

PETROLEUM INDUSTRY ACT (2021 No. 6)

UPSTREAM PETROLEUM SECTOR CODE OF CONDUCT AND COMPLIANCE REGULATIONS, 2023

In exercise of the powers conferred on it by Section 6(b), 7(x) and (y) of the Petroleum Industry Act, No. 6, 2021 (“the Act”) and all other powers enabling it in that behalf, the Nigerian Upstream Petroleum Regulatory Commission (“the Commission”) makes the following Regulations:-

1. Objective

The objective of these Regulations is to establish a code of conduct and compliance framework for licensees and lessees engaged in upstream petroleum operations in Nigeria.

2. Application

This Regulation shall apply to licensees and lessees of licences and leases granted pursuant to the Act and any laws preserved by the Act.

3. Obligations of the Commission

(1) The Commission shall:

- (a) enforce compliance to the provisions of the Act and these Regulations independently acting on its own discretion; or
- (b) Upon notification by a third party of any non-compliance or breach by a licensee or lessee of the Act, this regulation or any other law.

(2) Any notification of non-compliance or breach to the Commission by a third party shall be recorded in a Regulatory Compliance Register established by the Commission on its website.

(3) In addition to the powers of the Commission under section 10 of the Act, the Commission shall in exercise of its special powers pursuant to section 26 of the Act with respect to a license or lease;

- (a) Conduct an investigation on any matter relating to the conduct of operations;
- (b) Conduct an inquiry and require the licensee or lessee or any third party to answer any question or provide any information relevant to the inquiry.

(4) An inquiry pursuant to sub-regulation 3 of this regulation may be held in private or public.

(5) The Commission may initiate an inquiry pursuant to this regulation by issuing a notice to the licensee or lessee stating the purpose and the mode of the inquiry.

(6) The Commission may publish on its website, on a quarterly basis, details of any investigation or inquiry conducted pursuant to sub-regulation 3 of this regulation

and such publication shall include full details of any action taken by the Commission as regards the report made to it pursuant to sub-regulation (1)(b) of this regulation.

- (7) The Commission shall inform a party of any enforcement action taken against it by the Commission.
- (8) The Commission may in addition to imposing a general or specific fine, withhold regulatory assistance to any licensee, on such terms as the Commission may specify where there is a continuous or repeated contravention of -
 - (a) the Act or laws preserved under the Act and Regulations made thereto; or
 - (b) the terms of a Licence or Lease.

4. Code of conduct for licensees and lessees

- (1) The code of conduct established for licensees and lessees in relation to upstream petroleum operations under these Regulations shall fall under the following broad categories-
 - (a) Corporate governance;
 - (b) Operational activities; and
 - (c) Resolution of disputes

5. Corporate governance

- (1) A licensee or lessee shall obtain the prior approval of the Commission with respect to the appointment and removal of key officers of a company with interest in a licence or lease.
- (2) A person appointed as a key officer of a company with interest in a licence or lease shall meet the minimum criteria set by the Commission in guidelines.
- (3) The positions of the Board Chairman and the MD or CEO of a company with interest in a licence or lease shall be separate. No one person shall combine the two positions in any company at the same time.
- (4) A company with interest in a licence or lease shall submit to the Commission an annual audited report of its financial dealings, whether or not relating to operations under the licence or lease, before the 31st of March of the succeeding year.
- (5) The audited report shall include details of any-
 - (a) debts;
 - (b) indemnities; and
 - (c) financing arrangements.

6. Operational activities

- (1) With respect to operational activities, a company with interest in a licence or lease, shall submit to the Commission an annual operations activities report in the form and manner prescribed by the commission.

- (2) The report shall provide the following information-
- (a) statutory payments to the Government (Federal, State, local) in relation to operations under a licence or lease;
 - (b) penalties (Federal, State, local) in relation to operations under a licence or lease;
 - (c) record of any compensations paid to communities under any legislation, law, regulations and judgements of a court of law;
 - (d) record of all spills caused by or experienced by the company in relation to operations under a licence or lease;
 - (e) record of actions taken by the company to contain, manage or remediate the environment;
 - (f) volume of crude oil produced and lost or unaccounted for by the licensee or lessee through spills or theft;
 - (g) record of safety incidences including injuries and fatalities
 - (h) record of operational shutdowns leading to loss of production including number of days of such shut down;
 - (i) number of statutory warnings and non-compliance notifications from the Commission and other regulatory agencies in Nigeria;
 - (j) total number of Nigerians working in the company;
 - (k) total number of expatriates working in the company;
 - (l) total number of Nigerians newly recruited in the reporting year (if any);
 - (m) number of cases in court relating to operations under the licence or lease.

