code Act, the corresponding Penal Code section and any other relevant provision.

20.—(1) Any Operator, Alliance Partner, Contractor or Project Promoter who does not carry out a program and make expenditure to the satisfaction of the Board or carries out a program contrary to the plan submitted and approved by the Board for the promotion of education, attachments, training, research and development in Nigeria in relation to its work program and activities, shall be liable for an offence contrary to the provision of Section 37 of the NOGICD Act or and upon conviction, punishable under Section 68 of the Act.

Failure to comply with programme for Research and Development.

(2) Any Operator, Alliance Partner, Contractor or Project Promoter who falsely represents to the Board, that it has complied with the provision of Section 37 of the NOGICD Act, shall be liable for offences contrary to Sections 125A and 435 of the Criminal Code Act or any other relevant law Applicable in Nigeria and upon conviction, punishable under the same law.

21.—(1) An Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry person engaged in the provision of Engineering or other Professional Services in the Nigerian Oil and Gas Industry who fails to be registered with the relevant Professional Bodies in Nigeria is liable for an offence under Section 42 of the NOGICD Act and upon conviction, shall be punished under section 68 of the Act.

Failure to comply with the requirement for Registration with professional bodies.

(2) Any Operator, Alliance Partner, Contractor or Project Promoter in the Nigerian Oil and Gas Industry engaged in the provision of engineering or other professional services in the Nigerian Oil and Gas Industry who makes a false representation to the Board that it has complied with registering with the relevant



Professional Bodies in Nigeria, is liable for an offence under Section 125A of the Criminal Code Act, the corresponding penal code section and any other relevant provision.

Failure to  
insure risks.

22.—(1) Any Operator, Project Promoter, Alliance Partner and, Nigerian Indigenous Company, who engages in any form of business, operations or contract in the Nigerian Oil and Gas Industry without insuring all insurable risks related to its Oil and Gas business, operations or contracts with an insurance company, through an insurance broker registered in Nigeria under the provisions of Insurance Act as amended, shall be liable for an offence contrary to Section 49 of the NOGICD Act; and upon conviction, punishable under Section 68 of the Act.

(2) Any Operator, Project Promoter, Alliance Partner and, Nigerian Indigenous Company who fails to submit to the Board, a list of all insurance companies and insurance brokers through which insurance covers were obtained in the past six months, the class of insurance cover obtained and the expenditures made by the operator; shall be liable for an offence contrary to Section 49(2) of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

(3) Any Operator, Project Promoter, Alliance Partner and, Nigerian Indigenous Company who fails to include in its insurance program any of the following—

(a) A comprehensive report of—

(i) Insurance covers obtained in the past six months of all insurance by expenditure,

(ii) a forecast of insurance covers required during the next six months, and ;

(iii) the projected expenditure for the covers.

(b) A list of—

(i) All insurance companies' brokers through which insurance covers were obtained in the past six months,

(ii) The class of insurance cover obtained,

(iii) The expenditures made by the operator, and

(c) the Annual Insurance premium budget for the past one year in Naira and foreign currencies. Shall be liable for an offence contrary to Section 49 (3) of the NOGICD Act and punishable under Section 68 of the Act.

(4) Where the Operator, Project Promoter, Alliance Partner and, Nigerian Indigenous Company partially submits the relevant document but fails to submit the rest ; the Operator will be charged separately for those documents he failed to submit.

(5) Any Operator, Project Promoter, Alliance Partner and, Nigerian Indigenous Company who submits a false document with intent that it may in any way be used or acted upon as genuine, shall be liable for felony contrary to Sections 125A and 465 of the Criminal Code Act and upon conviction, punishable

under Sections 125A and 467 of the Act or any other relevant law applicable in Nigeria.

23.—(1) Any Operator, Contractor and other entities engaged in any operation, business or transaction in the Nigerian Oil and Gas Industry requiring legal services, who fails, refuses or neglects to retain only the services of a Nigerian Legal Practitioner or a Firm of Nigerian Legal Practitioners whose office is located in any part of Nigeria, shall be liable for an offence contrary to Section 51 of the NOGICD Act and upon conviction, punishable under the provisions of Section 68 of the Act.

Failure to engage a Nigerian Legal Practitioner or Firm.

