

# **NIGERIA EXPORT PROCESSING ZONES ACT**

## **SUBSIDIARY LEGISLATION**

### **CUSTOMS TARIFF (EXEMPTION) ORDER**

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### **CUSTOMS TARIFF (EXEMPTION) ORDER**

[S.I. 18 of 2001.]

under section 24 (2)

[Commencement: 17th January, 2001]

#### **1. Exemption of certain goods from payment of import duty, etc.**

All goods consigned to all the Export Processing Zones and export processing factories shall be imported into Nigeria duty free from the commencement of activities by the Export Processing Zone or export processing factory.

#### **2. Modification of the First Schedule to 1995 No. 4**

The First Schedule to the Customs, Excise Tariff, etc. (Consolidation) Act is accordingly modified.

#### **3. Citation**

This Order may be cited as the Customs Tariff (Exemption) Order 2001.

**FREE ZONES (MONITORING AND REGULATION, ETC.) ORDER**

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**FREE ZONES (MONITORING AND REGULATION, ETC.) ORDER**

[S.I. 3 of 2002.]

under section 24 (2)

[Commencement: 1st January, 2001]

**1. Additional functions of the Authority**

(1) As from the commencement of this Order, the Authority shall have power to regulate and monitor the management of Free Zones in Nigeria shall be vested in the Authority and it shall include power to—

- (a) licence all Free Zones located within the Territory of Nigeria;
- (b) formulate and publish, from time to time, all operating standards to be observed in the Free Zones;
- (c) co-ordinate the functions of various public sector organisations operating within the Free Zones and resolve any dispute that may arise amongst them;
- (d) issue, from time to time, certificates of valuation of assets or investments with effect from the date of establishment of the Free Zones which shall serve as instruments of ownership of assets or investments in the Free Zone;
- (e) issue licences to members of the organised private sector providing services within the Free Zone;
- (f) recommend to the Minister additional incentive measures for the purpose of promoting economic activities within the Free Zones.

(2) Notwithstanding the provisions of subparagraph (1) of this paragraph, the Authority, upon satisfaction that an export oriented factory, whether agricultural or horticultural, or specialised shopping enterprise operating within a customs territory has adequate facilities and is reasonably accessible for monitoring and audit purposes, may recommend to the Minister that it be granted a sub-zone status.

(3) The Authority shall ensure the establishment and supervision of zonal administration for the purposes of monitoring licensed zones and such other similar organisations that provide services to the Free Zones.

## 2. Additional function of the Free Zones

A Free Zone established pursuant to subsection (1) of section 1 of the Act shall operate and manage such funds accruing to it from activities in the Free Zones and apply the proceeds for the payment of the salaries, fees or other remunerations or allowances, pensions and gratuities payable to its officers and employees.

## 3. Interpretation

In this Order, unless the context otherwise requires—

“**Act**” means the Nigeria Export Processing Zones Act, 1992;

“**customs territory**” means the Federal Republic of Nigeria;

“**sub-zone status**” means export processing factories privately or publicly owned export, orientated industry which is located anywhere within the customs territory and has a sub-zone status.

## 4. Citation

This Order may be cited as the Nigeria Export Free Zones (Monitoring and Regulation) Order 2002.

**FREE ZONES (TARIFFS AND OTHER CHARGES) ORDER**

**ARRANGEMENT OF SECTIONS**

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**FREE ZONES (TARIFFS AND OTHER CHARGES) ORDER**

[S.I. 4 of 2002.]

under section 24 (2)

[Commencement: 17th January, 2001]

**1. Registration of products manufactured, etc., in the Free Zones**

All products manufactured or assembled, pre-packaged and sold in the Free Zones in Nigeria shall be registered in accordance with the provisions of this Order.

**2. Tariffs, etc.**

The application for registration of any products manufactured, assembled, pre-packaged and sold in the Free Zones shall be sold in the customs territory subject to the tariffs and other charges prescribed by the Authority in addition to the payment of relevant taxes or levies set out in the Schedule to this Order.

**3. Scope of goods manufactured, etc.**

Notwithstanding the provisions of paragraph 1 of this Order, the percentage of any such products or goods manufactured, assembled, pre-packaged or sold in the Free Zone shall be unlimited.

**4. Interpretation**

In this Order, unless the context otherwise required—

“Authority” means the Authority established by the Nigeria Export Processing Zones Authority Act, 1992.

5. Citation

This Order may be cited as the Nigeria Export Free Zones (Tariffs and other Charges) Order, 2002.

SCHEDULE

[Paragraph 2.]

Section	Tariff	Charges	Remarks
1	Free Zone application fee.	\$1,000 or its naira equivalent.	Application fee for the establishment of Free Zone.
2	Free Zone registration.	\$200,000 or its naira equivalent.	This is the registration/ licensing fee payable by all Free Zones payable once and at point of licensing.
3	Free Zone renewal fee.	\$20,000 or its naira equivalent per annum.	A yearly renewal fee by each Free Zone/EPZ.
4	Management consultancy licensing fee.	\$10,000.	The initial registration fee for companies/individuals intending to run government-owned Free Zone.
5	Management consultancy renewal fee.	10% of annual licensing fee.	
6	Facility Manager licence fee.	\$500 or its naira equivalent.	Applicable in Federal Government owned Free Zones where such appointments are made.
7	Facility Manager licence renewal fee.	10% of annual licensing fee.	
8	Charges on revenue generating asset Managers.	20% of all charges made on the asset.	This is if the company is not provided with any fund, to manage the facilities.  If they are, all revenue from the facilities shall revert to the Authority in addition to the payment of 10% of their annual fee.
9	Administrative fee.	20% of all charges made by the Managers of the Free Zone.	This is purely for defraying administrative costs.  If it is Federal Government owned and the Management Consultant is paid, all charges will revert to the Authority in addition to 10% of the annual fee charged by the Consultant.

SCHEDULE—continued

Section	Tariff	Charges	Remarks
10	Free Zone promotional fees.	20% of Free Zone promotional fees charged by the Management of the Free Zone.	For Free Zone promotional activities, including seminars, trade fairs, exhibitions, adverts, etc.  This is charged on all Free Zones. This fee is to complement the Authority's promotional efforts on all Free Zones, their products, etc.
11	Sub-Zonal status/EPF application fee.	\$500 or its naira equivalent.	Payment for application form for Sub-Zonal status/EPF.
12	Sub-Zonal status/EPF licence fee.	0.5% of capital outlay or \$20,000 whichever is less.	Licence fee to operate as Sub-Zonal status/EPF.
13	Sub-Zonal status/EPF yearly renewal fee.	10% of operating licence fee.	Payable once at the beginning of the year.
14	Sub-Zonal administrative and promotional fee.	0.75% of value of sales payable quarterly but not exceeding \$20,000 per quarter.	This is for service costs incurred in the administration of the incentives, excluding the cost of visa processing, vehicle licensing, etc.
15	Central warehousing fee.	₦33 per square metre per week.	For financing promotional activities including seminars, trade fairs, product display, advertisements, etc.  The minimum period for space letting shall be one week.
16	Licensing of approved enterprises in the Free Zones by the Authority.	20% of the Free Zone's charges per annum.	Services available in the port of Lagos with progressive expansion to other ports.  This will ensure the coordination by the Authority of all companies operating in the Free Zones.
17	Approved enterprises renewal fee.	10% of the Free Zone charges per annum.	This licence revalidates the company's operations in the Free Zone and acts as an update of the records with the Authority.