

ABOUT NANTS

The National Association of Nigerian Traders (NANTS) is the umbrella organization of traders in raw materials, industrial and finished goods (locally made and imported) in Nigeria. However, to encourage the interlink between market access and production of goods, NANTS' membership has recently been expanded to include local manufacturers of consumer goods, local raw materials providers as well as local farmers' networks. Women constitute about 65% of NANTS membership.

THE VISION OF NANTS is to “advance trade beyond buying and selling to a vehicle for social justice, human rights, sustainable development and poverty reduction”.

THE MISSION OF NANTS is “promoting trade and economic advancement, uniting and championing the rights of and cause of the Entrepreneur through strategic programmes and policy interventions.”



**INFORMATION AT
A GLANCE FOR
ECOWAS PRIVATE
SECTOR OPERATORS**



Published by:
NATIONAL ASSOCIATION OF NIGERIAN TRADERS [NANTS]
With the Support of German Agency for International
Cooperation- GIZ

5. What should a genuine Trader and/or Private Sector Business Operator do?

- Ensure you **MAKE CORRECT DECLARATIONS**- avoid under and or over declaration of your goods.
- Ensure you have the correct and **APPROPRIATE DOCUMENTATIONS** to avoid unnecessary exchanges with government officials or delays at entry or clearing points by enforcement officers.
- Make sure you **CHECK THE PROHIBITION LIST** before importing. Remember, imported 'prohibited goods' may be impounded and seized by Government Agents.
- Do not engage in Smuggling activities, drug peddling, human trafficking, arms deal, etc.
- Do not **CHEAT** the government - **PAY CORRECT** tariff charges and levies.
- Be friendly with Government officials, but please **DO NOT BRIBE** any officer.
- Report to your Business Membership Organisations (NANTS, NACCIMA, MAN, NASSI, NASME, etc.) if you are treated badly or unnecessarily delayed by any Government Agency after you have complied with all legitimate requirements.

FOR FURTHER ASSISTANCE, FEEL FREE TO CONTACT NANTS OFFICE:

National Association of Nigerian Traders - NANTS
 Plot 19, Dan Suleiman Street; Behind Utako Market – Abuja:
 Tel: +2349-7812124, +2348038040616; +2348033002001
 Email: nants_nig@yahoo.com; Web: www.nants.org



This is a publication of National Association of Nigerian Traders – NANTS.



NANTS acknowledges with appreciation the financial support of German Agency for International Cooperation (GIZ) towards the production of this handbill. However, ALL views expressed herein do not represent that of GIZ, but NANTS.

INFORMATION AT A GLANCE FOR ECOWAS PRIVATE SECTOR OPERATORS

This piece of information is intended to guide every person involved in the cross-border trade of goods and services within the Economic Community of West African States (ECOWAS) Sub-region on the rules, expectations and/or concessions granted under the applicable ECOWAS rules and regulations

PUBLIC NOTICE

NEW DECISIONS TAKEN BY THE PRESIDENTIAL COMMITTEE ON PORT REFORMS

- The number of Agencies at the Ports is hereby reduced to just 7 namely: N.P.A, NIMASA, Nigeria Customs Service (NCS), Port Health, Immigration Service, Nigeria Police Force, and State Security Service (other relevant agencies will be invited in by the Customs as required by law).
- The NCS Task Force has been disbanded.
- The use of cargo tracking note is abolished.
- Streamlining of all release forms is commenced.
- Implementing a 24 hours service at the ports is commenced.
- Time spent on clearing goods is reduced to one week or less.

A. CROSSING BORDERS AS A PERSON AND A BUSINESS

1. What are the Principles and Rights available under the ECOWAS Free Movement Protocol?

Duty: All ECOWAS citizens have the right to freely enter into any of the 15 member States of ECOWAS, based on the provisions of the ECOWAS Protocol relating to the Free Movement of Persons, Residence and Establishment which gives the Community citizen the right to move, enter, reside and establish in the territory of Member States. The Protocol also guarantees Community citizens' protection while s/he is in the territories of Member States.