(2) Any Operator, Contractor and other entities that does not submit to the Board, every six months, its Legal Services Plan (LSP), shall be liable for an offence contrary to Section 51 of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

(3) Any Operator, Contractor and other entities who submits a false Legal Service Plan (LSP) with intent that it may in any way be used or acted upon as genuine, shall be liable for felony under Sections 125A and 465 of the Criminal Code Act and upon conviction, punishable under Sections 125A and 467 or any other relevant law Applicable in Nigeria.

(4) Any Expatriate Legal Practitioner or Expatriate Law Firm engaged by the Operator, Contractor and other entities shall be liable for misdemeanour punishable under Section 518 (1) of the Criminal Code Act or any other relevant law Applicable in Nigeria.

24.—(1) Any Operator, Contractor and other entities engaged in any operation, business or transaction in the Nigerian Oil and Gas Industry, requiring financial services who fails to retain the services of Nigerian Financial Institutions or Organizations, shall be liable for an offence contrary to Section 52 (1) of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

Failure to retain the services of a Nigerian Financial Institution.

Provided that where the Operator, Contractor or any other entity has been exempted by the Board in writing, on the basis of the impracticability of retaining the service of a Nigerian Financial Institution, that Operator, Contractor or Entity will not be liable under the Act.

(2) Any Operator, Contractor or entity who falsely represents to a public officer that the exemption has been granted by the Board, shall be liable for an offence under Sections 125A and 465 of the Act ; and punishable under Sections 125A and 467 of the Act or any other relevant law Applicable in Nigeria.

(3) Any Operator, Contractor or entity that fails, refuses or neglects to submit to the Board, every six months its Financial Services Plan (FSP), shall be liable for an offence contrary to Section 52 (2) of the NOGICD Act and punishable under Section 68 of the Act.

(4) Where Financial Service Plan submitted by the Operator does not include any of the following—



- (a) financial services utilized in the past six months by expenditure ;
- (b) a forecast of financial services required during the next six months ;
- (c) the projected expenditure for the services ;
- (d) A list of —
  - (i) financial services utilized in past six months,
  - (ii) the nature of financial services provided, and
  - (iii) the expenditure for financial services.
- (e) A list of—
  - (i) financial services utilized in the past six months,
  - (ii) the nature of financial services provided, and
  - (iii) the expenditure for financial services made by the operator or its main contractors.

(5) The Operator, Contractor or entity shall be deemed to have contravened the provision of Section 52 of the NOGICD Act ; punishable under Section 68 of the Act.

Any Operator, Contractor or entity who submits a false Financial Service Plan (FSP) with intent that it may in any way be used or acted upon as genuine, shall be liable for the offence of felony under Section 125A and 465 of the Criminal Code Act and punishable under Sections 125A and 467 of the Act or any other relevant law Applicable in Nigeria.

(6) Any Operator, Contractor and Sub-Contractor who fails, refuses or neglects to maintain a bank account in Nigeria, shall be liable for an offence contrary to Section 52 of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

(7) Any Operator, Contractor or Sub-Contractor who maintains a bank account in Nigeria, but such amount retained in the account is less than a minimum of 10% of its total revenue accruing from its Nigerian operation. That Operator, Contractor or Sub-Contractor shall be liable for an offence contrary to Section 52 of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

Liability for refusal to grant access to the Board or its agent for the purpose of assessment.

25.—(1) Any Operator or Contractor who fails or refuses to provide the Board or it's designated Agent with access to their facilities and all documentation and information required for substantiating the Nigerian content reported, shall be liable for an offence contrary to Section 64 of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

(2) Any Operator who fails or refuses to ensure that it's Partners, Contractors and Subcontractors, allow the Board or it's designated Agent access to their records for the purposes of assessment and verification of Nigerian content information reported to the operator or the Board, shall be liable for an offence contrary to Section 65 of the NOGICD Act and upon conviction, punishable under Section 68 of the Act.

26. Any Operator who fails or refuses to effectively communicate its Nigerian content policies and procedures to its Contractors and Subcontractors, and monitor or enforce compliance, shall be liable for an offence contrary to Section 66 of the NOGICD Act and upon conviction, punishable under Section 68 of the Act. The contractors and subcontractor will be charged as accessories to the offence.

Operators  
Liability for  
failure to  
monitor and  
enforce  
compliance  
on it's  
Contractors  
or Sub-  
contractors.

