


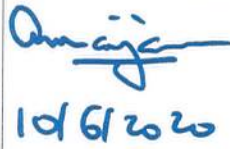

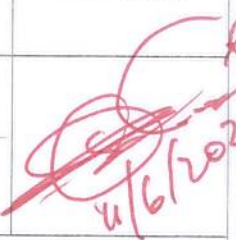




NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD (NCDMB)

GUIDELINE FOR NIGERIAN CONTENT HUMAN CAPITAL DEVELOPMENT IMPLEMENTATION STRATEGY

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					 10/6/2020		 4/6/2020
Reason for Issue:	Drive competence-based, Industry/job-ready and globally competitive Human Capital Development in the Nigerian Oil and Gas Industry and Linkage Sectors.						
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Document No.	NCDMB/CBD/HCD/001/20						

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1.0 Introduction

Sections 2, 4, 5, 10, 28, 29, 30, 37 and 70 of the Nigerian Oil and Gas Industry Content Development (NOGICD) Act of 2010 have empowered the Nigerian Content Development and Monitoring Board (NCDMB) to develop viable and robust strategies, frameworks, initiatives and guidelines to drive and further the attainment of sustainable development and utilization of Nigerian Content in the Oil and Gas Industry. This Guideline is part of the Board's deliberate commitment towards the realization of the objectives and aspirations of the NOGICD Act. The primary thrust of this Guideline is to drive competence-based, Industry/job-ready and globally competitive Human Capital Development in the Oil and Gas Industry and linkage sectors.

In exercising the powers conferred on it by the NOGICD Act of 2010, the Board issues the following Guidelines for the implementation of the Nigerian Content Human Capital Development Strategy in the Nigerian Oil and Gas Industry and linkage sectors.

2.0 Definitions

S/N	Acronyms/Terms	Definitions/Description
1.	BOSIET	Basic Offshore Safety Induction and Emergency Training
2.	CBD	Capacity Building Division
3.	CBT	Computer-Based Test
4.	CHCD	Collaborative Human Capital Development
5.	CSR	Corporate Social Responsibility
6.	CT	Classroom Training
7.	DIHCD	Direct Intervention Human Capital Development
8.	GM	General Manager
9.	HCD	Human Capital Development
10.	HSE	Health, Safety and Environment
11.	IOCs	International Oil Companies
12.	ITF	Industrial Training Fund
13.	ITT	Invitation To Tender
14.	MFOs	Marginal Field Operators
15.	NC	Nigerian Content
16.	NCBT	Non-Computer-Based Test
17.	NCCC	Nigerian Content Compliance Certificate

S/N	Acronyms/Terms	Definitions/Description
18.	NCDF	Nigerian Content Development Fund
19.	NCDMB	Nigerian Content Development and Monitoring Board
20.	NOCs	National Oil Companies
21.	NDDC	Niger Delta Development Commission
22.	NOGICD ACT	Nigerian Oil and Gas Industry Content Development Act of 2010
23.	NOGIC JQS	Nigerian Oil and Gas Industry Content Joint Qualification System
24.	NOGOS	Nigerian Oil and Gas Occupational Standards
25.	OGTAN	Oil and Gas Trainers Association of Nigeria
26.	OJT	On-The-Job Training
27.	OPERATOR	NNPC, its subsidiaries and joint venture partners and any Nigerian, foreign or international oil and gas company operating in the Nigerian Oil and Gas Industry under any petroleum arrangement
28.	PBHCD	Project-Based Human Capital Development
29.	PETAN	Petroleum Technologies Association of Nigeria
30.	PTDF	Petroleum Technology Development Fund
31.	PTI	Petroleum Training Institute
32.	RHCD	Remedial Human Capital Development
33.	STEM	Science, Technology, Engineering and Mathematics
34.	TES	Tertiary Educational System
35.	TIP/HCDP	Training Implementation Plan/Human Capital Development Plan
36.	TVETS	Technical and Vocational Educational Training Scheme

3.0 Application

In line with Sections 2, 4, 5, 6, 10, 28(1-2), 29, 30, 31(1), 35, 37 and 70 of the NOGICD Act of 2010, this Guideline shall apply to operators, project promoters, contractors, sub-contractors, alliance partners, training providers and all stakeholders in the Nigerian Oil and Gas Industry.

