



# **NATIONAL DATA REPOSITORY REGULATIONS 2024**

**PETROLEUM INDUSTRY ACT, NO. 6, 2021**  
**NATIONAL DATA REPOSITORY REGULATIONS, 2024**

[                    ] **Commencement**

**In the exercise of the powers conferred upon it by section 7(j), 7(k), 7(z) and 10(f) of the Petroleum Industry Act, No. 6, 2021 (“the Act”) and of all other powers enabling it in that behalf, the Nigerian Upstream Petroleum Regulatory Commission (“the Commission”) makes the following Regulations –**

**PART I**  
**Objectives and Application**

**1. Objectives**

**(1) The objectives of these Regulations are to –**

- (a) receive, validate, store, maintain, analyse, enhance and reproduce high quality reliable Exploration & Production (E&P) data as defined in these Regulations.
- (b) facilitate efficient data reporting, data exchange and data trading between the Commission and licensees, lessees, permit holders, government institutions, academia and any other person.
- (c) improve the Commission’s ability to supervise and monitor E&P activities.
- (d) encourage new E&P activities by providing high quality and reliable data.
- (e) support the Commission’s acreage management system through the provision of high quality and reliable data.
- (f) enhance the Commission’s ability to maintain quality E&P data for the discharge of its Regulatory functions.

**2. Application**

These Regulations shall apply to licensees, lessees and permit holders in upstream petroleum operations and any other entity interested in assessing upstream industry data.

## **PART II**

### **The National Data Repository**

#### **3. Establishment**

- (1) There shall be a National Data Repository (Repository) established in the Nigerian Upstream Petroleum Regulatory Commission (Commission), which shall be a platform for the receipt, storage and management of digital data and materials for the upstream petroleum industry.
- (2) The Repository shall be supported by licensees and lessees through annual contributions as prescribed in these Regulations for the maintenance and operations of the Repository.
- (3) The Repository shall provide free back-up archival and retrieval services for E&P data generated by licensees (other than PEL holders) and lessees, provided the licensee, lessee or permit holder has met its Annual Contribution.

#### **4. Functions**

- (1) The Repository shall –
  - (a) receive, store and manage geological, geophysical, geochemical and other technical petroleum data obtained by licensees and lessees pursuant to licences and leases granted or preserved under the Act.
  - (b) receive any other information or data relating to a license or lease acquired or in possession of any licensee, lessee, permit holder or any other institution or person.
  - (c) carry out quality control and validation of the data in sub-Regulation (1b) of this Regulation to ensure data preservation, value maximization and compliance to these Regulations, standards and procedures as may be prescribed from time to time by the Commission;
  - (d) establish and charge fees for the storage and handling of core, ditch cuttings and reservoir fluid samples at designated facilities;
  - (e) engage in the marketing and sales of data in the Repository;
  - (f) provide data prying, leasing, technical and administrative support during bid round exercises;
  - (g) provide data prying, leasing, technical and administrative support to the petroleum industry and other relevant stakeholders;
  - (h) serve as a payment receipt and monitoring platform on behalf of the Commission for all data sales and marketing arrangements under a Petroleum Exploration License (PEL);
  - (i) serve as a hosting platform for the Commission's digital regulatory monitoring tools;
  - (j) provide geographic information management system and satellite information processing capabilities for the development and monitoring of oil and gas facilities, acreages and operations;

- (k) promote the use of predictive analytics, artificial intelligence, research and development in collaboration with the Industry to optimize exploration and production activities;
- (l) be the custodian of the Commission's Regulatory Activity Funds (CRAF) Account;
- (m) enter into collaborative arrangements with local and international entities for the purpose of promoting the activities of the Repository;
- (n) provide a user-friendly platform for Industry stakeholders, researchers and the public to access available data, upon fulfilment of the data leasing requirements which shall be defined by the Commission from time to time;
- (o) offer tools, reports and services to effectively disseminate data or information including data visualization, statistical reports and specialized access to Users of the Repository based on protocols prescribed by the Commission; and
- (p) perform such other functions and responsibilities which in the opinion of the Minister may promote oil and gas development in Nigeria.

## **5. Advisory Council**

There shall be an Advisory Council for the Repository appointed by the Minister for the management and operations of the Repository.

## **6. Composition of the Advisory Council of the Repository**

- (1) Membership of the Advisory Council shall comprise the following –
  - (a) Commission Chief Executive, who shall act as the Chairman;
  - (b) Executive Commissioner, Exploration & Acreage Management, NUPRC;
  - (c) Executive Commissioner, Development & Production, NUPRC;
  - (d) Executive Commissioner, Economic Regulations & Strategic Planning, NUPRC;
  - (e) Executive Commissioner, Health, Safety, Environment & Community, NUPRC;
  - (f) Legal Adviser, NUPRC, who shall act as the Secretary;
  - (g) Head, National Data Repository;
  - (h) One (1) representative of the Oil Producers Trade Section (OPTS);
  - (i) One (1) representative of the Independent Petroleum Producers Group (IPPG);
  - (j) One (1) representative of Speculative Data Companies;
- (2) The Commission Chief Executive shall inaugurate the members of the Council including the representatives of OPTS, IPPG and Speculative Data Companies appointed to the Council by the Commission.
- (3) The tenure for the representatives of OPTS, IPPG and Speculative Data Companies shall be for a period of three years in the first instance.