7. Promotion of enabling environment for investment and establishment of the Upstream Petroleum Business Investment Mediation Centre

- (1) Pursuant to Section 6(h) of the Act, the Oil and Gas Alternative Dispute Resolution Centre of the Commission is hereby renamed and established as The Upstream Alternative Dispute Resolution Centre
- (2) The Commission shall exercise its functions pursuant to Section 6(h) of the Act through the Centre by doing the following:
- (a) From time to time and with the consent of licensees and lessees refer –
 - (i) disputes relating to a licence or lease between interest holders in the licence or lease to the centre for mediation;
 - (ii) disputes relating to a licence or lease between a licensee or lessee and any third-party contractor;
 - (iii) disputes relating to a licence or lease concerning industrial and employee relations;
 - (iv) disputes relating to a licence or lease between a licensee or lessee and a member of a host community area under a host community trust fund or any dispute arising from the activities of a host community trust fund;

- (v) Host communities' disputes attributed to upstream petroleum activities;
 - (vi) Disputes emanating between settlors and Board of Trustees, Board of Directors of the Settlor and the Board of Trustees, Settlor and a host community;
 - (vii) Contractual disputes emanating from oil field service contracts;
 - (viii) Disputes arising from or relating from or relating to the commercial and technical nature of oil and gas operations amongst operators, non-operators, joint ventures, and contractors;
 - (ix) Any disputes involving companies within and outside Nigeria relating to upstream petroleum operations, and
 - (x) Other disputes that may be referred to the ADRC
- (b) Carry out mediation workshops, seminars and conferences to address conflict situations arising from upstream petroleum operations under a licence or lease. The Commission shall issue rules for the conduct of mediations by the Centre pursuant to these regulations and may nominate any person to serve as mediator in the Centre.
- (3) The Commission shall issue rules for the conduct of mediations by the Centre pursuant to these regulations and may nominate any person to serve as mediator in the Centre.
- (4) A decision by the Centre shall be by way of agreement by the parties to the mediation and resolutions reached on a mediation by the Centre may serve as evidence in any subsequent legal proceedings that may arise between the parties to the mediation on the same issue.

8. Resolution of Disputes

- (1) Any dispute relating to a licence or lease between participating interest holders in the licence or lease shall be amicably resolved between the parties; provided that where the parties are unable to resolve the dispute, the parties shall refer the dispute to the Commission before commencing any formal litigation to resolve the dispute.
- (2) Where the parties refer the dispute to the Commission for resolution, the Commission may, with the consent of the parties, refer the dispute to the Upstream Alternative Dispute Resolution Centre in Lagos for resolution.
- (3) The consent in sub regulation (2) of this Regulation shall be concluding evidence that the parties agree to be bound by the decision of the Commission on the dispute.

9. Breach of code of conduct for licences and leases

- (1) Where a licensee or lessee breaches any of the code of conduct provided in this regulation and the Commission is of the opinion that the breach is of such a nature as to adversely affect optimal conduct of petroleum operations in the licence or lease, the Commission may, in addition to any of the enforcement actions under these regulations, take steps to initiate revocation proceedings against the licence or lease in accordance with the Act and any applicable regulations or guidelines issued by the Commission.

ENFORCEMENT POWERS OF THE COMMISSION AGAINST A LICENCEE OR LESSEE PURSUANT TO SECTION 26 OF THE ACT

10. Enforcement powers of the Commission against a licensee or lessee.

- (1) The Commission, its officers or authorized agent shall have the powers to investigate a licensee or lessee in relation to the conduct of upstream petroleum operations under the licence or lease, either acting on its own or based on a written petition by a third party;
- (2) The powers to investigate a licensee or lessee pursuant to sub-regulation (1) of this regulation shall include powers to:
 - (a) enter locations and facilities of the licensee or lessee, relating to upstream petroleum operations under the licence or lease, to conduct an investigation including the examination of the licensee's or lessee's operations, processes and records;
 - (b) demand, during such investigation, spot testing or operation or use of any equipment or facilities by the person in whose custody the equipment or facility is;
 - (c) move, during such investigation, any samples or equipment to a different location for independent off-site testing provided that equipment may be returned to the party's site or facility upon completion of testing and investigation;
 - (d) conduct a formal public inquiry on any activity of the licensee or lessee affecting operations under the licence or lease including in the licence or lease area; and
 - (e) seal or close any premises or facility pursuant to an investigation or inquiry.

