

NATIONAL INLAND WATERWAYS AUTHORITY ACT

ARRANGEMENT OF SECTIONS

PART I

Establishment of the National Inland Waterways Authority

SECTION

1. Establishment of the National Inland Waterways Authority.
2. Objectives of the Authority.
3. Establishment and composition of the Board of the Authority.
4. Tenure of office of members of the Board.
5. Remuneration.
6. Termination of Board membership.
7. Frequency of Board attendance.

PART II

Functions and powers

8. General functions of the Authority.
9. Other functions and powers of the Authority.

PART III

Declaration of navigable waterways, etc.

10. Declaration of navigable waterways.
11. Area under control of the Authority.
12. Right to land use for navigable purposes including right of way.
13. Right to land within right of way.

PART IV

Staff of the Authority

14. Appointment, etc., of the Managing Director.
15. Appointment of secretary and other staff of the Authority.
16. Conditions of service of staff.
17. Application of Pensions Act.

PART V

Financial provisions

18. Fund of the Authority.
19. Surplus funds.
20. Borrowing power

SECTION

21. Annual estimates, accounts and audit.
22. Annual reports.

PART VI

Miscellaneous

23. Offences and penalties.
24. Power to own land.
25. Power to accept gifts.
26. Time limitation of suits against the Authority.
27. Dissolution of Inland Waterways Department and transfer of assets and liability.
28. Power to make regulations.
29. Interpretation.
30. Short title.

SCHEDULES

FIRST SCHEDULE

Supplementary provisions relating to the Authority

SECOND SCHEDULE

Federal navigable waterways

THIRD SCHEDULE

River ports whose approaches are exempted from the control of the Authority

FOURTH SCHEDULE

Assets of the Department vested in the Authority

NATIONAL INLAND WATERWAYS AUTHORITY ACT

An Act to establish the National Inland Waterways Authority with responsibility, among other things, to improve and develop inland waterways for Navigation.
[1997 No. 13.]

[1st January, 1996]

[Commencement.

PART I

Establishment of the National Inland Waterways Authority

1. Establishment of the National **Inland** Waterways Authority

(1) There is hereby established a body to be known as the National Inland Waterways Authority (in this Act referred to as "the Authority").

(2) The Authority shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

2. Objectives of the Authority

The objectives of the Authority shall be to-

- (a) improve and develop inland waterways for navigation;
- (b) provide an alternative mode of transportation for the evacuation of economic goods and persons; and
- (c) execute the objectives of the national transport policy as they concern inland waterways.

3. Establishment and composition of the Board of the Authority

(1) There is hereby established for the Authority, a Governing Board (in this Act referred to as "the Board") which shall conduct the affairs of the Authority.

(2) The Board shall consist of-

- (a) a chairman who shall be appointed by the President on the recommendation of the Minister;
- (b) the Managing Director of the Authority;
- (c) one representative of the Federal Ministry of Transport;
- (d) one representative of the National Planning Commission;
- (e) one representative of the Federal Ministry of Water Resources; and
- (f) one representative of each of the following bodies to be appointed by the Minister-
 - (i) the Council for the Regulation of Engineering Profession in Nigeria;
 - (ii) the Surveyors Council of Nigeria;
 - (iii) the Master Mariners;
 - (iv) the Nigerian Association of Chambers of Commerce, Industry, Mines and Agriculture;
- (g) one representative of the Nigerian Ports Authority; and
- (h) one person to represent public interest to be appointed by the Minister.

(3) The supplementary provisions contained in the First Schedule to this Act shall have effect with respect to the proceedings of the Board and the other matters mentioned therein.

[First Schedule.]

4. Tenure of office of members of the Board

(1) Subject to the provisions of this Act, a person appointed to be a member of the Board, not being a public officer, shall hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment for one further period of three years.

(2) Any member, not being a public officer, may resign his appointment by a resignation letter addressed to the Minister.

5. Remuneration

Members of the Board shall be paid such remuneration and allowances, with the approval of the Minister, as are in line with similar Government statutory bodies.

