

L.N. 101 of 1968

OIL IN NAVIGABLE WATERS DECREE 1968
(1968 No. 34)

OIL IN NAVIGABLE WATERS REGULATIONS 1968

ARRANGEMENT OF REGULATIONS

1. Citation, commencement and interpretation.
2. Equipment in ships to prevent pollution by oil.
3. Oil discharge records.
4. Oil transfer records.
5. Precautions to be taken when loading, discharging or bunkering oil.

SCHEDULE

OIL IN NAVIGABLE WATERS DECREE 1968
(1968 No. 34)

Oil in Navigable Waters Regulations 1968

Commencement : 22nd April 1968

In exercise of the powers conferred upon me by sections 5 and 7 of the Oil in Navigable Waters Decree 1968 and of all other powers enabling me in that behalf, I, the Federal Commissioner for Transport, hereby make the following regulations :—

1.—(1) These regulations may be cited as the Oil in Navigable Waters Regulations 1968 and shall be deemed to have come into force on 22nd April 1968.

Citation,
commence-
ment and
interpreta-
tion.

(2) In these regulations, except where the context otherwise requires, expressions used have the same meaning as in the Oil in Navigable Waters Decree 1968.

1968 No. 34.

2.—(1) Every Nigerian ship (other than a tanker) of 80 tons gross tonnage or over which uses her bunker fuel tanks for the carriage of ballast water shall be fitted with an oily-water separator in accordance with the provisions of this regulation.

Equipment
in ships
to prevent
pollution
by oil.

(2) The oily-water separator shall be of the following description :—

(a) it shall be of such design, construction and capacity as would be adequate for the purpose of separating oil from a mixture of oil and ballast water from the bunker fuel tanks of the ship ;

(b) it shall be of a type which will separate mixtures of residual fuel oil of specific gravity of not less than .95 (at 60°F) and water so that the oil content of the water after treatment in the separator does not exceed 50 parts per million ;

(c) it shall contain means for the taking of samples of the mixture entering the separator and of the separated water leaving the separator ;

(d) it shall be adequate in strength for the pressure at which it will be required to work and shall contain suitable provision for the prevention of over-pressure ;

(e) it shall be fitted with—

(i) a pressure gauge,

(ii) a cock or valve for draining when desired,

(iii) a non-return valve at the mixture inlet to prevent flow-back ; and

(f) it shall be so designed that it can be inspected and cleaned internally.

(3) Every separator fitted in accordance with the provisions of this regulation shall be connected to a pump capable of delivering the mixture to it at such a rate that the capacity for which the separator is designed, measured in tons per hour, is not exceeded.

Oil
discharge
records.

3.—(1) The master of every Nigerian ship (not being a tanker) of 80 tons gross tonnage or over which uses fuel oil shall maintain such record as relates to the following, that is—

(a) any occasion on which oil or a mixture containing oil is discharged from his ship for the purpose of securing the safety of any vessel or of preventing damage to any vessel or cargo ;

(b) any occasion on which oil or a mixture containing oil is found to be escaping, or to have escaped, from any such ship in consequence of damage to the ship or by reason of leakage ;

(c) operations for carrying out on board or in connection with any such ship relating to—

(i) the ballasting of oil tanks (whether cargo or bunker fuel tanks) and the discharge of ballast from, and cleaning of, such tanks, or

(ii) the separation of oil from water or from other substances in any mixture containing oil, or

(iii) the disposal of any oil or water, or any other substance arising from operations relating to any of the matters specified in the preceding sub-paragraphs, or any other substance arising from operations relating to any of the matters specified in the preceding sub-paragraphs, or

(iv) the disposal of any other oil residues.

Schedule.

(2) The records required to be maintained of the matters specified in sub-paragraphs (a) and (b) of paragraph (1) above shall be in the form set out in Part I of the Schedule to these regulations and those to be maintained of the matters specified in sub-paragraph (c) of the said paragraph (1) shall be in the form set out in Part III of the Schedule.