11. Procedure for commencement of enforcement powers of the Commission

- (1) The Commission shall commence enforcement action pursuant to these regulations by issuing an initial assessment of the upstream petroleum operations relating to any proposed investigation or inquiry to the Commission's Board.
- (2) The assessment pursuant to sub-regulation (1) of this regulation shall state:
 - (a) the status of operations under the licence or lease;

- (b) whether the licensee or lessee is in full compliance with applicable laws and its obligations under the licence or lease;
- (c) a summary of actions that may constitute non-compliance or contravention by the licensee or lessee warranting the investigation or inquiry; and
- (d) whether the investigation shall be in collaboration with the subject of the investigation who shall be notified in writing of the violations being investigated; or a discreet investigation in which case the Commission shall not be obligated to notify the licensee or lessee.

12. Investigation report

- (1) Upon completion of investigations undertaken by the Commission, a formal report shall be produced specifying:
 - (a) the methods adopted in the investigation and sources of information;
 - (b) the summary of evidence and findings of the investigation
 - (c) conclusive opinion on whether there has been non-compliance.
- (2) Where the report indicates that there has-
 - (a) not been any breach or non-compliance, the Commission shall inform the subject of the investigation and the complainant of the outcome of the investigation in writing within 14 days of the conclusion of investigation.
 - (b) not been any breach or non-compliance but that there is likely to be a breach on account of how the party has carried or is carrying on its affairs, the Commission shall issue directions to the subject of the investigation requiring remedial actions to be taken within a specified time.
 - (c) has been a breach or non-compliance with any provision of the Act or laws preserved under the Act and Regulations made thereto, , the Commission shall apply the appropriate enforcement measure.
- (3) Notwithstanding the provisions of these Regulations, the Commission may directly apply the enforcement measures in appropriate instances where the facts of non-compliance are manifestly apparent, without needing to conduct an investigation under Section 26 of the Act.

13. Notice of non-compliance

- (1) Where the Commission has determined that there has been non-compliance with any provision of the Act or laws preserved under the Act and Regulations made thereto by any party, the Commission shall issue a notice of non-compliance to the party stating—
 - (a) the identified default(s);
 - (b) the specific provisions of the law that has been breached;

- (2) The notice of non-compliance under sub-regulation (1) of this regulation shall direct the defaulting party to take specific remedial measures to correct the non-compliance within a specified period not exceeding 30 (thirty) days.
- (3) The notice of non-compliance shall be—
 - (a) sent by the Commission to the last official email of the licensee or lessee or its legal representative; or
 - (b) sent by the Commission to the last known address of the licensee or lessee or its legal representative in Nigeria; or
 - (c) published in the Gazette or on the website of the Commission; each of which shall constitute sufficient notice to the licensee or lessee.
- (4) A defaulting party, and any other interested party against whom a notice of non-compliance has been issued shall be—
 - (a) entitled to make representations within 30 days of receiving such notice of non-compliance;
 - (b) given the opportunity by the Commission to present a defence; and
 - (c) at liberty to provide reasons and evidence that support its defence to the satisfaction of the Commission.

14. Defence and remedial measures by the licensee or lessee.

- (1) Where the Commission is not satisfied with the defaulting party's defence or where no defence is provided, the defaulting party shall provide a report to the Commission within a period not exceeding 30 (thirty) days of his or her receipt of the notice of non-compliance providing specific details of how such defaulting party has initiated the remedial measures directed by the Commission.
- (2) The Commission shall monitor the defaulting party for a continuous period of 60 (sixty) days to ensure that the remedial measures are properly implemented and effective.
- (3) The Commission shall impose punitive capacity development initiative where—
 - (a) the defaulting party fails to comply with the remedial measures within the specified period in the notice of non-compliance; or
 - (b) it initiates the remedial measures but discontinues it or initiates it in a way that it is not effective.

15. Sealing or closing of a facility or premises by the Commission

- (1) The Commission in exercising the power to seal or close any premises or facility pursuant to this regulation, may utilize red tapes or signposts stating that the facility or site has been sealed up pursuant to an enforcement measure by the Commission.
- (2) Before sealing off any location, premises or building pursuant to these Regulations, the Commission shall issue a notice in writing to the licensee or lessee that the

location, premises, or building is to be sealed by the Commission and the reason(s) for such sealing.