6. Termination of Board membership
Where-

(a) it appears to the Minister that a member of the Board should be removed from office on grounds of misconduct or inability to perform the functions of his office;

(b) the Minister is satisfied that the continued presence on the Board of any member is not in the national interest or interest of the Authority, the Minister shall make a recommendation to that effect to the President which if approved shall empower the Minister to declare, in writing, the office of that member vacant.

7. Frequency of Board attendance

(1) There shall be four ordinary Board meetings in one calendar year.

(2) Without prejudice to section 6 of this Act any member who is absent from two consecutive ordinary meetings of the Board shall file his explanation in writing with the secretary for consideration by the Board and where the explanation is unacceptable to the Board the Board may recommend to the Minister that the member be removed, and the Minister may declare, in writing, such a removal.

PART II

Functions and powers

8. General functions of the Authority

It shall be the functions of the Authority to-

(a) provide regulations for inland navigation;

(b) ensure the development of infrastructural facilities for a national inland waterways network connecting the creeks and the rivers with the economic centres using the river-ports as nodal points for intermodel exchange; and

(c) ensure the development of indigenous technical and managerial skill to meet the challenges of modern inland waterways transportation.

9. **Other functions and powers of the Authority**

Other functions and powers of the Authority shall be to-

(a) undertake capital and maintenance dredging;

(b) undertake hydrological and hydrographic surveys;

(c) design ferry routes;

(d) survey, remove, and receive derelicts, wrecks and other obstructions from inland waterways;

(e) operate ferry services within the inland waterways system;

(f) undertake installation and maintenance of lights, buoys and all navigational aids along water channels and banks;

(g) issue and control licences for inland navigation, piers, jetties, dockyards;

(h) examine and survey inland water crafts and shipyard operators;

- (i) grant permit and licences for sand dredging, pipeline construction, dredging of slots and crossing of waterways by utility lines, water intake, rock blasting and removal;
- (j) grant licences to private inland waterway operators;
- (k) approve designs and construction of inland river crafts;
- (l) approve and control all-
 - (i) jetties, dockyards, piers within the inland waterways;
 - (ii) advertising within the right-of-way of the waterways;
- (m) reclaim land within the right-of-way;
- (n) undertake the construction, administration and maintenance of inland riverports and jetties;
- (o) provide hydraulic structures for river and dams, bed and bank stabilisation, barrages, groynes;
- (P) collect river tolls;
- (q) undertake the production, publication and broadcasting of navigational publications, bulletins and notices, hydrological year books, river charts and river maps;
- (r) carry out consultancy and contractual services;
- (s) represent the Government of Nigeria at national and international commissions that deal with navigation and inland water transportation;
- (t) subject to the provisions of the Environmental Impact Assessment Act, carry out environmental impact assessment of navigation and other dredging activities within the inland water and its right-of-ways;

[Cap.]

- (v) undertake erection and maintenance of gauges, kilometre boards, horizontal and vertical control marks;*
- (v) advise government on all border matters that relate to the inland waters
- (w) undertake acquisition, leasing and hiring of properties;
- (x) run cruise boats;
- (y) carry out boat repairs, boat construction and dockyard services; and
- (z) clear water hyacinth and other aquatic weeds.

PART III

Declaration of navigable waterways, etc.

10. Declaration of navigable waterways

The rivers and their tributaries, distributaries, creeks, lakes, lagoons and intra-coastal waterways specified in the Second Schedule to this Act are hereby declared Federal navigable waterways.

[Second Schedule.]

11. Area under control of the Authority

All navigable waterways, inland waterways, river-ports and internal waters of Nigeria, excluding all direct approaches to the ports listed in the Third Schedule to this Act and all other waters declared to be approaches to ports under or pursuant to the Nigerian Ports Authority Act, up to 250 metres beyond the upstream edge of the quay of such ports, shall be under the exclusive management, direction and control of the Authority.

[Third Schedule. Cap. N 126.]

12. Right to land use for navigable purposes including right of way,

(1) Subject to the provisions of the Lands (Title Vesting, etc.) Act, the right of land usage for improvement of navigability and provision of infrastructure shall cover areas on both banks of the waterways which would be submerged in a flood of 100 years return period.