(3) The master of every Nigerian ship which is a tanker shall maintain a record in the form set out in Part I of the Schedule to these regulations of the matters specified in paragraphs (a) and (b) of paragraph (1) above and in the form set out in Part II of that Schedule of the matters specified in paragraph (c) of the said paragraph (1).

(4) The records required to be maintained in accordance with paragraphs (1), (2) and (3) of this regulation shall be retained in the ship for the duration of the voyage and thereafter either in the ship or at the principal office of the owners of the ship for a period of at least twelve months.

Oil transfer
records.

4.—(1) There shall be kept by the master of every vessel, whether registered or not, and of whatever nationality a record of the particulars hereinafter specified relating to the transfer of oil to and from the vessel while it is within the seaward limits of the territorial waters of Nigeria.

(2) In the case of the transfer of oil to a barge, the record shall be kept by the person supplying the oil and in the case of the transfer of oil from the barge the record shall be kept by the person to whom the oil is delivered.

(3) The record required to be kept by paragraphs (1) and (2) above shall show clearly the following particulars :—

(a) the name and port of registry (if any) of the vessel or barge ;

(b) the date of transfer ;

- (c) the place of transfer ;
- (d) the amount and description of oil transferred ;
- (e) the vessel, barge or place on land from or to which the oil was, as the case may be, transferred.

(4) The record of each operation shall be separately signed and dated by the master or such other person as is referred to in paragraph (2) above.

(5) In the case of a ship the record required by this regulation may be kept in the ship's official log in which case the name or port of registry (if any) need not be stated.

5.—(1) In loading, discharging or bunkering oil all vessels shall take the following precautions :—

(a) where no facilities exist for the proper draining of hoses the ends should be suitably blanked ;

(b) when hose connections are being made or broken, drip trays shall be used to catch any spillage ;

(c) all scupper holes to which oil in the event of spillage would have access shall be tightly plugged for the duration of the operations ;

(d) care shall be taken to ensure that the vessel is securely moored so as to avoid any undue strain on the pipe connections between the vessel and the shore or between vessel and vessel ;

(e) hoses and all other equipment to be used shall be inspected and where any damage is detected such damage shall be repaired before commencing operations ;

(f) any oil accidentally spilt on deck or on the quay, pier or jetty shall be immediately bailed up and disposed of into the cargo tank or bunkers or ashore ;

(g) the means of communication between vessel and shore or between vessel and vessel shall be checked and all signals to be used thoroughly understood ;

(h) when the loading of a tanker or tank barge is completed all tank hatch lids shall be immediately secured and all other openings communicating to the tanks, other than those controlled by a relief valve, rendered impassable to oil.

(2) The following precautions shall be observed in relation to bunkering operations :—

(a) the master of any ship being bunkered from any other vessel or from a shore installation shall appoint a responsible officer to personally supervise the bunkering operation ;

(b) before bunkering commences—

(i) all air vent pipes shall be inspected to ensure that displaced air and gases can escape freely ;

(ii) the master shall ensure that ullages or soundings are taken to determine the quantity of oil on board in order to ensure that the bunker space will accommodate the amount of the expected delivery ;

(c) where one of the fuel storage tanks is set aside as an overflow tank it shall be the last to be filled ;

(d) during bunkering operations frequent soundings shall be taken and the rate of the delivery shall be slowed down during "topping off". Where possible, "topping off" of double bottom tanks shall be done from deep banks.

Precautions
to be taken
when
loading,
discharging
or
bunkering
oil.

(3) Where fuel oil is being transferred from one space to another within a ship the following precautions shall be observed :—

(a) care shall be taken to ensure that overboard discharge connections from the fuel oil transfer pumps are properly closed and secured against accidental overboard discharge ;

(b) care shall be taken to ensure that—

(i) the air vent pipes of the settling tanks are free from blockages ;

(ii) the overflow pipes leading from the settling tanks to fuel storage tanks are in order and that sounding arrangements or oil level indicating gear on the settling tanks do not allow the escape of oil in the event of accidental overfilling of the settling tanks.

