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GUIDELINES FOR THE OPERATIONALISATION OF ADVANCE CARGO DECLARATION REGULATION

INTRODUCTION

On June 17, 2025, the Nigerian Upstream Petroleum Regulatory Commission (the “Commission”) issued the Guidelines for the

Operationalisation of Advance Cargo Declaration Regulation (the “Guidelines”). The Guidelines provide for the implementation and administration of the Nigerian Upstream Petroleum Advance Cargo Declaration Regulations, 2024 (the “Regulations”).

The Regulations, which establish the framework for the export of petroleum from Nigeria, mandate that all petroleum exports from Nigeria, either through onshore or offshore terminals, be preceded by the submission of an advance cargo declaration form to the Commission¹, accompanied by a copy of the export permit² issued by the Ministry of Industries, Trade and Investment.³ Upon receipt, the Commission will grant vessel clearance⁴ and issue a Unique Identification Number (the “UIN”). In this Newsletter, we highlight the procedures for meeting these requirements as provided in the Guidelines.

SCOPE AND APPLICABILITY

The Guideline applies to licensees, lessees or exporters of Crude oil, condensate, natural gas liquid or petroleum products from any terminal in Nigeria.⁵



⁽¹⁾ Regulation 3(1) of the Nigerian Upstream Petroleum Advance Cargo Declaration Regulations, 2024. The content of the form includes: the identity of producer and exporter, the details of the consignee, terminal for the export, flag, tonnage and international Maritime Organisation number of the vessel, expected time of arrival of the vessel, nominated quantity to be exported, destination of the petroleum, names of at least two officers of the company making the declaration whose ranks are not below the rank of a manager and any other information required by the commission.

⁽²⁾ Ibid. Regulation 3(3)

⁽³⁾ Ibid. Regulation 9 (Meaning of Export permit)

⁽⁴⁾ Ibid. Regulation 5(2)(b)

⁽⁵⁾ Paragraph 3.1 of the Guidelines for the Operationalisation of Advance Cargo Declaration Regulation,

KEY HIGHLIGHTS

A Procedure for Obtaining Export Permit, Vessel Clearance and Unique Identification Number:

1. A licensee, lessee or exporter applying for an export permit (the “applicant”) shall apply to the Commission’s Online Crude Oil Terminal Export Permit (COTEX) portal with the following documents:⁶
 - a. Gauge Ticket⁷
 - b. Calculated Net Volume Ticket⁸
 - c. Certificate of Quantity⁹
2. Following the issuance of an export permit, the applicant may proceed to apply for vessel clearance via the Commission's Advance Cargo Declaration portal (the "portal"). This application requires the submission of a Documentary Instruction¹⁰ (an electronic form)¹¹ and payment of the stipulated fee of US\$0.03 per barrel, which is to be paid to the account designated by the Commission for that purpose.¹²
3. Upon receiving an application for vessel clearance, the Commission, after verifying the identity of the export permit holder and confirming that the export volume is within the limits approved in the export permit, issues a vessel clearance notification, embossed with the UIN, to the terminal operator.¹³ A copy of this notification is then sent to the export permit holder via the portal.¹⁴
4. Following completion of loading any export cargo at a terminal, the Commission shall issue a Certificate of Quantity, and the UIN shall be marked on essential shipping documents, including the Certificate of Quantity and Quality, Bill of Lading, Certificate of Origin, tanker/cargo manifest and vessel documentation.¹⁵

B Refusal of Vessel Clearance Application:

Application for Vessel clearance may be refused on grounds of incomplete information, inadequate documentation and false information.¹⁶ An applicant whose application was refused on grounds of incomplete information or inadequate documentation may resubmit the application without any additional processing or penalty fees.¹⁷ However, where an application is refused on grounds of false information, the applicant shall be liable for payment of \$20,000 or its equivalent in Naira.¹⁸

C Revision of Application:

Any amendment to a vessel clearance application incurs a fee of US\$100 per application¹⁹ which is to be paid to an account designated by the Commission for that purpose.²⁰



CONCLUSION

The Commission's effort in setting guidelines like these is aimed at ensuring control not only over what is done in the sector, but also how activities are carried out. Stakeholders, including licensees, lessees, and exporters, are hereby advised to adhere to these guidelines to ensure seamless export operations.

⁶ Ibid. Paragraph 3.1(a)

⁷ A document containing record of tank gauge readings and sample analysis results obtained before and after loading from the tank.

⁸ It serves as a mini certificate of quantity and quality of the cargo.

⁹ A quadruplicate certificate reflecting the official quantity and quality of the cargo. Section 5.2 of the Procedure Guide for the Determination of the Quantity and Quality of Petroleum and Petroleum Products in Nigeria

¹⁰ Paragraph 3.1 (b) of the Guidelines for the Operationalisation of Advance Cargo Declaration Regulation

¹¹ Ibid. Paragraph 2.2

¹² Ibid. Paragraph 6.1

¹³ The Operator of the terminal where the Cargo is set to be exported from.

¹⁴ Ibid. Paragraph 3.1 © & (d)

¹⁵ Ibid. Paragraph 3.1 (f) & (g)

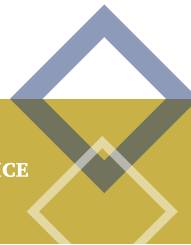
¹⁶ Ibid. Paragraph 4 (4.1) (4.1.1)

¹⁷ Ibid. Paragraph 4 (4.1) (4.1.2)

¹⁸ Regulation 7(1) of the Nigerian Upstream Petroleum Advance Cargo Declaration Regulations, 2024 Ibid. Paragraph 6.1

¹⁹ Ibid. Paragraph 6.1

²⁰ Ibid.



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