

**NATIONAL HAJJ COMMISSION OF NIGERIA
(NAHCON)**



GUIDELINES

for

**UMRAH APPLICATION & OPERATIONS;
AND CONDITIONS FOR
UMRAH LICENSE FOR TRAVEL AGENCIES
(April, 2019)**

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1.0 PREAMBLE

- 1.1 The National Hajj Commission of Nigeria (NAHCON), hereby issues the following Guidelines to all the prospective and duly licensed Travel Agencies so as to guide and set standards in the conduct and provision of *Umrah* Services to Nigerian pilgrims.
- 1.2 That all entities engaged in organizing and coordinating the movement of persons from Nigeria to Saudi Arabia to perform Umrah and those providing accommodation, transportation and other services related to the performance of the Umrah to pilgrims in Saudi Arabia shall register with the Commission and obtain a License before engaging in the business.

2.0 Requirements for Umrah License Application

2.1 New Application for Umrah License by New Companies:

All interested new companies must fulfill/possess the following:

Pre-Licensing Requirement

- 2.1.1 Incorporation/Registration with the Corporate Affairs Commission (CAC) with a minimum share capital of **N30, 000,000.00** (thirty million naira);
- 2.1.2 Submission of Certified True Copies of the Company's Memorandum and Article of Association;
- 2.1.3 Submission of Certified True Copies of forms CAC 2 & CAC 7;
- 2.1.4 Valid IATA accreditation;
- 2.1.5 Valid Air Transport Organisers License (ATOL)
- 2.1.6 Current Company Tax Clearance Certificate;
- 2.1.7 VAT Registration and Evidence of remittances for the immediate past three (3) years (where applicable);

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- 2.1.8 Submission of the most recent Audited Accounts of the Company;
- 2.1.9 A sworn affidavit that none of the Shareholders or Directors of the Company has ever been convicted for any criminal offence including fraud or financial impropriety;
- 2.1.10 A sworn affidavit indicating that all documents submitted are genuine and verifiable;
- 2.1.11 Curriculum-Vitae of Agency Manager, Operations Manager, Finance Manager and Ticketing and Reservation Manager, stating their qualifications and experiences in handling Umrah activities;
- 2.1.12 Scanned and Certified True Copies of 2.1.1 – 2.1.7 above are required. All original documents must be made available for sighting when required;
- 2.1.13 Payment of the sum of **N400,000.00** (four hundred thousand Naira) or other amount as may be prescribed by the Commission, in Bank Draft, being the non-refundable application processing fee;
- 2.1.14 Submission of Security Refundable Deposit as may be prescribed by the Commission as collateral on submission of the application form, in accordance with Section 16(4) of NAHCON (Establishment) Act, 2006;
- 2.1.15 Completed form shall be submitted online along with the following:
 - a) Certificate of Occupancy/Tenancy Agreement evidenced by receipt of rent payment of the applicant's registered address.
 - b) Four passport-size photographs of each of the Directors (authenticated by a Notary Public).
 - c) Bank reference letter indicating the company's financial capability and reliability.

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2.1.16.0 Post-Licensing Requirement

- 2.1.16 Payment of the sum of **N600,000.00** (six hundred thousand Naira) or other amount as may be prescribed by the Commission, as licensing fee after approval, but precedent to issuance of the license;
- 2.1.17 Submission of a Performance Bond from a reputable Bank as may be prescribed by the Commission from time to time in line with the provision of Section 16(5) of NAHCON (Establishment) Act, 2006;
- 2.1.18 Submission of an authentic partnership agreement with a Saudi licensed Establishment as endorsed by the Commission;
- 2.1.19 Any change of Shareholders, Directors or address of the Travel Agency should be registered with the Commission within 14 days after registration with the Corporate Affairs Commission (CAC);

2.2.0 Renewal for Umrah License Application:

All applications for renewal of Umrah License must be supported by the following:

- 2.2.1 Valid IATA accreditation;
- 2.2.2 Valid Air Transport Organisers License (ATOL)
- 2.2.3 Current Company Tax Clearance Certificate;
- 2.2.4 VAT Registration and evidence of remittances for the immediate past three (3) years (where applicable);
- 2.2.5 Submission of an authentic partnership agreement with a Saudi licensed Establishment as endorsed by the Commission;
- 2.2.6 Submission of the most recent Audited Accounts of the Company;
- 2.2.7 Payment of the sum of **N200,000.00** (two hundred thousand Naira) or other amount as may be prescribed by the Commission, in Bank Draft, being the non-refundable application processing fee;