[Cap, L7,]

(2) In case of waterways with steep banks where such flood have no overbank flow, the right of way shall include the areas of land along the waterway measured 100 metres perpendicular from the edge of the channel.

13. Right to land within right of way

(1) Notwithstanding the provisions of the Land Use Act or any other enactment, but subject to the provisions of the Lands (Title Vesting, etc.) Act, the Authority shall have right to all land within the right-of-way of declared waterways and shall use such land in the interest of navigation.

[Cap, L5. Cap, L7.]

(2) No person including a State shall-

(a) obstruct a declared waterway, take sand, gravel or stone from any declared waterway; or

(b) erect permanent structures within the right-of-way or divert water from a declared waterway;

(c) carry out any of the activities as specified in section 9 of this Act, without the written consent, approval or permission of the Authority.

PART IV

Staff of the Authority

14. Appointment, etc., of the Managing Director

(1) There shall be for the Authority a Managing Director who shall be-

(a) appointed by the President;

(b) the Chief Executive of the Authority.

(2) The Managing Director shall be responsible for-

(a) the execution of the policies of the Authority; and

(b) the day-to-day running of the affairs of the Authority.

(3) Subject to the provisions of this Act, a person appointed to be the Managing Director of the Authority, shall hold office for a period of four years from the date of his appointment and may be eligible for re-appointment for a further four-year period.

(4) The Managing Director may be removed by the President on grounds of misconduct or inability to perform the functions of his office.

15. Appointment of secretary and other staff of the Authority

(1) The Authority shall appoint a secretary to the Authority who-

(a) shall keep records as well as conduct the correspondence of the Authority; and

(b) perform such other duties as the Board or the Managing Director may, from time to time, direct.

(2) The Authority may appoint such other staff and agents as it deems necessary for the efficient performance of its duties under this Act.

16. Conditions of service of staff

(1) The Authority may, with the approval of the Minister, make rules relating generally to the conditions of service of the officers and other employees of the Authority, and without prejudice to the generality of the foregoing, the rules may provide for-

(a) the appointment and disciplinary control of all employees of the Authority; and

(b) appeals by such employees against dismissal or other disciplinary measures.

(2) Rules made under subsection (1) of this section need not be published in the *Gazette* but the Authority shall bring them to the notice of all affected persons in such manner as it may, from time to time, determine.

17. Application of Pensions Act

(1) It is hereby declared that service in the employment of the Authority shall be an approved service under the Pensions Act, and accordingly, employees of the Authority shall, in respect of their services, be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder.

[Cap. P4.J

(2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.

(3) For the purposes of the application of the Pensions Act, any power exercisable thereunder by the Minister or authority other than the Federal Government (not being the power to make regulations under section 23 thereof) is hereby vested in and shall be exercisable by the Authority and not by any other person or authority.

[Cap. P4.]

(4) Subject to subsection (2) of this section, the Pensions Act shall, in its application by virtue of subsection (3) of this section to any office, have effect as if the office were in the public service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria 1999.

[Cap. P4. Cap. C23.]

PART V

Financial provisions

18. Fund of the Authority

The Authority shall establish a fund which shall consist of-

(a) take-off grants provided to it by the Government for the running expenses of the Authority;

(b) such sums as may be collected or received by the Authority by way of dues, rates and taxes; and

(c) such sums as may be collected or received by the Authority from other sources either in respect of any property vested in the Authority or otherwise howsoever.

19. Surplus funds

The Authority shall have the power to invest its funds, and maintain a general reserve.

20. Borrowing power

(1) The Authority may, with the approval of the Minister, from time to time, borrow such sums as it may require in the exercise of its functions under this Act.

(2) The Authority shall not, without the approval of the Minister, borrow any sum of money.

21. Annual estimates, accounts and audit

(1) The Authority shall submit to the Minister, not later than 30 September in each year, an estimate of its expenditure and income during the next succeeding year.

(2) The Authority shall keep proper accounts and shall prepare in respect of each year a statement of audited accounts in such form as the Minister may direct.