(4) Where tanks used alternately for fuel oil and water ballast are being filled with such ballast the following precautions shall be observed :—

(a) if a pump is used, the pump must be started before the sea valves are opened ;

(b) during ballasting, all tanks shall be inspected to ensure that only the tanks which are intended as ballast are receiving water ;

(c) on completion of ballasting, the sea valves must be closed before the pump is stopped (if used) so as to prevent the escape into the sea of any oil or any oil contaminated water which may be in the lines.

(5) In the engine rooms or other machinery spaces of tankers the following precautions shall be observed :—

(a) a close watch shall be kept on the special oily bilge, gutterways or other arrangements provided to confine oil leakage from tank sides and mountings, fuel oil pumps and the like. Any accumulation of fuel oil shall be transferred to a bunker or settling tank well before risk or overflow to the ordinary bilges arises ;

(b) trays beneath oil pumps, heaters and burners shall be kept clean so that any leakage will be immediately apparent and can be dealt with before it pollutes the ordinary engine room or boiler room bilges ;

(c) all fuel oil pipes within the engine or boiler room, and especially those in which the oil is under pressure shall be inspected regularly to ensure early detection of any leak which would result in contamination of the ordinary bilges with oil fuel.

(6) The master of any ship and the person in charge of any tank barge shall ensure that a careful inspection of the ship's or barge's hull is carried out at regular intervals for the purpose of detecting any leakage of oil.

(7) In addition to the foregoing provisions of this regulation, the master of a tanker shall observe the following precautions :—

(a) before loading commences—

(i) all sea valves and deck overboard discharge valves on the oil and ballast lines shall be tightly closed,

(ii) all deck valves which are not to be used shall be properly closed and where practicable blanked off, and

(iii) all valves which are to be used shall be inspected to see that they are free and in good order ;

(b) loading must begin at a slow rate. After loading has started the tanks which are being loaded shall be inspected and the water round the ship's side shall also be inspected. If loading is proceeding satisfactorily the rate may be gradually increased until the desired loading rate is obtained when a further inspection must be made. No more tanks shall be loaded at any one time than can be safely watched and controlled ;

(c) the depth of oil in each cargo tank which is being loaded shall be constantly watched and the receiving rate shall be appropriately reduced towards the final stages of loading. To allow time for orderly control the slowing down of the receiving rate necessary during the "topping off" process should be anticipated and appropriate notice given to the staff in charge of the delivery. After any tank valve has been closed the liquid level in that tank shall be checked to ensure that the valve is properly closed ;

(d) before discharging, all cargo deck line valves, sea valves and any stern loading and discharge valves which are not to be used shall be inspected to ensure that they are tightly closed and where practicable such valves shall be set to the discharging position and checked to see that they are free and in good order ;

(e) after hoses are connected no discharging shall commence until after the shore staff have indicated that they are ready to receive cargo. Where the back pressure in the shore line is such that there is a possibility of oil flowing from the shore to the ship, the ship's valve at the shore connection shall not be opened until the pressure is equalised ;

(f) at the commencement of discharging the cargo pumps shall be started slowly and the working pressure gradually built up. During this process a constant watch shall be kept on the discharge pressure in order to ensure that the shore receiving lines are clear and that an excessive pressure is not being built up in the cargo lines. When the desired rate of discharge has been reached a further inspection shall be made of any stern or other discharge valves not in use, of the cargo, hose and hose connections and of the water round the ship's side to see that no oil is escaping ;

(g) at frequent intervals during the discharging operations conditions in the pump room, the operating pressure in the cargo system and possible points of leakage shall be inspected. The ship shall always be prepared to stop loading at short notice.