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- 2.2.8 Payment of the sum of **N600,000.00** (six hundred thousand Naira) or other amount as may be prescribed by the Commission as renewal fee;
- 2.2.9 Submission of a Security Refundable Deposit as may be prescribed by the Commission as collateral on submission of the application form, in accordance with Section 16 Sub-Section 4 of the NAHCON (Establishment) Act, 2006;
- 2.2.10 Completed form shall be submitted online along with the updated copies of the following:
- a) Certificate of Occupancy/Tenancy Agreement evidenced by receipt of rent payment of the applicant's registered address.
 - b) Bank reference letter indicating the company's financial capability and reliability.
 - c) Proposed packages for low, shoulder and high seasons.
 - d) Four passport-size photographs of each of the Directors (authenticated by a Notary Public).
- 2.2.11 A sworn affidavit that none of the Shareholders or Directors of the Company has been convicted for any criminal offence including fraud or financial impropriety;
- 2.2.12 A sworn affidavit indicating that all documents submitted are genuine and verifiable;
- 2.2.13 Any change of Shareholders, Directors or registered address of the Tour Operator should be registered with the Commission within 14 days after registration with the Corporate Affairs Commission (CAC).

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3.0 PROCEDURE OF APPLICATION

Applicants shall:

- i) Submit a formal application addressed to the Chairman/CEO online along with the prescribed non-refundable application fee.
- ii) Obtain and duly fill an Umrah application form at the Commission's Umrah portal upon payment of the prescribed fees.
- iii) Complete and submit online form within the prescribed period stated in the form.

4.0 MINIMUM STANDARD FOR UMRAH SERVICES:

For the purposes of this guideline, the following are basic requirements for Umrah Services which all Operators should comply with and those other additional services that may be negotiated and contracted with their clients:

- 4.1.1 Screening and ensuring that the intending pilgrim(s) is/are eligible to undertake the lesser pilgrimage (Umrah).
- 4.1.2 Verification and confirmation of ownership and validity of pilgrims' travel documents.
- 4.1.3 Fill and return Guarantor's form
- 4.1.4 Securing of the appropriate Umrah visa for the pilgrim(s).
- 4.1.5 Accommodation arrangements throughout the agreed duration of the pilgrims' valid stay in Saudi Arabia.
- 4.1.6 Arrangements for the pilgrims' inter-city transportation;
- 4.1.7 Organize enlightenment programmes on Umrah rites, rules and regulations governing the trip and other general advice.

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- 4.1.8 Issuance of receipts for all payments made by intending pilgrim(s) in respect of services rendered or to be rendered.
- 4.1.9 Organize the reception and orderly departure of pilgrims at the departure airport(s) in Nigeria and in Saudi Arabia.
- 4.1.10 Provision of detailed information about itinerary, accommodation and class of travel in a manner that can be clearly understood by the pilgrim.
- 4.1.11 Keep copies of pilgrims' passport, contract, ticket, and passport photograph.
- 4.1.12 Formally report anything that happens to the pilgrim in terms of serious sickness, accident, death, arrest or other occurrence that might affect his travel plan, to either the Commission, Saudi Ministry of Hajj or the Saudi Police.
- 4.1.13 Maintain a constant contact with their pilgrims and keep channels of communication open at all times.
- 4.1.14 Process, in the event of death, the pilgrim(s)' death certificate and document the burial arrangements.
- 4.1.15 Report any unresolved dispute with their clients for mediation, arbitration or appropriate action as the Commission may deem fit.

5.0 PURPOSE OF UMRAH LICENSE

Umrah License issued by the Commission is for the purposes of:

- i) Organizing and conducting Umrah services for Nigerian intending pilgrim(s) wishing to perform Umrah.
- ii) Serving as a legal instrument with all the rights and privileges of

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engagement with service providers in Nigeria or Saudi Arabia for Umrah purposes.

- iv) License issued is valid for 24 calendar months from the date of issuance, or such other period as may be prescribed by the Commission.

6.0 CONDITIONS FOR LICENSE

The following conditions are attached to each license. Any violation of these conditions shall attract penalties or lead to suspension/withdrawal or revocation of the license and possible prosecution.

- 6.1 License issued under this guideline is for Umrah services only and is valid for 24 calendar months from the date of issuance, or such other period as may be prescribed by the Commission unless suspended, withdrawn or revoked.
- 6.2 The License issued is exclusive to the Company which shall not be assigned, part with any interest in it, grant or delegate any of the rights conferred by it.
- 6.3 The obligations and restrictions imposed by this Umrah License are in addition to and not in substitution for the obligations and restrictions imposed or implied by law.
- 6.4 License must be displayed in a prominent place at the operational Head Office of the Travel Agency's registered office.