Document: However, for ECOWAS citizens to travel outside their States, they are required to be in possession of "valid travel document". This means an ECOWAS Travel Certificate or National Passport which is now referred to as ECOWAS Passport issued by the competent authorities in Member States (the Immigration Service, in the case of Nigeria). Citizens are also required to travel with valid Health Certificate (Yellow Card, which is obtained from designated Health institution in Member States). ECOWAS citizens seeking admission into territories

	vitamine b complex tablet multivitamin; aspirin; magnesium trisilicate; piperazine; levamisole; clotrimazole; ointments – penicillin/gentamycin; pyrantel pamoate; intravenous fluids
11	Waste pharmaceuticals
12	Soaps and detergents
13	Mosquito repellent coils
14	Sanitary wares of plastics
15	Rethreaded and used pneumatic tyres but excluding certain used trucks tyres for rethreading
16	Corrugated paper and paper boards
17	Telephone re-charge cards and vouchers
18	Certain textile fabrics of all types and articles thereof and yarn, but excluding lace fabrics, georges and other embroidered fabrics
19	African print [printed fabrics] e.g. Nigeria wax, hollandaise, English wax, Ankara and similar fabrics
20	Certain carpets and rugs of all types
21	Made-up garments and other textile articles
22	All types of foot wears and bags including suitcases of leather and plastics
23	Hollow glass bottles of a capacity exceeding 150mls (0.15 litres) of a kind used for packaging of beverages by breweries and other beverage and drink companies
24	Used compressors : used air conditioners and used fridges/freezers
25	Used motor vehicles above fifteen (15) years from the year of manufacture
26	Furniture, but excluding baby walkers, laboratory cabinets such as microscope table, fume cupboards, laboratory benches (9403), stadium chairs, height adjustments device, base sledge, seat frames and control mechanism, arm guide and head guides. Also excluded are; skeletal parts of furniture such as blanks, upholstered or unfinished part of metal, plastics, veneer, chair shell etc.
27	Ball point pens

Note: For the specific HS-Codes and more details, please refer to: <https://www.customs.gov.ng/ProhibitionList/import.php>.

List of goods/items prohibited for export in Nigeria:

S/N	Description of Goods
1	Maize
2	Timber (rough or sawn)
3	Raw hides and skin (including Wet Blue and all unfinished leather)
4	Scrap Metals
5	Unprocessed rubber latex and rubber lumps
6	Artifacts and Antiquities
7	Wildlife animals classified as endangered species and their products:
8	e.g. Crocodile; Elephant, Lizard, Eagle, Monkey, Zebra, Lion etc.
	All goods imported

recipient (with name, trade name and complete address) of the ECOWAS region.

Can one Certificate of Origin be used for several products so long as it is the same enterprise?

- No, each Certificate of Origin covers one type of good and so applications must be made for each type of good that is to be exported.

What national rules and regulations do I need to know when I export under the ETLS?

- Before you export a good, you must make enquiries regarding the national rules in the destination country, especially with regards to norms and quality.

Are there taxes which I have to pay despite the approval of my product into ETLS?

- Yes, even an approved product has to pay Value Added Tax (VAT) and, if applicable, excise duties

4. Are there Goods that are not allowed into Nigeria?

Note: The policy of ban/prohibition applied by the Nigerian Government has often been criticised as a breach to the ETLS, the ECOWAS Common External Tariff and the rules of the World Trade Organisation (WTO).

List of goods/items prohibited from importation to Nigeria:

S/N	Description of Goods
1	Live or dead birds including frozen poultry
2	Pork, beef
3	Birds eggs
4	Refined vegetable oils and fats
5	Cocoa butter, powder and cakes
6	Spaghetti/noodles
7	Fruit juice in retail packs
8	Waters, including mineral waters and aerated waters containing added sugar or sweetening matter or flavoured, ice snow
9	Bagged cement
10	Certain medicaments such as: paracetamol; cotrimoxazole; metronidazole; chloroquine; haematinic formulations; ferrous sulphate and ferrous gluconate tablets, folic acid tablets,

of other Member States must pass through approved entry points/borders and present themselves to the Immigration officials for entry formalities.

Duration: These travellers can enjoy a maximum of 90 day stay which can be extended by the relevant authority on request by the citizen. The Protocol of Free Movement also provides for the protection of the properties legally acquired by the migrant while s/he is living in the territory of other Member States. Furthermore, in order to facilitate mobility of persons transported in private or commercial vehicles, and upon the fulfilment of the conditions for entry, private vehicles are to remain in territory of Member States for a maximum period of 90 days, while commercial vehicles are given a maximum of 15 day stay during which they are not to engage in any commercial activities within the territory of Member State entered (see also below in section B.).

