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INTRODUCTION

This Foreign Exchange Manual is compiled and issued by the Central Bank of Nigeria (CBN) pursuant to the powers conferred on it by the Foreign Exchange (Monitoring & Miscellaneous Provisions) Act of 1995. The Manual is intended as a guide to Authorized Dealers in processing foreign exchange applications for their customers.

This edition has been revised in line with the provisions of the Act of 1995 and therefore, supersedes all other editions and amendments issued prior to the date of this publication.

DEFINITIONS

In this Manual:

‘Authorized Dealers’	Means any bank licensed under the Banks And Other Financial Institutions Act 1991 As amended and such other specialized banks issued with licenses to deal in foreign exchange.
‘Blocked Account’	Means, an account blocked, by order of the Minister at any office or branch of a bank in Nigeria under authority conferred on him by the Foreign Exchange (Monitoring and miscellaneous provisions) Act of 1995 such an account cannot be operated without the Minister’s express permission.
‘Central Bank’	Means, Central Banks of Nigeria.

'Foreign Exchange'	Means, the Foreign Exchange as administered by the Central Bank in accordance with the Foreign Exchange (Monitoring & Miscellaneous Provisions) Act of 1995
'External Account'	Means, a Nigerian Currency Account with a bank in Nigeria whose source of funding is external and operated in the name of a non-resident and designated by the Central Bank of Nigeria as an External Account.
'Foreign Exchange Market'	Means, a forum in which the Authorized Dealers, Authorized Buyers, foreign exchange end-users and the Central Bank are participants and may include any other participant that the Government of the Federation may from time to time, recognize.
'Foreign Currency'	Means, any currency other than the Nigeria currency and includes any note which is or has at any time been legal tender in any territory outside Nigeria; and where reference is made to foreign currency, the reference includes the right to receive foreign currency in respect of any credit or balance at a bank.
'Authorized Buyer'	Means, any bureau de change, hotel or other corporate body appointed as such by the Central Bank.
'Bureau De Change'	Means, any non-bank corporate body licensed as such by the Central Bank to buy and sell foreign currency in accordance with the Foreign Exchange (Monitoring & Miscellaneous Provisions) Act of 1995.
'Inter-bank Foreign Exchange market'	Means, forum in which Authorized Dealers buy and sell foreign exchange among themselves.
'Designated Bank'	Means, any bank appointed by the Government to collect revenue and pay same to Government Accounts in the Central Bank.
'Net Sales'	Means, the gross profit of the company in any given year.
'Minister'	Means, the Minister charge with responsibility for matters relating to Finance.
'Nigerian Currency'	Means, notes and coins issued by the Central Bank.

'Resident'	Means, any Nigerian Citizen whether he lives in Nigeria or not whose economic interest is permanently in Nigeria. However, in relation to the Companies and Allied Matters Act of 1990, resident shall be defined to include a company registered and individuals living in Nigeria for at least six months, or with certified intention of living in Nigeria for at least six months.
'Non-resident'	Means, any foreign individual or company whose economic interest is permanently outside Nigeria.
'Miscellaneous'	Means, transaction in respect of items not listed in this Manual.
'Credits'	Means, facilities providing for payment of drafts down or banks against documents.
'Document'	Means, papers or other material things affording information proof or evidence of any foreign exchange transaction e.g invoice, Form 'M' Single Goods Declaration (SGD) form bill of lading, etc.
'Cash Gifts Account'	Means, account opened in favour of non-residents but which are fed mainly with, but not limited to, fund derived from local sources.
'Securities'	Means, shares, stocks, bonds (other than promissory notes) debentures, unit trust, letters of rights, coupons conferring rights to acquire securities, options, warrants and certificate of deposit.
'Bearer Securities'	Means, securities by the delivery of which, with or without endorsement, the title to the securities is transferred.
'Coupon'	Means, a certificate representing dividends or interest in security, but does not include same conferring a right to acquire a security.
'Foreign Notes & Coins'	Means, currency notes and coins recognized as a legal tender of any country other than Nigeria.

'Domiciliary Account'	Means, a foreign currency account domiciled in Nigeria, opened, maintained and operated with banks in Nigeria in accordance with provisions of Foreign exchange (Monitoring and Miscellaneous Provisions) Act of 1995.
'Intervention'	Means, an arrangement in which Central Bank can buy and/or sell foreign exchange in the Foreign Exchange Market.
'Debt Conversion Programme (DCP)'	Means, an arrangement whereby holders of Nigerian foreign currency-denominated debt instruments could convert them into Naira and utilize the proceeds for investment purpose or as gift to a charitable organization in the country.
'Single Goods Declaration Form' (SGD Form)	Means, a Customer document used in import duty.
'Visitors to Nigeria'	Means, travelers to Nigeria other than residents of Nigeria.
'BOFI Act'	Means, "Banks and other Financial Institutions Act 1991" as amended.
'Capital Important'	Means, inflow of foreign currency in cash or goods (Machinery and Equipment), mainly as equity.
'Negotiable Duty Credit Certificate (NDCC)'	Means, the certificate jointly issued and signed by the Nigeria Export Promotion Council and the Federal Ministry of Finance on behalf of the New Manufacture-in-Bond scheme Committee in respect of incentive claims on Duty Draw Back, Export expansion Grant and the Export Development Fund Schemes by eligible beneficiaries.
'Certificate of Capital Importation (CCI)'	Means, a certificate issued by a bank confirming an inflow of Foreign currency in cash or goods.

Memorandum 1

FOREIGN EXCHANGE RESPONSIBILITIES

Responsibilities for the determination of applications for foreign exchange approval are designated as follows:-

1. Federal Ministry of Finance

Applications relating to the under listed matters should be referred to the Federal Ministry of Finance.

- (i) Ministry of Defence expenses;
- (ii) Remittances to Nigeria embassies;
- (iii) Medical tours (public sector);
- (iv) Public sector imports; (Federal and State Governments);
- (v) Membership subscriptions and examination fees (public sector);
- (vi) Education and maintenance allowance for students on government sponsorship (public sector);
- (vii) NNPC Joint Venture expenses;
- (viii) Official contribution (multilateral and bilateral);
- (ix) External debt servicing (public sector).
- (x) Approval for opening of overseas account by public institution

2. The Central Bank of Nigeria

The Central bank maintains general surveillance over the Nigerian foreign exchange system. In addition, it has direct responsibility for the following:-

- (i) Design, print, custody and distribution of foreign exchange forms;
- (ii) Miscellaneous transactions.

3. Authorized Dealers

The Authorized Dealers have the authority to determine the following transactions subject to stipulated documentation requirements:

- (i) Payment for imports including deferred payments, down-payments and instalmental payments;
- (ii) Commission and brokerages;
- (iii) Approval of non-commercial export transactions;
- (iv) Non-resident and External Accounts

- (v) Aircraft / shipping, fishing and dredging vessels / equipment, charter/ lease, maintenance and repair fees and outright purchase).
- (vi) Insurance (personal) and reinsurance;
- (vii) Conferences and seminars (private sector);
- (viii) Expatriate home remittances (family maintenance, leave pay, provident fund payments, bonus, gratuity and final balance);
- (ix) Cash Gifts;
- (x) Credit and guarantees including issuance of performance bonds;
- (xi) In-service training;
- (xii) Freight charges (sea and air);
- (xiii) Personal travel and business trip allowances;
- (xiv) Medical allowances (private sector);
- (xv) Education expenses- tuition and maintenances (private sector);
- (xvi) Contract services – management services fees, technical services, consultancy, etc;
- (xvii) Directors' fees;
- (xviii) Membership subscriptions and examination fees by individual and organization; (private sector);
- (xix) Judgement debt;
- (xx) Overseas legal service;
- (xxi) Copyright, patent and royalties;
- (xxii) Advertisement outside Nigeria;
- (xxiii) Remittance of capital, profits and dividends;
- (xxiv) Airline remittances;
- (xxv) Foreign borrowing and external loan payment-(Private Sector);
- (xxvi) Dealing in securities;
- (xxvii) Pilgrim services;
- (xxviii) Other i.e any transaction not prohibited by law or suspended by current regulations, upon clearance from the Central Bank;

4. Hotels

All hotels appointed as Authorised Buyers may receive payment of hotel bills in foreign currency and buy foreign currency from foreign visitors. Such foreign currency acquired shall be paid into a Foreign Currency Domiciliary Account with any bank in Nigeria, and can be used for eligible transactions in accordance with current guidelines on the operations of Domiciliary Accounts.

They can also exchange into foreign currency any unused Naira balance for the initial foreign currency conversion.

5. Bureaux De Change

Bureaux de Change are also Authorised buyers charged with the following responsibilities:

- (i) To buy foreign bank notes, coins and travelers cheques from members of the public;

(ii) To sell foreign bank notes, Travellers cheques and coins up to US\$2,500.00 (or as specified by the CBN) or its equivalent per transaction to members of the public;

(iii) Bureaux de change cannot engage in transfer of funds for or on behalf of their customers. For the avoidance of doubt, a bureau de change duly registered in Nigeria cannot open or operate a foreign bank account

(iv) All Authorised Buyers are required to render monthly returns in respect of their foreign exchange transactions to the Central Bank.

Memorandum 2 EXTERNAL TRANSACTIONS

1. Residents of Nigeria are allowed on application, subject to appropriate documentation:
 - (a) Make any payment to or for the credit of a person resident outside Nigeria
 - (b) to place any sum to the credit of a person resident outside Nigeria.
 - (c) borrow any foreign currency from any entity outside Nigeria. However, personal loans shall not qualify for remittance with funds from the foreign exchange market.
2. All payment in any foreign currency / security to or for the credit of any non-resident shall be subject to completion of the appropriate foreign exchange forms with supporting documentation .
3. All payments for goods and services, purchases and sales of foreign currencies in Nigeria in respect of goods and services should be effected through an Authorised Dealer (See Memorandum 5). Sales and purchases of foreign currencies may also be done by hotels registered as Authorised Buyers and bureaux de change as outlined in Sections 4 and 5 to the Central Bank for determination.

Memorandum 3 SPECIFIED CURRENCIES

The foreign currencies listed below are instruments of transactions in the Foreign Exchange Market (FEM):-

- i. Austrian Schilling
- ii. Canadian Dollar

- iii. Danish Kroner
- iv. Japanese Yen
- v. CFA Franc
- vi. Swedish Kroner
- vii. Swiss Francs
- viii. United Kingdom Pound Sterling
- ix. United States Dollar
- x. The Indian Rupee
- xi. Euro
- xii. Any other convertible currency as may be determined from time to time by the Central Bank of Nigeria.

Memorandum 4 FOREIGN EXCHANGE FORMS

The following forms are in use:-

<u>Title</u>	<u>Description of Form</u>
Form A -	Application to pay for service transactions (invisible trade)
Form M -	Application to import (i.e imports of physical goods- Visible trade);
Form NXP -	Used for commercial exports, including oil exports;
Form NCX -	Used for non-commercial exports;
Form TE -	Declaration of import of foreign currency above US 5,000.00
Form TM -	Declaration of import of foreign currency above US\$5,000.00 or its equivalent, precious stones, jewellery and works of art (including antiquities) into Nigeria

2. Banks should ensure that they hold adequate stock of these forms which can be obtained from the Foreign Exchange Management Office, Trade & Exchange Department, Central Bank of Nigeria, Abuja, except the Forms TE & TM which are to be collected from the Nigeria Customs Service or the Nigeria Immigration Service.
3. The foreign exchange forms should be duly completed in accordance with the instructions on each form.

4. Application approved by Authorised Dealers should be marked with stamp showing the name and address of the bank and signed by authorized signatories. All supporting documents should be similarly stamped and endorsed by authorized signatories.
5. Authorised Dealers are required to furnish the Central Bank with returns on all foreign exchange applications approved by them on the appropriate schedules as specified by the Bank from time to time.

Memorandum 5 DEALINGS IN FOREIGN EXCHANGE

This memorandum does not apply to dealings in notes and coins which are subject to separate instructions set out in Memorandum 6.

1. Rate of Exchange

The applicable rate of exchange for registering Forms "A" and "M" shall be the rate advised by the Central Bank of Nigeria. However, the rate for the computation of import duty payable shall be the rate prevailing in the Foreign Exchange Market on the day preceding the day of inspection / examination of goods.

2. Spot and Forward Transactions

Spot

(i) Authorised Dealers may deal spot in any foreign currency (for delivery within a maximum of two days) with residents of Nigeria, provided, that an approved Form "A" or "M" is held in respect of such transaction.

(ii) Authorised dealers may buy/sell spot form/to non-residents on the following basis:-

- a) Any specified foreign currency against the Naira.
- b) Any specified foreign currency against any other foreign currency.

Forward Contract

- (i) Foreign Exchange forward contract is a contract for the purchase or sale of any foreign currency for delivery at future date at a pre-determined exchange rate. It, therefore, affects the bank's position on deal date;
- (ii) For a forward contract to be so recognized, it shall have the following characteristics;

- I A master agreement shall exist between the consumer and the bank for forex transactions duly executed;
- ii A forward contract shall exist for the specific forward deal;
- lii A deal slip evidencing the deal shall be raised;
- Iv The deal shall be captured on the bank's ledgers;
- V A confirmation of the forward deal shall be sent to the counter part and
- Vi The transaction shall be reported to the Central Bank of Nigeria

- lii In all cases of forward sales/purchase of foreign currency by Authorized dealers, the maximum tenor of the contract shall be 180 days.
- Iv Extension of forward contracts, where necessary, is allowed provided it does not exceed the maximum tenor of 180 days stipulated in (iii) above.
- V On maturity of the forward contract, it is mandatory that such funds are used for eligible transaction only
- Vi Relevant documentation which includes approved Forms 'M' or 'A', proforma invoice, etc shall be in place on maturity of the contract and any rate before the delivery of the foreign exchange.
- Vii Forward contracts shall count as contingent liabilities when computing single obligor limits.
- Viii Banks shall render monthly returns on forward contracts, (sales and purchases), entered into, to the director, Bank Examination Department, CBN, Lagos. The returns shall also capture all cancelled contracts.

Authorized Dealers May:

- a deal among themselves (either spot or forward) in foreign exchange at market rates
- b deal with the Central Bank.

Open Position Limit And Reporting Formats

In the furtherance of the need for all banks to operate within the Open Position Limit (OPL) set by the CBN, all Authorized Dealers are advised of the following details for guidance:

- (i) that Foreign exchange open position is the total of foreign currency assets plus unliquidated forward purchase minus the sum of foreign currency liabilities and unliquidated forward sales;
- (ii) that the Foreign Exchange open position is advised semi-annually by the CBN as the maximum amount of uncommitted funds that a bank can keep in its books at the close of each business day;
- (iii) where funds have been sold to customers for the purpose of opening letters of credit, but have not been immediately utilized or disbursed, these would constitute committed funds and will therefore not form part of OPL of a bank:
- (iv) to monitor compliance with OPL, banks shall render, daily returns on their OPL reflecting (a) the day's opening balance (b) transactions for the day and (c) closing balance at the end, but submitted weekly to the Director, Bank Examination Department, Central Bank of Nigeria Lagos, before 12.00 noon on the following Monday.
- (v) In addition, banks shall render weekly returns using schedule VB, to the Senior Manager, Data Management Office, Trade & Exchange Department, Central Bank of Nigeria, Lagos before 12.00 noon on Monday following the week to which the report relates;
- (vi) for the purpose of OPL compliance, banks are to ensure that the computation in (i) does not exceed the amount in (ii) above;
- (vii) Where the daily OPL is exceeded, the CBN shall close out the difference at two percentage points **below** its prevailing rate on the day.

5. International Inward Money Transfers

All Authorized Dealers are, notified that it shall be at the option of beneficiaries of international inward money transfers to receive the proceeds in any of the following:

- (1) I Cash (USD,STG£,etc)
- ii Travellers' Cheques (TCs)
- iii Lodgment into beneficiary's Ordinary Domiciliary Account.

- iv Sale to the receiving bank for Naira equivalent at a mutually agreed rate
- (2) In order to facilitate the observance of the options, especially in (i) above Authorized Dealers are free to:
- (i) Import Foreign currency to meet their cash needs; or
 - (ii) Source their foreign currency needs from the CBN.

However, where banks prefer to source from the CBN they should arrange to credit the **CBN AFEM Purchases Account with Chase Manhattan Bank, New York** with the amount required and obtain cash from Foreign Operations Department, Central Bank of Nigeria, Abuja. It should be noted that for all such sales by the CBN, a recovery cost of 0.5% shall be imposed.

Memorandum 6

DEALING IN FOREIGN NOTES AND COINS

1. Authorized Dealers may deal in specified foreign notes and coins on a commercial basis for their own account at prevailing exchange rates with:
 - (i) Other Authorized Dealers.
 - (ii) Residents of Nigeria as set out in Sections 2(a) and (b) below; and
 - (iii) Non -residents as set out in sections 3 and 4 below.

2. Transactions with Residents of Nigeria
Authorized Dealers May:
 - (i) buy specified foreign notes and coins without limit:
 - (ii) sell specified foreign notes and coins against approved Form "A" and / or "M".

3. Transactions with Non-residents (Other Than Visitors to Nigeria):-

Authorized Dealers May:-

- (i) buy Travellers' Cheques, foreign notes and coins without limit;
- (ii) draw from or collect through banking correspondents outside Nigeria, notes and coins of the country or monetary area concerned where it is possible to do so.

4. Transactions with visitors to Nigeria

Authorized Dealers and buyers may purchase Travelers' Cheque, Foreign notes, and coins from visitors to Nigeria and may provide them in return with Nigerian Currency. However, only Authorized Dealers may exchange from visitors to Nigeria, foreign notes and coins for **Travelers' Cheques, Draft, and other instrument**. At the time of their departure, such visitors may exchange the unutilized balance of Nigeria Currency to foreign currency provided there is evidence of initial conversion. Such an exchange is without limit if done through an Authorized Dealer while an Authorized Buyer can exchange up to a limit of US\$5,000.00 or its equivalent.

Authorized Dealers should not refuse to accept any offer of specified currency (see list in memorandum 3) by a person resident in Nigeria.

Memorandum 7

IMPORT AND EXPORT OF FOREIGN CURRENCY, BILLS OF EXCHANGE, ASSURANCE POLICIES, ANNUITIES, ETC

1. Import:

Foreign currency either in cash or any other credit instrument not exceeding \$5,000.00 or its equivalent may be imported into Nigeria without declaration.

However, any amount above US\$5,000.00 or its equivalent requires to be declared at the point of entry.

2. Export:

The following may be exported from Nigeria

- (a) (i) Without declaration, foreign currency either in cash or any other credit instrument not exceeding \$5, 000,00 or its equivalent.
- (ii) any amount in excess of US\$5,000.00 or its equivalent provided the whole amount is declared at the point of exit or there is evidence of transaction/procurement through an Authorized Dealer or Authorized Buyer.
- (b) Foreign currency notes, travelers' Cheques, drafts, etc, brought into the country less expenses incurred.
- (c) The provisions of section 2(b) do not apply to foreign notes held as ship or aircraft fund.
- (d) Authorized Dealers may export through the Central Bank foreign currency acquired in accordance with provisions of memorandum 6, either in bank notes or foreign Travelers' Cheques.
- (e) Authorized Dealers may send for collection, notes, bills of exchange, promissory notes, Travelers' Cheques and drafts expressed in foreign currency.
- (f) Applications for permission to export items which are not included in sections 2, 4 and 5 above (or in any other Memorandum) should be made to Central Bank on Form NCX.