SCHEDULE

Regulation 3

ACCIDENTAL AND OTHER EXCEPTIONAL DISCHARGES OR ESCAPES OF OIL

PART I

<i>Date of Entry</i>					
1. Date and time of occurrence ..					
2. Place or position of ship					
3. Approximate quantity and type of oil					
4. Circumstances of discharge or escape and general remarks ..					

.....
*Signature of Officer or Officers in charge
of the operations concerned*

.....
Signature of Master

PART II

A—BALLASTING OF AND DISCHARGE OF BALLAST FROM CARGO TANKERS

<i>Date of Entry</i>					
1. Identity numbers of tank(s) ..					
2. Type of oil previously contained in tank(s)					
3. Date and place of ballasting ..					
4. Date and time of discharge of ballast water					
5. Place or position of ship at the time of discharge					
6. Approximate amount of oil conta- minated water transferred to slop tank(s)					
7. Identity numbers of slop tank(s) ..					

B—CLEANING OF CARGO TANKS

8. Identity numbers of tank(s) cleaned					
9. Type of oil previously contained in tank(s)					
10. Identity numbers of slop tank(s) to which washings transferred					
11. Dates and times of cleaning ..					

C—SETTLING IN SLOP TANKS AND DISCHARGE OF WATER

12. Identity numbers of slop tank(s)					
13. Period of settling (in hours) ..					
14. Date and time of discharge of water					
15. Place or position of ship ..					
16. Approximate quantities of residue					

D—DISPOSAL OF OILY RESIDUES FROM SLOP TANK(S) AND OTHER SOURCES

17. Date and method of disposal ..					
18. Place or position of ship at time of disposal					
19. Sources and approximate quantities					

.....
*Signature of Officer or Officers in
 charge of the operations concerned*

.....
Signature of Master

PART III

<i>Date of Entry</i>					
<i>(a) Ballasting, during voyage of bunker fuel tanks</i>					
1. Identity number of tank(s) ..					
2. Type of oil previously contained in tank(s)					
3. Date and place of ballasting ..					
4. Date and time of discharge of ballast or washing water ..					
5. Place or position of ship					
6. Whether separator used: if so, give period of use					
7. Disposal of oily residue retained on board					
<i>(b) Disposal from ship of oily residues from bunker fuel tanks and other sources</i>					
8. Date and method of disposal ..					
9. Place or position of ship					
10. Sources and approximate quantities					

.....
Signature of Officer or Officers in charge of the operations concerned

.....
Signature of Master

MADE at Lagos this 13th day of November 1968.

J. S. TARKA,
Federal Commissioner for Transport

L.N. 102 of 1968

IMMIGRATION ACT 1963
(1963-No. 6)

Loutfallah Haj-Mohammed Hamzi Deportation Order 1968

Commencement : 15th November 1968

I, the Commissioner for Internal Affairs, being of opinion that LOUTFALLAH HAJ-MOHAMMED HAMZI at present in Nigeria ought to be classed as a prohibited immigrant and acting under the power conferred upon me by section 18(3) of the Immigration Act 1963 hereby order the said LOUTFALLAH HAJ-MOHAMMED HAMZI to be deported from Nigeria as a prohibited immigrant by the first available means and I direct that the said LOUTFALLAH HAJ-MOHAMMED HAMZI shall thereafter remain out of Nigeria.

This Order may be cited as the LOUTFALLAH HAJ-MOHAMMED HAMZI Deportation Order 1968.

MADE at Lagos this 15th day of November 1968.

KAM SELEM,
Commissioner for Internal Affairs

L.N. 103 of 1968

IMMIGRATION ACT 1963
(1963 No. 6)

Henry Michael Elias Deportation Order 1968

Commencement : 15th November 1968

I, the Commissioner for Internal Affairs, being of opinion that HENRY MICHAEL ELIAS at present in Nigeria ought to be classed as a prohibited immigrant and acting under the power conferred upon me by section 18 (3) of the Immigration Act 1963 hereby order the said HENRY MICHAEL ELIAS to be deported from Nigeria as a prohibited immigrant by the first available means and I direct that the said HENRY MICHAEL ELIAS shall thereafter remain out of Nigeria.