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7.0 CONDITIONS FOR WITHDRAWAL, SUSPENSION OR REVOCATION OF UMRAH LICENSE

7.1 The Commission may order for the withdrawal, revocation and or suspension of a license where it appears after due enquiry that –

- (a) The Travel Agency is being operated in a dubious and fraudulent manner;
- (b) The Travel Agency had ceased to be a member of the professional body to which it was affiliated to, such as IATA or other statutory professional bodies mandated to be affiliated with;
- (c) The authority/owner(s) has/have failed, refused or ignored to comply with the directives issued by the Commission under these guidelines;
- (d) The Commission is satisfied that the operation of the Travel Agency may constitute a danger to the pilgrims who may use the services of the Travel Agency;
- (e) The Travel Agency has ceased or modified its operations in a manner that is inconsistent with the license as specified;
- (f) The owner(s) of the Travel Agency is/are convicted of a crime which in the opinion of the Commission is of such a nature as to render the Travel Agency not a fit and proper entity to operate Umrah services;
- (g) The owner(s) of the Travel Agency is/are declared bankrupt;
- (h) If the Travel Agency is ordered by a competent Court of law to stop or suspend its operation;
- (i) If the Commission discovered any false declaration; and
- (j) The business of the Travel Agency is wholly or partly discontinued for a period of six months and above.

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- 7.2 The Commission may by notice in writing require the authority/owner(s) of the Travel Agency to remedy the defect within such period as may be specified in the notice and on failure to remedy the defect to the satisfaction of the Commission within the specified period, the Commission may withdraw, revoke or suspend the license issued in respect of such Travel Agency for such period as the Commission may at its discretion deem appropriate.
- 7.3 Where a license is revoked or suspended under these Guidelines, the Commission shall by registered post, courier service, e-mail or any other appropriate manner inform the authority/owner(s) of the Travel Agency of the revocation or suspension which shall take effect immediately.
- 7.4 When a license is revoked or suspended under these Guidelines, no person or body shall operate the Travel Agency for Umrah services to which the revocation or suspension order applies.

8.0 ELIGIBILITY OF THE INTENDING UMRAH PILGRIM

All intending Umrah pilgrim(s) must fulfill the following requirements:

- 8.1 Must be a Muslim;
- 8.2 Must be a Nigerian with valid Nigerian travel documents and must have a known identity and a guarantor;
- 8.3 Must be matured, based on prescribed age limit in accordance with Saudi Arabian extant regulations, sane, healthy, medically and physically fit as certified by a qualified medical Doctor to undertake the journey and conscious of the obligatory rites to be observed in the Umrah service;



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- 8.4 Female intending pilgrim below the age of 45 years must be accompanied by a legal *mahram* (companion);
- 8.5 Must provide a valid declaration and proper documentation of his/her particulars and reliable and verifiable guarantor;
- 8.6 Must be of good moral standing and must not have any previous criminal record in the Kingdom of Saudi Arabia and must not be under travel restriction Nigerian Authorities.

9.0 CHARTER FLIGHTS

Any Travel Agency wishing to arrange charter flights for their intending Umrah pilgrim(s) shall:

- 9.1 Possess a valid ATOL license
- 9.2 Produce and submit a binding contract agreement with its carrier which shall be attested to by the Commission.
- 9.3 Submit to the Commission, a comprehensive flight schedule indicating departure and arrival points, dates and times of departure.
- 9.4 Make adequate arrangements for feeding and accommodating pilgrims in the event of flight delays, cancellation or change.

10.0 SAUDI PARTNERS

All NAHCON Umrah Licensed Travel Agencies shall:

- 10.1 Patronize only validly authorized partners/agents in Saudi Arabia as approved by the Saudi Ministry of Hajj.
- 10.2 Provide NAHCON with an evidence of a valid license of their Saudi partners/agents.
- 10.3 Provide the Commission with full details including contact addresses and phone numbers of their partners/agents

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11.0 ACCOMMODATION IN SAUDI ARABIA

Accommodation(s) sourced by Travel Agency for pilgrims must:

- 11.1 Be duly licensed/approved by Saudi Authorities as pilgrims' accommodation.
- 11.2 Must meet ALL the standard requirements of the Saudi Ministry of Hajj and the Commission which include but not limited to:
 - a). Provision of functional elevators in buildings with three or more storey's;
 - b). Have functional air conditioning system;
 - c). Have functional fire extinguishing system;
 - d). Should be accessible by bus;
 - e). Should have basic pilgrims' accommodation amenities like refrigerators, water dispensers, wardrobes, window blinds, waste bins, television sets, intercom, etc;
 - f). Provision of internet facilities;
 - g). Should provide facilities for aged pilgrims or physically challenged persons.
- 11.3 Travel Agency must ensure that their pilgrims adhere to the check-in and check-out dates, and report any erring pilgrim to the Commission for appropriate disciplinary measure(s).
- 11.4 Ensure that pilgrims are adequately informed more especially about the location, type and pairing or grouping arrangements of their accommodation prior to their departure from Nigeria.