3. Assurance Policies and Annuities:

Authorized Dealers may export:

- (a) to any country outside Nigeria proceeds of assurance policies and annuities taken by non-residents (where such non-residents have no resident account);
- (b) proceeds of assurance policies and annuities denominated in foreign currency owned by residents for collection at maturity or for endorsement and return to Nigeria.]

Memorandum 8

IMPORTATION/ EXPORTATION OF NIGERIA NOTES AND COINS

Travellers to and from Nigeria are allowed to import/export Naira notes and coins. However, where the amount exceeds N10, 000.00, a declaration should be made on from TM/TE as appropriate.

Memorandum 9

TRAVELS

1. Personal Travel and Pilgrimage Travel Allowance

(1) Authorized Dealers may sell :-

(a) Foreign exchange, for personal travel to countries outside Nigeria, to any Nigerian including merchant seaman in Nigeria and emigrants subject to the following documentation requirements:

- Completed form "A"
- Valid passport with relevant visa
- International return ticket

(b) Foreign exchange for people traveling on pilgrimage subject to the documentation requirement and rate to be fixed from time to time by the federal Government.

(c) The amount provided for under this memorandum shall, in respect of resident foreign nationals, constitute part of the reparable income as outlined in memorandum 19.

2. Medical Travel (private)

Authorized dealers may sell foreign exchange for medical treatment outside Nigeria subject to the following conditions:-

(i) completed Form "A"

(ii) A letter of reference from a Specialist doctor, or a specialist hospital, in Nigeria.

- (iii) Travel document including valid passport, Visa and air ticket.
- (iv) Letter issued by the overseas specialist doctor stating the cost of treatment, maintenance, etc.

The cost of treatment should be made payable to the hospital while the cost of maintenance may be made payable to the applicant, where the latter is an outpatient.

3. Business Travel

Applications for foreign exchange facilities for business Travel should be submitted on Form "A" to an Authorized Dealer for determination. Such applications shall be supported with the following documentary evidence: -

-
- (i) Certificate of business registration/ incorporation
- (ii) Letter of invitation from the overseas business partner stating the purpose and duration of the business trip
- (iii) Letter of acceptance by the applicant company indicating the proposed date of travel;
- (iv) Travel documents – Valid passport with relevant visa and international return air ticket;
- (v) Duly completed Questionnaire by the applicant.

4. Endorsement of Passports

The total amount of the foreign exchange facilities provided in accordance with the provision of sections 1 to 3 above for travel outside Nigeria must be recorded in the traveler's passport. This must be done at the time of release of foreign exchange with the official stamp of the bank and date of the transaction placed against the entries. The amount of foreign exchange provided shall be normally recorded in the traveler's own separate passport but where the bank is satisfied that the traveler does not possess separate passport (e.g where a husband and wife hold a joint passport) the entry should be made in the joint passport.

5 Registered Hotels

1. Hotels registered as Authorised Buyers may purchase any specified foreign currency from travelers to Nigeria provided that:-

(a) a receipt is issued in duplicate to the foreign exchange seller stating:

(i) the name, address and passport number of the seller

(ii) the name and address of the hotel

(iii) the amount purchased in foreign currency and the rate at which the amount was purchased together with the commission thereon, and

(iv) the equivalent in Nigeria currency.

(b) every receipt book and any other record relating to each transaction made available, during the usual working hours of the hotel, for inspection by any person authorized by the Central Bank

(c) the proceeds are paid into a Domiciliary Account opened for that purpose. Such funds can be used by the hotel for eligible transactions subject to the prescribed documentation requirements. The hotel can sell part or all of the proceeds lodged in its Domiciliary Account to an Authorised Dealer for Naira.

2. At the time of departure of the foreign visitor, any unutilized Naira balance from initial foreign currency conversion may be exchanged into foreign currency.

3. Monthly returns on the total purchases and sales of foreign currency during each month shall be submitted not later than 10 days after the end of each month to the Assistant Director, Foreign Exchange Management Office, Trade and Exchange Department, central Bank of Nigeria, Abuja. Nil returns, where applicable, should be made.

Memorandum 10

PAYMENT FOR IMPORTS

1. Registration of Form "M", Assessment and Payment of Import Duty

(i) All imports into Nigeria must be on Cost and Freight (C&F) basis.

- (ii) It is mandatory for all importers to complete and register Form "M" with Authorized Dealers at the time of placing their orders whether or not they are valid for foreign exchange.
- (iii) Only incorporated companies shall be allowed to purchase foreign exchange from the Nigerian Foreign Exchange Market for the importation of visible goods. The RC number of the company shall be reflected in the appropriate column of the Form "M" registered for the purpose.
- (iv) The exchange rate for registering Form "M", shall be the rate advised by the Central Bank of Nigeria.
- (v) In respect of imports which are subject to the pre-shipment inspection requirement, the Pre-shipment Inspection Agents (PIAs), shall, at the time that the Form "M" with the relevant proforma invoice is submitted to them, arrange for pre-shipment inspection of the goods.
- (vi) Authorized Dealers are to ensure that proforma invoices submitted for the registration of Form "M" should clearly state the country of supply. In other words, **proforma invoices reflecting "offshore Lagos" or any other port in Nigeria as the country of supply** shall not qualify for the registration of Form "M".
- (vii) After inspection of goods, the "Inspection Agent" shall issue Clean Report of Inspection (CRI) indicating the amount of import duty payable. In addition, a CISS Administrative charge of 1% of FOB value of the goods shall be assessed by the Inspection Agent and entered on the CRI.
- (viii) The Final Invoice, which should include the number of relative CRI, shall be issued. Where the result of an inspection is satisfactory on receipt of the final invoice, the PIA shall affix a security seal and state the CRI number on the final invoice.
- (ix) The importer shall pay the appropriate amount of import duty on the CRI to any of the designated banks who will issue a receipt after the payment instrument has been duly cleared to enable his bank release the original CRI.
- (x) The importer, on receipt of the original CRI, shall submit it together with SGD form and receipt of payment of import duty issued by a designated bank to Nigeria Customs Service (NCS) for processing and release of goods.

- (xi) At the time of completing the SGD form, the importer shall be required to type/write across the Form, the number of the relevant CRI.
- (xii) The SGD form which shall be completed by the importer in sextuplicate shall be submitted to the Nigeria Customs Service for necessary action and subsequent distribution as follows:-
 - (i) Nigeria Customs Service (3 Copies)
 - (ii) Treasury
 - (iii) Federal Office of Statistics
 - (iv) Importer
 - (v) Nigerian Ports PLC (release copy)
 - (vi) Authorized Dealer

Furthermore, the NCS shall make certified copies available to the Federal Ministry of Finance (Monitoring Secretariat) and the Deputy Accountant General (Revenue).

- (xiii). For import transactions based on bills for collection, banks are required to confirm the authenticity of the relevant Final Invoice and CRI from the respective Pre-shipment Inspection Agent and ensure that correct import duty has been paid before foreign exchange is sourced for the importer. These requirements are in addition to the prescribed documentation requirements for the above category of transactions.
- (xiii) With respect to imports transacted on the basis of confirmed letters of credit, importers have the primary responsibility to ensure that satisfactory documentary evidence of receipt of the goods and final import documents are submitted to the dealing bank not later than ninety (90) days from the date of payment for the goods by the overseas correspondent bank. These documents are CRI. Final Attested Invoice, Bill of Lading/airway Bill/Way Bill, import duty payment receipt, SGD Form, NPA Terminal delivery Order, Tally Sheet, Gate Pass (where applicable). Authorized Dealers are required to furnish details of importers who default in this respect to the Director, Trade and Exchange Department, Central Bank of Nigeria on a weekly basis.

- (xv). The Nigeria Customs Service shall reconcile the details on the SGD with those on the import duty payment receipt, the relevant shipping documents and the goods physically inspected at the Port in Nigeria before such goods are released.

Any discrepancies discovered in respect of assessment and / or payment of import duty vis-à-vis the goods physically inspected by the Customs shall be referred to the relevant Inspection Agent for clarification and resolution. However, under no circumstance must the NCS amend the customs duty on the CRI without prior permission of the Minister of Finance. Moreover, any duty so assessed by the NCS must not be less than what is on the CRI.

- (xvi). In respect of accompanying personal effects of commercial value for which Form "M" was not registered but which are dutiable, the Nigeria Customs Service shall assess import duty payable to enable the importer pay the appropriate duty to the Designated Bank at the point of entry.
- (xvii). The duty of the Customs Officer authorizing the release of goods shall include physical examination, authentication of the genuineness of the signatures on the SGD and verification of payment of import duty based on the signature lists supplied by the Designated Banks respectively. If in doubt, the Customs Officer shall contact the Designated Banks for confirmation of the authenticity of the duty payment.
- (xviii). Import duty payments are to be made only in bank certified cheques or drafts which must be issued by the bank that opened the Form "M" and made payable to **"Federal Government of Nigeria –Import Duty A/C" at any of the designated banks**. Each bank certified cheque or draft must be endorsed at the back with **the Importer's name and address, Form(s) "M" number(s) covered by the payment instrument, SGD number, clearing agents' name and address**. Alternatively, Import Duty Payments can be made by the use of Negotiable Duty Credit Certificate (NDCC).
- (xix). Designated banks shall transfer all payments for which effect had been cleared to the nearest Central Bank Branch or Currency Centre with duly completed Import Duty Collection and Levies Forms on the Monday following the week to which the collections relate for onward transfer to Central Bank Headquarters. The Import Duty Collection and Levies should be accompanied with diskette copies of the same information in the format provided by the Central bank of Nigeria. Where Import Duty is paid using the NDCC, the Import Duty Collection form should be completed and forwarded along with the original of the NDCC to the Assistant Director, Exports Office, Trade and Exchange Department, CBN, Abuja, on the Monday following the week of collecting.

2. DOCUMENTATION FOR REGISTRATION OF FORM “M”

- (i) Four copies of Form “M” shall be properly and legibly completed i.e. all information required in paragraphs 1-7 of the Form “M” should be duly furnished.
- (ii) Any person intending to import goods into Nigeria is required to obtain an ASYCUDA **importer** Number from the Nigeria Customs Service, Abuja Headquarters, while a one –time importer shall apply for this Number from the Customs Area Controller of the Area where the goods are to be cleared.
- (iii) Any person intending to import goods into Nigeria is required to process Form “M” indicating his ASUCUDA Importer Number at a Bank of his choice.
- (iv) Form “M” shall be clearly marked “Valid for Foreign Exchange” or “Not valid for Foreign Exchange” as appropriate.
- (v) Each Form “M” application must be supported by the following documents:-
- (vi) Each Form “M” application must be supported by the following documents:-
 - (a) Pro-forma invoice (1 original plus 3 copies)
 - (b) In the case of importation of regulated products, such as medicines processed foods, medical devices, bottled water and chemicals, a current license issued in the name of the Importer by the relevant government agency shall be attached, e.g. Pharmaceutical Board of Nigeria (PBN), NAFDAC, etc while certificate of registration of business premises in case of pharmaceutical products shall be attached.

In addition importers and exporters of regulated products are to show evidence that the products have been duly registered by NAFDAC before transactions involving such products can be allowed in the Foreign Exchange Market.

Also, in the case of importation of fishery products, a current certificate authorizing the importation of such products, issued by the Federal Department of Fisheries shall be attached.

- (c) Local insurance certificate
- (d) Letters of credit instrument (where applicable)

3 **DISTRIBUTION OF REGISTERED FORM "M"**

After the application has been approved, stamped and numbered, the Authorized Dealer shall retain the original and dispatch the other copies as follows:

- (vii) The duplicate copy to the National Maritime Authority;
- (viii) The triplicate copy to the relevant pre-shipment Inspection Agent.
- (ix) The quadruplicate copy to the Nigeria Customs Service at the appropriate port of entry or border post.

4. **COMPREHENSIVE IMPORT SUPERVISION SCHEME (CISS)**

A. (i). In order to ensure that imports into Nigeria are of the correct quality and quantity according to contract terms and that only the normal price of a commodity in the country of supply is paid, an Appointed Agent will carry out pre-shipment inspection of goods being consigned to Nigeria and issue a CRI before payment is effected.

(ii) WHERE A TRANSACTION IS OF A "PROJECT NATURE, CHARGES FOR SERVICES

RENDERED BY NON-RESIDENT EXPERTS IN RESPECT OF DESIGN, INSTALLATION, AND COMMISSIONING (I.E. POST-LANDING CHARGES) SHALL BE TREATED AS AN INTEGRAL PART OF THE COST OF THE PROJECT

SUBJECT TO THE PROCEDURES FOR FORM "M" AND CISS.

NO DIRECT OR SEPARATE REMITTANCE ON FORM "A" WILL BE ALLOWED IN RESPECT OF SUCH SERVICE CHARGES.

B. Notice for Inspection

(i) Before shipment of goods, sellers, according to the contract terms, are required to give a maximum of 10 days notice to the Appointed Agent indicating the place where the goods may be inspected, and the expected time of dispatch. When requesting for pre-shipment inspection, the seller is required to provide the appointed Agent with a copy each of the pro-forma invoice, letter of credit, contract

price list and any other document relevant to the order, which the appointed Agent may deem necessary for the execution of its inspection.

- (ii) The seller shall also provide all necessary facilities so that the appointed Agent can carry out the quality and quantity inspection and price comparison and conduct all such tests, analysis, etc, as may be required. The cost of presentation of the goods to the appointed Agent, unpacking, repacking, handling, etc shall be borne by the seller.

C. Issue of Report of Inspection

Upon completion of inspection, the appointed Agent shall issue a Report of Inspection which is either:-

- (i) A Clean Report of Inspection (CRI), if the inspection yields a satisfactory result. A CRI shall not be issued until the Inspection Order copy of Form "M" has been received, and the seller provides the appointed Agent with a copy of the bill of lading and the final invoice covering the goods OR
- (ii) A Discrepancy Report of Inspection (DRI), if the inspection reveals discrepancies. In this case no payment shall be effected against a letter of credit, bills for collection, or any other form of claim unless the document presented for payment include a CRI. In other words, payment cannot be made on the basis of DRI. Correspondent banks abroad shall be notified accordingly of these requirements.

D. Exemption From Pre-shipment Inspection

Exemption from pre-shipment inspection of Form "M" application is granted accordance with the provisions of section 5 of the Pre-Shipment Inspection Act of 1996 in respect of the following:

Explosives and pyrotechnic products, arms and ammunition, weapons, implements of war, supplies to diplomatic consular missions and international organizations for their own needs, and such as may be directed by the Federal Government.

It should be noted that Petroleum Products such as Premium Motor Spirit, Diesel Oil, Aviation Fuel, Kerosene, and Liquefied Petroleum Gas are not subject to pre-shipment inspection.

E. Stamps For Form "M" Application

- (i) The Exemption Stamp is round in shape on which is inscribed the name of the Authorized Dealer and duly marked "Exempted from Appointed Agent's Inspection".

- (ii) The Inspection Order Stamp is rectangular in shape on which the name of Authorized Dealer is boldly written and duly marked "Inspection/Examination required".

F. Inspection Codes

(i) BA APPLICATIONS

BA Applications are those that require examination viz:- All goods irrespective of the value, except those exempted from inspection/examination under paragraph 4D of this memorandum.

- (a) Eleven digit numbers shall be assigned by the approving officers of the Authorized Dealer under appointed inspection Agent's Number and coded with prefix "BA" (by approving Officers) with the first four digits indicating the year of approval, etc.
- (b) The stamp for exemption shall be impressed on the Form "M" and signed by the approving officer.
- (c) Authorized Dealers shall also indicate the name of the relevant Inspection Agent in paragraph 5 of the Form "M".

(ii) CB Applications

Applications under this category are those that are exempted from inspection viz: goods specifically exempted under paragraph 4D of this Memorandum. The following procedure shall be adopted in processing such applications:

- (a) Eleven digit serial numbers shall be assigned by the approving officers of the Authorised Dealer under appointed Agent's Number and coded with prefix "CB" (by approving Officers) with the first four after "CB", indicating the year of approval, etc.
- (b) The stamp for exemption shall be impressed on the Form "M" and signed by the approving officers.

5. VALIDITY OF AND AMENDMENT TO FORM "M"

A processed Form "M" shall be initially valid for 180 days and Authorized Dealers may grant extension for another 180 days. Consequently, an approved Form "M" has a maximum life span of 360 days. However, in the case of machinery, plant and

equipment made to specifications, the initial validity period shall be 360 days subject to extension for a maximum of 180 days by the Authorised Dealer. However, where there is need for further extension, the CBN approval has to be sought.

Changes in specification, seller, country of supply and quantity within normal trade tolerances, will not require amendment to the Form "M" provided that these details are included in the "Clean Report of Inspection". With regard to price, the final invoice does not have to agree with the details declared on the Form "M" provided that:

- (i) The price is supported in every respect with a Clean Report of Inspection issue by the appointed Agent.
- (ii) Any increase over the declared Form "M" price does not exceed 10%. Increase in price in excess of 10% will require the completion of a new Form "M". However, for goods exempted from pre-shipment inspection because of their value, approval for transfer of funds shall not be entertained for more than the value of the original application (on the form "M").

6. OPENING OF LETTERS OF CREDIT (VALID FOR FOREIGN EXCHANGE)

- (i) An approved Form "M" will serve as authority for opening a letter of credit. Authorized Dealers shall NOT open any letter of credit or allow any form of payment without an approved Form "M" in respect of transactions valid for foreign exchange. All letters of credit or any other form of payment should provide that no payment will be made without submission of a Clean Report of Inspection and a Final Attested Invoice.
- (ii) Authorized Dealer may open letters of credit for their customers after they have secured the full or part of the foreign exchange to cover such transactions and the customer has satisfied the documentation requirements.
- (iii) Letters of credit shall be opened within 5 business days from the date of allocation of the required foreign exchange whether or not the funds are sourced from CBN.
- (iv) However, where a letter of credit has not been established within the maximum stipulated period of 5 days from the date of allocation of foreign exchange to a customer, or a letter of credit is cancelled or expired and is non-renewable, the funds previously allocated to the importer must be brought back by the dealing bank concerned at the prevailing buying rate of exchange as at the date of the

bank's repurchase and surrendered to CBN, if the funds were sourced from the Bank or sold to other customers if autonomous funds are involved. Any loss arising from the repurchase shall be absorbed by the customer's account.

- (v) Unutilised balances of letters of credit: Authorised Dealers are to note that:
 - (a) Sales by the CBN to all Authorized Dealers are meant for spot transaction. They are, therefore, customer-based;
 - (b) Since the sales are customer-based, any unutilized balance of Letters of Credit should be returned to the CBN within five (5) days after date of negotiation, for re-purchase at the prevailing rate. However, where such balances are small, they should be accumulated to a level of USD\$50.00 (Fifty United States Dollars Only) before they can be re-purchased. Similarly, all purchases from the CBN which have not been utilized within five (5) days should be returned to the CBN; and
 - (c) All interests that accrue on funds sourced from the CBN should be repatriated to the CBN on quarterly basis for payment of naira equivalent which will subsequently be distributed to the end-users on whose behalf the funds were sourced.