This Order may be cited as the HENRY MICHAEL ELIAS Deportation Order 1968.

MADE at Lagos this 15th day of November 1968.

KAM SELEM,
Commissioner for Internal Affairs

L.N. 104 of 1968

TIN ACT 1962
(1962 No. 25)

Tin (Production and Export Control) Order 1968

Commencement : 20th September 1968

In exercise of the powers conferred by section 1 (1) of the Tin Act 1962, and of all other powers enabling him in that behalf, the Federal Commissioner for Mines and Power, being the Commissioner of the Government of the Federation responsible for minerals, hereby makes the following order :—

Production
and export of
tin etc.
subject to
control.
1962 No. 25.

1. Section 1 of the Tin Act 1962 (which authorises control of production and export of tin or tin ore in special circumstances) shall have effect to control such production and export for a period commencing 20th September 1968 and expiring on a date to be notified by further order under that section, so however that the expiry date in any event shall not be earlier than 31st December 1968.

Citation etc.

2. This Order may be cited as the Tin (Production and Export Control) Order 1968 and shall have effect throughout the Federation.

MADE at Lagos this 20th day of September 1968.

RUSSELL ALIYU BARAU DIKKO,
Federal Commissioner for Mines and Power

EXPLANATORY NOTE

(This note is not part of the Order but is intended to explain its effect)

This Order gives effect to a decision by the International Tin Council acting under the 3rd International Agreement on the Production and Export of tin etc. to which Nigeria is a party, and the production and export of tin etc. in contravention of the Order is punishable as prescribed by the Tin Act 1962.

L.N. 105 of 1968

**MINISTERS' STATUTORY POWERS AND DUTIES
(MISCELLANEOUS PROVISIONS) ACT (CAP. 128)**

**CONSTITUTION (MISCELLANEOUS PROVISIONS)
(No. 2) DECREE 1967**

(1967 No. 27)

**TIN ACT 1962
(1962 No. 25)**

The Tin Act 1962 (Delegation of Powers) Notice 1968

Commencement : 20th September 1968

In exercise of the powers conferred by section 3(1) of the Ministers' Statutory Powers and Duties (Miscellaneous Provisions) Act as varied by section 2 of the Constitution (Miscellaneous Provisions) (No. 2) Decree 1967 and of all other powers (if any) enabling him in that behalf, the Federal Commissioner for Mines and Power as the Commissioner of the Government of the Federation responsible for minerals hereby notifies the following delegation as made by him :—

1. The power to licence conferred on the Commissioner by section 1 (2) of the Tin Act 1962 is hereby delegated to and may be exercised by any of the following officers, that is to say—

- (i) the Chief Inspector of Mines,
- (ii) the Deputy Chief Inspector of Mines,
- (iii) the Assistant Chief Inspector of Mines ;

so however that nothing in this delegation shall be construed so as to prevent the exercise by the Commissioner himself of the power hereby delegated.

2.—(1) This delegation may be cited as the Tin Act 1962 (Delegation of Powers) Notice 1968, and shall apply throughout the Federation.

(2) This delegation shall be deemed to have come into force on 20th September 1968.

Delegation of power to issue licences for the purposes of the Tin Act 1962.
1962 No. 25.

Citation etc.

MADE at Lagos this 18th day of November 1968..

RUSSELL ALIYU BARAU DIKKO,
Federal Commissioner for Mines and Power

EXPLANATORY NOTE

(This note does not form part of the delegation but is intended to explain its effect)

Under this notice the powers of the Federal Commissioner for Mines and Power relative to licensing the smelting and export of tin during any period of export control may be exercised by the officials there mentioned.