27.—(1) Any Company that contravenes any provision of any law contained in this regulation ; the Directors of that Company shall be charged for that offence along with the Company under the relevant laws.

Liability of  
Directors  
and Officers  
of a  
Company.

(2) Where the offence relates to Fraud, Forgery, or False Statement; every officer of that Company or organization that is involved in the perpetration of the Fraud, Forgery or False Statement will be charged along with the Company under relevant laws.

28.—(1) Where any Person or Entity is charged with an offence referred to in any Rule in this handbook; any Company, Law Firm, Financial Institution or any other third-party involved in the commission of the offence, shall be deemed to have contravened the provision of Section 518 (1) of the Criminal Code Act or any other relevant law Applicable in Nigeria.

Liability of  
Third  
parties.

#### PART II—ADMINISTRATIVE REMEDIATION SANCTIONS

29.—(1) The Board may impose punitive capacity development initiatives (CDI's) for non-compliance with any provision of the Act or Regulation.

Punitive  
Capacity  
Development  
Initiatives  
(CDI's).

(2) Where specific enforcement sanctions have not been provided for in Part 1 of this regulation, the Board may impose punitive capacity development initiatives as it deems fit.

(3) Any punitive capacity development initiative imposed by the Board shall become due and payable within the time stipulated in the notice of non-compliance or if no time is stipulated, within 14 days of the date of service of the notice of non-compliance or where an appeal is lodged against the decision of the Board, within 14 days of receipt of notice of affirmation from the Minister.

(4) Where a fine imposed remains unpaid after the duration contained in 3 above, the Board may in addition impose other administrative sanctions aimed at ensuring compliance with its order or directive.

(5) The payment of an administrative fine by a person found to be in non-compliance of the Act or its Regulations shall not in any way be construed as limitation or foreclosure of any of the powers of the Board under Section 68 of the Act.



Suspension  
or  
cancellation  
of  
Certificates,  
Approvals  
or Permits.

30.—(1) Without prejudice to any provision of the Act, the Board may suspend or cancel any Certificate, Approval or Permit granted to any Person in respect of a Project or Operation if, in its opinion—

(a) the Certificate, Approval or Permit was issued as a result of Fraud, Misrepresentation or Nondisclosure of a material fact by the holder of the said Certificate, Approval or Permit ; or

(b) the holder of the Certificate, Approval or Permit has been found pursuant to this regulation to have failed to comply with any provision of the Act, Regulation or any of the Board's decisions or orders ; or

(c) the holder of the Certificate, Approval or Permit is found, pursuant to this regulation, to have persistently and repeatedly failed to comply with any provision of the Act or any Regulatory Instrument ; or

(d) the holder of the Certificate, Approval or Permit is found to have failed to comply with any of the terms and conditions upon which the Certificate, Approval or Permit was issued to it by the Board ; or

(e) the holder of the Certificate, Approval or Permit is unable to comply with the circumstances of the Periodic Plans, Reports and Budget submitted by such a person to the Board as required in the Act or Regulation ; or

(f) the holder of the Certificate, Approval or Permit has failed to pay any administrative fine imposed by the Board for non-compliance with any provision of the Act or Regulation ; or

(g) Where the Board is satisfied that it is in national interest to suspend or cancel the Certificate, Approval or Permit.

(2) The Board shall issue a written notice of suspension or cancellation to the person concerned stating the reason for the suspension or cancellation and the steps that must be taken before the suspension is lifted or a new certificate, approval or permit is granted.

(3) Where the suspension or cancellation of a certificate, approval or permit has taken effect, the Board shall within 30 days—

(a) Notify the Minister of Petroleum Resources of the suspension or cancellation ;

(b) Notify the defaulting person's contractual partners on that project of the suspension or cancellation ;

(c) cause the suspension or cancellation to be published in at least two national daily newspapers, and on the Board's website—

PROVIDED THAT any delay or failure to publish the notice of suspension or give notice shall not in any manner affect the validity of the suspension or cancellation.

(4) In addition to the suspension or cancellation of the Certificate, Approval or Permit, the Board may impose on the defaulting person any administrative fine or other applicable enforcement provisions contained in this Regulation.

(5) Any suspension imposed by the Board shall remain in force until such time as the holder of the suspended Certificate, Approval or Permit to the satisfaction of the Board, demonstrates compliance with the provision of the Act or any Regulation contravened or for such time as the Board may at its discretion state in the written notice of suspension.