Please note that this arrangement does not preclude payment of the naira equivalent of interest earned on funds procured from other sources on behalf of the end-users.

- (vi) Letters of Credit have an initial validity of not more than 180 days, and the relative goods must be shipped within this period. As Authorized Dealers may grant extension for another 180 days, the maximum validity of a letter of credit is 360 days from the date of first establishment. However, in the case of machinery, plant and equipment made to specifications, the initial validity period shall be 360 days subject to extension to a maximum of 180 days. The validity of a letter of credit irrespective of whether or not it covers machinery, plant and equipment made to specifications should be kept within that of the Form "M".
- (vii) Complete shipping documents evidencing that goods had been cleared i.e., SGD form, bill of entry, tally sheet or gate pass, import duty payment schedule, airway bill or bill of lading, etc, in respect of transactions covered by letters of credit, must be submitted to the Authorized Dealer from which the foreign exchange was purchased, not later than 90 days from the date of negotiation of the letter of credit by the overseas correspondent bank. Where the importer fails to submit the final documents within the stipulated period or documentation is inadequate or defective, the Authorized Dealer should make a written report to the Senior

Manager Data Management Office, Trade & Exchange Department, Central Bank of Nigeria, giving full details of the default. Defaulting importers as well as Authorized dealers which fail to report any default shall be liable to penalties provided for in the BOFI Act of 1991 as amended and the Foreign Exchange (Monitoring and Miscellaneous Provisions) Act of 1995.

- (viii) In respect of all other transactions, whether or not valid for foreign exchange, importers are also required to submit the necessary shipping documents evidencing the receipt of the goods to the Authorised Dealer that processed the relevant Form "M". Defaulting importers shall also be penalized in accordance with the provisions of the enabling Act.

7. DOCUMENTATION FOR PAYMENTS IN RESPECT OF IMPORTS

(i) Confirmed Letters of Credit

Original copies of:

- (a) Attested Final Invoice (with security seal, duly endorsed by the relevant Inspection Agent and bearing the CRI number).
- (b) Clean on Board Bill of Lading/airway bill/ way bill
- (c) Letters of credit instrument (tested)
- (d) Packing List

(ii) Bills for collection

- (a) Approved Form "M"
- (b) Single Goods Declaration (SGD) form duly completed and endorsed
- (c) Original Clean Board bill of lading/airway bill/way bill
- (d) Original Attested Final Invoice (with security seal, duly endorsed by the relevant Inspection Agent and bearing the CRI number)
- (e) Certificate of insurance
- (f) Import duty payment receipt
- (g) Bill history/bill of exchange (where applicable)

(h) Tally sheet/gate Pass.

8. DOCUMENTATION AT THE STAGE OF CLEARING GOODS

Whatever the mode of payment, the following documents are required at the stage of clearing goods:

- (a) Copy of approved Form "M"
- (b) Single Goods Declaration (SGD) form duly completed and endorsed.
- (c) Import duty payment receipt
- (d) Clean-on-Board Bill of Lading/Airway bill/way bill
- (e) Original Clean Report of Inspection (CRI)

9. DOCUMENTATION FOR THE PAYMENT OF IMPORTATION OF MARINE VESSELS AND AIRCRAFT.

- (i) Duly completed Form "M"
- (iii) Copy of purchase agreement along with the specifications and design of the vessel/aircraft
- (iv) Copy of valuation report from a reputable Marine or Aircraft engineer from the country of importation
- (v) Certificate of air/sea worthiness duly issued by the Nigerian Civil Aviation Authority in the case of aircraft and in the case of Marine Vessels by National Maritime Authority.
- (vi) Bill of Sales
- (vii) Original Attested Invoice (with security seal, duly endorsed by the relevant Inspection Agent and bearing the CRI number)
- (viii) Letter of credit instrument (where applicable)
- (ix) Approval of Federal Ministry of Transport/Aviation to operate the vessel/air craft

- (x) Authorized dealers are to note that the Bill of sale must be presented during the initial flight in the case of aircraft and initial sail in the case of a vessel.

10. **INTEREST PAYABLE ON BILLS FOR COLLECTION**

Interest on tenor bills in respect of transactions executed in the Foreign Exchange Market (FEM) is eligible for payment subject to a maximum rate of 1% above the prime rate prevailing in the country of the beneficiary and a maximum period of 180 days, calculated on the CIF value on the final invoice.

11. **BUYING COMMISSION**

The buying commission paid to agents or confirming houses which act as intermediary between importers and exporters is a maximum of 2% of the F.O.B. value of the consignment, where applicable.

12. **INSTALMENTAL AND DOWNPAYMENTS**

Applications for the importation of capital goods including plant and machinery requiring deferred, instalmental or down (advance) payment shall be made to the Authorized Dealers as follows:-

- (i) **Down payments:** Down payments shall not exceed 20% of the FOB value of the transaction. The following documents are required.
 - (a) Approved form "M" covering 100% of cost;
 - (b) Certified Agreement between importer and exporter;
 - (c) A guarantee or a performance bond issued by a recognized bank in the exporter's country;
 - (d) Proforma invoice.
- (ii) **Subsequent Installmental payments**
 - (a) Approved form "M" for total cost (photocopy)
 - (b) Invoice or Demand Note
 - (c) Certified copy of contract agreement

NOTE:

- (i) At every stage of the manufacture of heavy machinery and equipment requiring deferred instalmental payment arrangement, pre-shipment inspection is required. Also, where the duration of the instalmental payment will exceed the life span of the Form “M” a prior approval of the CBN is required.

- (ii) ***Except as provided above, prepayment for imports, for whatever reason, is not allowed.***

13. PARTIAL SHIPMENTS

For transactions requiring partial shipment, payment shall be made on the basis of the following documents:

A. LETTERS OF CREDIT

1st Shipment

- (a) Attested final Invoice (with security seal, duly endorsed by the relevant Inspection Agent and bearing the CRI number).
- (b) Clean on Board Bill of Lading/airway bill/way bill
- (c) Letters of credit instrument (tested)
- (d) Packing List

(ii) Subsequent Shipments

Documentation (a) – (d) above

B. BILLS FOR COLLECTION

(i) 1st Shipment

- (a) Approved form “M”
- (b) Single Goods declaration (SGD) form duly completed and endorsed.
- (c) Original Clean on Board bill of lading/airway bill/way bill
- (d) Original Attested final Invoice (with security seal, duly endorsed by the relevant Inspection Agent and bearing the CRI number).
- (e) Certificate of insurance

- (f) Import duty payment receipt.
- (g) Bill history/bill of exchange (where applicable)
- (h) Tally sheet/Gate Pass

(ii) Subsequent Shipments

- (a) Photocopy of approved Form “M”, and documents in (b) – (h) above.

Memorandum 11

EXPORTS FROM NIGERIA

NON-OIL COMMERCIAL EXPORTS

All exports out of Nigeria must be on free On Board (FOB) basis

The following are the basic documentation requirements for an export transaction:

- (i) A duly completed form NXP
- (ii) A pro-forma
- (iii) A sales contract (agreement) where applicable
- (iv) NEPC registration certificate
- (x) Clean Certificate of Inspection (CCI), where applicable
- (xi) Shipping documents e.g. bill of exit, bill of lading, etc
- (xii) Other certificates e.g. Form EURI

1. REGISTRATION OF NIGERIA EXPORT PROCEEDS (NXP) FORM

- (i) Form NXP must be completed and registered with an Authorised Dealer in sextuplicate copies for all commercial exports from Nigeria in order ensure that payment would be made in an approved manner.
- (ii) Failure of the exporter to repatriate the proceeds of his exports and pay it into his Domiciliary Account within the stipulated period of 90 days from the date of shipment will render the exporter immediately liable to financial fine. In addition, other appropriate penalties provided for in the BOFI Act of 1991 may be imposed.

2. VALUE TO BE SHOWN ON FORM NXP

The amount to be entered on the form NXP is the fair and true market value of the goods to the consignee, denominated in convertible foreign currency, except for ECOWAS intra-regional trade.

3. VALIDITY OF FORM NXP

The validity of Form NXP is 6 months from the date of registration subject to renewal for 3 months by the dealing bank. Subsequent requests for renewal to be approved by the Central Bank of Nigeria.

4. NIGERIAN EXPORT SUPERVISION SCHEME (NESS)

1.1 All non-oil export from Nigeria shall be subject to inspection by an Inspection Agent appointed for that purpose by the Federal Government of Nigeria, except the following:

- i. personal effects
- ii. used motor vehicles
- iii. day old chicks
- iv. human eyes
- vi. human remains
- vii. vaccines
- viii. yeast
- ix. periodicals/magazines
- x. non-commercial exports, such as gifts, trade samples/printed business matter, machinery and equipment for repairs abroad and return to Nigeria, machinery and equipment for replacement, return of machinery and

equipment after execution of a specific contract, re-exports and trans-shipments.

- xi. Supplies to diplomatic consular missions and international organizations for their own use.

1.2 Payment for exports shall be by letter of credit, bills for collection, advance payment and / or any other approved mode of payment.

1.3 The inspection shall take place at the points of production and / or storage, farm gates, seaports, airports, terminals or other points of exit.

1.4 To avoid multiple examinations and thereby minimize delay as well as ensure that Nigerian exports are competitive in the international market, all the relevant agencies, including the Nigeria Customs Service, NAFDAC, Standards Organization of Nigeria (SON), Plant Quarantine Service Division of the Federal Ministry of Agriculture, Produce Inspectorate Service Division of the Federal Ministry of Commerce, NDLEA, etc, shall simultaneously witness the sealing of the container by the Inspection Agent. The exporter shall invite all the relevant Government Agencies that have responsibility for export certification, depending on the nature of the goods, before inspection by the Inspection Agents.

A. RESPONSIBILITIES OF THE EXPORTER

1.0 The exporter shall:

- (i) Obtain a Nigerian Export Proceeds (NXP) form and a Request for Information (RFI) form from his / her bankers.
- (ii) Complete all six copies of the NXP form and submit to his / her bankers along with a Nigerian Export Promotion Council (NEPC) registration certificate, contract of sale/purchase order/pro-forma invoice and details of how proceeds are to be repatriated.
- (iii) Complete the RFI form and submit to the Pre-Shipment Inspection Agent
- (iv) Based on the information on the NXP and the RFI forms, the exporter shall pay 1% FOB value of the intended export consignment to any designated bank and obtain an appropriate receipt.
- (v) Submit the final invoice promptly to the Inspection Agent, to facilitate issuance of Clean Certificate of Inspection.

- (vi) Provide the necessary facilities, such as ladder, forklift trucks, labour, etc. to enable the Inspection Agent perform quality/quantity and pricing analysis.
- (vii) The exporter shall invite all the relevant Government Agencies that have responsibility for export certification, depending on the nature of the goods.
- (viii) Submit to the carrier of the goods, a copy of the Clean Certificate of Inspection (CCI) to facilitate loading and shipment.
- (ix) Submit to the processing bank, a photocopy of the NXP form duly endorsed and stamped by the Nigeria Customs Service, evidencing the shipment of the goods, within one week of the endorsement of the form.
- (x) Submit to the Inspection Agent a copy of shipped or clean on board Bill of Lading/Airway bill/way bill, bearing the CCI number, evidencing shipment.
- (xi) Open a Non-Oil Export Domiciliary Account with the processing bank in Nigeria and ensure that the export proceeds are credited to this account within 90 days from date of shipment of the goods.
- (xii) Deliver all originals of shipped or clean on board bills of lading relative to all commercial exports direct to the processing/collecting bank named on the form NXP. The bank shall then forward the documents through its foreign correspondent to the consignees on collection or negotiation basis and ensure that payment for the shipment is made and credited to the exporters' Domiciliary Account in Nigeria within the stipulated period of 90 days from the date of shipment of the goods.

2.0 For the export of perishable products, such as fruits, vegetables, flowers etc, it is the responsibility of the exporter to provide refrigerated container(s) and packaging acceptable to the Nigeria Customs Service.

B. RESPONSIBILITIES OF BANKS:

I. Processing Banks

1. The bank shall issue the NXP and Request for Information (RFI) forms to the exporter.
2. The bank shall receive from the exporter a duly completed NXP form together with the required supporting documents.
3. The processing bank shall number the NXP form in the format stated below:

XXX/YYYY/ZZZZ/0001

Where,

XXX – Authorised dealer's Code

YYYY – Year of registration of the NXP form

ZZZZ – Bank Branch Code

0001 – Transaction serial number, which allows up to 9999 transactions in a year at the registering branch.

4. The processing bank shall endorse and stamp section (6) of the completed NXP form, give the exporter its photocopy, retain the original copy and forward the remaining five copies of the NXP form to the Pre-shipment Inspection Agent.
5. The processing/collecting bank shall ensure the repatriation of the proceeds within 90 days of shipment of the goods.
6. The processing/collecting bank through which payment for goods exported from Nigeria is received is required to certify on the original copy of the Form NXP (first copy) confirming that the proceeds of the exported goods had been duly received and credited to the exporter's Foreign Currency – Domiciliary Account.

The certified form NXP accompanied by swift/telex message shall be forwarded to the Director, Trade and Exchange Department, Central Bank of Nigeria, Abuja for records. In addition to the other relevant information, **the telex/swift message shall bear the name of the exporter (the beneficiary) and the relevant form NXP number.** Where the export proceeds received fall short of the declared value of the exports by more than 5%, the exporter must give an explanation for the shortfall supported with documentary evidence, through the collecting bank to the Director, Trade & exchange Department, Central Bank of Nigeria, Abuja.

7. The bank shall make a photocopy of the duly certified NXP form for its records.

II Designated Banks.

- 1 The designated bank shall collect from the exporter, the self assessed NESS administrative fee and pay same into the appropriate NESS account with the nearest branch of Central Bank of Nigeria on the Monday following the week to which the collection relates.

2. The designated bank shall ensure that an appropriate receipt is issued upon the payment of the assessed NESS administrative fees, with the NXP number stated thereon.
3. The designated bank shall forward directly to the Pre-shipment Inspection Agent, the original of the receipt, give a duplicate to the exporter and retain a triplicate for its records.

C. RESPONSIBILITIES OF THE PRE-SHIPMENT INSPECTION AGENT.

1. The Inspection Agent shall respond promptly to the request for inspection.
2. The Inspection Agent shall carry out an assessment based on the quality, quantity and price competitiveness of the goods to be exported.
3. Where there is a discrepancy in value vis-à-vis the earlier self-assessment made by the exporter, a non-negotiable certificate of inspection or a discrepancy report addressing an additional payment will be issued to the exporter to make the necessary payments/amendment.
4. Where there is a discrepancy in quality, quantity and price, a non-negotiable report of inspection shall be issued to enable the export rectify the inadequacies. On certification of additional payment, where applicable, and satisfactory inspection result as well as the receipt of final invoice, the Inspection Agent shall issue a Clean Certificate of Inspection (CCI). In the event that observed discrepancies cannot be corrected within 72 hours, the exporter shall be issued with a "Non-negotiable Certificate of Inspection" (NNCI), prohibiting the shipment of the goods.
5. Eight originals of the CCI shall be distributed as follows:
 - Federal Ministry of Finance
 - Nigeria Customs Service (Area Comptroller at the port of shipment)
 - Nigerian Ports Authority
 - Exporter
 - Exporter's shipping/freight agent, for the vessel conveying the goods.
 - Exporter's bank, for onward transmission to the importer's bank overseas and

- Central Bank of Nigeria;
 - Nigeria Export Promotion Council (NEPC) while certified true copies shall be forwarded to:
 - Nigeria Customs Service, Headquarters and
 - Federal office of Statistics (FOS)
6. After a satisfactory inspection of the goods, the Inspection Agent shall complete the relevant section of the NXP form, retain the duplicate copy and forward the remaining four copies to the Nigeria Customs Service.
 7. The Inspection Agent shall submit monthly returns on the inspections carried out (whether CCI or NNCI) to the federal Ministry of Finance, Central Bank of Nigeria, Federal Ministry of Commerce, Federal Office of Statistics, Office of the Secretary to the Government of the Federation of Nigeria, Nigeria Customs Service and the Export Promotion Council (NEPC).
 8. The Inspection Agent shall seal the container after loading of the goods in the presence of the Nigeria Customs Service and the other relevant Government Agencies (e.g. NAFDAC, SON, Plant Quarantine Service Division of the Federal Ministry of Agriculture, Produce Inspectorate Division of the Federal Ministry of Commerce, NDLEA, etc), depending on the type and nature of goods. The seal number of the container shall be stated on the CCI.
 9. It is the continuous responsibility of the Inspection Agent to keep Nigerian exporters informed of international market standards, packaging, prices etc.
 10. Where the goods inspected are less than a full container load, the Inspection Agent shall specify on the CCI the estimated percentage of the container load that was inspected.

D. **RESPONSIBILITIES OF THE NIGERIA CUSTOMS SERVICE AND OTHER GOVERNMENT AGENCIES**

1. Where there is the need for the goods to be inspected and certified by other Government Agencies (e.g. NAFDAC, SON, Plant Quarantine service Division of the Federal Ministry of Agriculture, Produce Inspectorate Division of the federal Ministry of Commerce, NDLEA, etc) along with the Nigeria Customs service, all the relevant agencies shall simultaneously and expeditiously carry out examination of the goods, so as to facilitate the export transaction.

2. Upon the shipment of the goods, the Nigeria Customs Service shall complete the respective section of the NXP form, retain the triplicate copy and distribute the remaining three copies as follows:
 - (i) Fourth copy to Central Bank of Nigeria (CBN)
 - (ii) Fifth copy to Nigeria Export Promotion Council (NEPC)
 - (iii) Sixth copy to the exporter. (The exporter shall make a photocopy and submit to his bankers to update their records).
3. Other responsibilities of the Nigeria Customs Service shall be as contained in the Customs and Excise Management Act (CEMA).

E. OFFENCES AND PENALTIES

1. Exporters should be aware that once goods have been inspected and a CCI issued, any variation between the goods presented for loading and those confirmed by the CCI will render the exporter liable to penalties in accordance with the laws of the federal republic of Nigeria.
2. All carriers of goods should be aware that it is an offence under the Enabling Law to carry goods from Nigeria without a CCI.
3. The enabling law of NESS makes it an offence to export goods not exempted from inspection without the issuance of CCI.
4. Any person found guilty of an offence under the Act is liable on conviction:
 - a. in the case of individual, to a fine of N50,000.00 or the value of the goods, whichever is higher or to imprisonment for a term of not more than 12 months or to both such fine and imprisonment.
 - b. If a body corporate, to a fine N100, 000.00 or twice the value of the goods, whichever is higher.
 - c. Offences under the Act shall be prosecuted at the instance of the Attorney General of the Federation.

5. DISPOSAL OF EXPORT PROCEEDS

The funds deposited in Domiciliary Accounts – Export Proceeds shall be utilized only for eligible transactions (**visible and invisible trade**) subject to prescribed documentation

requirements. In addition, the following guidelines shall apply to the disposal of export proceeds.

- i. Proceeds of non-oil exports may be transferred from foreign Currency Domiciliary Account, Export Proceeds in one bank to a similar account in another bank subject to guidelines for the disposal of funds in such accounts. For the avoidance of doubt, funds from export proceeds should be paid into “Foreign Currency Domiciliary Account – Export Proceeds” only.
- ii. Export proceeds may be sold to the negotiating bank or any other bank of the exporter’s choice.