(3) The Authority shall as soon as is possible after the end of the year to which the accounts relate cause its accounts to be audited by qualified auditors appointed by the Authority from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

(4) The auditors shall on completion of the audit of the accounts of the Authority for each year prepare and submit to the Authority the following two reports that is to say-

(a) a general report setting out the observations and recommendations of the auditors on the financial affairs of the Authority generally for that year and on any important matters which the auditors may consider necessary to bring to the notice of the Authority; and

(b) a detailed report containing the observations and recommendations of the auditors on all aspects of the operations of the Authority for the year.

22. Annual reports

The Authority shall prepare and submit to the President, through the Minister, not later than 30 June in each year a report in such form as may be directed on the activities of the Authority during the immediately preceding year, and shall include in such report a copy of the audited account of the Authority for that year and the auditor's report thereon.

PART VI

Miscellaneous

23. Offences and penalties

(I) Subject to the provisions of the Lands (Title Vesting, etc.) Act and the Nigerian Ports Authority Act any person who wilfully or negligently and without the consent of the Authority-

[Cap. L7. Cap. N126.]

(a) uses the area of land along the waterfront measured 100 metres perpendicular from the edge of both banks;

(b) obstructs the waterways with rafts, nets, logs, cask of oil, dredgers, barges, pipelines, pylons, bridges;

(c) takes sand, gravel or stone from the waterways either by manual, hydraulic or mechanical means;

(d) erects or operates permanent structures of any kind such as gauges, jetties, piers, wharves, slipway, floating or mobile dry-docks within the waterways;

(e) diverts water from the waterways either through suction or canalisation methods;

(j) performs hydrographic surveys, seismic surveys, drilling, blasting, underwater engineering works within the waterways;

(g) erects pylon, electricity and telephone or telegraphic cables within or across the right-of-way of the waterways;

(h) operates river crafts within inland waterways; and

(i) damages or tampers with the structures of the Authority, including gauges, buoys, kilometre boards, navigation aids, horizontal and vertical control marks, is guilty of an offence under this Act.

(2) A person who is guilty of an offence under subsection (I) of this section is liable on conviction to a fine not exceeding ₦50,000 or to imprisonment for a period of six months or to both such fine and imprisonment and, in the case of a continuing offence, to an additional fine of ₦100 for every day or part of a day that the offence continues.

(3) With respect to subsection (I) paragraph (c) of this section, the offender shall pay 100 per cent of the prevailing market price of the sand dredged, or forfeit the sand dredged on failure to pay fine.

(4) Where an offence under this Act has been committed by a body corporate or firm or association of individuals, it shall be liable upon conviction to a fine of ₦200,000 and in the case of a continuing offence, to an additional fine of ₦1,000 for every day or part of a day that the offence continues.

24. Power to own land

The Authority shall have the power to acquire, develop and use landed property.

25. Power to accept gifts

(I) The Authority may accept gifts of land, money or other property, upon such terms and conditions, if any, as may be specified by the person or organisation making the gift.

(2) The Authority shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the objectives and functions of the Authority.

26. Time limitation of suits against the Authority

(1) Notwithstanding anything in any other enactment, no suit against the Authority, a member or any staff of the Authority for any act done in pursuance or execution of any enactment or law or any public duty or authority, or in respect of any alleged neglect or default in the execution of such enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced within three months next after the act, neglect or default complained of or, in the case of a continuance of damage or injury, within three months next after the ceasing thereof.

(2) Every member, agent, auditor or staff for the time being of the Authority shall be indemnified out of the assets of the Authority against any liability incurred by him in defending any proceeding whether civil or criminal, in which judgment is given in his favour or in which he is acquitted, if any such proceeding is brought against him in his capacity as such member, agent, auditor or staff as aforesaid.

(3) In any action or suit against the Authority no execution or attachment or process in the nature thereof shall be issued against the Authority, but any sums of money which may by the judgment of the court be awarded against the Authority shall, subject to any directions given by the court where notice of appeal has been given by the Authority in respect of the said judgment, be paid by the Authority from the funds of the Authority.