- (3) Where, in addition to the sealing of any location, premises or building, the Commission seizes any equipment, facility, books, documents, or records for the purposes of its investigations, the Commission shall provide to the owner or his agent, a written inventory in evidence of the seizure of the seized equipment, facility, book, record, document, or other information storage system.
- (4) Where any item has been seized and detained or any premises or building has been sealed off under these Regulations, the Commission reserves the right to release the item or unseal the premises or building upon the Commission certifying that—
 - (a) steps have been taken by the affected person to regularise its operation; or
 - (b) sanction imposed by the Commission for unlawful or unauthorised operation has been complied with.
- (5) Where any of the powers of the Commission under these regulations is to be exercised by any authorised officer or appointed inspector, the Commission shall issue a letter of authority to such officer or inspector.

16. Offences

- (1) Any person who furnishes a statement or incomplete information calculated to mislead or wilfully delay or obstruct the Commission and its officers in the exercise of their duties, shall be liable for an offence and upon conviction, be punishable under Section 125A and 435 (2) of the Criminal Code Act and other relevant law.
- (2) Any person who assaults, obstructs, resists, refuses to cooperate with or aids any other person to assault, obstruct or resist any official or appointed inspector of the Commission in the performance of its monitoring and enforcement duties under the Act or these Regulations, commits an offence and shall be liable on conviction to a term of imprisonment or penalty or both.
- (3) Any person who impersonates any official or appointed inspector of the Commission, commits an offence and shall be liable on conviction to a penalty as provided under Section 125A and 435 (2) of the Criminal Code Act and other relevant law.
- (4) Where under the Act or laws preserved under the Act, Regulations or any licence or lease issued pursuant thereto, the applicable sanction for any offence is stated to be a fine or imprisonment or both, the Commission shall collaborate with law enforcement agencies like the Nigerian Police and the Nigerian Civil Defence Corps to apprehend defaulters.
- (5) The Commission shall also collaborate with the Federal Ministry of Justice to prosecute defaulters under the provisions of the applicable Criminal Code Act or other criminal legislation such as the Money Laundering Act.

17. Administrative sanctions, fines and penalties

- (1) Subject to the provisions of the Act or laws preserved under the Act, Regulations or any licence or lease issued pursuant thereto, the Commission may impose administrative sanctions for any infringements, breaches or non-compliance with these regulations including;
 - (a) Imposition of administrative fines
 - (b) Capacity Development Initiatives
 - (c) Compensation
- (2) Subject to any specific provision of the Act or laws preserved under the Act, Regulations or any licence or lease issued pursuant thereto, the Commission may, in the exercise of its enforcement powers, institute civil proceedings in Court against any person for any remedy, including injunctive relief, recovery of administrative fines, specific performance or other pecuniary awards or damages.
- (3) The Commission may issue directions in writing to any person, licensee or lessee, where it deems necessary.
- (4) The Commission may seek the assistance of any law enforcement agency to enforce compliance with any directions issued under sub-regulation (2) of this regulation.

18. Imposition of sanctions and penalties

- (1) Where it appears to the Commission that the holder of a lease or licence is contravening, has contravened or is likely to contravene any of the conditions of the lease, licence or permit, or any laws, regulations or guidelines, the Commission shall publish a notice in a manner as it considers appropriate to draw the attention of persons affected or likely to be affected by the contravention or threatened contravention of the licensee or lessee.
 - (a) specifying the actual or potential contravention;
 - (b) directing the holder to do or not to do, the things specified;
 - (c) specifying the remedy and the timeframe for compliance; and
 - (d) notifying the holder of the lease, licence or permit of its intention to issue an enforcement order.
- (2) Where the holder of a lease, licence or permit fails to comply with a notice published pursuant to this regulation, the Commission may issue an enforcement order.
- (3) The Commission may decide not to issue an enforcement order if the holder of the licence or lease-
 - (a) is able to demonstrate to its satisfaction that it is not contravening or about to contravene a condition of a lease, licence or permit; or
 - (b) has ceased to contravene a condition of the lease, licence or permit,

- (4) Provided that where the earlier contravention in sub-regulation (3)(b) of this regulation was deliberate, the Commission may, at its discretion, impose a penalty as prescribed by Regulation.
- (5) The Commission may, at its sole discretion, issue a letter of warning to the party in default and/or invite the party for corrective dialogue with the Commission in place of the fines applicable to first time offenders for non-compliance.
- (6) The Commission may where it deems fit, issue directions requiring any party to take specified steps within a specific period for the purpose of ensuring compliance with the provisions of the Act or any Regulation.
- (7) The Commission may charge and recover from any person such fees as the Commission considers representing the costs reasonably incurred by it in the exercise of its enforcement functions under these Regulations in relation to the person.
- (8) Failure to comply with an enforcement order or with directions issued by the Commission pursuant to these Regulations shall constitute grounds for the imposition of administrative sanctions by the Commission.