4.0 Objectives

The key objectives of this Guideline include:

- i. Drive competency-based, Industry/job-ready and globally competitive human capital development in-country.
- ii. Maximize effective and sustainable utilization of Nigerian human capital in the Oil and Gas Industry and linkage sectors.
- iii. Attract investments and support the development of world-class and globally competitive training facilities and educational institutions.
- iv. Drive and support the development, implementation and enforcement of Nigerian Oil and Gas Occupational Standards (NOGOS) in the Nigerian Oil and Gas Industry.
- v. Drive knowledge transfer and expertise development through effective and innovative training, on-the-job/hands-on training, coaching/mentoring and expatriate understudy programmes.
- vi. Enhance the employability, productivity and competitiveness of Nigerians in the global Oil and Gas Industry and linkage sectors.
- vii. Drive and support the development and growth of technical and non-technical skills, soft/essential skills, vocational and entrepreneurial skills and STEM education.
- viii. Drive job creation through effective, strategic, sustainable and globally competitive human capital development.
- ix. Promote intellectual creativity, innovation development and maximize value addition in the Nigerian Oil and Gas Industry and linkage sectors.
- x. Maximize retention of Industry spends in the Nigerian Oil and Gas Industry and linkage sectors.
- xi. Further the attainment of the objectives and aspirations of the Board's 10-Year Strategic Road Map.

5.0 Nigerian Content Human Capital Development Initiatives

The Nigerian Content Human Capital Development Implementation Strategy includes the following initiatives:

- i. Direct Intervention Human Capital Development (DIHCD)
- ii. Project-Based Human Capital Development (PBHCD)

- iii. Collaborative Human Capital Development (CHCD)
- iv. Non-Compliance Human Capital Development (NCHCD)

5.1 Direct Intervention Human Capital Development

This shall involve the direct sponsorship of trainings by the Board for graduates and artisans in professional skills, technical and non-technical skills, vocational and entrepreneurial skills, soft/essential skills, and creative and innovative skills and competences. The technical and vocational training shall be in line with the National Occupational Standards (NOS) and Nigerian Oil and Gas Occupational Standards when available.

The Board shall engage accredited and reputable Industry training providers, training organizations and educational institutions with requisite capacities and capabilities to provide Direct Intervention Human Capital Development services. The training/service providers shall be selected based on their capacity and capabilities of the subject matter in line with the provisions of the Public Procurement Act of 2007.

5.2 Project-Based Human Capital Development (PBHCD)

Sections 10(1b), 28(1), 29, 30, and 37 of the NOGICD Act of 2010 requires all operators, contractors, sub-contractors and alliance partners to make provisions for training and give first consideration to Nigerians for training and employment during execution of projects/contracts in the Nigerian Oil and Gas Industry. In compliance with these provisions, all operators/project promoters, contractors, sub-contractors and alliance partners are required to submit a detailed Employment and Training Plan to the Board for review and approval. This applies to every project/contract or group of contracts (including call off contracts/routine services) with an umbrella ceiling ranging from One million Dollars (\$1,000,000.00) and above in the Nigerian Oil and Gas Industry.

5.2.1 Training Budget Matrix

The determination of the training budget for Project-Based Human Capital Development shall derived using the matrix indicated in the table 5.2.1 below:

Table 5.2.1 – HCD Budget Matrix

Category of Contracts	Project Contracts (% of Total Contract Cost)	Service Contracts (% of Total Contract Cost)	Procurement Contracts (% of Total Contract Cost)
MAJOR (Above \$500M)	1%	1%	1%
MEDIUM (\$100M - \$500M)	2%	2%	2%
SMALL (\$1M to \$100M)	3%	3%	3%
CALL OFF CONTRACTS	3%	3%	3%

5.2.2 Training Requirements

Project-Based Human Capital Development shall be carried out in line with the following:

- i. Project-Based Human Capital Development shall be on the back of contracts for Projects, Services and Procurement.
- ii. The consideration and conceptualization of Project-Based Human Capital Development shall start at the ITT stage of projects/contracts, where a percentage of the total contract cost shall be set aside as training budget in line with the **Training Budget Matrix**, and shall be separated from the total project/contract cost or contractor cost.
- iii. The approved training budget for Project-Based Human Capital Development may be utilized for other Human Capital Development initiatives/programmes, including development of training institutional capabilities in-country in terms of facilities, faculties, curriculum, technology and accreditation, to support the sustainable and continuous development of the requisite workforce needed to support the Oil and Gas Industry and linkage sectors. In this regard, part of the budget may be utilized for the upgrade and provision of training infrastructure, while the remaining portion shall be utilized in organizing refresher and competence-based training to support both the current and future projects in the Industry.
- iv. The Training Implementation Proposal (TIP)/Human Capital Development Plan (HCDP) shall be developed and signed by the contractor and submitted by the operator/project promoter to the Board for review and approval. The TIP/HCDP shall be in line with the project/contract scope, training budget, execution