(6) Any fees which have been paid in respect of a Certificate, Approval or Permit cancelled pursuant to this regulation shall not be refunded whether in part or in whole consequent upon cancellation and the Board shall maintain a register of cancelled certificates, permits and approvals.

(7) The original copy of any Certificate, Approval or Permit that is cancelled pursuant to this Regulation shall be returned to the Board within 14 days of the effective date of the cancellation.

(8) The Board shall take necessary steps to ensure continuity in respect of the Project or Operations for which a Certificate, Approval or Permit that is suspended or cancelled was issued.

(9) For the avoidance of doubt the Board's power to cancel a Certificate, Approval or Permit in this Regulation is without prejudice to the exercise of its power in Section 68 of the Act, particularly its power to cancel a Project.

31.—(1) The Board or any authorised person acting on its behalf may—

(a) subject to Regulation 31(4) of this regulation, seal off or seize and detain in the custody of the Board or take away for such period and on such terms as the Board may consider expedient or necessary to carry out and conclude the relevant enforcement procedure—

(i) any apparatus, equipment or facility,

(ii) any building or premises, or,

(iii) any book, record, document or other information storage system.

(2) Where the seizure of any item specified in Regulation 31(1) of this regulation is capable of causing a disruption in the operation of the Oil and Gas Industry, the Board may make such orders or take such steps as it may deem necessary for maintaining continuity in the operations.

(3) The Board or any authorized person acting on its behalf may seize and detain or seal off, as the case may be, any of the items mentioned in Regulation 31(1) of this Regulation in the following circumstances—

(a) where the sealing off of premises or seizure and detention of goods is expressly stated as the administrative sanction ;

(b) where the Board determines that there has been deliberate refusal to comply with its specific directives, orders or decisions in order to compromise the development of Nigerian Content in the Nigerian Oil and Gas Industry ;

(c) where such items or the use thereof constitutes part of an unlawful or unauthorized operation or use ;

Sealing Off  
Premises,  
Detention or  
Seizure of  
Equipment  
and taking  
away of  
Records.



(d) where such items are relevant and required for an investigation or other enforcement measure pursuant to this Regulation or the prosecution in court of a person in accordance with Section 68 of the Act or civil proceedings in accordance with Regulation 39(3) of this Regulation.

(4) In seizing, detaining, taking away or sealing off any of the items specified in Regulation 31(4) of this Regulation, the Board shall—

(a) obtain a warrant from a Judge of a court of competent jurisdiction ;

(b) provide to the owner or his agent, a written inventory of the seized equipment, facility, book, record, document or other information storage system; provided that no inventory shall be necessary where the item is sealed off and remains in the custody of the owner or agent.

### PART III—ENFORCEMENT PROCEDURE

Initiation of  
the  
Enforcement  
process.

32.—(1) In imposing administrative fines and sanctions the Board may be guided by the following factors—

(a) severity of the non-compliance ;

(b) need to impose fine as an impediment to Nigerian Content development ;

(c) transparency and non-discrimination in similar situations involving other persons ;

(d) general conduct, including admission of non-compliance of defaulting person ;

(e) nature of non-compliance and its general prevalence ;

(f) duration of non-compliance ;

(g) circumstances of non-compliance including whether it was deliberate, in bad faith, reckless or negligently committed ;

(h) record of previous or similar non-compliance by defaulting person ;

(i) any gain, financial or otherwise, to the defaulting person occasioned by the non-compliance ;

(j) mitigating circumstances in favour of the defaulting person ; and

(k) any other factor that the Board may from time to time, consider.

(2) The Board shall exercise its enforcement powers under the Act—

(a) on its own initiative, where the Board has grounds to believe that there has been or there is non-compliance with any provision of the Act or any Regulation made pursuant to the Act ; or

(b) in response to a formal complaint in writing made by any person that has grounds to believe that there has been or there is non-compliance with any provision of the Act or any Regulation made pursuant to the Act.

Conduct of  
Investigation.

33.—(1) The Board may authorize any of its officials or appointed agents to conduct an investigation into the affairs of any person to determine if such a person has failed to comply with any provision of the Act or any Regulation.

(2) Any person authorized by the Board to conduct an investigation shall have power to obtain information from such persons as he or she thinks fit.

(3) A person that is being investigated by the Board shall be notified in writing before such investigation commences.