B. NEGOTIABLE DUTY CREDIT CERTIFICATE (NDCC)

Authorised dealers are notified of the following guidelines on the use of the Negotiable Duty Credit Certificate (NDCC).

1. General Information

The NDCC is an alternative to cash payments and can be used to settle import duty payment due to Government by the beneficiary of the certificate. The certificate is jointly issued and signed by the Nigerian Export Promotion Council and the federal Ministry of Finance on behalf of the new Manufacture-in-Bond Scheme Committee in respect of incentive claims relating to Duty Draw back (DDB), Export Expansion Grant (EEG) and the Export Development Fund (EDF) Schemes. All affected banks are directed to accept the certificate for the settlement of only import duty payments.

2. Security Features

The following salient security features are easily identifiable on the certificate:

- (i) The Nigerian export Promotion Council (NEPC) Logo is printed at the top left hand corner of the certificate.
- (ii) Federal Government Coat of Arms is engraved and centralized at the top of the certificate.
- (iii) “Stamp Duty paid” is printed at the top right hand corner of the certificate.
- (iv) The approved signatories, one each of the Federal Ministry of Finance (FMF) and Nigerian Export Promotion Council (NEPC) are required on the certificate.
- (v) The certificate is printed by the Nigerian Security Printing and Minting Company.

- (vi) Handlers of the certificate are, however, advised to contact the Nigerian Exports Promotion Council, if in doubt.

3. Procedure

- (i) Any holder or beneficiary of the certificate can use it for his benefit or negotiate same to other interested parties on mutually agreed terms.
- (ii) Where import duty is paid with the NDCC, designated banks are required to issue separate receipts with indication "For NDCC PAYMENT" stated thereon, to distinguish same from import duty receipts issued for bank Cheques/drafts.
- (iii) The collecting bank shall forward the duplicate (pink copy) of the certificate with a copy of the receipt and the pay-in-slip to the Nigeria Customs service as per the method for cash-backed payments while the triplicate (white copy) will be forwarded to the office of the Accountant General of the Federation.
- (iv) A copy of the receipt shall be issued by the processing bank to the holder or beneficiary of the certificate to facilitate clearance of goods from the ports.
- (v) The collecting bank shall, thereafter, submit the original, duly batched, to the Assistant Director, Exports Office, Trade and Exchange Department, Central Bank of Nigeria, when making weekly returns and retain a photocopy for its records. Such returns shall be made on the Monday following the reporting week in line with the format shown in schedule WTR 402 of this Manual. For the avoidance of doubt, separate returns shall be rendered for cash-backed and NDCC import duty payments.

4. Transferability

All Authorised Dealers are to note that as a negotiable instrument, the certificate is transferable by special endorsement to the transferee and as mutually agreed between both parties. However, a certificate is subject to three (3) transfers, with each transfer counter-endorsed by an authorized signatory of the Nigerian Export Promotion Council (NEPC).

The designated banks are required to play the role of intermediaries to facilitate the operation of the scheme.

5. Unutilized Balances

In case of partial utilization, the collecting bank shall indicate the unutilized balance on the face of all copies of the certificate as well as on a photocopy of the original which shall be handed over to the holder. Upon presentation to the NEPC, the holder shall be issued with the outstanding value using specific denomination(s) for the unutilized balance.

6. Commission

- (i) A maximum of 50k (fifty kobo) per N1, 000.00 (One thousand Naira only) shall be payable by the beneficiary or holder of the certificate to the designated bank as administrative charge on the utilized value of the certificate.

C. NON-COMMERCIAL EXPORTS:

When payments are not expected for goods to be shipped to any destination outside Nigeria, Non-Commercial Exports (NCX) form shall be completed by shippers or their agents and submitted to the Central Bank of Nigeria for approval. Non-commercial exports and related supporting documents are as listed below:

1. Gifts and Personal Effects:

- a. Packing list, showing the number, quantity and Naira value of items.
- b. Clearance from the Nigerian Museum, if any work of art is included.
- c. Veterinary Certificate of Health, if a pet is included.
- d. Insurance Certificate and Vehicle License in case of a motor vehicle.
- e. Residence Permit and Passport, in the case of non-residents.

2. Trade Samples and Printed Business Matter

- a. Letter stating purpose of exportation together with the quantity and approximate Naira value of the items.
- b. Correspondence with consignee.
- c. Certificate of Incorporation.
- d. NEPC registration number.

3. Machinery and Equipment for Repairs and Return

- a. Completed Form NXC duly endorsed by Nigeria Customs Service.

- b. Certificate of Re-importation issued by Nigeria Customs Service.
- c. Correspondence from the consignee agreeing to repair the item(s).
- d. Duly signed packing list, showing the number of items, quantity and approximate Naira value.

4. Machinery and Equipment for Replacement

- a. Correspondence from the consignee agreeing to replace item(s).
- b. Import documents such as (i) Copy of SGD form (ii) Supplier's invoice and (iii) Clean on Board Bill of Lading.
- c. Duly signed packing list, showing the number of items, quantity and approximate Naira value.

5. Return of Machinery and Equipment After Execution of Specific contract

- a. Documentary evidence of temporary importation issued by the Nigeria Customs Service.
- b. Contract/Hire Agreement.
- c. The original documents with which the items were imported, to confirm that no foreign exchange was previously released.

6. Trans-Shipments

In the case of goods arriving in Nigeria for trans-shipment to any destination outside the country, documentary evidence shall be produced to the Customs showing that the Authority in the country of origin has approved shipment to the country of destination. The exporter is required to produce the transit bill of entry confirming the importation origin and destination of the goods.

Memorandum 12

CREDITS AND GUARANTEES/PERFORMANCE BONDS

A. CREDITS

i. Types of Credits

- a. Credits for exports – The terms of the credit may provide for payment in part or whole, at sight of shipping documents, and/or within a maximum period of 90 days in accordance with the provisions of section 4(1) (xii) of Memorandum 11.
- b. Credit for imports – For these types of credits, the requirements of Memorandum 10 shall be completed with.

B. GUARANTEES/PERFORMANCE BONDS

Authorized Dealers may provide the following facilities to their customers without recourse to the Central Bank:

- a. Guarantees on behalf of their customers in the ordinary course of business, such as, guarantee given in respect of missing documents, the authenticity of signatures, the release of goods under trust, receipts, etc.
- b. Dealings in any guarantee or similar understanding, the implementation of which would involve a payment to a resident outside Nigeria or a payment in any foreign currency;

C. FOREIGN GUARANTEES ON NAIRA DENOMINATED LOANS

Foreign guarantees on Naira Loans shall be allowed subject to the following.

1. SCOPE

Foreign guarantees for Naira denominated Loans shall be limited to a **bank guarantee and foreign currency deposits** whether in foreign banks or a domiciliary account with a bank in Nigeria.

2. ELIGIBILITY

Only projects in the following sectors shall be considered eligible for the concession.

- a. Agriculture
- b. Manufacturing
- c. Building Construction (equipment and real estate development)
- d. Solid Minerals
- e. Telecommunications (excluding merchandising)

- f. Information Technology (software development, assembling of computer hardware and orbital satellite system installation)
- g. Oil, Gas and Energy
- h. Tourism Development
- i. Any other sector that the CBN may, from time to time, approve.

3. STATUS OF FOREIGN GUARANTOR

The foreign guarantor must be a first-class bank or any other bank that is acceptable to the Central Bank of Nigeria in the case of bank guarantee. Where the guarantee is based on foreign currency deposits, the funds shall be held in a bank acceptable to the Central Bank.

4. SINGLE OBLIGOR LIMIT

Banks are reminded at all times, to keep the risk exposure to customers within their single obligor and loan deposit limits as determined from time to time by the CBN.

5. METHOD OF APPLICATION

The following procedure shall be adopted by any bank seeking approval to utilize foreign bank guarantee for Naira denominated loans:

- (a) The bank shall forward to the Director, Trade & Exchange Department, CBN, Abuja a letter requesting for approval to utilize the facility, stating the loan amount, duration of the loan, project to be financed and particulars of the guarantor.
- (b) On approval, a copy each of the under listed documents should be forwarded to the Director, Banking supervision Department, CBN, Abuja not later than one month after the grant of approval for monitoring purpose:
 - i. A duly executed deed of guarantee
 - ii. A duly executed loan agreement

Memorandum 13

INSURANCE PAYMENTS

1. Applications for imports shall be supported by documentary evidence of insurance which must be taken in Nigeria. However, where an importer for one reason or the other, requires taking insurance overseas, it should be regarded as additional to the mandatory local insurance. For such insurance cover taken overseas, it should be noted that funds from any of the segments of the Foreign Exchange Market i.e., CBN, Exports proceeds, oil companies, etc, cannot be used for the payment of the transaction. Authorised Dealers are, therefore, enjoined to ensure strict compliance.
2.
 - a. Insurers in Nigeria shall not issue to citizens of Nigeria domiciled in Nigeria annuities and policies covering all classes of insurance which are expressed in foreign currencies.
 - b. Annuities and policies covering all classes of insurance owned by residents of Nigeria shall not be assigned to non-residents.
3. Insurers in Nigeria may issue to citizens of Nigeria domiciled outside Nigeria annuities and policies covering all classes of insurance, which are expressed in Nigerian currency or in any foreign currency.
4. Claims in respect of 3 above will be made in the currency in which the premium was paid.
5. Nigerian insurers, without recourse to the Central Bank, can make insurance payments of the types listed below to beneficiaries outside Nigeria through Authorised Dealers:-
 - a. Premiums, commissions, brokerages and taxes on insurance.
 - b. Death Claims, maturity proceeds surrender values, part surrenders and surrenders of bonus due to the insured under life or endowment assurance policies and payments to an annuitant under an annuity contract
6. A resident of Nigeria, who had taken out an insurance policy abroad before returning to Nigeria, is allowed to remit money to meet his premium obligations. The authorized Dealers through which the remittances are made shall require the policy holder to deposit the policy or annuity with them. At maturity, the proceeds of the insurance policy shall be repatriated and lodged in the insured's Domiciliary Account.

The documentation requirements for remittance for this category of personal insurance are listed below:

- a. Duly completed Form "A"
- b. Demand Note

- c. Photocopy of insurance policy as evidence that it was taken abroad.
- 7. A foreign national who had taken out an insurance policy before coming to Nigeria shall pay for the premium from his Personal Home remittance.
- 8. The following documents are required in respect of remittance for re-insurance:-
 - a. Duly completed Form "A"
 - b. Re-insurance Agreement
 - c. Letter of Attestation in respect of the genuineness of the insurance contract and the reasonableness of the premium issued by the National Insurance Commission (NAICOM).
 - d. Demand Note/Debit Note

2. INSURANCE OF AIRCRAFT OPERATING IN NIGERIA

The following documents are required in respect of remittance of insurance for aircrafts::

- (a) Duly completed Form "A"
- (b) Valid Air Operator's Certificate issued by NCAA
- (c) Insurance Policy
- (d) Demand Note
- (e) Letter of attestation issued by National Insurance Commission (NAICOM).

Memorandum 14

PAYMENT FOR MAINTENANCE OF FISHING & SHIPPING VESSELS AND AIRCRAFT

(Marine Vessels are used here refer to all watercrafts and ocean going vessels).

All applications for repair and maintenance as well as contracts for the lease/charter of aircraft and marine vessels are to be determined by the Authorised Dealers. However, where an Authorised Dealer is in doubt, the matter may be referred to the CBN for clarification.

A down payment not exceeding 20% of the cost of repairs/maintenance is permissible and subject to the following documentation requirements.

- (a) Approved Form "A" covering 100% of cost of repairs
- (b) Certified agreement.
- (c) A guarantee or performance Bond for the value of the down payment, issued by a recognized bank in the Country where maintenance is to be carried out.
- (d) Demand note
- (e) Confirmation of reasonableness of the fees by the dealing bank...
 - (i) **Subsequent Payments:**
 - (a) Form 'A' for total cost (photocopy)
 - (b) Demand note
 - (c) Certified copy of agreement.

NOTE: Except as provided above, prepayment for services for whatever reason is not allowed.

3. Resale of Aircraft and Sea-Going Vessels

- (i) Evidence of air/sea-airworthiness from Federal Ministry of Aviation/Transport in respect of aircraft or sea-going vessels.
- (ii) Completed Form NXP
- (iii) Valuation report from Federal Ministry of Aviation/Federal Ministry of Transport as the case may be
- (iv) Clean Certificate of Inspection (CCI)

B. Charter Fees for Fishing Vessels (Trawlers)

- (i) Charter Party Agreement
- (ii) Duly completed Form "A"
- (iii) Evidence of use of Vessels

- (i) Certificate of Clearance issued by Nigerian Ports Plc
- (ii) Statement of fish landed, issued by the Department of Fisheries (quantity and value)
- (iii) Bill of Lading certified by Department of Fisheries
- (iv) Ship manifest
- (v) Confirmation of reasonableness of the charter fees by the National Maritime Authority.

C. Charter Fees for Bunkering Vessels

- (i) Duly completed Form "A"
- (ii) Time Charter Party Agreement
- (iii) License issued by the Department of Petroleum Resources
- (iv) Evidence of use of vessel:-
 - (a) Loading schedule from NNPC
 - (b) Loading schedule from DPR
- (v) Demand note/invoice
- (vi) Confirmation of reasonableness of the fees by NNPC

D. Charter Fees for Marine Vessels

- (i) Duly completed Form "A"
- (ii) Evidence of use of vessel
 - (a) Certificate of clearance issued by Nigerian Ports Plc
 - (b) Ship manifest
- (iii) Charter Party Agreement
- (iv) Demand Note/invoice

- (v) Confirmation of reasonableness of the fees by the National Maritime Authority.

E. Repairs and Maintenance of Marine Vessels

- (i) Duly completed Form "A"
- (ii) Contract stating vessel type and registration
- (iii) Demand note
- (iv) Evidence that the vessel is owned by a Nigerian Company or resident
- (v) Confirmation of reasonableness of fees by the National Maritime Authority
- (vi) Current certificate of seaworthiness of vessel issued by Government Inspector of Ships
- (vii) Confirmation of reasonableness of the fees by the National Maritime Authority.

F. Aircraft Lease Payment

- (a) **Dry Lease** (Lease of Aircraft without crew and insurance, but with maintenance reserve).
 - (i) Duly completed Form "A"
 - (ii) Lease/Maintenance Agreement specifying type, and residual value of the aircraft.
 - (iii) Federal Ministry of Aviation license/permit to import the aircraft and/or operate the route or to use aircraft for any other purpose.
 - (iv) Aircraft utilization as evidenced by relevant pages certified by NCAA aircraft logbook and aircraft approved maintenance intervals.
 - (v) Nigerian Civil Aviation Authority confirmation to the Authorised Dealer on the reasonableness of the lease fee stating the number of hours and rate and aircraft type.
 - (vi) Valid Air Operator's Certificate.
- (b) **Wet Lease** (Dry Lease of aircraft with two sets of crew per aircraft).

- (i) Duly completed Form 'A'
- (ii) Lease / Maintenance agreement specifying the age of the aircraft and residual value.
- (iii) Federal Ministry of Aviation license/permit to import the aircraft and/or operate the route or for any other purpose.
- (iv) Aircraft utilization as evidenced by the certified aircraft logbook and aircraft approved maintenance interval.
- (v) Nigerian Civil Aviation Authority confirmation to the Authorised Dealer on the reasonableness of the lease fee stating the number of hours and rate and aircraft type.
- (vi) Line maintenance cost per hour to be determined by aircraft utilization
- (vii) Valid Air Operator's Certificate (AOC).

C. Air Craft Charter Fees

- (i) Duly completed Form "A"
- (ii) Charter agreement specifying the purpose, duration, type of aircraft destination, age of aircraft among others
- (iii) Federal Ministry of Aviation license/permit to import the aircraft and/or operate the route or for any other purpose
- (iv) Aircraft utilization as evidenced by the certified aircraft logbook
- (v) Valid Air Operator's Certificate
- (vi) Air Transport Operator's License (ATOL).

Authorised Dealer's are to note that aircraft charter for religious pilgrim age will include aircraft total operating cost e.g. aircraft ACMI plus fuel handling, Landing and Parking, Navigational charges and Administration costs plus contingency which the selected airlines would have been paid by the relevant Pilgrims Board. As a result no additional foreign exchange request would be entertained.

G. Repairs and Maintenance of Aircraft Overseas

- (i) Completed Form "A"
- (ii) Maintenance Agreement stating aircraft type age and residual value
- (iii) Certificate evidencing completion of job
- (iv) Demand Note or Invoice showing details of repairs/maintenance carried out.
- (v) Valid Airworthiness certificate
- (vi) Engine Status Report
- (vii) Evidence of utilization/check cycles as per authenticated aircraft logbooks.
- (viii) Certificate of registration of the aircraft.
- (ix) Aircraft Maintenance Organization (AMO) certificate of approval for the Workshop issued by the relevant agency in the home country where the repairs would take place and that issued by the Nigeria Civil Aviation Authority (NCAA).

EXPLANATORY NOTES:

The Bill of Sale must be presented during the initial flight. This will be in addition to:

- (a) The residual value of the aircraft as at the time of lease should be used as a reference point for comparing and determining the amount to be paid for Lease/Maintenance of the aircraft.
- (b) Evidence of utilization of the aircraft should be determined from the logbook certified by either the Captain of the aircraft or NCAA
- (c) Any aircraft for which any form of foreign exchange is being requested for, must possess valid Air Worthiness Certificate bearing the aircraft's serial number.
- (d) All signatures on documents emanating from the Ministry of Aviation and the Nigerian Civil Aviation Authority must be duly verified against those on the relevant specimen signature list.

(H) Repairs And Maintenance of Aircrafts In Nigeria

- (i) Duly completed Form "A"
- (ii) Service contract stating aircraft type and maintenance check to be carried out in accordance with the approved maintenance schedule, duly authenticated by NCAA.

- (iii) Engine Status Report
- (iv) Demand Note or Invoice showing details of repairs/maintenance to be done
- (v) Valid Airworthiness Certificate
- (vi) Evidence of utilization/check cycles as per authenticated aircraft logbook by NCAA
- (vii) Certificate of registration of the aircraft
- (viii) Photocopies of relevant pages of passport and valid entry visa of the foreign aeronautic aviation experts;
- (ix) Certificate issued by the Nigeria Civil Aviation Authority (NCAA), confirming that the repairs/maintenance was done in Nigeria;
- (x) Certificate of Satisfactory performance issued by the owner of the aircraft

2. NET PROCEEDS OF SALE OF INTERNATIONAL AIRTICKETS

- (a) Duly completed Form "A"
- (b) Auditors report on passengers' revenue and expenditure (Naira and Dollar) for the period of month.
- (c) Summary statement of sales and expenditure (in foreign currency and Naira).
- (d) Direct sales report, including bank tellers (in foreign currency and Naira).
- (e) Agent sales and bank draft (in currency of sale).
- (f) Evidence of tax paid on the amount to be remitted issued by FIRS.
- (g) Evidence of payment of stipulated taxes, fees and charges to relevant regulatory agencies (FAAN, NCAA, NAMA, NAHCO/SACHOL. Etc).

EXPLANATORY NOTES:

- (i) In the case of items (b and c), all expenditure and payments must be supported by necessary receipts evidencing payments.