- plan/schedule, skills and competences required for the delivery of the project/contract, and the provisions of this Guideline.
- v. The operator/project promoter shall ensure that the scope, curriculum/curricula and quality of the training are sufficient to equip trainees with skills and competences required for effective and seamless delivery of the subject project/contract and/or work in the operator/project promoter or contractor's organization, such that the operator/project promoter and contractor could readily and desirously employ the trainees after successful completion of the training.
 - vi. The total number of trainees for Project-Based Human Capital Development (PBHCD) shall be determined by the training budget, skills and competency levels and certifications required.
 - vii. The training budget for Project-Based Human Capital Development shall not be used for operators/project promoters and contractors' Corporate Social Responsibility (CSR) commitments/obligations. It is not also intended to address the community and social commitments of the operators/project promoters and contractors.
 - viii. Where the training budget is to be utilized for institutional upgrade or provision of training infrastructure, the Board shall approve the facility, scope of work and the implementation plan through a fair, competitive and transparent process.
 - ix. The selection of vendors for institutional facility upgrade shall follow the tender processes approved by the Board and compliant with the requirements of the Public Procurement Act of 2007.
 - x. Candidates for Project-Based Human Capital Development shall be derived from the Nigerian Content Joint Qualification System in line with the provisions of the Guideline for Community Content and Sections 28(2) and 35 of the NOGICD Act of 2010.
 - xi. The operator/project promoter/contractor shall, for no reason whatsoever, commence the training without the formal approval of the Training Implementation Proposal (TIP)/Human Capital Development Plan (HCDP) through the issuance of an approval letter by the Board.
 - xii. The operator/project promoter/contractor shall not commence, or kick-off approved trainings without formally notifying the Board and without the Board's participation at the kick-off ceremony.
 - xiii. The operator/project promoter/contractor shall not close out any training programme without formally notifying the Board for approval and without the Board's participation at the close-out ceremony.

5.2.3 Requirements for TIP/HCDP Approval

The operator/project promoter/contractor shall submit to the Board the following:

- a) Approved/draft copy of the Nigerian Content Compliance Certificate (NCCC) for the project/contract.
- b) Detailed cost breakdown for both classroom training and on-the-job/hands-on training.
- c) Detailed curriculum/curricula and/or training modules.
- d) Detailed training schedule for both classroom and on-the-job/hands-on training, indicating the training modules` delivery plan and required activities with specific timeline.
- e) Training Milestone Delivery Structure.
- f) Training Implementation Plan (TIP)/Human Capital Development Plan (HCDP) shall provide the following details:
 - i) Detailed project scope.
 - ii) Total project man-hours.
 - iii) Total project/contract cost in USD.
 - iv) Total project/contract duration.
 - v) Training man-hours.
 - vi) Training duration
 - vii) Training budget/cost in USD using the Training Budget Matrix.
 - viii) Required candidates` educational qualification(s) per training discipline.
 - ix) Platform for E-Learning for trainees where applicable.
 - x) Shortlist of training providers, including address, phone and email details.
 - xi) Trainees` employment and/or entrepreneurship development plan/strategy.
 - xii) Total number of trainees.
 - xiii) Training disciplines/skills and competency levels.
 - xiv) Relevant software applications to be used for the training.
 - xv) List of internationally recognized and Industry acceptable certifications trainees shall earn at the end of the trainings/Certifying Body.
 - xvi) Provision for HSE, BOSIET and any other related trainings and requirements that will enable trainees work at onshore and offshore project site/locations.