19. Notices

- (1) All notices and accompanying documents to be delivered to the Commission under these Regulations shall be in writing and submitted in triplicate copies along with an electronic version.
- (2) Notices sent by the Commission shall be -
 - (a) delivered to the last official email of the licensee or lessee or its legal representative; or
 - (b) delivered to the last known address of the licensee or lessee or its legal representative in Nigeria; or
 - (c) published in the Gazette or on the website of the Commission; each of which shall constitute sufficient notice to the licensee or lessee.

20. Imposition of administrative fines and penalty

- (1) The Commission in imposing administrative fines as sanctions, shall generally be guided by the following factors and considerations—
 - (a) the severity of the contravention and the need to impose such fine or the amount thereof to serve as a deterrent to both the person who committed such contravention and other persons;
 - (b) non-discrimination and transparency in the imposition of sanctions generally including but not limited to sanctions on different persons for similar contraventions committed in identical circumstances;

- (c) the prevalence of the contravention in the industry generally and the likelihood of repetition by the person who committed the contravention or other persons;
 - (d) the duration of the contravention;
 - (e) the circumstances of the contravention, whether or not the contravention was deliberately, recklessly or negligently committed by the person who committed the contravention;
 - (f) the record of previous or similar contravention by the person who committed the contravention or other persons;
 - (g) the danger to life and property consequent upon the contravention;
 - (h) the effect of such contravention on the nation;
 - (i) any gain either financial or otherwise, derived by the person who committed the contravention directly or indirectly arising from such contravention;
 - (j) the degree of harm, injury, discomfort, or the incremental cost caused or occasioned by such contravention to other stakeholders in the upstream petroleum industry;
 - (k) the previous record of the licensee with regards to regulatory compliance and frequency of contravention;
 - (l) the annual turnover of the person who committed the contravention;
 - (m) the extent to which any contravention was caused by a third party;
 - (n) the absence, ineffectiveness or repeated failure of internal mechanisms or procedures required to prevent such contravention by the person who committed the contravention;
 - (o) the possible mitigating circumstances including but not limited to—
 - (i) whether or not the contravention was of a minor nature and the consequences and effect thereof were equally minor in nature, and
 - (ii) whether or not the person who committed the contravention took immediate steps to remedy the contravention soon after having knowledge of the contravention;
 - (p) such other factors as the Commission may, from time to time, determine.
- (2) Any unpaid fine, due to be paid by any party under this regulation shall constitute a debt due to the Commission and shall bear interest at the prevailing prime lending rate of commercial banks until it is fully discharged.
- (3) Any administrative fine imposed by the Commission pursuant to the Act or any Regulations made thereunder, shall become due and payable by the person who committed the contravention within 14 days from the date of receipt of notice of imposition of fine.
- (4) The payment of an administrative fine shall not be construed as a limitation or foreclosure of the power of the Commission to impose any other enforcement sanctions under the Act and any regulations made thereunder relating to a breach of a licence or lease condition.

21. Dispute between the Commission and a party under these Regulations

Any dispute between a lessee, licensee or permit holder and the Commission arising from the application of these Regulations shall be settled by a Federal High Court.

22. Yearly compliance review and performance assessment

- (1) To supporting upstream oil and gas companies to meet their regulatory obligations while balancing the need for sustainable resource development and environmental protection, the Commission shall conduct:
 - (a) Periodic peer review workshop or conferences for licensees and lessees on regulatory compliance requirements, risk management, and best practices to help companies build their internal compliance capabilities.
 - (b) a yearly compliance review and performance assessment of licensees and lessees with respect to petroleum operations under their licences and leases.
- (2) The yearly compliance review pursuant to this paragraph shall commence in the last quarter of every year and shall be based on a compliance performance metric determined by the Commission and notified to all licensees and lessees 14 days before the commencement of the exercise.
- (3) The compliance performance metric shall be the assessment framework for the yearly rating of the performance of every licence or lease to be contained in the Annual Report on the upstream petroleum sector prepared by the Commission.
- (4) The compliance performance metric shall be in the form of a questionnaire with responses provided by licensees and lessees which the Commission shall then apply with its own internal records in the evaluation of the submissions for the purpose of performance assessment.
- (5) The compliance assessment shall evaluate the performance of a licensee or lessee on criteria established in the performance metric which may include:
 - (a) Work Performance
 - (b) Budget performance
 - (c) Exploration targets
 - (d) Production targets
 - (e) Environmental Compliance
 - (f) Compliance with Remediation requirements
 - (g) Safety compliance
 - (h) Revenue Performance including contribution to Funds established by the Act
 - (i) Compliance with abandonment and decommissioning obligations
 - (j) Compliance with Nigerianisation requirements and other local content requirements
 - (k) Host Community relations

