



NIGERIA SANCTIONS COMMITTEE
GUIDELINES ON APPLICATION FOR UTILISATION OF FUNDS
(TERRORISM FINANCING AND PROLIFERATION FINANCING)

Part I: Submission of Application for Utilization of Frozen Funds

An applicant (an individual, group, undertaking, and/or entity or their legal representative or estate) seeking to submit application for utilization of frozen funds, assets or any other economic resources can do so directly to the Chairman of the Nigeria Sanctions Committee through the Secretariat.

Format and Transmission of Application

The application should be deposited in an affidavit which should include all the necessary information as described in the **Content** section below and supported relevant documents. While it is preferable for the application to be submitted in English Language or any of the major 3 languages (Yoruba, Hausa and Igbo)

You may transmit your application by any means which affords a record in writing – post, or e-mail. For applications submitted by post, in case clarification or follow up is required, it would facilitate the process if you include a return e-mail address or a phone number through which you can be contacted. You may send your application to the following addresses:

The Chairman,
Nigeria Sanctions Committee
Secretariat of the Nigeria Sanctions Committee
c/o Nigeria Financial Intelligence Unit
Block 3, No. 1, Monrovia Street, Off Aminu Kano Crescent
Wuse II, Abuja
Tel: +2349097303256
E-mail: info@nfiu.gov.ng

Content

Your request should make reference to the relevant entry in the Nigeria List or United Nations Consolidated List in the website of the Nigeria Sanctions Committee or website of the United Nations Sanctions Committee. Please include the following information:

1) Identification Information for the Applicant.

If you are an individual, please provide:

- a. your full name including any middle names or initials, parents' and grandparents' names as may be applicable, as well as any other names or pseudonyms that you use;
- b. your date and place of birth;
- c. your nationality - if more than one please, provide all;
- d. if resident in Nigeria, your state of current residence; if resident outside Nigeria, your Country of current resident;

- e. any other information which may help to clarify any issues of identity.

If you act on behalf of an entity, please provide:

- a. full name of the entity including any alternative names used;
- b. if applicable, place and date of incorporation/registration;
- c. Places(s) of current operation(s);
- d. any other information which may help to clarify any issues of identity; and
- e. an explanation of what capacity you are acting on behalf of the entity in.

2) A statement of the Reasons/ Justification for granting the application for utilization of frozen funds.

This section should be as detailed as possible. Please explain why you believe your request fall with basic needs and expenses. In particular, you should in clear terms how to intend to use the frozen funds;

3) Where available, copies of any documents or other supporting or explanatory material.

4) Where the application is being made by a person acting on your behalf, a document signed by you, authorizing the person to act on your behalf.

Once your application has been received, the Secretariat will acknowledge receipt. If more information is required from you at this stage, the Secretariat will contact you. Otherwise, the Secretariat will proceed on the basis of your written application and inform you personally of the next steps. If you would already want to know more about the general procedure, you may read the relevant section on this website.

Part II: Nigeria Sanctions Committee Secretariat – Procedure for Receiving and Processing Applications for Utilization of Frozen Funds

The Nigeria Sanctions Committee shall carry out the following tasks upon receipt application submitted by, or on behalf of, an individual, group, undertaking or entity or by the legal representative or estate of such individual, group, undertaking or entity ("the applicant"):

1. The information gathering period shall be concluded within reasonable period upon receipt of the application. Within this period, the Secretariat shall:

- a. Acknowledge to the applicant the receipt of the unfreezing application and notify the Chairman of the existence of unfreezing application;
- b. Inform the applicant of the general procedure for processing applications as published in the website;
- c. Answer specific questions from the applicant about Committee procedures;
- d. Inform the applicant in case the application fails or is granted;
- e. Verify if the application is a new application or a repeated application and, if it is a repeated application to the Secretariat and it does not contain relevant additional information, return it to the applicant, with an appropriate explanation, for his or her consideration.

2. For application not returned to the applicant, the Secretariat shall, after notifying the Chairman, forward the application to the members of the Committee.

(3) The Nigeria Sanctions Committee, where necessary, may approve the utilization of the frozen funds, assets or any part thereof or of other economic resources –

(a) to meet the basic needs and expenses of a designated person or a person or an entity under investigation whose funds have been frozen including the amounts required to meet expenditures on food, medical needs and such other general expenses as the Nigeria Sanctions Committee may approve, from time to time;

(b) for reasonable professional fees and settlement of expenses, including legal services, bank and related charges; or

(c) for any other exceptional services not provided for in sub-regulations (a) and (b) of this guideline.

(4) The Nigeria Sanctions Committee shall consider the application and may grant, reduce or refuse the request made in the application as considered reasonable in the circumstance.

(5) The Attorney-General through the Minister of Foreign Affairs shall notify the Security Council of the intention to make such payments or to authorize the unfreezing of funds, other financial assets or economic resources ten working days prior to such authorization.

(6) Where an approval is granted, the Financial Institution, Designated Non-financial Institution or any other person in custody of the frozen funds shall be informed in writing to implement the approval and furnish a report to the Nigeria Sanctions Committee of the action taken.

(7) Where an approval is obtained from the UN Sanctions Committee, the Minister of Foreign Affairs shall transmit the approval to the Chairman who shall, through the Nigeria Sanctions Committee, inform the Financial Institution or any other person in custody of the frozen funds in writing to implement the approval and furnish a report to the Nigeria Sanctions Committee of the action taken.

(8) A designated person or entity on the UN List or Nigerian or his representative is entitled to be informed of the approval or rejection of his application in writing.

(9) A person or entity whose funds or assets have been frozen may challenge the measure with a view to having the frozen funds or assets reviewed by a court.

(10) Without prejudice to the provisions of this regulation, the procedure set out in relevant UNSCRs and all successor resolutions shall be observed.