5.3 Collaborative Human Capital Development

Collaborative Human Capital Development shall be initiatives facilitated by the Board in partnership with stakeholders such as NNPC, PTDF, PETAN, OGTAN, PTI, ITF, NDDC, IOCs, NOCs, Marginal Field Operators (MFO), Service Providers, Tertiary Institutions and any

other entity/organization or government agencies. The objectives of such initiatives shall be in line with the aspirations of the NOGICD Act of 2010 and the provisions of this Guideline. The initiatives shall be jointly sponsored by the Board and the collaborating stakeholders or sponsored absolutely by the collaborating stakeholders or the Board through the NCDF and budgetary provisions. These initiatives can also be Capacity Development Initiatives (CDI) funded by stakeholders in the Oil and Gas Industry. The initiatives shall focus on training and support for the development of globally competitive Educational Institutions/System. The objective is to ensure that students in the Nigerian educational system are equipped with skills and competences to the extent that they may not require additional training intervention to qualify for entry level jobs in the Oil and Gas Industry and linkage sectors or ensure that they are field-ready. A key benefit of this initiative is that over time, the cost of Human Capital Development by the Board will reduce significantly, meaning that the effort required to prepare Nigerians for entry level jobs will be greatly minimized.

Also, the Board shall develop and facilitate a special strategic initiative on the basis of mutual collaboration/partnership with the operators, contractors, service providers, alliance partners and other stakeholders for the training of Nigerian personnel working in the Oil and Gas Industry and linkage sectors, especially in highly technical/specialized skills and competences with critical gaps in-country. Such trainings shall be sponsored by the Board through the NCDF and budgetary provisions or joint-sponsored by the Board and the partnering stakeholders. The Board shall also maximize opportunities for understudy of Expatriates/Succession Plan as provided in Section 31 (1) of the NOGICD Act of 2010 in collaboration with Planning, Research and Statistics Directorate of the Board, to build the skills, competences, capacities and capabilities of Nigerian personnel in the Oil and Gas Industry.

The collaborative initiatives shall include any other priorities such as support for development, implementation and enforcement of Nigerian Oil and Gas Occupational Standards (NOGOS); review, development and adoption of Industry-relevant and globally competitive curricula in Nigerian educational institutions; and standardization of training delivery in line with globally competitive best practices.

5.4 Remedial Human Capital Development

Operators, Contractors and activity executors who were found not to have willfully and consistently violated the provisions of the act and who have demonstrated sufficient remorse to qualify for forbearance by the Board, shall be required to undertake approved Remedial Human Capital Development in accordance with the provisions of this guideline to make up for their non-compliance with the provisions of the act.

Remedial Human Capital Development (RHCD) shall include initiatives undertaken to address non-compliance with the provisions of the NOGICD Act of 2010 and Nigerian Content related matters by the operators, contractors, sub-contractors, service providers and alliance partners. The RHCD shall be dedicated to training of Nigerians in critical skills and competences and support for the development of globally competitive Educational Institutions/System in-country. The Board shall determine the type of initiative to be implemented in line with the aspirations of the NOGICD Act and the provisions of this Guideline. The scope and duration of the trainings, number of trainees, certification(s) and training providers shall be approved by the Board. All RHCD shall be in alignment with the provisions of this Guideline.

6.0 Funding for Nigerian Content Human Capital Development Initiatives

The funding for Nigerian Content Human Capital Development Initiatives shall be from the Nigerian Content Development Fund (NCDF) and budgetary provisions; penalties for non-compliance with the NOGICD Act of 2010; Capacity Development Initiative (CDI) by stakeholders in collaboration with the Board; and sponsorship/support by stakeholders in the Oil and Gas Industry, linkage sectors, government and government agencies.

7.0 The 60-20-20 Strategic Training Model

The Nigerian Content Human Capital Development Direct Intervention Trainings shall be in line with the 60-20-20 Strategic Training Model adopted by the Board. The 60-20-20 Strategic Training Model provides that:

- i. 60% of NC-HCD Training shall be dedicated to employment creation and entrepreneurship development in the Oil and Gas Industry and linkage sectors. Accordingly, at least 60% of the beneficiaries of the training programmes shall have a line of sight to employment or shall be employed. Where there are limited space/opportunities for direct employment, adequate provision shall be made for starter pack to be provided for each of the trainees at the completion of the training to support viable entrepreneurship ventures.
- ii. 20% of NC-HCD shall be for advanced/higher level training and certification for Nigerian personnel in the Oil and Gas Industry and linkage sectors, and Nigerians that have undergone some level of training but require advanced/higher level skills, competences and certifications.
- iii. And 20% of NC-HCD shall be for basic/job entry level human capital development. This shall include graduate and non-graduate trainings.