27. Dissolution of Inland Waterways Department and transfer of assets and liability

(1) The Inland Waterways Department of the Federal Ministry of Transport (in this section referred to as "the Department") is hereby dissolved.

(2) By virtue of this Act, there shall be vested in the Authority immediately at the commencement of this Act, without further assurance, all assets, funds, resources and other moveable or immovable property which immediately before the commencement of this Act were vested in the Department.

(3) As from the commencement of this Act-

(a) all rights, interests, obligations and liabilities of the Department existing immediately before the commencement of this Act under any contract or instrument or at law or in equity shall by virtue of this Act be assigned to and be vested in the Authority;

(b) in addition to the assets, rights and interests vested in the Authority under this paragraph, the assets described in the Fourth Schedule to this Act shall be vested in the Authority by virtue of this Act and without further assurance;

(c) any contract or instrument as mentioned in sub-paragraph (a) of this paragraph shall be of the same force and effect against or in favour of the Authority and shall be enforceable as fully and effectively as if, instead of the Department, the Authority had been named therein or had been a party thereto.

(4) Any proceeding or cause of action pending or existing immediately before the commencement of this Act by or against the Department in respect of any rights, interest, obligation or liability of the Department may be commenced, continued or enforced by or against the Authority as if this Act had not been made.

(5) Notwithstanding the provisions of this Act but subject to such directives as may be issued by the Authority, any person who immediately before the commencement of this Act held office in the Department shall be deemed to have been transferred to the Authority, on terms and conditions not less favourable than those obtaining immediately before the commencement of this Act; and service under the Department shall be deemed to be service under the Authority for purposes of pension.

(6) Any licence, permit or other approved issued or granted or deemed to be issued or granted by the Department shall during its duration be deemed for all purposes to be granted by the Authority under this Act.

(7) The Minister may within twelve months after the commencement of this Act, by order published in the *Gazette*, make additional transitional or saving provisions for the better carrying out of the objectives of this section.

28. Power to make regulations

(1) The Authority may, with the approval of the Minister, make regulations for dues, rates and charges for the following purposes-

- (a) use of warehouses;
- (b) *sale of sand*;
- (c) ground rents;
- (d) *sale of hydrological year book*;
- (e) sale of hydrological data;
- (f) sale of hydrological charts and river maps;
- (g) *sand search*;
- (h) dredging permit;
- (i) *piers licences*;
- (j) examination fees;
- (k) re-certification fees;
- (l) operators licences;
- (m) survey fees for river crafts;
- (n) slipway and dockyard services;
- (o) utilities rates within dockyard and river ports;
- (p) river guide dues and rates;
- (q) harbour dues and rates;
- (r) property rents;
- (s) boat licences;
- (t) berthing fees;
- (u) ferry fares and tariffs.

(2) Subject to this Act, the Authority may, with the approval of the Minister also make regulations generally for the regulation of users of navigable waterways and such other regulations as appear to him to be expedient for giving full effect to the provisions of this Act.

29. Interpretation

In this Act, unless the context otherwise requires-

"Authority" means the National Inland Waterways Authority established under section I of this Act;

"baseline" means the low water mark along the coast of Nigeria;

"Department" means the Inland Waterways Department of the Federal Ministry of Transport;

"dues" include river craft dues and harbour dues;

"internal water" means all waters on the landward side of the baseline of the territorial sea;

"inland waterways" includes all waterways, river, creeks, lakes, tidelands, lagoons below the low water baseline;

"jetty" means a jetty, pier, wharf of whatever description, including a jetty used as a floating dock, stationary or mobile dock, wharf or pier erected or extending beyond high water mark or ordinary spring tide, and pontoon moored within the inland water system used as a jetty, wharf or pier as well as those extended into water of any navigable channel;

"Minister" means the Minister charged with responsibility for matters relating to transport;

"misconduct" means an act which is against set rules and regulations;

"navigation channel" means any channel where navigation is possible;

"navigational aids" means a floating light, mark or sign used as an aid to navigation and includes a lighthouse;

"rates" means rates or charges levied by the Authority by virtue of this Act;

"return period" means the highest level of flood expected to occur once in a hundred years;

"river craft" includes any vessel, barge or lighter, canoe, boat or tug of any kind whatsoever towed or self-propelled by any type of motor or otherwise;

"river guide" means a person providing pilotage to navigation to river craft who has conduct thereof;

"warehouse" includes any building, place, container, river craft when used by the Authority for the purpose of warehousing or depositing or safe keeping of goods.