2. What are the Reasons why a Citizen may be denied the Right of Entry into an ECOWAS Member Country?

Apart from the conditions above, a citizen can be denied the right of entry, residence or establishment if s/he is an inadmissible person, i.e. if s/he:

- Has health-related problems, especially communicable disease/sickness;
- Is a drug peddler;
- Is trafficking in human beings;
- Has criminal records or multiple convictions;
- Is into money launderer;
- Is a fraudster, or engages in money laundering;
- Is a prostitute/commercial sex worker;
- Belongs to a terrorist organisation, or goes contrary to national security, public order or morality, in accordance with the laws and regulations applicable in the host Member State.

3. What Rights do ECOWAS Citizens have under the Right of Residence?

As an ECOWAS citizen, you have the right to reside in any of the 15 Countries of ECOWAS (guaranteed under the Free Movement Protocol (A/SP.1/7/86), to:

- Benefit from unimpeded mobility within territories of Member States;
- Engage in income earning employment;
- Apply for jobs effectively offered;
- Take up a job according to national provisions;

Information to Inter-State Road Transit (ISRT) operators:

- All goods shall be covered by the Inter-State Road Transit Declaration;
- The Inter-State Road Transit Declaration (usually issued and submitted at the Road Transport Division at the border) must either be typewritten or hand-written. The handwritten Declaration must be in ink, eligible and in printed characters;
- The Inter-State Transit Declaration shall be signed by the principal obligee or by his authorised representative as well as the approved national guarantor;
- The goods are to be transported under the cover of the ECOWAS ISRT Log Book and without being transferred to another means of transport between a Member State and the Office of Final Destination.

3. Frequently asked Questions on the ETLS

How often can I use my Certificate of Origin?

- The Certificate of Origin can be used each time you export and is valid for 6 months from the date of its issuance.

Can I use one Certificate of Origin to export to different or several countries?

- No, the ETLS Certificate of Origin is issued for one specific product and can only be used for one specific

Passengers' baggage:

The following items are admissible for exemption from import duty:

- Personal and household effects, the property of and accompanying a passenger, to the extent permitted by the Board and subject to any condition imposed by it;
- Unused personal effects, the property of a passenger and gifts not exceeding \$500 (excluding jewelry, photographic equipment, electronic and other luxury goods) and articles for which specific concessions have been granted;
- The property accompanying a temporary visitor to Nigeria, to the extent permitted by the Board and subject to any conditions imposed by it;
- Personal and household effects, the property of a Passenger, landed at any Customs Ports, Customs Airport and Customs Station within such further period as the Board may allow, to the extent permitted by the Board and subject to any conditions imposed by it.

However, the items listed above shall not be interpreted as to mean or include any vehicle or any goods intended for sale, barter or exchange.

- Remain in the country according to national provisions after ending the job;
- Access to residence Permit.

Article 59 of the Revised Treaty of ECOWAS provides that:

- (1) Citizens of the Community shall have the right of entry, residence and establishment and Member States undertake to recognize these rights of Community Citizens in their territories in accordance with the provisions of Protocols relating thereto.
- (2) Member States undertake to adopt all appropriate measures to ensure that Community citizens enjoy full the rights referred to in paragraph 1 of this Article.
- (3) Member States undertake to adopt, at national level, all measures necessary for the effective implementation of the provisions of this Article.

4. Are Citizens covered under the ECOWAS Right of Establishment?

Under the right of establishment provided for in the ECOWAS Free Movement Protocol (A/SP2/5/90), ECOWAS citizens are covered by the principle of non-discrimination to engage in the following:

- Access to non-salaried activities;
- Creation and Management of enterprises and companies.

B. FREE MOVEMENT OF GOODS

1. What Rules need to be complied with when you are exporting to or importing from another ECOWAS Member State?

The objective of the ECOWAS Trade Liberalisation Scheme (ETLS) is to establish a free trade area amongst ECOWAS Members States where goods can move freely, without being subject to tariffs and non-tariff barriers. For further information on ETLS, see e.g.: <http://www.etls.ecowas.int/>.

Article 3 of the ECOWAS Revised Treaty provides that:

The community shall provide the establishment of a common market inter alia through “the liberalisation of trade by the abolition, among Member States, of customs duties levied on imports and exports, and the abolition among Member States, of non-tariff barriers in order to establish a free trade area at the Community level.”

