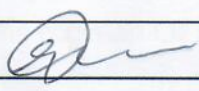


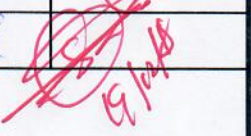




NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

GUIDELINES ON EXPATRIATE BIOMETRIC SYSTEM (EBS) DATA CAPTURE EXERCISE IN THE NIGERIAN OIL AND GAS INDUSTRY.

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NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

1. INTRODUCTION

The Nigerian Oil and Gas Industry Content Act ("Act") was signed into law on 22nd April 2010, by His Excellency, President Goodluck Jonathan. The Act provides steps for development and monitoring of Nigerian Content in the Oil and Gas Industry ("the Industry"). The Act established a Nigerian Content Development & Monitoring Board ("NCDMB") which is charged *inter alia* with the responsibility of monitoring the implementation of the provisions of the Act, with a view to ensuring compliance by all operators, contractors, alliance partners and relevant stakeholders. Pursuant to Sections 31, 32, and 33 of the Act, NCDMB is vested with the powers relating to the administration and management of expatriates in the oil and gas industry. The Expatriate Biometrics System (EBS) will enable the Board build and maintain an accurate statistic of available expatriates in the Nigerian Oil & Gas Industry.

2. APPLICATION

This Guideline applies to all Operators and Service Companies that deploy expatriates in carrying out business within the Nigerian Oil and Gas Industry

2.1 DEFINITIONS

- Act - Nigerian Oil and Gas Industry Content Development Act
- NCDMB - Nigerian Content Development & Monitoring Board (The Board)
- ES - Executive Secretary
- MED - Monitoring and Evaluation Directorate
- FMI - Federal Ministry of Interior
- DPRS - Director of Planning, Research and Statistics
- Industry - Oil and Gas Industry
- EQ - Expatriate Quota
- EBS - Expatriate Biometrics System
- TWP - Temporary Work Permit
- FTZ - Free Trade Zone
- Applicant Company - Operators and Service Company
- NCCC - Nigeria Content Compliance Certificate
- ITT - Invitation to Tender
- Expatriate Positions - Expatriate Quota or a position occupied by a Non-Nigerian Indigene

3 OBJECTIVES

The objective of this Guideline is to create a database of all expatriates, as well as a tool for monitoring expatriate utilization in the Nigerian Oil and Gas industry

4. APPLICATION FOR EXPATRIATE BIOMETRICS SYSTEM DATA CAPTURE EXERCISE.

Any operator, project promoter, Service Company, stakeholder that deploys the services of expatriates, shall apply/request for the Expatriate Biometrics System (EBS) Data Capture exercise either through mail or hardcopy application to the Board for each expatriate quota position(s) approved by the Board

Biometric data of all expatriate staff is to be captured by the Board within a month of their entry into the country for new quota positions. For renewals and re-designations, biometric data of expatriate staff must have been captured prior to the applications being made by the Company to the Board

Operators in the Oil and Gas Industry engaging the service(s) of contractors with expatriate staff must ensure that such expatriates have valid NOGIC EBS Identification Cards issued by the Board.

5 CATEGORIES OF APPLICATION(s)

- i. New Expatriate Quota Position(s)
- ii. Renewal Expatriate Quota Position(s)
- iii. Re-designation Expatriate Quota Position(s)

5.1 NEW EXPATRIATE QUOTA POSITION(s)

In this category, the expatriates are to be captured in the EBS for the first time. The Company shall provide photocopies and present the originals of the following documents for the expatriate(s):

- i. Populated Expatriate Biometric Data Capture Requirement form 1
- ii. International Passport (Information & Current Entry Visa Page)
- iii. Company ID card
- iv. Expatriate Quota approval from the NCDMB and FMI.
- v. Expatriate Residence Permit or CERPAC (Combined Expatriate Resident Permit and Aliens Card) Form
- vi. Company's Staff list (Expatriates & Nigerians)
- vii. Evidence of Company's registration with the NOGIC JQS Portal.
- viii. Expatriate physical presence is required for the Biometric Data Capture

5.2 RENEWAL OF EXPATRIATE QUOTA POSITION(S)

In this category, the expatriates are already captured in the EBS and have previously been issued Expatriate Biometric ID cards by the Board. The Company shall provide photocopies and present the originals of the following documents for the expatriate(s):

- i. Evidence of Expatriate Quota approval from the NCDMB and FMI
- ii. Expired Expatriate Biometric ID cards issued by the NCDMB.
- iii. Signed copy of the populated reversed Expatriate Biometric data capture form to cater for additional or changes in information provided during the capture.

5.3 RE-DESIGNATION OF EXPATRIATE QUOTA POSITION(S)

In this category, the need may arise for an already issued ID card to be re-issued or replaced due to re-designation/change in Quota title(s). The Company shall provide photocopies and present the originals of the following documents for the expatriate(s):

- i. Evidence of Quota Approval from the NCDMB and FMI.
- ii. Old or Expired Expatriate Biometric ID cards issued by the Board
- iii. Signed copy of the populated Expatriate Biometric data capture form to cater for additional or changes in information provided during the capture.

5.4 EXPATRIATES WITH FREE TRADE ZONE APPROVAL

In this category, the expatriates are to be captured in the EBS for the first time. The Company shall provide photocopies and present the originals of the following documents for the expatriate(s):

- i. Populated Expatriate Biometric Data Capture Requirement form 1
- ii. International Passport (Information & Current Entry Visa Page)
- iii. Company ID card
- iv. Expatriate Quota approval from the NCDMB and FMI for FTZ
- v. Expatriate Residence Permit or CERPAC (Combined Expatriate Resident Permit and Aliens Card) Form
- vi. Company's Staff list (Expatriates & Nigerians)
- vii. Evidence of Company's registration with the NOGIC JQS Portal.
- viii. Expatriates physical presence is required for the Biometric Data Capture

6. COMPLIANCE REQUIREMENTS & MONITORING

- i. Compliance with this Guidelines shall be a major criterion for any award of NCCC and NC requirements for ITTs: and every operator, alliance partner, project promoter, contractor, service companies and stakeholders in the Industry shall each be responsible for ensuring the strict adherence of this Guidelines by its corporate entity. In furtherance to this, all expatriate(s) shall be duly designated and deployed strictly in line with the approved designations or shall not be deployed, engaged or permitted to

undertake any other role, service or responsibility contrary to the approval granted pursuant to the Expatriate Quota application made.

- ii. Expatriate(s) shall depart from Nigeria promptly upon the completion of the project or work for which the Expatriate Quota approval was granted by the FMI and in no event shall any Expatriate(s) be permitted or authorized to remain in the employment as a stakeholder following the completion of the relevant project unless with the written approval of the NCDMB and the FMI And in line with the provisions set out in the Guideline
- iii. NCDMB, in accordance with the provisions of Section 59 and 62 of the Act shall establish a mechanism for monitoring compliance with these Guidelines, which may include but not limited to unscheduled visits to offices or job sites of the companies, as it deems necessary

7. CONSEQUENCES OF NON-COMPLIANCE

- i. Notwithstanding the provisions of Section 68 of the any operator, project promoter, contractor stakeholder in the Industry; including companies providing service(s) or intending to provide service(s) shall be considered to have violated provisions of the Act if it employs or permits or procures the employment of any expatriate staff in the oil and gas industry outside of the procedures specified in this Guideline
- ii. The NCDMB would require immediate removal of such expatriate(s) and penalize the company in line with the provisions of the Act

8. FORMS

FORM 1 – EBS data capture Requirement Form attached