30. Short title

This Act may be cited as the National Inland Waterways Authority Act.

SCHEDULES

FIRST SCHEDULE

[Section 3 (3).]

Supplementary provisions relating to the Authority

Proceedings of the Board

1. Subject to this Act and section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of its members and for the person presiding at any meeting when a vote is ordered to have a second or casting vote), the Board may make standing orders regulating its proceedings or that of any of its committee thereof.

[Cap. 123)

2. Every meeting of the Board shall be presided over by the chairman or, if the chairman is unable to attend a particular meeting, the members present at the meeting shall elect one person amongst them to preside at the meeting.

3. The quorum at a meeting of the Board shall consist of the chairman (or, in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule) and five other members.

4. Where in any special occasion the Board desires to obtain the advice of any person on any particular matter, it may co-opt that person to be a member for as many meetings as may be necessary, and that person while so co-opted shall have all the rights and privileges of a member except that he shall not be entitled to vote.

Committees

5. (1) Subject to its standing orders, the Board may appoint such number of standing and *ad hoc* committees as it thinks fit to consider and report on any matter with which the Authority or Board is concerned.

(2) A committee appointed under this paragraph shall be presided over by a member of the Board and shall be made up of such number of persons (not necessarily members of the Board) as may be determined by the Board.

(3) The quorum of any committee set up by the Board shall be as may be determined by the Board.

6. (1) Where standing orders made pursuant to paragraph I of this Schedule provide for a committee of the Board to consist of persons who are not members of the Board, the committee may advise the Board on any matter referred to it by the Board.

(2) The decision of a committee shall be of no effect until it is confirmed by the Board.

Miscellaneous

7. The fixing of the seal of the Authority shall be authenticated by the signature of the chairman of the Board or that of the Managing Director.

8. Any contract or instrument which, if made by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Authority by the Managing Director or by any other person generally or specially authorised to act for that purpose by the Board.

9. Any document purporting to be a contract, instrument or other document duly signed or sealed on behalf of the Authority shall be received in evidence and shall, unless the contrary is proved, be presumed without further proof to have been so signed or sealed.

10. The validity of any proceedings of the Board or of a committee of the Board shall not be affected-

(a) by any vacancy in the membership of the Board, or of the committee; or

(b) by any defect in the appointment of a member of the Board or any committee thereof.

11. Any member of the Board or a committee of the Board who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or committee shall forthwith disclose his interest to the Board or the committee and shall not vote on any question relating to the contract or arrangement.

12. No member of the Board shall be personally liable for any act or omission done or made in good faith while engaged in the business of the Board.

SECOND SCHEDULE

[Section 10.]

Federal navigable waterways

1. The River Niger from the Nigerian/Niger/Benin border, through the Nun and Forcados distributaries to the Atlantic Ocean.

2. The River Benue from the Nigerian/Cameroun border to its confluence with River Niger at Lokoja.

3. The Cross River from the Nigerian/Cameroun border to the Atlantic Ocean, and all its distributaries.

4. Rivers Sokoto, Kaduna, Geriny, Gongola, Taraba, Donga, Katsina-Ala, Anambra, Ogun, Oluwa, Osse, Benin, Imo, Kwa Tho.

5. The Intra-coastal route from Badagry, along the Badagry Creek to Lagos, through Lagos Lagoon to Epe, Lekki Lagoon to Iwopin, along Omu Creek, Talifa River to Atijere, Akata, Aboto, Oluwa River to Okitipupa and onto Gbekebo, Arogbo, Ofun, Amama, Benin Creek to Warri. Also the canal running from Araromi through Aiyetoro, Imelumo to Benin River and from Aiyetoro through Mahin Lagoon to Igbokoda.