34.—(1) At the conclusion of any investigation authorized by the Board, a report of the investigation shall be submitted to the Board, which shall cover—

Investigation  
report.

(a) how the investigation was conducted ;

(b) the findings of the investigation ;

(c) the evidence and other material on which those findings were based ; and

(d) such other matters as the Board thinks fit.

(2) Upon its receipt of the investigation report submitted to it pursuant to Regulation 8 of this regulation and—

(a) If the report is based on a complaint made to the Board ; and

(b) if the report shows that no breach of the Act or any Regulation has been, or is being committed,

the Board shall take a decision in respect of the report and write to the complainant informing the complainant of the outcome of the investigation.

(3) If the investigation report reveals no breach of the Act or any Regulation but that there is likely to be a breach on account of how the person investigated has carried or is carrying on its, his or her affairs, the Board shall take immediate steps to ensure that a non-compliance of the Act or its Regulations does not occur by providing necessary directions to such a person to be complied with within a specified time.

(4) If the investigation report reveals non-compliance with any provision of the Act or any Regulation by any person, the Board shall proceed with the enforcement procedure contained in this regulation.

35. Notwithstanding anything to the contrary in this regulation, where the Board is satisfied that a state of affairs for which a person is responsible, by its very existence manifestly constitutes non-compliance with any provision of the Act or Regulation, the Board shall, without recourse to Regulation 5 of this regulation, proceed with the enforcement procedure contained in this regulation.

Manifest and  
flagrant  
breaches and  
non-  
compliance.

36.—(1) Where the Board has determined that there has been non-compliance with any provision of the Act or its Regulations by any person, the Board shall issue a notice of non-compliance to the person concerned.

Enforcement  
procedure.

(2) The notice of non-compliance shall state the identified default(s) and the specific provisions under the Act or Regulations that have been breached and direct the defaulting person to take specific remedial measures to correct the non-compliance within a specified period not exceeding 30 (thirty) days.



(3) A defaulting person shall within 30 days of receiving such notice of noncompliance be given the opportunity by the Board to defend himself, herself or itself against the report of the investigation or the Board's allegation of manifest and flagrant non-compliance and shall be at liberty to provide reasons and evidence that support its defense to the satisfaction of the Board.

(4) Where the Board is not satisfied with the defaulting person's defense or where no defense is provided, the defaulting person shall provide a report to the Board within a period not exceeding 30 (thirty) days of its, his or her receipt of the Board's communication in that regard providing specific details of how such defaulting person has initiated the remedial measures directed by the Board.

(5) The Board shall monitor the defaulting person for a continuous period of time to be determined by the Board to ensure that the remedial measures are effective.

(6) Where the defaulting person fails to comply with the remedial measures at all, or within the timeframe specified by the Board, or where it initiates the remedial measures but discontinues it or initiates it in a way that it is not effective, the Board shall impose punitive capacity development initiative.

(7) Where the Board determines that there has been non-compliance with any provision of the Act, or any Regulation in respect of which a certificate, approval or permit has already been or is to be issued by the Board for any business or activity, the Board may make such orders as may be necessary to prevent the continuation or reoccurrence of the non-compliance with the Act or such other Regulation.

Interim  
orders.

37. Where the Board considers that action is urgently required in respect of matters subject to the exercise of its enforcement powers under this regulation, the Board may make such interim orders as it may deem necessary, pending the conclusion of the enforcement process.

Directions  
for  
compliance.

38.—(1) The Board may, where it deems any non-compliance with any provision of the Act or any Regulation a minor infraction, issue a letter of warning to the person in default and/or invite the person for corrective dialogue with the Board.

(2) The Board may also where it deems fit, issue directions requiring any person to take specified steps within a specific period for the purpose of ensuring compliance with the provisions of the Act or any Regulation.

(3) Non-compliance with directions issued by the Board pursuant to Regulations 18 and 19 of this regulation shall constitute a breach for which the Board may impose administrative sanctions.

39.—(1) Every person who fails to comply with any direction, decision or order of the Board shall be liable to payment of an administrative fine or such other punitive capacity development initiative as the Board may determine.

Compliance with decisions and orders of the Board.

(2) Any unpaid fine, due to be paid by any person under this regulation shall constitute a debt due to the Board and shall bear interest at the prevailing prime lending rate until it is fully discharged.