8.0 Nigerian Content Human Capital Development Training Framework

All Nigerian Content Human Capital Development (NC-HCD) Trainings shall consist of Classroom Training, Practical and On-The-Job/Hands-on Training, and Certification. The trainings shall cover Engineering, Sciences, Technical and Non-Technical Skills, Soft/Essential Skills, Vocational and Entrepreneurship Skills, Innovation Development and Business Incubation. The trainings shall be based on identified gaps and clearly defined needs, skills, competences and certifications. Also, the trainings shall be in alignment with Industry needs, rapidly changing technology and smart innovations, and globally competitive best practices. All certifications to be earned by trainees shall be internationally recognized and generally acceptable in the Industry. The NC-HCD shall focus on the Oil and Gas Industry and linkage sectors.

9.0 Determination of Skills and Competency Gaps

The National Occupational Standards (NOS) and the Nigerian Oil and Gas Occupational Standards (NOGOS) shall define the skills and competences required for each job role and the curriculum/curricula required to achieve each competence level. Where an Industry approved occupational standard does not exist, companies shall be required to apply their competency framework to determine the skills and competency gaps until the NOGOS is implemented and enforced.

Every employee in the Oil and Gas Industry, as part of competence-based routine performance assessment or evaluation by the Board, shall be required to update and upload their competence profile on the NOGICD (NOGOS) Portal. Similarly, every employer in the Industry shall be required to clearly define the competence profile for each job role in their organization in line with the Nigerian Oil and Gas Occupational Standards when implemented and enforced. Critical skills and competence gaps profile shall be established where the competence profile of Nigerian employees is considered insufficient compared with the achieved competence of the non-Nigerian incumbent of or the required competence for such job roles. Skills and competence gaps could exist in terms of shortage of competent Nigerians or level of competences required to fill critical and immediate job roles or projected/future job roles.

10.0 Duration for Nigerian Content Human Capital Development

The duration for Nigerian Content Human Capital Development (NC-HCD) shall include the duration needed for adequate classroom and practical training, on-the-job/hands-on training, as well as the duration needed to achieve agreed competences and certifications. The duration for Project-Based Human Capital Development Trainings shall be Twelve (12

Months) or the duration of the project/contract, whichever is longer. The duration for all NC-HCD Trainings shall be approved by the Board in line with the provisions of this Guideline and globally competitive best practices.

11.0 Review and Approval of Training Plan

The Board shall review all Project-Based Human Capital Development Training Implementation Plans (TIP) submitted by the operators/project promoters and contractors, or any other Training Plan/Proposal submitted by collaborating stakeholders, consultants/training providers or institutions and revert with the reviewed copy within five (5) working days. The operators/project promoters, contractors, collaborating stakeholders, consultants/training providers or institutions shall update the Training Plan in line with the Board's review/comments and revert within five (5) working days. The Board shall vet and/or review the Training Plan and if satisfied, issue approval letter to the operators/project promoters and contractors within One (1) week in the case of Project-Based Human Capital Development, Non-Compliance Human Capital Development and Collaborative Human Capital Development. If dissatisfied with the Training Plan, the Board shall invite the operators/project promoters, contractors or collaborating stakeholders for engagement and resolution of outstanding issues. Thereafter, the operators/project promoters, contractors or collaborating stakeholders shall update the Training Plan in line with the resolution and revert for approval within One week.

12.0 Nigerian Content and Entrepreneurship Training Modules

All NC-HCD Trainings shall include Nigerian Content Awareness and Entrepreneurship Modules. The Nigerian Content and Entrepreneurship Modules shall be compulsory for all trainees. This is deliberately intended to equip the trainees with basic and relevant knowledge on Nigerian Content and Entrepreneurial skills. The Nigerian Content Module may be facilitated by resource persons from the Board, especially where the training provider is unable to provide competent and experienced facilitators to handle the module to the satisfaction of the Board.

The scope of the Entrepreneurship Module shall be as stated in the Training Implementation Proposal (TIP). As part of the training, each trainee shall be required to prepare business plans/proposals, including funding/financial plan, marketing plan and sustainable business management framework/strategy. Also, the trainees shall be taught how to source for fund/finance from the banks and other funding entities/venture capitalists.