6. The waterway from Warri along the Forcados River, through Frukana, Siam, Bomadi, Angalabiri, Patani, Torofani, down River Nun to Agberi, Kiama, Sabagreia, Gbaran Creek, Agudama, Ekpemena into Ekole Creek to Yanaka, Yenegoa, Sangata to Mbiakpaba, onto Okokokiri, Ofokpot, Olagaga, Nembe, Adema, Agoribiri Creek to Egbema, Degema, Sombreiro River to Hanya Town, Ogbakiri to Port Harcourt.

7. The waterway from Port Harcourt, through Amadi Creek down Bonny River, into Opobo Channel, Adoni River, through Andoni Flats, Tellifer Creek, Imo River, Shooter Creek, Kwa Tho Creek, Kwa Ibo River, Stubbs Creeks, Widenham Creek, Effiat-Mbo Creek, Cross River estuary to Oron and Calabar.

8. Rivers Benue, Ethiopia, Ossiomo, Onne, Aba, Azumini, Olomum, Siluko, Talifa, Forcados, Pennington, Escravos, Warri, Ramos, Dodo, Bonny, Middleton, Fishtown, Sengana, Brass of Nicholas, Santa Barbara, San Batholomew, Sambriero, New Calabar, Mbo, Rio del Rey, Uruan, Akwayafe.

9. Creeks Odiama, Agamama Tora, Nembe, Krakama, Buguma, Bille, Finima, New Calabar, Ekole, Cawthpme Channel, Ikane-Bakassi, Omu, Kwato (Gwato), Adagbrassa, Chananomi, Okpoko, Jones Kulama, Ikebiri, Nikorogba, Sagbama, Egbedi, Kolo, Laylor, Hughes Channel.

10. Lakes Mahin, Oguta, Osiam Ehoma.

11. The Orashi River from Oguta Lake to Ebocha, Omoku, Kreigani, Moiana, Okariki, Egberna, Sombreiro River.

12. Lake Chad, that part within Nigeria.

THIRD SCHEDULE

[Section II.]

River ports whose approaches are exempted from the control of the Authority
I. Lagos.

2. Port Harcourt.
3. Warri.
4. Calabar.
5. Burutu.
6. Akassa.
7. Bonny.
8. Degema.
9. Forcados.
10. Koko Town.

FOURTH SCHEDULE
[Section 27.]

Assets of the Department vested in the Authority

I. Property.

2. Buildings.
3. Dockyards.
4. Lands.
5. Office equipment.
6. Machinery and plants.
7. Boats and ferries, including:

(

I) B/V Anam.

(2) B/V Bajibo.

(3) B/V Nembe.

(4) B/V Lekki.

(5) B/V Numan.

(6) MIF Apapa.

(7) MIF Calabar.

(8) MIF Baro.

(9) MIF Yelwa.

(10) WfB Jebba.

(11) Mff Tiga Dam.

(12) MID Yenaka.

(13) MID Itobe.

- (14) *MID* Siama.
- (15) *MID* Obosi.
- (16) *MID* Shetland.
- (17) *MIF* Orono
- (18) *MIF* Lokoja.
- (19) *W/B* Maroko.
- (20) *W/B* Jamata.
- (21) *MIF* Effiat-Mbo.
- (22) *MIF* Idah.
- (23) *MIF* Asaba.
- (24) *MIF* Ibi.
- (25) *MIF* Yola.
- (26) *MIF* New Bussa.
- (27) *MIF* Onitsha.
- (28) *MIF* Donga.
- (29) *MIF* Warri.
- (30) *M/T* Kainji Dam.
- (31) *BN* Varvil.
- (32) *BN* Cosmos.
- (33) *WfB* Yauri.
- (34) *SN* Woodcock.
- (35) *SN* Woodpecker.
- (36) *SIL* Woodpegeon.
- (37) *MIL* Wagtail.
- (38) *MIL* Wood lack

SUBSIDIARY LEGISLATION

No Subsidiary Legislation