**PUBLIC NOTICE -PURPORTED AWARD OF TANK WASHING/BALLAST WATER MANAGEMENT CONTRACT BY NIGERIAN PORTS AUTHORITY IN FLAGRANT DISREGARD OF PENDING COURT ACTION**

We wish to draw the attention of all concerned parties, institutions, and entities to the pendency of the law suit against the Nigerian Ports Authority (“NPA”) concerning the award of contracts related to tank washing and ballast water management by the NPA.

This notice is issued on behalf of Messrs. Cleanall Environmental Services Limited ("Our Client") to alert all stakeholders about the existing legal proceedings and the associated civil liabilities that may arise from engaging in contracts linked to the ongoing dispute.

Our Client obtained an official approval from the Honourable Minister of Transport through a dated letter on October 20, 2004 (T0160/S.30/C5/T3/147). This approval covered three key aspects: (a) Establishing remediation facilities within the 4 pilotage districts; (b) Employing an electronic monitoring system to counter illegal waste dumping and discharge in the same districts; and (c) Developing Tank Washing/Ballast Facilities within these districts.

Following the Minister's approval, NPA acknowledged only one component – the contract for electronic monitoring of illicit waste disposal. Our Client diligently fulfilled this contract, meeting NPA's satisfaction.

Disputes arose when NPA refused to act on the remaining components, offering groundless claims that remediation services were outside its mandate and that tank washing/ballast facilities were the sole concern of ship owners. It later came to light that these positions were factually incorrect.

Despite engagements involving Our Client, NPA, and representatives of the Federal Ministry of Transport, NPA persistently disregarded the Ministerial approval.

In a surprising turn, NPA issued Public Notice Number 4126 in June 2020, seeking to award contracts for services it had earlier disavowed authority to issue. In response, Our Client initiated legal proceedings against NPA in suit number FHC/L/CS/1482/2020 - Cleanall Environmental Services Limited v Nigerian Ports Authority & 1 Or. The case, pending before Honourable Justice P.O Lifu (JP) at the Federal High Court, Lagos, seeks to enforce the ministerial approval made in favour of Our Client.

The suit is still ongoing, with a motion requesting the court to restrain NPA and the other party from awarding, negotiating, or executing contracts related to the subject matter to any other entity other than Our Client.

We are aware of NPA's covert efforts to award similar contracts to entities other than Our Client. In light of this, Our Client underscores the importance of recognizing the ongoing legal proceedings and urges all relevant parties to refrain from actions undermining the court's jurisdiction.

**Civil Liability Warning:** We caution the public, institutions, and entities against entering contracts related to this matter with NPA or any other agency. Defying the ongoing legal proceedings may expose parties to significant civil liability if the court rules in favour of Our Client. Such parties undertake such contracts at their own risk, liable to civil penalties under the law.

For inquiries or clarifications, contact us via email at [dispute@thtspractice.com](mailto:dispute@thtspractice.com) or by phone at 0913 911 5555.

Issued by: THTS Practice, Counsel to Cleanall Environmental Services Limited

Signed by: Ukamba Ugochukwu Nnamdi, Senior Partner