- (ii) Airlines are also expected to render returns using the attached MTR 303 schedule while the bank may choose to request for the computer print out on ticket sales as the need arises.
- (iii) Any Nigerian registered aircraft that engages in International Operations must report the foreign exchange generated from such operations and use same for only eligible transactions.
- (iv) Banks should compare the 5% ticket sales tax payment to NCAA with the Airline's total sales in foreign currency and Naira.

Memorandum 15

MISCELLANEOUS PAYMENTS

Authorised Dealers may approve applications by residents of Nigeria to make payments to beneficiaries outside Nigeria for any of the following transactions subject to the listed documentation requirements:-

- (i) ***Correspondence Courses, Membership Subscription and Examination Fees (Individuals).***
 - (a) Duly completed Form "A"
 - (b) Demand/debit note; and
 - (c) Evidence of membership and/or enrolment.

- (ii) ***Correspondence Course, Subscription and Examination Fees (Corporate Bodies)***
 - (a) Duly completed Form "A"
 - (b) Subscriber's list and amount paid
 - (c) Statement of account showing amount collected less local expenses
 - (d) Evidence of operation of non-resident account in favour of the overseas principal.

- (iii) ***Subscription For Periodicals (Organizations/Individuals)***

- (a) Duly completed Form "A"
- (b) Invoice/debit note
- (iv) ***Books, magazines and Periodicals (single copies)***
 - (a) Duly completed Form "A"
 - (b) Invoice / debit note
- (v) **Conferences, Seminars, Training Courses**
 - (a) Duly completed Form "A"
 - (b) Letter of invitation and estimate of expenses issued by the organizing body overseas.
 - (c) Relevant pages of Passport and return air-ticket of the beneficiary
 - (d) Letter of authority to travel from the Nigerian organization with the list of the nominees for the course/conference/seminar
- (vi) **Board Meetings/Director's Fees**
 - (a) Form "A"
 - (b) Board resolution for the meeting and /or Director's Fees
 - (c) Evidence of Board Membership, i.e letter of appointment
 - (d) Relevant International Air-Ticket
 - (e) Relevant pages of Passport of beneficiary
 - (f) Evidence of tax paid on the amount to be remitted in the case of Director's fees
- (vii) **Technical Services Fees:**

Technical Service fees shall be settled on per diem rate on man-hour, man-day or man-month basis, while the fees for Research & Development (RD) and improvements shall attract up to 1% of net sales:

- a) Duly completed Form "A"
- b) Technical Service Agreement as approved by NOTAP
- c) Evidence that the services were rendered locally (e.g hotel bills and relevant pages of passport and air-tickets of the technical (experts)
- d) Certificate of satisfactory completion of the job issued by the Nigerian employer.
- e) Evidence of tax paid on the amount to be remitted.
- f) Demand note from beneficiary
- g) Confirmation of the reasonableness of the fees by NOTAP
- h) Audited accounts for the relevant period in the case of Research & Development

(viii) Software License (other than those for telecom operators)

- (a) Duly completed Form 'A'
- (b) License Agreement as approved by NOTAP
- (c) Demand Note
- (d) Confirmation of Reasonableness of fees by NOTAP

(ix) Annual Technical Support Fees by IT Licensors

Annual Technical Support (ATS) fees being demanded by IT licensors shall exceed 5-10% of the license fee (the local component of which must be paid in Naira), and shall not last for more than 3 years.

- (a) Duly completed Form 'A'
- (b) Licence Agreement as approved by NOTAP
- (C) Demand Note
- (d) Confirmation of Reasonableness of fees by NOTAP

(x) **License:**

Remittable fees for license in respect of Trade Marks, Patents or Know-How and other Industrial Property Rights, shall range between 1.0 and 3.0 percent of net sales value (or profit before tax where net sales value is not applicable). Trademark fee will not be allowed in respect of any agreement where the trademark owner has over 75% of the equity in the local company. Companies with several product lines should separate the net sales of each product in their audited accounts so as to pay royalty for specific product(s) covered by the industrial property rights and not on the entire/total sales of the company. The documentation requirements are:

- (a) Completed Form "A"
- (b) Agreement in respect of Trade mark / Patent / Know how or other Industrial Property rights as approved by NOTAP
- (c) Evidence of payment of tax on amount to be remitted
- (d) Audited account for the relevant period

(i) **Outright Purchase of Trade Marks, Patent, Know how and other industrial Properties.**

- (a) Duly completed Form "A"
- (b) Purchase agreement as a approved by NOTAP
- (c) Demand Note

(ii) **Management Services**

Management Service fees shall range from 1.0 to 3.0 per cent of the company's profit before tax. Management service fees in respect of products where no profit is anticipated during the early years shall range from 1.0 to 2.0 per cent of net sales during the first three to five years only.

In the case of Hotel Services, a basic fee or lump sum not exceeding 3 percent of net sales plus an incentive fee not exceeding 12 per cent of Gross Operating Profit (GOP) shall be applicable. Other payments, which are internationally acceptable within the applicable hotel chains, may also be

allowed. Only hotels located in the disadvantaged areas will attract the upper limits of the basic and the incentives fees. The documentation requirements for all management services fees are:

- (a) Duly completed Form "A"
- (b) Copy of Management Service Agreement
- (c) Certificate issued by NOTAP after approving the management service agreement
- (d) Demand note/invoice from the organization rendering the service
- (e) Certificate of satisfactory completion of the job issued by the Nigerian employer
- (f) Evidence of tax paid on the amount to be remitted.

Consultancy Fees:

Remittable consultancy fees shall be a maximum of 5.0 per cent of project cost and limited to projects of very high technology content for which indigenous expertise is not available. Service agreement for such high technology joint ventures shall continue to include a schedule for the training of Nigerian personnel for eventual takeover. In addition, Nigerian professionals shall be involved in the project implementation from the inception. The documentation requirement is as follows:

- (a) Duly completed Form "A"
- (b) Certificate issued by NOTAP approving the consultancy service agreement.
- (c) Evidence that the services were rendered locally (e.g. hotel bills and relevant pages of passport and air-tickets of the consultants).
- (d) Certificate of Satisfactory completion of the job issued by the Nigerian employer.
- (e) Demand note from the beneficiary.
- (f) Evidence of tax paid on the amount to be remitted.

Authorised Dealers are to note the following:

- (1) Payments for renewal Agreements in respect of Technical Service Fee, Royalties, Management Services and Consultancy Service shall attract lower remuneration. Generally renewals shall not exceed total period of 10 years unless a new technology is being introduced.
- (2) Once remittance of fees is completed with the NOTAP Certificate evidence of the total amount remitted must be forwarded to NOTAP with relevant documents.
- (xiv) ***Service charge for Repairs of Machinery and Equipment in Nigeria.***
- (a) Duly completed Form "A"
 - (b) Service Agreement
 - (c) Evidence that the services were rendered locally e.g. copies of relevant pages of passport and air-tickets of the foreign experts.
 - (d) Certificate of satisfactory completion of the job.
 - (e) Demand note from the beneficiary
- (xiii) ***Service Charge for Repairs of Machinery and Equipment Overseas.***
- (a) Duly completed Form "A"
 - (b) Service agreement / letter of authority to carry out repairs
 - (c) Documents evidencing shipment of the items for repairs
 - (d) Certificate of satisfactory completion of repairs issued by the Nigerian company.
- (xiv) ***Freight of Personal Effects for Returning Student:***
- (a) Duly completed Form "A"
 - (b) Original Demand Note (shipper's bill)
 - (c) Original Packing List endorsed by shipper
 - (d) Relevant pages of the applicant's passport showing date of arrival in Nigeria.
- (xvii) ***Judgement Debt:***

- (i) Approval-in-Principle shall be required for remittance of judgment debt.
- (ii) Application for Approval-in-Principle shall be forwarded to the Director Trade & Exchange Department, Central Bank of Nigeria Abuja and supported with the following documents:
 - (a) Certificate true copy of the judgment with the court proceedings;
 - (b) Audited accounts of the Defendant company for the last three (3) years and those for the period when the transaction took place, if not included among the three (3) years;
 - (c) Power of Attorney granted by the judgment creditor to the Applicant;
 - (d) Certified copies of documents evidencing the underlying transaction such as Form "M", CRF/CRI, (where applicable), final attested invoice, Bill of Lading, Customs Bill of Entry/SGD form, in the case of imports; Form 'A' service agreement, current invoice/demand note, NOTAP certificate where applicable, etc in the case of invisible trade transactions.
 - (e) Sources(s) of funding the remittance including statement of accounts of the defendant fully certified by the issuing bank(s).

Authorised Dealers shall be required to confirm the genuineness Of supporting documents before submission to the CBN for determination and should have exercised due diligence as expected under the Know-Your-Customer (KYC) rules.

(xviii) ***Advertisements outside Nigeria***

All payments for advertisements outside Nigeria shall be made into an approved non-resident account of the overseas advertising agency subject to the following documentation requirements:-

- (a) Duly completed Form "A"
- (b) Agreement on the advertisement
- (c) Demand Note
- (d) Copy of the published advertisement

- (e) Pay in slip(s) by the Nigerian advertisers
- (f) Evidence of operation of a non-resident account

(xix) ***Remittance of Proceeds from Trade fair Participation By Non-Residents.***

- (a) Duly completed Form "A"
- (b) Certificate of participation at the Trade Fair duly issued by the Chamber of Commerce / Organizers
- (c) Letter of invitation and acceptance to participate
- (d) Evidence of sale (e.g. counterpart of sales invoice, etc).

(xx) ***International Transportation and Delivery service (Courier Service).***

- (a) Duly completed Form "A"
- (b) Agreement between the Nigerian company and the foreign company
- (c) Current demand note
- (d) Evidence of delivery of messages/parcels in Nigeria
- (e) Statement of account of the company with the evidence of netting of accounts.

(xxi) ***Aerial Survey***

- (a) Duly completed and approved Form "A"
- (b) Service/contract Agreement
- (c) Approval from the Federal Ministry of Aviation to carry out the aerial survey
- (d) Evidence of tax payment on the amount to be remitted
- (e) Demand note from the foreign company

(xxii) **Telecommunication Charges**

Authorized Dealers are to note the following telecommunication charges for determination

- Installation of equipment
- Maintenance/Repairs of Telecom Equipment
- Software License fee relating to Telecommunications
- Software upgrades
-
- Outright purchase of software relating to Telecommunications
- Satellite Bandwidth Charges
- Marketing/Publicity (Overseas) Charges
- Workshop, Trade (Exhibition) fare/charges
- Roaming (Bills Settlement) charges
- International Traffic (Bill Settlement) charges
- Internet Hosting Charges.

The documentation requirements are as stated below:

- (a) Duly completed Form "A"
- (b) Service/Licensed Agreement with off-shore Telecommunication Company
- (c) Invoice, bill or demand note for services rendered
- (d) Current Certificate of registration/License with the Nigerian Communications Commissions
- (e) Confirmation of reasonableness of fees by the Nigerian Communications Commission.

(xxiii) **Contract Service Fees**

- (a) Duly completed Form "A"
- (b) Service Agreement/Contract
- (c) Bill submitted by the Organization that rendered the service
- (d) Certificate of satisfactory completion of the job issued by the company that received the service
- (e) Attestation from a relevant professional body in the related field that the service cannot be provided locally
- (f) Evidence of tax paid on the amount to be remitted.

(xxiv) **Down Payment on Invisible Trade Transactions:**

Down payments on invisible trade transactions shall be treated on case-by-case basis; Authorized Dealers are to forward such transactions to the Trade & Exchange Department for determination.

Memorandum 16

REMITTANCE FOR SERVICES RENDERED IN NIGERIA TO ANY NIGERIAN RESIDENT

Payment in foreign exchange for products and services provided by a Nigerian company to another Nigerian company is optional. Moreover the option to pay in foreign currency rests with whoever is making the payment.

In all cases where the payer opts to make the payment in foreign currency, the funds shall be from his ordinary domiciliary count or offshore sources only.

Memorandum 17

CASH GIFTS

1. Authorized Dealers are required to determined applications from individuals or organizations, resident in Nigeria who want to make cash gifts not exceeding \$1,000.00 (one thousand dollars) to charitable organizations and \$500.00 (five hundred dollars) to individuals during any calendar year.

2. Form "A" shall be completed by the applicant with documentary evidence of the need and purpose of the gift, e.g. appeal or letter of request for aid or donation.
3. A cash gift allowance for tax purposes is not transferable from one resident to another.

Memorandum 18

EXTERNAL AND NON-RESIDENT ACCOUNTS

Where an Authorized Dealer is satisfied that a customer is permanently resident outside Nigeria, he should be treated as such and his application to open an account with a bank in Nigeria, other than those blocked by directives given under section 32 of the Foreign Exchange (Monitoring & Miscellaneous Provisions) Act 1995 shall be determined along the following lines:

Eligibility

- (i) **The following are qualified to open and operate external accounts in Nigeria:-**
 - (a) Embassies
 - (b) High Commissions
 - (c) Legations/Consulates
 - (d) Career and established members of the above bodies
 - (e) Other international organizations recognized and accorded diplomatic status and their expatriate officials – e.g. Organization of African Unity, United Nations, Commonwealth of Nations, etc

For the avoidance of doubt, persons employed in embassies, high commissions, etc or international organizations listed in 1(i) above who do not enjoy diplomatic status and/or are not career or established members of staff do not qualify to operate external accounts.

- (ii) **Non-resident account**

The following are eligible to open non-resident accounts:

- (a) Overseas Correspondence and examination bodies

- (b) Foreign Companies executing approved contracts in Nigeria
- (c) Foreign Professional bodies
- (d) Others.

Documentation Requirements:-

(i) External Accounts

- (a) Applicant's letter of request, showing official position/status and the probable duration of stay in Nigeria.
- (b) Letter of introduction from the relevant Diplomatic Mission/International Organization certifying the accredited status of the applicant.
- (c) Relevant pages of applicant's passport.

(ii) Non-Resident Account

(a) Overseas Correspondence and Examination Bodies:

- (i) Letter of request from applicant
- (ii) Memorandum and Articles of Association of the overseas Company.
- (iii) Letter of accreditation from the Federal Ministry of Education.
- (iv) Power of attorney to their agent in Nigeria.

(b) Foreign Companies Executing Approved Contracts in Nigeria

- i. Contract
- ii. Letter of request from applicant
- iii. Memorandum and Articles of Association of the company

(c) Foreign Professional Bodies

In addition to documents specified in ii (a) above, letter of certification from the counterpart professional body in Nigeria shall be required.

(d) Others

In cases that are not classified under (a) – (c) above, reference should be made to the Central bank of Clarification.

3. CONDUCT OF EXTERNAL AND NON-RESIDENT ACCOUNTS.

I. External Accounts

Credits

- (a) Payments by residents of Nigeria in respect of which the appropriate approved foreign exchange applications are held.
- (b) Payments from other external accounts.
- (c) Proceeds of sale of foreign currency imported into the country subject to the following conditions:-
 - (i) Foreign currency imported shall be converted to Naira at the prevailing IFEM buying rate;
 - (ii) Repurchases shall be executed at the prevailing FEM selling rate.

Debits

- (a) Payments to residents of Nigeria;
- (b) Payments to other External Account;
- (c) The cost of purchases of foreign currency.

II. Non-Resident Accounts

- (a) Non-Resident Account may be credited with proceeds from services rendered locally and may be debited with payment for services rendered locally.
- (b) Payments into non-resident accounts for foreign companies executing approved contracts in Nigeria shall not exceed the Naira portion indicated in the contract.

- III.** All Non- Resident and External Account operated under the provisions of this memorandum may, on completion of the contract or the applicant's business in Nigeria, be closed and the balance on the account, if any, transferred abroad after proper documentation.

FOREIGN NATIONALS' PERSONAL HOME REMITTANCES

A. Family Maintenance Allowance

1. Remittances by resident foreign nationals/expatriates for the maintenance of dependants on their own accounts or for any purpose whatsoever are allowed up to 100% of their net income while physically resident in Nigeria. An expatriate wife with accompanying husband (immigration status) and resident permit cannot enjoy the PHR facility, but can transfer funds outside Nigeria for any other purpose.
2. Authorized Dealers may approve applications made by foreign nationals resident in Nigeria to remit monies outside Nigeria for family maintenance subject to the following documentation requirements:-
 - (a) Duly completed Form "A"
 - (b) Certificate Tax Deduction Card
 - (c) Photocopy of Relevant Pages of Passport
 - (d) Residence Permit
 - (e) Evidence of operation of current account with the bank and of payment of salaries into the account.
3. Actual transfer may be made once in a month on the basis of the remuneration received for the previous month. However, where remittances have fallen into arrears, Authorized Dealers can determine the applications based on the documents listed in (2) above.
4. Family maintenance allowance may be continued only while the applicant is actually resident in Nigeria and receives salary. These shall cease immediately it is known that the applicant has left Nigeria.

B. Naturalized Aliens/Foreigners Married to Nigerians

- (i) A limit of 50 per cent of the annual income of naturalized aliens (which include an expatriate woman married to a Nigerian) may be allowed to be remitted abroad in any fiscal year, subject to documentation requirements in paragraph 2 above, except (d).
- (ii) Naturalized aliens shall be treated as Nigerians for the purpose of foreign exchange remittances. Consequently, remittances of premiums payable to them

on any life or endowment policy expressed in foreign currency will be allowed until such policy matures, after which the foreign exchange proceeds shall be repatriated and credited into a Domiciliary Account operated by the beneficiary. Like other Nigerians holding such policies as provided under Memorandum 13, paragraph 3, they shall be required to deposit such policies with an Authorized Dealer until maturity.

C. Leave Pay

- (i) Foreign nationals working in Nigeria are allowed to remit 100% of their leave allowance during any calendar year.
- (ii) In all cases, the amount remitted must not exceed the leave allowance of the applicant.
- (iii) Authorized Dealers shall note that the leave pay allowance granted under this memorandum is inclusive of travel allowance approved for the related leave period.
- (iv) Applicants' passports shall be endorsed by the Authorized Dealers to reflect the grant of leave pay remittance for each year. Where there is evidence of accumulated leave, the leave pay remittance shall be proportionate to the period(s) of accumulation and the passport shall be endorsed to indicate the period(s) accordingly.
- (v) Application for leave pay shall be supported with the following documents:-
 - (a) Duly completed Form "A"
 - (b) Photocopy of relevant pages of the applicant's passport
 - (c) Letter from employer stating that the applicant is going on leave and the amount of leave allowance paid to applicant.
 - (d) Photocopy of Residence Permit.

D. Provident Fund Payments

Authorized Dealers may approve applications made by foreign nationals to remit Provident Fund Payments provided documentary evidence of the amount due is produced and income tax has been paid or that the monies

are exempted from taxation. Such remittances form part of the repatriable 100% of net income.

E. Bonus and Gratuity

Applications for permission to remit Gratuity/Bonus should be determined by the Authorized Dealers on presentation of the following documents:-

- (i) Form "A"
- (ii) A letter from the applicant's employer confirming payment.
- (iii) Evidence of payment of tax on the amount to be remitted.