- (l) Industrial relations harmony
 - (m) Compliance with enforcement notices
 - (n) Submission of statutory reports, notices, and filings etc
- (6) The Annual Report on upstream petroleum operations shall be presented to the Minister of Petroleum Resources by the Commission's Board not later than the 31st of December in each year and thereafter be issued to the public by the Commission by publication on its website and other communication mediums.
- (7) The compliance performance assessment contained in the Annual Report shall be the basis for the determination by the Minister of any of the following:
- (a) Whether to approve any special incentives with respect to any fiscal or operational exemptions to a licensee or lessee that demonstrates a high level of compliance in its operations with respect to the obligations under applicable laws, regulations and its licence or lease or any agreements pursuant to the licence or lease.
 - (b) whether to allow the continuation of petroleum operations under a licence or lease; and
 - (c) Whether to revoke a licence or lease pursuant to the Act or any applicable laws or regulations.

23. Amendments

- (1) The Commission shall -
- (a) not later than the end of the period of 5 years from the date of the passing of these Regulations commence a review of the applicability and operation of this Regulations, in order to reflect current realities of international best practices, and
 - (b) amend the Regulations through stakeholder engagements in line with the Provisions of the Act not more than 12 months after the end of the period referred to in sub-regulations (1)(a) of this regulation.
 - (c) Notwithstanding sub-regulation (1)(b) of this Regulation, the Commission may at any time, where it deems necessary, amend these Regulations partly or wholly in accordance with the provisions of the Act.

24. Interpretation

In addition to the definitions contained in section 318 of the Petroleum Industry Act, 2021, in these regulations, unless the context otherwise requires –

“Act” means the Petroleum Industry Act, 2021;

“Administrative fine” means monetary penalties or fines assessed and imposed by the Commission;

“Applicable law” shall be the Petroleum Industry Act, the Petroleum Act and the regulations made under either enactment;

“Commission” is the Nigerian Upstream Petroleum Regulatory Commission (NUPRC) pursuant to Section 4 of the Act;

“Enforcement” means any action or processes for securing compliance with any of the provisions of the Act, any regulations made thereunder or of any licence including but not limited to suspension or revocation of licence, criminal or civil proceedings against any person who committed the contravention and any administrative action by the Commission;

“licence” means any licence that has been granted by the Commission pursuant to the Act and includes subsisting licences that were granted by the defunct Department of Petroleum Resources (DPR) prior to the commencement of the Petroleum Industry Act;

"month" means a calendar month;

“Monitoring” refers to the powers of the Commission to monitor compliance with or infringement of any of the provisions of the Act, any regulations made thereunder or any licence or lease;

“Nigerian” means citizen of Nigeria and “non-Nigerian” shall be construed accordingly;

"Notice" means any notice, consent, request and other document authorized or required to be given pursuant to regulations under the Act;

“Party” means a licensee, lessee operator or any person falling under the contemplation of these Regulations;

“Regulations” means any regulations or guidelines published or issued by the Commission pursuant to the Act;

“Relevant Authority” or “relevant authorities” means the Nigeria Police Force, National Intelligence Agency, State Security Services, Economic and Financial Crimes Commission, National Drug Law Enforcement Agency, Independent Corrupt Practices and Other Related Offences Commission and any other organisation or agency as the Commission may from time to time specify;

“Regulatory assistance” means any function or action, which a licensee may require from the Commission to perform on its behalf under the Act and any Regulations made thereunder;

“The Court” means Federal High Court of Nigeria ;

“Unlawful” means any act or omission that is contrary to or against the Act or any regulations made thereunder or any other law governing the telecommunications industry.

25. Citation

This Regulation may be cited as the Upstream Petroleum Sector Code of Conduct and Compliance Regulations, 2023.

MADE at Abuja this.....day of.....2023

ENGR. GBENGA KOMOLAFE, FNSE

Commission Chief Executive

Nigeria Upstream Petroleum Regulatory Commission