

COURSE DESCRIPTION

ELECTIVE MODULE

LL4214/LL5214/LL6214/LLD5214 International and Comparative Oil and Gas Law

This course explores principles and rules relating to the exploration for, development and production of oil and gas (sometimes described as "upstream oil and gas operations"). After an introduction to the geopolitics of oil, the course commences with an examination of different arrangements governing the legal relationship between states and international oil companies. It then moves on to consider the agreements governing the relationships between companies involved in upstream petroleum operations (joint operating and unitisation agreements) and the liability/risk allocation provisions commonly found in oilfield service contracts. It will conclude by examining key areas of regulatory law, notably the regulation of health and safety and the decommissioning of offshore installations.

The course will be of interest to students wishing to gain knowledge of energy law and policy and/or the commercial and regulatory law pertaining to the oil and gas industry.

The course aims to acquaint course participants with selected issues in the law and governance of oil and gas operations. It will examine these issues from a comparative perspective and will seek to integrate the discussion of law into a broader contextual framework.

At the end of the course participants should be able to:

1. *Demonstrate awareness and understanding* of the key physical, technical and geopolitical factors which influence the development of oil and gas deposits.
2. *Demonstrate awareness and understanding* of the policy factors involved in a consideration of energy security, and *describe and explain* the essential features of selected legal instruments pertaining thereto.
3. *Describe and explain* the various models which exist to regulate relations between the state and the international oil industry.
4. *Develop an awareness and understanding* of the commercial imperatives which drive oil and gas contracting practice.
5. *Develop an awareness and understanding* of the state interest in regulating the oil and gas industry, and the factors that must be balanced in order to secure a good standard of regulation without unduly compromising the industry's ability to undertake upstream oil and gas operations.
6. *Describe and explain* the essential elements of a "prescriptive" and "goal-setting" approach to regulation, as well as the relevance of "soft law" and "hard law" to the process of legal regulation.

Seminars 1 and 2 deal primarily with introductory matters and issues of energy policy. Seminars 3 to 5 will be concerned with the relationship between the state and the international oil and gas industry in so far as directly relevant to the exploitation of petroleum. Seminars 6 and 7 will be concerned with commercial law issues as arising within the specific context of upstream oil and gas operations. Seminars 8 and 9 will be concerned with the challenges of designing and implementing an effective system of regulatory law in the context of upstream oil and gas operations.

The topics are:

SEMINAR ONE: LAW AND CONTEXT: PHYSICAL, TECHNICAL AND GEOPOLITICAL INTRODUCTION TO UPSTREAM PETROLEUM OPERATIONS

SEMINAR TWO: ENERGY SECURITY

SEMINAR THREE: NATIONAL OIL COMPANIES

SEMINAR FOUR: PETROLEUM LICENSING SYSTEMS

SEMINAR FIVE: PRODUCTION SHARING AGREEMENTS

SEMINAR SIX: COMMERCIAL RELATIONS BETWEEN OIL COMPANIES: JOINT OPERATING AGREEMENTS

SEMINAR SEVEN: COMMERCIAL RELATIONS IN OILFIELD SERVICE CONTRACTS: RISK ALLOCATION IN OIL AND GAS CONTRACTS

SEMINAR EIGHT: REGULATORY LAW: PROTECTING HEALTH, SAFETY AND THE ENVIRONMENT

SEMINAR NINE: REGULATORY LAW: THE DECOMMISSIONING OF OFFSHORE INSTALLATIONS