F. Company's Share of provident/Pension Fund Liabilities Due to Expatriate Staff.

Such applications shall be determined by Authorized Dealers subject to the following documentation requirements:-

- (i) Duly completed Form "A"
- (ii) Approved rules of the pension scheme
- (ii) Schedule of contribution (where applicable)
- (iv) Joint Tax Board approval of the scheme/appraisal of the scheme by National Social Insurance Trust Fund (NSITF) in case of Provident Fund.
- (v) Residence permits of individual contributor.

G. Final Balance/Terminal Pay:

All applications for remittance of terminal pay, gratuity and proceeds from sales of assets (all within remittable limits) shall be determined by the Authorized Dealers, subject to the following documents:

- (a) Duly completed Form "A"
- (b) Photocopy of Residence Permit

- (c) Photocopy of Relevant pages of applicant's Passport
- (d) Letter from the employer stating that the applicant is leaving the country finally, where applicable.
- (e) The applicant's statement of assets in Nigeria.
- (f) Receipts of sale of Personal effects (if any)
- (g) Employer's confirmation of payment of fringe benefits (if any)

Footnote

The Form titled "Foreign Nationals – particulars for Hole Remittance" and evidence of tax payment in Nigeria such as copies of P.A.Y.E. tax deduction cards, etc, which are valid for at least one year shall be submitted to the Authorized Dealers at the time of making the initial application. Authorized Dealers are to retain such forms, cards etc for use in dealing with subsequent applications.

Memorandum 20

PURCHASE AND SALE OF SECURITIES

A. Securities payable in Nigerian Currency

1. A foreign national who wishes to establish an enterprise in Nigeria shall first of all comply with the provisions of the Companies and Allied Matters Act of 1990 i.e. via registration with the Corporate Affairs Commission.
2. A foreign investor may buy the shares of any Nigerian quoted enterprise. Such purchase of shares shall be completed through any of the Stock Exchange in Nigeria.
3. Procedure for Purchase of Securities Through the Stock Exchange.
 - (i) The prospective investor appoints a local stock broker of his choice.
 - (ii) The broker and investor agree on the bank in Nigeria for the investor. The investor then informs the bank on how much he is investing.

- (iii) The capital is imported e.g. by electronic transfer to the designated Bank. Please note that cash movement for dealing in securities is not allowed.
- (iv) On receipt of the funds, the bank issues the investor with a Certificate of capital Importation within 24 hours.
- (v) With the certificate, the investor through the stock-broker, enters the market; invests in any company of his choice.
- (vi) If at any point in time the investor wants to divest, he shall go back to the bank with the following documents:-
 - (a) Evidence that the shares were sold in line with guidelines by the Securities and Exchange Commission, the relevant Stock Exchange;
 - (b) Evidence of capital importation/approved status/evidence of previous remittance of dividends on the shares.
 - (c) Evidence of offer and acceptance (i.e. sales agreement).
 - (d) In the case of companies whose shares are not quoted on the stock exchange, a valuation report by a reputable Auditing Firm indicating the value of the shares, is required in place of (a) above.

B. Securities Payable in Foreign Currency

- (i) Residents of Nigeria may buy from or sell to an expatriate, any security denominated in Nigerian currency.
- (ii) The use of funds in the Forex Market for Capital Account transactions remains restricted. However, residents who own foreign exchange either offshore or in “ordinary” domiciliary accounts are free to utilize such funds for capital account transaction requirement. For the avoidance of doubt the use of FEM funds (CBN, Export proceeds, Oil companies, etc) for such transactions shall not be allowed.

C. Documentation Requirements:

- (a) Form “A”
- (b) Broker’s Quotation or Purchase Contract Note
- (c) Certified evidence of offer for sale of the specified shares

- (d) Prospectus or current annual report of the company offering the shares for sales.

Memorandum 21

PURCHASE OF MONEY MARKET INSTRUMENTS

A foreign national or entity may invest in Nigeria by way of purchase of money market instruments such as Commercial Papers, Negotiable Certificates of Deposits, and Bankers Acceptances, Treasury Bills, etc

1. Procedure for investing in Nigerian Money Market Instruments

- (i) The prospective investor appoints a local bank or Discount House as an agent to purchase the instrument.
- (ii) The funds for the investment are transferred electronically to a designated bank.
- (iii) On receipt of the funds, the bank issues the investor with a Certificate of Capital Importation within 24 hours.
- (iv) With the certificate, the investor through the bank or discount house, enters the market; invests in any instrument of his choice.
- (v) If at any point in time the investor wants to divest, he shall go back to the bank with the following documents:-
 - (a) Certificate of Capital Importation
 - (b) Evidence of redemption of the money market instrument.

Memorandum 22

DIRECT FOREIGN CAPITAL INVESTMENT IN NIGERIA

Any person whether resident in or outside Nigeria or a citizen of Nigeria or not may invest in any enterprise except those specified in Section 13 of Nigerian Investment Promotion Commission Act of 1995. However, a foreign national who wishes to establish an enterprise in

Nigeria shall first of all comply with the provisions of the Companies and Allied Matters Act of 1990, i.e. be incorporated by the Corporate Affairs Commission. In addition, the Authorized Dealer shall issue a certificate of capital importation (CCI) to the investor within 24 hours of the receipt of the capital. The Authorized Dealer shall issue the CCI on the basis of the following documents:

- (i) Tested telex message advising payment;
- (ii) Board resolution of the local beneficiary authorizing the investment;
- (iii) Purpose of capital importation;
- (iv) Evidence of incorporation where applicable.

Where capital is imported in form of equipment/machinery or raw materials, the CCI shall be issued subject to the following documentation requirements:

- (a) Original final attested invoice / Clean Report of Inspection
- (b) Certified copy of bill of lading (original to be sighted)
- (c) Certified copy of Bill of Entry/Single Goods Declaration Form (original copy to be sighted).
- (d) Original Import duty payment receipt bearing Single Goods Declaration (SGD) Form number.

Authorized Dealers are required to render monthly returns to CBN on capital importation for the purpose of investment in Nigeria.

2. REMITTANCES IN RESPECT OF INVESTMENT UNDER THE DEBT CONVERSION PROGRAMMED.

A status report must be obtained from the Debt Conversion Committee (DCC) Secretariat before repatriation of capital, profit, interest and/or dividends, in respect of transactions, which have been approved under the DCC Scheme. Please note that this will be in addition to existing requirements prescribed in Memorandum 20, section B of the Foreign Exchange Instructions Manual.

NOTE: REGISTRATION OF FOREIGN INVESTMENT

It is required that non-resident investors in Nigeria shall register their investments for records and statistical purposes with the Nigerian Investment Promotion Commission (NIPC). The

Commission shall forward monthly returns of all registered foreign investments to the Foreign Exchange and Trade Relations Department of the Federal Ministry of Finance and Trade and Exchange Department of the CBN for monitoring and record purposes.

Memorandum 23

EXTERNAL LOANS, INCLUDING SUPPLIERS' CREDIT

1. Procurement of Foreign loan

Request for foreign loans by companies incorporated in Nigeria from corporate bodies/institutions offshore shall be processed through Authorized Dealers supported with the following documents:

- (a) Board Resolution to obtain the loan
- (b) A copy of agreement, showing terms and conditions of the facility, including moratorium, date of maturity, interest rate and schedule of repayment of principal and interest.
- (c) A copy of letter of offer of loan / facility or credit.
- (d) A copy of letter of acceptance.

After such foreign loans/facilities shall have been obtained, Authorized Dealers shall forward the details of the loans/facilities to Foreign Exchange and Trade Relations Department of the Federal Ministry of Finance, Trade and Exchange Department of CBN, and NIPC for record and monitoring purposes.

3. Repayment of External Loans

- (i) Completed Form "A:
- (ii) Copy of Agreement, showing schedule of repayment
- (iii) Schedule of draw down of the loan/facility

- (iv) Evidence that the loan/credit was brought into the country (CCI, CRF/ original attested final invoice with security seal and CRI number stated, CRI,etc.) where applicable/ import duty receipt with SGD form number.
- (v) Demand note.

Memorandum 24

CAPITAL OUTLOWS, AND OUTWARD TRANSFERS IN RESPECT OF DIVIDENDS, PROFITS, LOAN REPAYMENTS AND DIVESTMENTS

Foreign investors are guaranteed unconditional transfer of their capital, profits and dividends attributable to their investments in any convertible currency through the Authorized Dealers.

1. Capital Transfer (other than Securities)

Applications for capital transfer on withdrawal of investment may be processed by the Authorized Dealers subject to the following documentation requirements:

- (i) Copy of sales agreement
- (ii) Original certificate of capital gains tax paid (where applicable)
- (iii) Certificate of Capital Importation as evidence that the original investment was imported into Nigeria whether in the form of cash or goods (raw materials, machinery and equipment), or Approved Status in the case of an old company/investment or evidence of previous remittance of profits and dividends
- (iv) Evidence to show that the beneficiary has sold or transferred assets
- (v) Evidence of valuation by an independent third party
- (vi) Completed and approved Form "A".

2. Transfer of Shares

Transfer of shares can be done by companies subject to:

- (i) Board Resolution authorizing such transfer;

- (ii) Payment of Capital Gains Tax where applicable;
- (iii) Transfer agreement;
- (iv) Letter of clearance from Securities and Exchange Commission that the transfer is duly authorized.

After such transfer, companies are required to notify the federal Ministry of Finance, NIPC and CBN for monitoring and record purposes:

3. Capitalization/Rights Issue

Capitalization/Rights Issue can be carried out by companies subject to evidence of the following:

- (a) Board Resolution authorizing such capitalization;
- (b) Payment of relevant stamp duty to the Corporate Affairs Commission (CAC).

4. Remittance of Dividends, Profits, etc.

The documentation requirements for the remittance of dividends and profits are as listed below:

- (a) Duly completed and approved Form "A"
- (b) Audited accounts for the year dividends were declared.
- (c) Board of Directors / AGM resolution, authorizing the payment of dividends profits to both local and foreign shareholders.
- (d) Evidence of tax payment on the amount to be remitted outside Nigeria issued by Federal Inland Revenue Services.
- (e) Evidence of capital importation into Nigeria, e.g. CCI or Approved Status evidence of previous remittance of dividend / profit.
- (f) Evidence of what is due to each shareholder for the period dividends is declared.

Authorized Dealers are required to submit monthly returns to the Central Bank of Nigeria on capital transfer/repatriation and remittance of profits and dividends.

5. Utilization of Certificates of Capital Importation

- (i) Authorized Dealers are to note that all cases of capital outflows and outward transfers in respect of dividends, profits, loan repayments and divestments as specified in Memoranda 20, 21, 22 and 23 of this Manual shall be restricted to the dealing bank that issued the Certificate of Capital Importation unless a prior approval of the Director, Trade & Exchange Department, to the contrary is obtained.
- (ii) In the cases indicated in (i) above, the original Certificate of Capital Importation should be retrieved and cancelled by the dealing bank. The bank should retain a photocopy for its records and surrender the cancelled original to the Director, Trade & Exchange Department, CBN, Abuja.

Memorandum 25

EDUCATION OUTSIDE NIGERIA

Approval for remittance in respect of educational expenses of Nigerian students attending Schools/Colleges and Universities outside Nigeria at all levels shall be granted by the Authorized Dealers subject to the documentation requirements listed below:-

1. Undergraduate Studies:

- (a) Duly completed Form "A"
- (b) Letter of admission/course programme
- (c) School bill for the current period
- (d) Authentic student visa and / or Form 1-20 in USA, or its equivalent in other countries.
- (e) For fresh students leaving Nigeria for studies, abroad, only (a)-(c) are applicable.

2. For Postgraduate Studies:

- (a) Duly completed Form "A"
- (b) Photocopy of first degree certificate

- (c) N.Y.S.C. discharge certificate or certificate of exemption where applicable.
- (d) Letter of admission/course programmes
- (e) School bill for the current period
- (f) Authentic student visa (Form 1-20 in USA or its equivalent in other countries).
- (g) For fresh students leaving Nigeria for Postgraduate studies only (a)-(e) are applicable).

3 Approvals shall be issued only in favour of the educational institution which the student is attending and not in favour of the student, where both tuition and maintenance services are provided by the institution and they are stated as one amount. However, where the student is living off campus, or the maintenance fees are stated separately, the maintenance fees may be made payable to the student while the tuition fee shall be paid to the school. Remittances shall not be in Travelers' Cheques.

- 4. Applications for educational expenses by foreign nationals shall be treated as part of their remittable entitlement in accordance with the provisions of memorandum 19.

Memorandum 26

FOREIGN CURRENCY DOMICILIARY ACCOUNTS

1. Eligibility

- (I) All Authorized Dealers are eligible to open domiciliary accounts for their customers.
- (ii) Foreign Currency domiciliary accounts may be opened by:
 - (a) Citizens of Nigeria
 - (b) Foreign nationals
 - (c) Foreign/indigenous companies;
 - (d) Embassies, High Commissions, Diplomatic Missions, etc, operating in Nigeria including their staff.

N.B. External Account holders can also operate domiciliary accounts

2. Mode of Operation

- (a) Foreign Currency Domiciliary Accounts may be operated as current, deposit or savings accounts;
- (b) Foreign currency Domiciliary Accounts may be opened, maintained and operated in any specified foreign currency as in memo 3.
- (c) A customer may open more than one Domiciliary Account denominated in the same or different foreign currencies and at the same or in different banks.
- (d) Any person making an application to open a foreign currency Domiciliary Account or who wishes to deposit therein any foreign currency, shall not be required or obliged to disclose the source of funds to be deposited in such an account.

3. Designation of Account

- (i) There shall be a separate Domiciliary Account for the repatriation of export proceeds, which should be called Foreign Currency Domiciliary Account (Export proceeds). Only proceeds of export can be credited into this account.
- (ii) All foreign exchange receipts other than proceeds specified in 3 (i), shall be paid into the Ordinary Foreign Currency Domiciliary Account.

4. Ineligible Sources of Deposit:

Proceeds from the following sources are NOT eligible for lodgment into Foreign Currency Domiciliary Accounts:-

- (a) Proceeds from sale of crude oil
- (b) Foreign exchange approvals for visible and invisible trade transactions except Personal Home Remittance entitlements for foreign nationals.

5. Withdrawals:

- (a) Withdrawals or payment from foreign currency domiciliary accounts shall be done in any of the following ways:-
 - (i) Travelers' cheques or foreign bank-notes. Details of amount issued must be endorsed by the Authorized Dealer on the account holder's passport.
 - (ii) Mail/Telegraphic transfer.

- (iii) Bank draft.
- (b) Where a person imports foreign currency in excess of \$10,000.00 or its equivalent in cash and deposits same in the Domiciliary Account, withdrawal from the account shall be in cash only.
- (c) Where an account holder converts part of his funds in foreign currency to Naira, a sale of foreign currency is deemed to have taken place. Such a transaction shall be at the prevailing buying rate.
- (d) Holders of Ordinary domiciliary accounts shall continue to have unfettered access to funds in their accounts with minimum documentation. In other words, the instructions of the account holder shall be sufficient to access funds in the account irrespective of the payment mode. Therefore, the requirement of Form "A" for withdrawal is no longer necessary.
- (e) However, utilization of funds in the Non-Oil Export domiciliary accounts shall continue to be subject to eligible transactions and completion of Forms "M" and / or "A".

6. **Transactions Which May be Settled With Funds from Foreign Currency Account.**

- (i) Payments for invisible trade transaction (i.e. educational expenses, services, basic travel and business trips, seminar, conferences, medical expenses, subscriptions, examination fees, etc) shall be subject to completion of Form "A" stamped "Not valid for Foreign Exchange", except as provided for in (d) above.
- (ii) Payment for visible trade transactions shall be subject to the following conditions:
 - (a) Registration of Form "M" claused "Not Valid for Foreign Exchange".
 - (b) Non-importation of prohibited goods

7. **Payment of Interest on Deposits**

- (i) Payment of interest on deposits shall be as negotiated and agreed between the bank and the customer.
- (ii) Funds deposited in foreign currency domiciliary account and interest earned thereon shall be exempted from Nigerian tax, except lodgments of airfares collected in foreign currency by airlines.

8. **Bank Charges:**

- (i) Bank charges shall be in foreign exchange at rates to be determined by the Central Bank of Nigeria from time to time.
- (ii) However, when a foreign currency account holder converts part of his deposits into Naira, the bank charges for such transaction shall be in Naira.

9. Management of Foreign Currency Deposits

- (i) Foreign Currency deposits shall be managed by overseas banks for Authorized Dealers.
- (ii) Authorized Dealers shall invest the funds in such accounts in overseas securities and ensure that an investment portfolio mix, which satisfies the criteria of profitability, liquidity and security, is maintained.
- (iii) Authorized Dealers are allowed to lend funds in domiciliary accounts to their needy customers, provided that funds for repayment are sourced from the inter bank.

10. Returns to Central bank of Nigeria

The Authorized Dealers are required to render the following returns to the Central Bank of Nigeria on monthly basis not later than the 10th day of the month following that, to which the returns relate:

Aggregate deposits, withdrawals, opening and

Closing balances of foreign currency deposits

held by: Nigerians and foreigners whether as individuals or corporate entities.

NOTE:

For the avoidance of doubt, the monetary authorities are only interested in aggregate movements in foreign currency domiciliary accounts. Consequently monitoring of transactions will be in aggregate and impersonal terms. Authorized Dealers are, therefore, requested to ensure that names of individual account holders are not stated in the returns.

Memorandum 27

MISCELLANEOUS PROVISIONS

- (i) Notwithstanding the provisions of Memorandum 19, of this Manual, only “Nigerians” shall access funds from the Nigerian Foreign Exchange Market.
- (ii) Transactions of Operators in The Free Trade Zones, (not being part of the Nigerian Customs territory), shall not qualify for remittance with funds from the Nigerian Foreign Exchange Market.
- (iii) All agreements for services rendered by non-resident experts that reflect provisions **not covered** by current foreign exchange regulations in this manual shall be referred to the CBN for approvals-in-principle before funds are transferred to the beneficiary
- (iv) It shall be the responsibility of Authorized Dealers to ensure that documentations on transactions, including documents forwarded to the Central Bank of Nigeria for approvals-in-principle are authenticated and certified genuine.
- (v) Authorized Dealers shall be free to deal in funds in the Foreign Exchange Market in their own right, subject to compliance with advised Open Position Limits. However, no bank shall purchase funds from any segment of the Foreign Exchange market on behalf of a customer, or sell funds to any customer without a valid, duly documented underlying transaction from the customer.
- (vi) Mixing of funds purchased from the CBN with any other acquired from autonomous sources shall be allowed, provided they are duly segregated and properly recorded to ease reconciliation. Consequently, banks shall continue to render appropriate returns on sources of funds and utilization to the CBN.
- (viii) Authorized Dealers are to ensure that third party documents are authenticated and certified genuine by issuer/stakeholder(s) before utilization of same for foreign exchange remittance. Accordingly appropriate sanctions shall continue to be imposed on Authorized Dealers who:
 - (a) release funds on the basis of forged documents,
 - (b) engage in fraudulent transactions
 - (c) fail to transfer customs revenue to the CBN in accordance with the laid down procedures
 - (d) default in furnishing accurate returns on due dates
 - (e) fail to report defaulting customers, to the CBN for appropriate action, etc.
- (viii) Authorized Dealers should be wary of transactions emanating from / involving tax haven countries.