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12.0 PENALTIES & SANCTIONS

- 12.1 Serious breach of any fundamental term(s) of contract with the pilgrim(s), fraudulent activities, abscondment or committing offences shall attract penalties of One Million Naira (N1,000,000) by the Guarantor.
- 12.2 While the Travel Agency's operating license may be suspended, blacklisted, prosecuted or other penalties as the Commissions may be prescribed.
- 12.3 The penalty so applied will be published and brought to the notice and attention of the relevant Authorities and other stakeholders.

13.0 COMPLAINTS:

Where a pilgrim, Travel Agency or an Airline has a complaint against any party pursuant to this guideline, such complainant shall forward his complaint(s) in writing and:

- 13.1 Address such complaints to the Chairman/CEO of NAHCON.
- 13.2 Provide, along with the complaint or claim adequate supporting evidence(s).

14.0 REPORTS

All Umrah licensed companies/entities shall:

- 14.1 At the end of each Umrah season/session, submit a comprehensive report of its activities to the Commission not later than 60 days from the conclusion of the season/session. The report shall include the details of all pilgrims that performed Umrah under the Operator.
- 14.2 At the end of a licensing year, provide a report of all its Umrah activities not later than 10 days before the expiration of its license.

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15.0 MISCELLANEOUS PROVISIONS

- 15.1 Travel Agencies shall strictly comply with all applicable Nigerian and Saudi guidelines on Umrah activities;
- 15.2 The National Hajj Commission of Nigeria (NAHCON) reserves the right to amend the above Guidelines or introduce new ones from time to time;
- 15.3 The Commission shall publish names of successful companies together with the blacklisted Companies at least twice in a year.
- 15.4 Umrah service providers and Airlines are hereby warned not to transact business on any Umrah related matters with any unlicensed Travel Agency.

16.0 Note:

- 16.1 The Commission may refuse to issue license without assigning any reason thereon, in line with the provisions of Section 16 (3) of NAHCON's Act, 2006.
- 16.2 The Commission may also deny license:
 - To any Travel Agency whose activities are construed to be misleading, aided or abetted the abscondee (over stayer) or contrary to public interest.
 - From Travel agencies who bear semblance or related to those with pending matters (including investigation and prosecution) with the Commission, Saudi authority and other government agencies;
 - From any Travel Agency who violate extant rules, regulations, and guidelines as issued by the Commission.

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INTERPRETATION

"ATOL"	Air Travel Organizers License
"Security Deposit" -	Money/Guarantee deposited with the Commission as specified by Section 16 (4) of the NAHCON Act.
"Charter Flight"	Any flight operating between Nigeria and Saudi Arabia for the purposes of Umrah.
"Commission" -	The National Hajj Commission of Nigeria
"NAHCON" -	The National Hajj Commission of Nigeria
"IATA" -	International Air Transport Association
"License" -	The legal instrument issued by NAHCON based on specific terms and conditions to a corporate entity for a specified period and for the purpose of Umrah.
"Passport" -	The official travel document issued by the Nigerian Immigrations Service to Nigerians.
"Permit" -	A Legal instrument issued by NAHCON to a corporate entity under a licensed Tour Operator based on specific terms, conditions and period for limited Umrah services.
"Pilgrim"	A duly registered and certified applicant who is declared eligible to perform Umrah
"Schedule Carrier"	Any Airline operating schedule flights between Nigeria and Saudi Arabia for Umrah
"Stakeholders" -	Any corporate body, person or group of persons involved in the management of Umrah activities.
"Sub Agent"	A corporate entity registered and licensed by NAHCON to conduct limited services relating to Umrah under a licensed Travel Agency.

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- "Travel Agencies" - Travel Agencies Licensed by NAHCON to organize Umrah services.
- "Umrah" - The pilgrimage to Makkah, KSA by Muslims for the purpose of performing the lesser Hajj.
- "Visa" - Permission to enter the Kingdom of Saudi Arabia granted by the Saudi Embassy or Consulate.

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