
LEGAL DRAFTING OF REGULATIONS ON THE INTERNATIONAL CONVENTIONS

As the **Nigerian Maritime Administration And Safety Agency (NIMASA)** is desirous of implementing all relevant international instruments (conventions) in line with **International Maritime Organisation's (IMO)** objective for achieving cleaner oceans and safer shipping across the global marine environment, growing concern for the future of the Nigerian marine and coastal environment in relation to pollution threats should be situated within this context. Indeed, available statistics have shown that over 80% of all international trade is facilitated by seas and oceans of the world. Thus the need for Safety and clean marine environment regime which will be IMO compliant is required by NIMASA as a platform even for sustenance of animal and plant life which derives over 80% of its supply of oxygen from the marine environment.

Section 22 (1) and (2) NIMASA ACT, 2007 clearly stipulates the core functions of the Agency to include:

- i. To promote the development of indigenous commercial shipping;
- ii. To guarantee maritime safety and security;
- iii. To undertake management of marine environment;
- iv. To oversee maritime labour matters;
- v. To ensure enforcement of the cabotage Act 2003;
- vi. To ensure implementation of International Conventions on Maritime Safety and Security.

To achieve the above objectives will require a well articulated legal regime which will not only protect the marine environment but also ensure human health thus enhancing maritime business in Nigeria. The **Regulations** will identify areas of weakness of the International Conventions and adequately fill in such areas to ensure contextualization or domestication of all such International Conventions in the Maritime Industry. The **Regulations** will have nine core components:

1. Objectives;
2. General Provisions of International Conventions;
3. Co-ordination of International Conventions;
4. Scope of Liability and Time Bar;
5. Monitoring and Compliance;
6. Prevention and Control;
7. Enforcement and Penalty;
8. Settlement of Disputes – (i) Conciliation
(ii) Arbitration
(iii) Applicable Law
9. Amendment

Choosing STRADDLE PARTNERS' services in the drafting of Legal Instruments, i.e. The **Regulations** will also enable NIMASA to have us provide it with ancillary legal services and legal opinions which may be required from time to time.