- (ix) Sanctions shall be imposed on Authorized Dealers and bank customers who breach any of the foreign exchange regulations and guidelines spelt out in this Manual and any other document of the CBN.
- (xi) All Authorized Dealers are required to refer policy issues in respect of foreign trade and exchange, of which, they are in doubt, to the Director, Trade & Exchange Department of the Central Bank of Nigeria for clarification.

TRADE & EXCHANGE DEPARTMENT

CENTRAL BANK OF NIGERIA,

ABUJA, JULY 2004.

APPENDIX 1

ELIGIBLE TRANSACTIONS

1. **Visible Imports (Except Imports under Absolute Prohibition).**
2. **Invisible Trade**
 - i. Educational Expenses – Student Tuition and Maintenance
 - ii. Expatriate Personal Home Remittances
 - a Monthly Remittance
 - b Gratuity
 - c Leave Pay
 - d Final Balance
 - e Bonus
 - f Provident Fund

- g Company's share of provident/pension fund liabilities to expatriate staff
- iii. Re- Insurance (all types)
- iv. Insurance
- v. Net Proceeds of International Air-ticket sales
- vi. Aircraft Lease fees
- vii. Charter fees for bunkering, Fishing and other vessels
- viii. Repairs and Maintenance of all shipping vessels and aircraft
- ix. Travels
 - a Personal Travel Allowance (PTA)
 - b Business Trip Allowance (BTA)
 - c Medical Tours
 - d Pilgrimage
- X Conferences, Seminars and Training Courses
- Xi In-service Training
- Xii Contract Service Fees
 - a Management & Technical Services
 - b Service charges for work done in Nigeria by highly skilled expatriate personnel.
 - c Service charges for repairs of machinery and equipment outside Nigeria.
 - d Consultancy fees
 - e Directors' fees
- xiv. Membership subscription and Examination fees
- xv. Single copies of books for personal use
- xvi. Subscription to periodicals
- xvii. Correspondence Courses

- xviii. Freight of Personal Effects for Returning Students
- xix. Profits and dividends
- xx. Judgment Debt
- xxi. Commissions and Brokerages
- xxii. Copyright, Patent and Royalties
- xxiii. Advertisement outside Nigeria
- xxiv. Aerial Survey Photographs
- xxv. Others (This covers all transactions not listed, which are neither prohibited by law, nor suspended by current regulations. In case of doubt about the eligibility of any transaction, reference should be made to the Central Bank).

N.B: Prohibited items are as published by the Fiscal Department, Federal Ministry of Finance.

APPENDIXII

OFFENCES AND SANCTIONS

- A. The following extract from Sections 29 to 31 of the Foreign Exchange (Monitoring and Miscellaneous Provisions) Act of 1995 provides for offences and sanctions:
1. Any person who:-
 - (a) with intent to defraud, forges, mutilates, alters or defaces any foreign currency, travelers' cheque or other instrument of exchange in the market;
 - (b) converts any foreign currency to a use for which it is not intended under the Act; or
 - (c) negotiates any draft, foreign bank note, other foreign exchange or any other trading instrument otherwise than as permitted by the Act ;or
 - (d) forges or produces as genuine to the Central Bank or the Market any false document with a view to utilizing the document in any transaction in the market, is guilty of an offence under the Act.
 2. **Any person convicted of any of these offences is liable:-**
 - (a) in the case of an individual, to imprisonment for a term of five years or to a fine of five times the amount of foreign currency involved; and
 - (b) in the case of a body corporate, to a fine of ten times the amount of the foreign currency involved.

3. All the assets, movable or immovable, of a person convicted of an offence shall be forfeited to the Federal Government.
4. Where the person convicted is an Authorized Dealer, the Central Bank shall revoke his appointment as an Authorized Dealer.
5. In addition to any other penalty imposed under this section, the foreign currency involved shall be forfeited to the Federal Government.

Part II: With respect to operation of Foreign Currency Domiciliary Accounts:-

1. **Any person:**
 - (a) with intent to defraud, forges, mutilates, alters or defaces any Foreign Currency Domiciliary Account passbook maintained under the Act; or
 - (b) being a bank, converts the proceeds of any Domiciliary Account maintained in the bank to a use for which it was not intended; or
 - (c) being an Authorized Dealer, permits or in any way facilitates the withdrawals by a deposit of foreign currencies contrary to section 21 of the Act; or
 - (d) makes or accepts cash payments contrary to section 21 of the Act is guilty of an offence under this Act;

2. **A person convicted of any of these offences is liable:-**
 - (a) in the case of an individual, to imprisonment for a term not exceeding two years.
 - (b) In the case of a body corporate, to a fine often times the amount of foreign currency involved.

3. **In addition to the penalty imposed as indicated above:-**
 - (a) the foreign currency involved, shall be forfeited to the Federal Government.
 - (b) Where an offence is committed by a body corporate, the court or tribunal may order that the body corporate shall thereupon and without any further assurance, but for the order, be wound up and all the assets and properties of the body corporate shall be forfeited to the Federal Government.

- (c) Where an offence is committed by an Authorized dealer, the court or tribunal may, in addition to the penalty prescribed in paragraph (b) of this sub-section, recommend that the license of the Authorized Dealer be revoked.

Offences by Bodies Corporate:

Where an offence has been committed by a body corporate, every person who, at the time of the commission of the offence was a proprietor, director, manager, secretary or other similar officer of the body corporate, who was purporting to act in such capacity shall be deemed to be guilty of that offence and liable to be punished as specified in the decree unless he proves that the offence was committed without his consent or connivance and that he had exercised all such diligence as he ought to have exercised having regard to the nature of his functions in that capacity.

B. SANCTIONS FOR CONTRAVENING REGULATIONS IN THE FEM.

Authorized dealers are notified of the following contraventions in the Foreign exchange Market, and sanctions thereto:

Contravention 1: Round – tripping of foreign exchange sourced from either the IFEM or other autonomous sources through:

- a. Use of customers name to source foreign exchange from IFEM without the consent of such customers.
- b. Payment of forex with funds sourced from IFEM or autonomous sources for transactions supported with forged documents.

Sanctions:

- a. Suspension of the Authorized Dealership license for six (6) months with “**full effect**”

- b. Refund of the Naira equivalent of the gains, calculated by applying the difference between the Parallel Market and IFEM rates prevailing on the dates of the transaction(s).
- c. Refer to the Sub-Committee on Ethics of the Bankers' Committee for notification.
- d. Refer case to the Police for prosecution.
- e. Revocation of the Authorized Dealership License on second occurrence of breach.

Contravention 2: Failure to fund account on due date with the Naira value of IFEM funds bought.

Sanctions:

- a. Funds purchased should be fortified (Delivery to be aborted).
- b. The bank should be suspended from IFEM for 10 working days

Contravention 3: Failure to deliver funds (forex) sold by the banks to the CBN and vice versa.

Sanctions:

- a. Interest at FED funds rates to be charged until funds are credited
- b. Bank's request for forex should not be entertained until delivery of contract of sale.
- c. Banks are also entitled to interest on funds bought from CBN until such is delivered.

Contravention 4: Transferring of forex or selling of forex to end users at a margin more than the specified spread.

Sanction:

- a. Difference as calculated by CBN shall be refunded to the customer(s).

- b. The bank shall also pay the amount so calculated in (a) to the Central Bank of Nigeria.

Contravention 5: Default on Rendition of Data

i. Late rendition of data/Non-rendition

Sanction:

Four thousand five hundred naira only (N4,500.00) daily, till the returns are rendered. However, where they are not endeared by the 10th of the following month, in the case of monthly returns, or by Tuesday of the following week, in the case of weekly returns, it shall be regarded as non-rendition. In this case, a fine of N100,000.00 (One hundred thousand Naira Only) shall apply in addition to N20,000.00 (Twenty thousand Naira Only) daily thereafter until returns are submitted.

ii. Rendition of false data

Sanction: Suspension of Authorised Dealership license for six (6) months with “**full effect**”.

Contravention 6: Use of foreign exchange for non-eligible purposes.

Sanction:

- a. The foreign exchange sold should be returned and duly credited.
- b. Letter of warning to the bank
- c. Companies involved to be blacklisted
- d. Refer to the Sub-Committee on Ethics of the Bankers’ Committee for notification.

Contravention 7: Exceeding approved open Position Limited (OPL).

Sanction:

- a. CBN shall close out the excess of the OPL at two percentage points below the prevailing rate.

- b. Persistent offenders that exceed their limits 3 (three) times within the OPL period shall have their limits reduce by 50 percent for 3 (three) months.

N.B.

1. "Full effect" includes the requirement to:
 - (i) Set up Management and Board investigative panels to identify role of staff including Management staff in the malpractice.
 - (ii) Punish guilty staff accordingly with evidence
 - (iii) Provide an undertaking by the bank not to be involved in such practices in the future.

APPENDIX III

PROCESSING GUIDELINES

1. **Visible Imports:**
 - i. Before registering Form "M" for an application, the proforma invoice must be scrutinized to identify the item to be imported and the F.O.B. price, and other charges.
 - ii. The amount specified on Form "M" must agree with that in the pro-forma invoice.
 - iii. Where the item to be imported is subject to examination/pre-shipment inspection, the Form "M" must be marked BA and where the item does not require examination/inspection the Form "M" must be marked CB.
 - iv. In the case of confirmed letters of credit, the cable must be tested and certified to be valid, and payment may be made on the basis of the tested cable. The full documentation as specified in Memorandum 10 must be submitted to the Authorized Dealer within the specified period. The amount specified on the accessed cable must be verified and agreed with those on the attested invoice, bill for collection or letter of credit instrument, and the Form "M".
 - v. The signatures on the Single Goods Declaration Form (CI88A) and or CRI, Import Duty receipt should be verified, using the relevant specimen signature lists.
 - vi. Where a discrepancy exists between signatures on documents presented and those on the Specimen Signature lists, it should be certified by the issuing body

before foreign exchange is transferred to the overseas beneficiary. Any case of suspected forgery must be reported promptly to the Central Bank.

2. Educational Expenses – Student Tuition and Maintenance

Current school bills must be endorsed by the relevant Nigerian Embassy.

3. Monthly Home Remittances (Including Leave Pay and Bonus)

- i. Amount to be approved as monthly home remittances must not exceed 100% of current monthly salary, net of tax.
- ii. 100% of bonus net of tax is allowed to be remitted
- iii. An applicant is entitled to a maximum of two months of his net pay as leave pay. 75% is taken before traveling and 25% on arrival. It must be ascertained from the passport that the applicant actually traveled before the 25% is released. To confirm this, photocopies of the relevant pages of the passport should be attached.
- iii. The signature on the tax clearance certificate and residence permit must be verified against the relevant specimen signature list for all forms of home remittances.

4. **GRATUITY**

Procedure for Calculating Remittable Gratuity

- i. The processing Officer should check to ensure that the application is properly documented.
- ii. The gross income of the applicant for the period covered by the gratuity must be determined.
- iii. The tax on the gross salary is deducted.
- iv. The remittable allotment is 75% income.
- v. The amount remitted under PHR during the period covered by the proposed gratuity is deducted from the remittable allotment in (iv) above.

- vi. All other remittances such as gratuities previously granted which are included in the statement of remittances should be added to the aggregate net income before deducting previous remittance(s).
- vii. Bonus payments are not regarded as part of the remittable income because they are remitted 100% net of tax (see 3 (iii) above).
- viii. A positive net remittable allotment (i.e. after necessary deductions as in (v) and (vi) above) implies that the applicant did not remit all that he was entitled to. As a result, approval can be given for the full value of the gratuity. However, a negative net allotment implies that the applicant had remitted more than he was entitled to during the period. As a result, the figure of the negative net allotment must be deducted from the value of the gratuity, after which the balance can be approved.
- ix. 15% of the gross income determined in 4 (ii) above should be calculated to determine the applicant's gratuity entitlement. Gratuity allowed should not exceed 15% of the applicant's gross income during the period covered by the gratuity.

5. FINAL BALANCE

Procedure for Calculation

- i. The net income received in the last four years of stay in Nigeria is computed by deducting tax liability during the corresponding period as reflected on the tax clearance certificate duly issued by the competent state Inland Revenue department. The signature on the tax clearance certificate must be duly verified to ensure that it is valid. The income remittable is determined as 75% net of tax.
- ii. The terminal payments (i.e. gratuity, leave pay and terminal salary) are then added to the remittable income.
- iii. The difference between the remittable amounts (plus terminal payments) and total remittance made during the period represents the total remittable balance.

6. Overseas Conferences/Training Courses:

- i. Approval shall be granted for course fees (in draft as stated in the course brochure) and maintenance allowance (in travelers' cheques in accordance with applicant's estimate).
- ii. The maintenance allowance should be on a per diem basis, and should be approved by an officer not below the grade of Assistant General Management.

7. Net Proceeds of Sales of International Air-Tickets

The amount to be approved for remittance in respect of sale of air-tickets is total sales proceeds less local expenses incurred. The auditor's report must support such a claim. Therefore, the auditor's report and the Company's statement of account must be studied together in order to establish the actual amount remittable. Authorized Dealers should certify that appropriate tax is duly paid on the portion of international air-tickets sold in foreign exchange before remittance is approved.

8. Aircraft Lease and Maintenance fees:

- i. The lease/maintenance agreement should be examined to determine the amount payable as either lease fee or maintenance for this should be used as reference point for comparing the amount to be remitted.
- ii. Evidence of use of aircraft must be endorsed by the Airports Authority. The signatures on this must be verified against those on the relevant specimen signature list.
- iii. The approval of the Federal Ministry of Aviation should be examined to ascertain that the aircraft for which the application is being made is covered in the air-line's operating license. The signatures on this document must be verified against those in the relevant specimen signature list. The aircraft's registration number should be stated in relevant documents presented.
- iv. A letter of confirmation from the Federal Ministry of Aviation on the reasonableness and competitiveness of the charter/maintenance fees as per the agreement should be called for. The signature on it should be duly verified.

9. Contract Service Fees

- i. The service agreement must be scrutinized to ascertain the amount of the service fee payable in foreign exchange and approval of the terms of agreement sought from the National Office for Technology Acquisition and Promotion (NOTAP).
- ii. The bill submitted by the organization rendering the service must be scrutinized and compared with the amount of service fee specified in the service agreement.
- iii. Where an attestation is required from a relevant professional body in the related field, indicating that the services to be rendered cannot be provided locally, it must be called for, scrutinized, and the signature on it confirmed with the issuing professional body.

- iv. It must be certified that appropriate tax was paid on the amount to be remitted as service fee. The signature on the tax clearance certificate must be verified against that on the specimen signature list.

10. Re-Insurance

The signature of the Commissioner, National Insurance Commission or any of his officers authorized to issue the attestation letter must be verified and should agree with that on the specimen signature list.

MANUAL INST AMEND JULY 2004

MTR 301

EXPORT REGISTRATION

BANK CODE-----

NAME OF AUTHORISED DEALER-----

FOR THE MONTH ENDING-----

EXPORTER				SHIPMENT								
NXP NO	NEPC NO	RC NO	NAME	NAME & ADDRESS OF CONSIGNEE	EXPORT ITEMS CODE	qUANT ITY	UNIT OF MEASURE CODE	FOB VALUE	MODE OF PAYMENT CODE	COUNTR Y OF SHIPMENT CODE	EXPECT ED DATE OF SHIPMENT	EXPORT TYPE

TOTAL											

PREPARED BY-----

AUTHORISED BY-----

MTR202
FOREIGN EXCHANGE FLOW STATEMENT
BANK CODE.....NAME OF AUTHORIZED DEALER.....
AS AT.....

<p>INFLOW Forex opening balance VA 10000 For the day under Review</p> <p>VA10100 Repurchases of L/C Balance</p> <p>VA 10110 Unutilised CBN IFEM funds Va10120 unutilized Autonomous Funds Va10210 Not valid for forex transactions (sourced from domiciliary accounts) Va10310 spot forex purchase / own use for the</p> <p>VA 10311 Exports proceeds Dom. Accounts VA10312 ordinary Domn. Accounts VA10400 Interbank purchase VA10413 from other Authorized Dealers VA10413A Special Sales VA10414 From CBN VA10415 Other spot Purchase VA10416 External Accounts VA10417 over the counter purchases VA10418 Capital Importation Va10419 Home Remittance (e.g. Western union Money gram, Vigo etc) VA10420 forex purchase from oil & Oil Services Companies</p> <p>VA10421 Other over-counter purchases VA10500 Transfer from other banks for syndication / accumulation purposes VA10600 Other sources (please specify)</p>	<p>USD</p>	<p>OUTFLOW</p> <p>VA20000. spot forex sales from CBN IFEM Funds VA20100 imports VA 20100 Imports VA20110 Invisible VA20200 from autonomous funds valid for forex VA20210 imports VA20220 invisible VA20300 not valid for forex from Dom. Accounts VA20310 Imports VA20310 Invisible VA20400 sales to other Authorized Dealers</p> <p>VA20500 Funds utilized by Dom. Accounts holders. VA20510 for own use VA20520 export levies VA20600 sales to CBN VA20700 Capital transfer VA20800 transfer to other banks for syndication/ accumulation purposes VA20900 closing position</p>	<p>USD</p>
<p>VA10700 TOTAL</p>		<p>VA30000 (TOTAL)</p>	

PREPARED BY..... AUTHORIZED BY.....

SUMMARY OF FOREIGN EXCHANGE POSITION REPORT

BANK CODE:.....NAME OF AUTHORIZED DEALERS.....
AS AT.....

	FOREIGN CURRENCY (US\$)
VB10000 OPENING POSITION FOR THE DAY UNDER REVIEW VB10100 ADD-SPOT PURCHASES VB10111 From CBN-IFEM VB10112 From other Authorized Dealers VB10113 From exporters (Dom. Accounts) VB10114 From ordinary Dom. Accounts VB10115 From External Accounts VB10116 From Special Accounts VB10117 Repurchased L/C Balances: VB10118 CBN Funds VB10119 Other autonomous Funds VB 10120 Capital importation VB10121 Home remittance (e.g. Western union, Money Gram, Virgo etc,) VB10122 From oil & oil services companies VB10123 From other Autonomous sources	

FORM "A"
SFA10000 **VALID FOR FOREIGN EXCHANGE**
SFA10010 Funds from CBN
SFA10020 Autonomous funds from banks
SFA10100 **NOT VALID FOR FOREIGN EXCHANGE**
SFA10110 From own Domiciliary accounts
SFA10120 From external accounts
(SME, NERFUND, world bank assisted etc)
SFA10130 Independent off-shore sources
SFA10140 Others (Please specify)
SFA10200 **TOTAL**

FORM "M"
SFM10000 **VALID FOR FOREIGN EXCHANGE**
SFM10010 Funds from CBN
SFM10020 Autonomous funds from banks
SFM10100 **NOT VALID FOR FOREIGN EXCHANGE**
SFM 10110 From own domiciliary accounts
SFM101020 From external accounts
(SME, NERFUND, World bank assisted etc)
SFM10130 Independent Off-shore sources
SFM10140 Others (please specify)
SFM10200 **TOTAL**
TSF10050 **GRAND TOTAL**

PREPARED BY.....AUTHORIZED BY.....

MTR207

**ANALYSIS OF FOREIGN EXCHANGE UTILIZATION ON FORM "M"
(L/C VALID FOR FOREIGN EXCHANGE) SOURCED FROM CBN SALES**

BANK CODE:.....NAME OF AUTHORIZED DEALER

AS AT.....200.....