13.0 Qualification for Candidates for NC-HCD Trainings

Candidates' qualification for Project-Based Human Capital Development Trainings shall be in line with the qualification requirements stated in the Training Implementation Proposal (TIP) approved by the Board, and the provisions of this Guideline. For other NC-HCD Trainings, candidates' qualification shall be based on the qualification(s) required for the trainings. Apart from the academic qualifications, all candidates' for NC-HCD Trainings must be registered on the Nigerian Oil and Gas Industry Content Joint Qualification System (NOGIC JQS) Portal (www.nogicjqs.gov.ng).

14.0 Nomination of Candidates for NC-HCD Trainings

The Board shall nominate candidates for all NC-HCD Trainings from the NOGIC JQS Portal and ensure compliance with the Guideline for Community Content (i.e. minimum of 50% candidates from the project catchment areas. Also, the Board shall ensure national spread in the nomination of candidates for NC-HCD Trainings. Nomination of candidates for NC-HCD Trainings shall be based on the qualification(s) required for the trainings, and the maximum ratio of three to one (3:1) to ensure enough candidates and fair competition at the selection exercise. Nomination of candidates for Project-Based Human Capital Development Trainings shall be in line with the requirements in the approved Training Implementation Proposal.

The candidates shall be subjected to selection exercise by the contractor in collaboration with the operator/project promoter or collaborating stakeholders and the Board. The selection exercise shall comprise of written test and oral interview. The percentage pass mark for the written test and oral interview shall be determined by the parties involved. The written test shall be Computer-Based Test (CBT) or Non-Computer-Based Test (NCBT) as may be determined by the Board. Only the candidates that passed the written test shall qualify for the oral interview based on the jointly established pass mark. Also, only the candidates that passed the oral interview based on the jointly established pass mark, and certified medically fit, shall be invited to participate in the training. No selection exercise shall take place without formal notification by the operator/contractor or collaborating stakeholders and involvement of the Board. The Board shall jointly sign-off the results of the written test and oral interview and the list of successful candidates. The Board shall ensure sustainable transparency, fairness and reliability in the nomination of candidates and selection process.

15.0 Trainees' Conduct and Welfare

- i. Trainers shall ensure that every trainee is issued a Trainee's code of conduct and indemnity handbook.
- ii. Any trainee that fails to comply with the articles and stipulations of the code of conduct and indemnity handbook shall be subjected to disciplinary measures as stipulated in the Trainees' code of conduct and indemnity handbook.
- iii. Trainees shall be paid monthly allowance, which covers their transportation to and from the training facility/site, accommodation and other personal expenses. The minimum allowance to be paid to all categories of Project-Based Trainees shall be as stated below:
 - a. Holders of HND, B.Eng/B.Tech and BSc/MSc on "**Graduate Category Training**" shall be paid the sum of One Hundred and Fifty Thousand Naira (**₦150,000**) per month for the duration of the training for Project-Based Human Capital Development and Non-Compliance Human Capital Development.
 - b. Holders of NCE, OND and equivalent or lower qualifications on "**Non-Graduate/Vocational Category Training**" shall be paid the sum of One Hundred Thousand Naira (**₦100,000**) per month for the duration of the training for Project-Based Human Capital Development and Non-Compliance Human Capital Development.
 - c. Holders of SSCE or lower qualification in vocational trainings shall be paid the sum of eighty-five thousand (**₦85,000**) per month for the duration of the training for Project-Based Human Capital Development and Non-Compliance Human Capital Development.
 - d. The Board shall determine the monthly allowance for trainees for Direct Intervention Human Capital Development, and Collaborative Human Capital Development in partnership with collaborating stakeholders.
 - e. Nominated candidates who attend and participate in selection test/interview shall be paid the sum of Ten Thousand (₦10,000) as logistic support.
- iv. Trainees shall be subjected to "Fit-to-Work" medical test before formal training kick-off.
- v. Trainees shall be served lunch meal at the training facility/site or paid allowance in lieu of such. This shall be agreed between the Board and the operator/project promoter and contractor.
- vi. Trainees shall be provided with a laptop each to enable them have effective training, and undertake E-Learning where applicable.
- vii. Trainees shall be given access to medical facilities owned or utilized by the contractor/training provider for the entire training period.