(3) Without prejudice to any specific provision of the Act or its Regulations, the Board may, in the exercise of its enforcement powers institute civil proceedings in court against any defaulting person for any remedy including injunctive reliefs, recovery of administrative fines, compensation, specific performance or pecuniary awards or damages in order to ensure compliance with its decisions, orders or any provision of the Act or Regulations.

(4) Notwithstanding the foregoing provisions, and subject to the provisions of the Act, every person that fails to comply with a decision, order or direction of any nature, given by the Board, commits an offence punishable under section 68 of the Act.

(5) For the avoidance of doubt the enforcement of this Regulation shall be without prejudice to the application of Section 68 of the Act to the same state of affairs.

#### PART IV—REVIEW OF THE BOARD'S DECISIONS

40.—(1) Any person directly affected by any order, directive, decision or sanction issued by the Board based on its powers in this Regulation or arising from the Act or other Regulations, may within 3 (three) months of the issuance of any sanction, decision, order or directive by the Board, apply to the Minister for a review.

Application for review.

(2) The Application for review shall be accompanied by a detailed statement and relevant documents or materials, demonstrating reasonable compliance steps that have been taken by the person concerned.

(3) Applications and all accompanying materials shall be in writing, in 6 (six) copies along with an electronic version.

41.—(1) Upon the receipt of an application for review, the Minister shall constitute a 3(three)man Ministerial Review Committee "MRC" consisting of persons who shall not be affiliated with the Board in any way, to consider and review such applications and make recommendations to the Minister.

Establishment of Ministerial Review Committee.

(2) The Minister shall prescribe the Terms of Reference of the MRC in the letter setting up the Committee, specifying the membership, as well as time allowed for the work of the Committee.

(3) The Minister shall either—

(a) affirm the decision of the Board ;

(b) overturn the decision of the Board ;



- (c) overturn the decision of the Board with conditions ; or
- (d) vary the decision of the Board.

(4) The Minister shall communicate its decision to the Applicant via a written notice of affirmation or overturn within 90 days of the receipt of the application for review. Provided that where the Minister fails to make a decision within the stated 90 days, the decision of the Board would be deemed to have been confirmed.

(5) Where the Minister overturns the decision of the Board with conditions, the conditions shall be stated in the notice of overturn and the decision of the Minister shall not take effect until the conditions have been fulfilled.

(6) The decision of the Minister on the recommendations of the MRC shall be final and shall conclude administrative review.

#### PART V—MISCELLANEOUS PROVISIONS

Assistance  
by Law  
Enforcement  
Agencies.

42. The Board or any authorized person acting on its behalf may seek the assistance of any law enforcement agency to enforce compliance with any decision, order directive or sanction of the Board.

Information  
gathering by  
persons  
authorized  
by the  
Board.

43.—(1) The Board or any authorized person acting on its behalf may by a written notice direct any person to produce information where the Board or any authorized person acting on its behalf has reason to believe that a person—

(a) has any information including but not limited to accounts and records or any document that is relevant to the exercise of the powers and functions of the Board under the Act or this Regulation ; or

(b) is capable of giving any evidence which the Board or any authorized person acting on its behalf has reason to believe is relevant to the exercise of the powers and functions of the Board under the Act or this regulation.

(2) The Board or any authorized person acting on its behalf may, by a written notice, direct the person to—

(a) give the Board or any authorized person acting on its behalf within the period and in the manner and form specified in the notice, any such information whether in physical form or in electronic medium ; or

(b) produce copies of any such documents to the Board or any authorized person acting on its behalf within the period and in the manner specified in the notice.

(3) The person required to provide information under this Regulation shall ensure that such information is true, accurate, current and complete and shall provide a representation to that effect, including a representation that the person is not aware of any other information or circumstance which would make the information provided untrue or misleading.

(4) All information, documents and reports required to be submitted by a person to the Board under this regulation shall be supported with a declaration on oath attesting to the correctness, completeness and accuracy of the information provided.

(5) The Board shall treat all information and documents disclosed to it by virtue of this regulation confidential.

PART VI—SHORT TITLE

44. This Regulation may be cited as the Nigerian Oil and Gas Industry Short Title. Compliance and Enforcement Regulation, 2021.

MADE this 26th day of February, 2021.

TIMPRE SYLVA

*Minister of State for Petroleum Resources*