FORM	RC	APPLICANT	IMPORT	AMOUNT	EXCHANGE
------	----	-----------	--------	--------	----------

"M" NUMBER	NUMBER	NAME	ITEM	UTILISED	ALLOCATED	RATE AT WHICH FUND WAS PURCHASED FROM CBN
11B10000	TOTAL					

PREPARED BY..... AUTHORIZED BY.....

MTR208

ANALYSIS OF FOREIGN EXCHANGE UTILIZATION ON FORM 'M' (BILLS FOR COLLECTION-VALID FOR FOREIGN EXCHANGE) SOURCED FROM CBN SALES

BANK CODE.....NAME OF AUTHORIZED

DEALER:.....

AS AT.....200.....

FORM 'M' NUMBER	RC NUMBER	APPLICANT NAME	IMPORT ITEM	AMOUNT US\$		EXCHANGE RATE AT WHICH FUND WAS PURCHASED FROM CBN
				ALLOCATED	UTILIZED	

11C10000TOTAL						

PREPARED BY.....AUTHORIZED BY.....

DTR 215

DETAILS FOR TRANSFER OF FORM 'M'

BANK CODE-----

NAME OF AUTHORISED DEALER-----

AS AT-----

FORM 'M' NUMBER	CUSTOMER NAME	NEW BANK CODE	DATE OF TRANSFER
TOTAL			

CONSOLIDATED FOREIGN EXCHANGE UTILIZATION

BANK CODE.....NAME OF AUTHORIZED

DEALER :

AS AT.....200.....

	INTERBANK PURCHASES FROM CBN (US\$)	OTHER AUTONOMOUS FUNDS	
		VALID FOR FOREX US\$	NOT VALID FOR FOREX US\$
IV10000 IMPORTS			
IV10100 INDUSTRIAL SECTOR			
IV10101 Raw materials			
IV10102 Capital good including machinery, spare parts CKD etc			
IV10200 AGRICULTURAL SECTOR			
IV10301 FINISHED GOODS			
IV10301 Foods			
IV10302 General Merchandise			
IV10303 Drug and Pharmaceuticals			
IV10304 Books and educational materials			

V10305	Cement			
V10306	Other building materials			
V10307	Detergents			
V10308	Alcohol			
V10309	Insecticide			
V10310	Lubricants			
V10311	Glass Products			
V10312	Furniture/wood products			
V10113	Others			
V10400	TRANSPORT			
V10401	Aircraft / shipping			
V10402	Motor vehicles/ Cars			
V10403	Buses/Trucks/Lorries			
V10404	Rolling Stocks			
V10405	Motorcycles & Bicycles			
V10500	PERSONAL EFFECTS			
V10600	INVISIBLES			
V10601	Education			
V10602	personal home remittance (PHR)			
V10603	Airline Remittance			
V10604	TRAVELS			
V10604A	Personal Travel Allowance			
V10604B	Business Travel allowance			
V10604C	Estacode			
V10605	Re-Insurance			
V10606	Contract service			
V10607	Technical service fees			
V10608	Royalty			
V10609	License			
V10610	Trade mark			

V10611	Constancy fees			
V10612	Management service fees			
V10613	Aircraft lease & Maintenance			
V10614	Shipping Vessels Charter & Maintenance			
V10615	Investment Income-Profit & Dividends			
V10616	Repatriation of capital			
V10617	Others			
V10700	Total			

DTR210

**ANALYSIS OF FOREIGN EXCHANGE UTILISATION – CLASSIFICATION BREAKDOWN
(FORM “M” OTHERS UNDER FINISHED GOODS)**

**BANK CODE.....NAME OF AUTHORISED DEALER.....
AS AT.....**

FORM “ M” NO	RC NUMBER	NAME OF APPLICANT (IMPORTER)	SOURCE OF FUND CODE	SOURCE OF FUND NAME	IMPORT ITEM DESCRIPTION OF GOODS	AMOUNT UTILISED
Total						

PREPARED BY:.....AUTHORISED BY:.....

DTR211

**ANALYSIS OF FOREIGN EXCHANGE UTILISATION – CLASSIFICATION BREAKDOWN
(FORM “M” FOR GOODS UNDER FINISHED GOODS)**

BANK CODE.....NAME OF AUTHORISED DEALER.....

AS AT.....

FORM “ M” NO	RC NUMBER	NAME OF APPLICANT (IMPORTER)	SOURCE OF FUND	IMPORT ITEM DESCRIPTION OF GOODS	AMOUNT UTILISED D (USS)
Total					

PREPARED BY:.....AUTHORISED BY:.....

DTR212

**ANALYSIS OF FOREIGN EXCHANGE UTILISATION – CLASSIFICATION BREAKDOWN
(OTHERS UNDER INVISIBLES)**

BANK CODE.....

NAME OF AUTHORISED DEALER.....

AS AT.....

FORM “ M” NO	RC NUMBER	NAME OF APPLICANT (IMPORTER)	SOURCE OF FUND	IMPORT ITEM DESCRIPTION OF GOODS	AMOUNT UTILISED (US\$)
Total					

PREPARED BY:.....AUTHORISED BY:.....

DTR213

OPERATION OF DOMICILIARY AND EXTERNAL ACCOUNTS

BANK CODE:.....NAME OF AUTHORISED

DEALER:.....

AS AT:.....

	US DOLLAR	NAIRA EQUIVALENT
IX1000 EXPORT PROCEED ACCOUNT		
IX10001 Opening balance for the day under review		
IX10002 Total lodgment including transfer to the account		
IX10100 WITHDRAWALS FOR EXPORT		
IX10101 Sales to Authorized dealers		
IX10102 Used by Account holders		
IX10103 Withdrawal from account by account holders for own use (only) for cocoa export levies)		
IX10104 Transfers out of the account for other dom A/Cs 2/		
IX10105 Closing position		

**IX10200 ORDINARY
DOMICILIARY ACCOUNT**

IX10201 Opening balance for the
day under review

IX10202 Total lodgment including
transfers to the account

IX10203 Freight

IX10204 Passenger fares

IX10205 Port charges

IX10206 Travels

IX10207 Transfers(home
remittance)

IX10208 Contract service fees

IX10209 Insurance

IX10210 Returns from direct
investments

IX10211 Others (specify)

**IX10300 WITHDRAWAL FROM
DOM ACCOUNT**

IX10301 Sales to authorized
dealers

IX10302 Used by account holders

IX10303 Withdrawal from account
to account holder for own use

IX10304 Transfer out of the
account to other dom accounts

IX10305 Closing balance

IX10400 EXTERNAL ACCOUNTS

IX10401 Opening balance for the day under review

IX10402 Total lodgment including transfers to the account

IX10500 WITHDRAWALS FOR EXTERNAL ACCOUNT

IX10501 Sales to authorized dealers

IX10502 Used by account holder

IX10503 Withdrawal from account to account holder for own use

IX10504 Closing balance

PREPARED BY:.....AURHORISED BY:.....

DTR 214

OPERATIONS OF DOMICILLARY AD EXTERNAL ACCOUNTS

BANK CODE----- NAME OF AUTHORISED DEALER-----

AS AT-----

RC NUMBER	CUSTOMER	OPENING BALANCE	ACCOUNT BALANCE	ACCOUNT TYPE	CURRENCY CODE	CLIENT TYPE	ACCOUNT CLASS	LODGEMENT	WITHDRAWAL	CLOSING BALANCE

PREPARED BY -----

AUTHORISED BY-----

DTR216

MONTHLY ANALYSIS OF CUSTOMERS WHO HAVE DEFAULTED IN THE SUBMISSION OF COMPLETE SHIPPING DOCUMENTS WITHIN 90 DAYS OF PAYMENT TO THE OVERSEAS CORRESPONDENT BANK

BANK CODE:.....

AUTHORISED DEALER:.....

AS AT ENDED.....**200**.....

S/NO	IMPORTER		FORM "M" NO.	L/C NO.	IMPORT ITEM	CODE OF DOCUMENTS YET TO BE SUBMITTED	DESCRIPTION OF DOCUMENTS YET TO BE SUBMITTED	DUE DATE FOR SUBMISSION
	RC/PAS SPO RT NUMBER	NAME AND ADDRESS						

DTR 217

CUSTOMER INFORMATION

DATE-----

RC NO/ PASSPORT NO	CLIENT NAME	NEPC NO	ADDRESS	CITY	STATE	DATE REGISTERED	DOM. A/C NO

PREPARED BY.....

THORISED BY-----

MTR 309

IMPORT INSPECTION

INSPECTION AGENTS CODE..... INSPECTION AGENTS NAME.....

FOR THE MONTH.....

FORM 'M'	BILL OF LADING	FINAL INVOICE NO	FINAL INVOICE DATE	CRI NO	CRI DATE	IMPORT ITEM CODE	BANK NAE	DUTY PAYABLE	DUTY EXEMPTION

PREPARED BY.....

AUTHORISED BY.....

MTR310

SUMMARY OF DUTY EXEMPTION

INSPECTION AGENT CODE:.....

FOR THE MONTH ENDED:.....

SECTOR	PUBLIC SECTOR	PRIVATE
--------	---------------	---------

	IMPORT GOVERNMENT) (VALUE NAIRA)	SECTOR IMPORT (VALUE NAIRA)
DE10000	IMPORTS	
DE10100	INDUSTRIAL SECTOR	
DE10101	Raw material	
DE 10102	Capital goods including Machinery, spare parts CKD etc)	
DE10200	AGRICULTURAL SECTOR	
DE10300	FINISHED GOODS	
DE10301	Food	
DE10302	General merchandise	
DE10303	Drugs and pharmaceuticals	
DE10304	Books and educational materials	
DE10305	Cement	
DE10306	Other building materials	
DE10307	Detergents	
De10308	Alcohol	
DE10309	Insecticides	
DE10310	Lubricants	
DE10311	Glass products	
DE10312	Furniture/wood products	
DE10313	Others	
De10400	TRANSPORT	
DE10401	Aircraft/shipping vessels	
DE10402	Motor vehicle car	
DE10403	Buses/trucks/lorries	

DE10404	Rolling stock		
De10405	Motorcycles and bicycles		
DE10500	MINNING		
DE 10600	PERSONAL EFFECTS		
DE10700	OTHERS		
DE10800	TOTAL		

PREPARED BY:.....AUTHORISED BY:.....

MTR311

SUMMARY OF FORM "M" PASSED FOR INSPECTION IN RESPECT OF GOODS VALID FOR FOREIGN EXCHANGE

INSPECTION AGENT CODE:.....

FOR THE MONTH ENDED:.....

SECTOR	FOB VALUE	
	USD	=N=
VIA10000	IMPORTS	
VIA10100	INDUSTRIAL SECTOR	
VIA10101	Raw material	
VIA10102	Capital goods including Machinery, spare parts CKD etc)	
VIA10200	AGRICULTURAL SECTOR	

VIA10300	FINISHED GOODS		
VIA10301	Food		
VIA10302	General merchandise		
VIA10303	Drugs and pharmaceuticals		
VIA10304	Books and educational materials		
VIA 10305	Cement		
VIA 10306	Other building materials		
VIA 10307	Detergents		
VIA 10308	Alcohol		
VIA 10309	Insecticides		
VIA 10310	Lubricants		
VIA 10311	Glass products		
VIA 10312	Furniture/wood products		
VIA 10313	Others		
VIA 10400	TRANSPORT		
VIA 10401	Aircraft/shipping vessels		
VIA 10402	Motor vehicle car		
VIA 10403	Buses/trucks/lorries		
VIA 10404	Rolling stock		
VIA 10405	Motorcycles and bicycles		
VIA 10500	MINNING		
VIA 10600	PERSONAL EFFECTS		
VIA 10700	OTHERS		
VIA 10800	TOTAL		

PREPARED BY:.....AUTHORISED BY:.....

MTR312

SUMMARY OF FORM "M" PASSED FOR INSPECTION IN RESPECT OF GOODS NOT VALID FOR FOREIGN EXCHANGE

INSPECTION AGENT CODE:.....

FOR THE MONTH ENDED:.....

SECTOR	FOB VALUE	
	US\$	=N=
VIB10000 IMPORTS		
VIB 10100 INDUSTRIAL SECTOR		
VIB 10101 Raw material		
VIB 10102 Capital goods including Machinery, spare parts CKD etc)		
VIB 10200 AGRICULTURAL SECTOR		
VIB 10300 FINISHED GOODS		
VIB 10301 Food		
VIB 10302 General merchandise		
VIB 10303 Drugs and pharmaceuticals		
VIB 10304 Books and educational materials		
VIB 10305 Cement		
VIB 10306 Other building materials		
VIB 10307 Detergents		
VIB 10308 Alcohol		
VIB 10309 Insecticides		

VIB 10310	Lubricants		
VIB 10311	Glass products		
VIB 10312	Furniture/wood products		
VIB 10313	Others		
VIB 10400	TRANSPORT		
VIB 10401	Aircraft/shipping vessels		
VIB 10402	Motor vehicle car		
VIB 10403	Buses/trucks/lorries		
VIB 10404	Rolling stock		
VIB 10405	Motorcycles and bicycles		
VIB 10500	MINNING		
VIB 10600	PERSONAL EFFECTS		
VIB 10700	OTHERS		
VIB 10800	TOTAL		

PREPARED BY:.....AUTHORISED BY:.....

MTR313

SUMMARY OF CIF VALUES IN USD OF CRIs FOR IMPORTS VALID FOR FOREX

INSPECTION AGENT CODE:.....

FOR THE MONTH ENDED:.....

A SECTOR	CIF VALUE	
	US\$	=N=
VIC10000 IMPORTS		
VIC 10100 INDUSTRIAL SECTOR		
VIC 10101 Raw material		
VIC 10102 Capital goods including Machinery, spare parts		

CKD etc)		
VIC 10200	AGRICULTURAL SECTOR	
VIC 10300	FINISHED GOODS	
VIC 10301	Food	
VIC 10302	General merchandise	
VIC 10303	Drugs and pharmaceuticals	
VIC 10304	Books and educational materials	
VIC 10305	Cement	
VIC 10306	Other building materials	
VIC 10307	Detergents	
VIC 10308	Alcohol	
VIC 10309	Insecticides	
VIC 10310	Lubricants	
VIC 10311	Glass products	
VIC 10312	Furniture/wood products	
VIC 10313	Others	
VIC 10400	TRANSPORT	
VIC 10401	Aircraft/shipping vessels	
VIC 10402	Motor vehicle car	
VIC 10403	Buses/trucks/lorries	
VIC 10404	Rolling stock	
VIC 10405	Motorcycles and bicycles	
VIC 10500	MINNING	
VIC 10600	PERSONAL EFFECTS	
VIC 10700	OTHERS	
VIC 10800	TOTAL	

PREPARED BY:.....AUTHORISED BY:.....

MTR314

SUMMARY OF CIF VALUES IN USD OF CRIs FOR IMPORTS NOT VALID FOR FOREX

INSPECTION AGENT CODE:.....

FOR THE MONTH ENDED:.....

A SECTOR	CIF VALUE	
	US\$	=N=
VID10000 IMPORTS		
VID 10100 INDUSTRIAL SECTOR		
VID 10101 Raw material		
VID 10102 Capital goods including Machinery, spare parts CKD etc)		
VID 10200 AGRICULTURAL SECTOR		
VID 10300 FINISHED GOODS		
VID 10301 Food		
VID 10302 General merchandise		
VID 10303 Drugs and pharmaceuticals		
VID 10304 Books and educational materials		
VID 10305 Cement		
VID 10306 Other building materials		
VID 10307 Detergents		
VID 10308 Alcohol		
VID 10309 Insecticides		

VID 10310	Lubricants		
VID 10311	Glass products		
VID 10312	Furniture/wood products		
VID 10313	Others		
VID 10400	TRANSPORT		
VID 10401	Aircraft/shipping vessels		
VID 10402	Motor vehicle car		
VID 10403	Buses/trucks/lorries		
VID 10404	Rolling stock		
VID 10405	Motorcycles and bicycles		
VID 10500	MINNING		
VID 10600	PERSONAL EFFECTS		
VID 10700	OTHERS		
VID 10800	TOTAL		

PREPARED BY:.....AUTHORISED BY:

BREAKDOWN OF TOTAL UNREPAID BALANCE (LOAN)

SHORT TERM LOAN US\$:_____

MEDIUM TERM LOANS US\$:_____

LONG TERM LOAN US\$:_____

MTR316

RETURN ON FOREIGN EXCHANGE PURCHASED BY BANKS FROM OIL AND OIL SERVICES CO.

BANK CODE:..... NAME OF AUTHORISED DEALER:.....

FOR THE MONTH ENDED:.....

RC NO. OF OIL COMPANY	AMOUNT PURCHASED	DATE OF PURCHASE	EXCHANGE RATE	REMARKS
TOTAL PURCHASED				

PREPARED BY:..... AUTHORIZED BY:.....

MTR317

GOODS CLEARED BY THE NIGERIAN CUSTOM SERVICE

PORT CODE:..... PORT
NAME:.....

FOR THE MONTH ENDING:.....

	FORM "M" NO.	GOOD CODE	DESCRI PTION OF GOODS	COUN TRY CODE	NAME OF COUNTR Y	C.I.F. VALUE
TOTAL						

PREPARED BY:..... AUTHORISED
BY:.....

MTR 318

EXPORT SHIPMENT

PORT CODE:_____ PORT OF
SHIPMENT:_____

FOR THE MONTH ENDING:_____ 200

MTR 319

ISSUANCE OF LETTERS OF CREDIT

BANK CODE:..... AUTHORISED DEALERS.....

NAME:.....

FOR MONTH ENDED:.....

FOR M M	RC NO OF APPLI CANT	BENEFI CIARY ABROA D	IMPORT ITEM CODE	DETAILS OF LETTERS OF CREDIT				AM T	REMARKS
				NO	DATE ESTA BLISH ED	TENO R	MATU RITY DATE		

PREPARED BY:..... AUTHORISED BY:.....

WTR401

ANALYSIS OF SALES OF TRAVELLERS CHEQUES FOR PTA/BTA

SELLERS CODE:..... NAME OF SELLER:.....

OUTLET (BANK CODE):..... BANK NAME:.....

TRADE & EXCHANGE DEPARTMENT
 PAYMENTS)
 CBN, ABUJA

(NDCC

CBN BRANCH: _____ DESIGNATED BANK
 NAME: _____ BANK BRANCH CODE: _____

PORT NAME: _____ PORT
 CODE: _____ REPORTING DATE(WEEKLY): _____

S/ N	NDCC NUMBE R	FACE VALU E (N)	FORM NUMBE R (IN RESPE CT OF WHICH DUTY IS PAID)	IMPORT DUTY PAYABL E (N)	IMPORT DUTY PAID WITH NDCC (N)	RECEIP T NUMBE R	RECEIPT DATE							
							D	D	-	M	O	N	-	Y
1														
2														
3														
4														
5														
6														
7														
8														
9														
10														
11														
12														
TOTAL														

NAME

SIGNATURE

DATE

PREPARED BY:	
CHECKED BY:	
APPROVED BY: ("B")	
APPROVED BY: ("A")	

FORM NAME: IMPORT DUTY COLLECTIONS (NDCC PAYMENTS)