Categories of ETLS goods:

There are 3 groups of goods covered under the Scheme:

Kindly note the following:

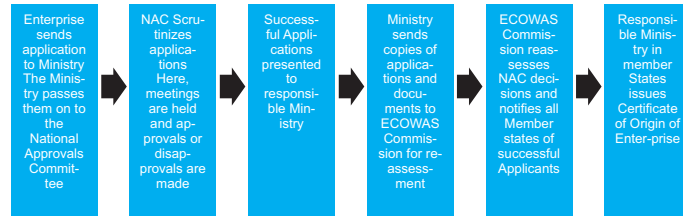
- On arrival, you are not permitted to leave the Customs Area until you and your baggage have been cleared through Customs;
- You will be required to produce every piece of your baggage to the Officer-in charge of baggage formalities;
- Obtain receipts for all payments made please;
- If you have any complaint on the duty assessed on your baggage, please contact the most Senior Customs Official in the baggage hall.

Private vehicle:

A private vehicle registered in the territory of any Member state of ECOWAS may enter and re-main in Nigeria for a period of up to 90 days upon presentation of the valid documents to Customs as listed below:

- Valid driving license;
- Matriculation Certificate (Ownership Card or Log Book;
- The Brown Card (which is issued at the border post);
- Insurance Policy;
- International Customs documents recognized within the Community.

Steps of the National Approvals Committee procedure:



2. What Concessions are available to Passengers, Importers & Exporters under the ETLs?

Commercial vehicles:

A Commercial vehicle registered in the territory of a Member State of ECOWAS and carrying passengers may enter and remain in Nigeria for a period not exceeding fifteen (15) days upon presentation of the documents listed hereunder to Customs:

- Valid driving license;
- Matriculation Certificate (Ownership Card or Log Book);
- Insurance Policy;
- International Customs documents recognized within the Community.

1. Unprocessed good: These are livestock, fish, plant or mineral products that have not undergone any industrial transformation.
2. Traditional Handicrafts Products: These articles made by hand with or without the help of tools, instruments or devices that are activated directly by the craftsman. Such include wooden cooking utensils, fancy goods, small cabinet work, mats, carpets, bed linen, footwear, headgear, prepared feathers, etc.
3. Industrial products of Community origin.

The 3 groups mentioned above are granted the following concessions:

- Total exemption from import duties and taxes;
- No quantitative restriction.

Conditions to be fulfilled by importer:

- Goods must originate in Member States of the Community;
- Only in case of unprocessed and traditional handicrafts products: Goods must appear on the list of products annexed to the decisions liberalising trade in these products;

- Only in case of industrial (processed) products: Must be accompanied by a Certificate of Origin (see below) and an ECOWAS Export Declaration Form (in Nigeria this is issued by the Nigeria Customs Services).

Article 10 of the Protocol Relating to the Definition of the Concept of Products Originating from the ECOWAS Member States provides that:

“Proof of the Community origin of goods shall be supported by a certificate of origin stating the conditions set out in this protocol. However, a certificate of origin shall not be required for agricultural and livestock products as well as hand-made articles or articles produced without the use of tools, instruments or implements directly operated by the manufacturer.”

- Such goods must be subjected to the import clearance procedure spelt out under Nigeria Import and Export Guidelines. The information can be sourced from the websites of Nigeria Customs or Nigeria Shippers Council:
<https://www.customs.gov.ng/ProhibitionList/import.php>;
http://www.shipperscouncil.com/import_guidelines.htm;
http://www.shipperscouncil.com/export_guidelines.htm;
- Exemption of goods whose value is not above \$500 from documentation;

- The beneficiary of the Scheme must be resident within the ECOWAS Sub-region - this includes companies registered in an ECOWAS Member State (that are usually the beneficiaries of the ETLs).

Procedure for ETLs approval (for industrial products only):

Only in the case of industrial (processed) products, the procedures for the approval consist of 2 processes:

1. The Enterprise procedure (see below);
2. The National Approvals Committee procedure (see below).

Enterprise procedure:

The enterprise must send its completed application form and all supporting documents to the Ministry of Foreign Affairs (ECOWAS Division; Ministry Of Foreign Affairs; Email: uyainne@yahoo.co.uk; Tel: +234 7035800840, +234 7035800840; Mobile: +234 08059655843).

NOTE: For further information on the ETLs approval procedures, see e.g.: <http://www.etls.ecowas.int/approval-procedures/>.