- viii. In the event that the trainees are required to go for on-the-job/hands-on training or work at project site in a location different from their primary place of training or on-the-job project site, the operator/project promoter, contractor and/or collaborating stakeholder shall be responsible for their welfare/logistics in terms of transportation, accommodation, feeding and medical in addition to their monthly allowance.
- ix. The operator/project promoter, contractor, collaborating stakeholder and training provider shall be responsible for trainees' safety and security at the training facilities/site for OJT/hands-on.
- x. Trainees' monthly allowance shall not be taxable.
- xi. Trainees' monthly allowance shall not be delayed or withheld by the contractor or training provider beyond the end of the calendar month and for whatsoever reason, including force majeure situations. Any anticipated delay shall be brought to the knowledge and for approval by the Board.

16.0 Approval of Training Providers for NC-HCD

The Board shall approve training providers for NC-HCD in line with the provisions of this Guideline and the Public Procurement Act of 2007. The training providers shall provide the following information among others:

- i. Evidence of incorporation as a Nigerian company (Form CO2 and CO7).
- ii. Evidence of registration on the NOGIC JQS Portal.
- iii. Evidence of OGTAN registration and categorization.
- iv. Evidence of the ability to provide E-Learning services, where applicable.
- v. Evidence of recognition and accreditation as Educational and/or Training Institution.
- vi. Evidence of ownership or lease of suitable training facilities in terms of capacities and capabilities, and international certification.
- vii. Evidence of financial capability.
- viii. Evidence of accreditation of training programmes/courses by recognized accreditation bodies/organizations.
- ix. Evidence of resource persons/facilitators or instructors with requisite academic and professional qualifications, current internationally recognized and Industry acceptable certifications in areas relevant to the required skills and competences.
- x. Experience profile and evidence of successful delivery of similar trainings/services if any.
- xi. Trainees' employment and entrepreneurship development plan/strategy.

- xii. Evidence of Nigerian Content commitment to the satisfaction of the Board, including level of investment in Nigeria.
- xiii. Any other requirements as may be determined by the Board.
- xiv. Training providers shall be categorized based on experience, the number of accredited programmes, level of investment and the number of fulltime instructors. The categorization of trainers (when available) shall form the basis for allocation of training opportunities.

17.0 Framework for Assessment of NC-HCD Trainings

The Board shall carry out routine quarterly assessment of all ongoing NC-HCD Trainings in collaboration with the operator/project promoter, contractor, alliance partner, collaborating stakeholder and training provider. The routine assessment is aimed at ensuring strict compliance with the approved Training Implementation Plan and the provisions of this Guideline. The operator/project promoter, contractor and collaborating stakeholders shall be responsible for the day-to-day assessment of the Training Programmes in line with the provisions of this Guideline.

The routine quarterly assessment of the trainings shall focus on but not limited to the following:

- i. Compliance with the approved Training Implementation Plan.
- ii. Delivery of training in alignment with the training modules/curricula, schedule and duration.
- iii. Trainees' attendance and commitment towards learning and general performance.
- iv. Trainees' conduct in terms of character/attitude, leadership and actions.
- v. Training providers, facilitators and instructors' commitment towards effective and quality training delivery and general performance.
- vi. Training providers, facilitators and instructors conduct and leadership.
- vii. Conditions and adequacy of training facilities.
- viii. Trainees' welfare.
- ix. Any other concerns relevant to the training.

18.0 Implementation Framework

The implementation and enforcement of this Guideline shall be the sole responsibility of the Board in line with the provisions of the NOGICD Act of 2010. The following information shall be strictly adhered to in ensuring effective implementation and enforcement of this Guideline:

- i. The Guideline shall take effect from the date of approval by the Board.
- ii. Capacity Building Division (CBD) of the Board shall be responsible for the full implementation of this Guideline and administration of all categories of Human Capital Development as contained in this Guideline.
- iii. Capacity Building Division shall collaborate with Planning, Research and Statistics Directorate of the Board to maximize Expatriates Understudy/Succession Plan and mentoring/coaching opportunities for Nigerian personnel in the Oil and Gas Industry.
- iv. The operator/project promoter shall exercise the responsibility to carry out preliminary check of every Training Implementation Proposal (TIP)/Human Capital Development Plan (HCDP) for Project-Based Human Capital Development to ensure compliance with the provisions of this Guideline and the NOGICD Act of 2010 before submission to the Board for review and approval.
- v. Training Implementation Proposal (TIP)/Human Capital Development Plan (HCDP) for Project-Based Human Capital Development shall be developed and signed by the contractor and submitted to the Board by the operator/project promoter for review and approval before the commencement of projects/contracts.
- vi. The Board shall be responsible for the nomination of candidates for all NC-HCD Trainings from the NOGIC JQS Portal in line with the provisions of this Guideline.
- vii. The Board shall be responsible for the replacement of trainees who passed the selection test and interview but turned down the offer to be part of the training, or contravened the Code of Conduct for Nigerian Content Human Capital Development, or trainees who for other reasons including health issues, could not continue with the training. Such cases shall be promptly communicated to the Board by the operator/project promoter and collaborating stakeholders for immediate action. Replacement candidates shall be selected from waiting list of candidates that participated in the original selection tests, where applicable or new candidates selected from the NOGIC Joint qualification system shall be presented for tests and selection.
- viii. Trainees shall be required to sign the Code of Conduct for Nigerian Content Human Capital Development before the commencement of all NC-HCD Trainings.
- ix. Contractor shall be responsible for the conduct of trainees' selection exercise in collaboration with the operator/project promoter, alliance partners and the Board. All key stakeholders shall be involved in the selection exercise to ensure transparent, seamless and reliable process.
- x. The Board shall carry out routine quarterly assessment of all ongoing NC-HCD Trainings to ensure strict compliance with the approved TIP and the provisions of

- this Guideline. The Board may carry out emergency or special assessment of ongoing NC-HCD Trainings in addition to the routine quarterly assessment as the need arises.
- xi. The operator/project promoter, contractor and collaborating stakeholder shall be responsible for the day-to-day assessment of NC-HCD Trainings to ensure strict compliance with the approved TIP and the provisions of this Guideline.
 - xii. Contractors shall submit monthly performance report/status update on ongoing NC-HCD Trainings to the operators/project promoters who in turn shall submit the report to the Board on monthly basis.
 - xiii. The operator/project promoter and collaboration stakeholders shall submit detailed report to the Board at the end of each NC-HCD Training. The template for the report shall be issued to the operators/project promoter and collaborating stakeholders by the Board.
 - xiv. Project-Based Human Capital Development budgets shall be partly utilized for other NC-HCD Initiatives as stated in this Guideline.
 - xv. All NC-HCD Trainings shall be formally kicked off and closed out by the Board. Accordingly, operators/project promoters, contractors, collaborating stakeholders and training providers shall not kick off and close out any NC-HCD Trainings without the Board's knowledge, approval and involvement. The date for the kick-off and close-out ceremonies shall be agreed by all parties (i.e. operators/project promoters, contractors, collaborating stakeholders, training providers and the Board).
 - xvi. Beneficiaries of NC-HCD Trainings shall update their information on competencies and certifications in the NOGIC-JQS data base. Project promoters and contractors shall be provided with the list of competent and certified Nigerians from the data base, for first consideration for employment in new projects/contracts.

19.0 Consequences of Non-Compliance

Operators/project promoters, contractors, alliance partners, service providers, training providers and all stakeholders in the Nigerian Oil and Gas Industry are required to strictly comply with this Guideline. The consequences of non-compliance with this Guideline, after notification by the Board and failure to comply within Twenty (20) working days, shall include the following:

- i. Refusal of the Board to issue Certificate of Authorization to the operator/project promoter.

- ii. Refusal of the Board to participate in the operator's Tenders or issue Nigerian Content Compliance Certificate (NCCC).
- iii. Refusal/withdrawal of support and approvals by the Board.
- iv. Disqualification/denial from participation at Tenders and in the award of contracts in the Nigerian Oil and Gas Industry.
- v. Blacklisting and denial from participating in NC-HCD Trainings and in the provision of services in the Nigerian Oil and Gas Industry and for the Board.
- vi. Initiation of penal sanctions as provided in section 68 of the NOGICD Act of 2010.
- vii. Invoking of administrative sanctions in line with section 70 (i) and (p) of the NOGICD Act of 2010.
- viii. Any other penalties including imposition of Capacity Development Initiative (CDI) as may be determined and deemed fit by the Board in line with the provisions and aspirations of the NOGICD Act of 2010.

20.0 Caveat

Operators/project promoters, contractors, alliance partners, service providers, training providers and all stakeholders in the Nigerian Oil and Gas Industry should note:

1. That these guidelines are subject to review by the Board from time to time, as the need may arise
2. That these guidelines are not justiciable, and therefore not intended to create any legal obligation, contract or undertaking of any nature between the Board and any third party not mentioned or anticipated in the guideline including existing or future trainees and contractors of the Board.