## **7. Functions of the Advisory Council**

- (1) The Advisory Council shall -

- i. approve the annual budget and expenditure of the Repository;
- ii. approve the operational, business and financial models for the purposes of managing and generating revenue;
- iii. approve Guidelines on the utilisation of the funds of the Repository;
- iv. approve standards and procedures set for data submission, release, transfer, exchange, trade, quality control, and security;
- v. appoint a reputable audit firm;
- vi. approve payments for services provided by the NDR other than payments prescribed in Schedule I of these Regulations; and
- vii. approve any other matter relating to the operations and activities of the Repository as may be presented by the NDR management.

## **8. Annual NDR Contributions**

There shall be an annual contribution of Twenty-Five Thousand (\$25,000) United States Dollars per license or lease payable to the Repository account on or before the 31<sup>st</sup> of March each year.

## **9. Other Sources of Revenue**

- (a) Gifts in kind or cash received by the Commission or the Repository for the support of the Repository;
- (b) Monies granted or loaned to the Repository by the Federal Government in support of the Repository;

All monies accruable to the Repository under sub-regulation (8) and (9) of these Regulations shall be paid directly to the Repository account.

## **10. Utilisation of Contributions to the Repository**

The contributions to the Repository shall be utilised in line with the provisions of the guidelines for the utilisation of contributions made by licensees, lessees and other revenues received.

## **11. Audit of the Repository**

- (1) The accounts of the Repository shall be subject to annual auditing by an auditor appointed by the Advisory Council.
- (2) The auditors to be appointed by the Council shall be independent, competent, experienced, and qualified.
- (3) The auditors may be re-appointed for a maximum period of five years.

## **12. Reporting**

The annual report of the activities and performance of the Repository shall form part of the annual report of the Commission to the Minister under section 24(9)(b) of the Act.

### **13. Other Services of the Repository**

- (1) The Repository shall, in addition to the free archival and retrieval services provided to licensees and lessees, charge fees for such other services rendered to the industry as provided for under these Regulations. Provided that the use of such services is not mandatory.
- (2) Such services in sub-Regulation (1) of this Regulation shall include but are not limited to the services prescribed in the guidelines issued by the Commission.

### **14. Use of the Repository by the Commission**

- (1) The Repository shall provide the following services to the Commission;
  - (a) hosting of digital regulatory tools
  - (b) commercial and technical support services during licensing rounds
  - (c) data storage and archiving; and
  - (d) any other services that the Commission may from time to time require.

### **15. Data Submission**

- (1) The Repository shall establish a web portal for data submission by licensees, lessees and permit holders to the Commission.
- (2) Where the Repository directly requests for data from licensees, lessees and permit holders, such data shall be submitted through the web portal provided for in sub-regulation (1) of this regulation at no cost to the Repository.
- (3) Data acquired under any Petroleum Exploration Licence (PEL) or Multiclient arrangement shall be submitted to the Commission upon expiration of the licence or retention period of the data through the web portal or such other portal as the Repository or Commission may prescribe and shall upon submission become part of the data held by the Repository in line with these Regulations .
- (4) The provisions of this Regulation shall not apply to any data that under the law is not required to be submitted to the Commission by any person before the expiration of the time period for the use and possession of such data.
- (5) Data received and stored in the Repository shall conform to the format, standard and validation procedures prescribed by the Commission.

### **16. Data Release**

Data in the Repository which becomes public shall be released in accordance with the terms and conditions prescribed in guidelines issued by the Commission.

## **17. Export of Leased Data**

Processing of raw data leased from the Repository shall be carried out within the shores of Nigeria. Where there is need to export such data for a special processing or studies, the party shall be required to seek for approval from the Commission in line with the provisions of the Acreage Management, Drilling & Production Regulations (2021).

## **18. Repatriation of Data**

- (1) All licensees, lessees and permit holders shall within six (6) months from the effective date of these Regulations furnish the Commission with the inventory of all datasets available to them and provide copies of same, for the population of the Repository in a manner to be prescribed in the guidelines issued by the Commission.
- (2) Licensees, lessees, permit holders and any entity shall attest to the reliability and completeness of all data submitted by them to the Repository by signing a Data Integrity and Declaration Form.

## **19. Data Exchange**

- (1) A licensee or lessee who acquires data under his licence or lease shall not transfer title in the data during the period that the data is in his possession by way of sale, purchase, lease, transfer, assignment or exchange without the prior consent of the Commission.
- (2) The consent referred to under sub-Regulation (1) of this Regulation shall be administered by the Repository.

## **20. Disclosure of Source of Data**

- (1) Licensees, lessees and permit holders shall disclose the source of any data used in the preparation or evaluation of any technical report submitted to the Commission.
- (2) Where data disclosed pursuant to sub-regulation (1) of this Regulation is not in the Repository, the licensee, lessee or permit holders making the disclosure shall be required to submit such data to the Repository within a timeframe and in the manner prescribed by the Commission.
- (3) Where the data disclosed pursuant to sub-regulation (1) of this Regulation is in the Repository and the entity making the submission did not obtain that data from the Repository, the party shall be in breach of these Regulations and the penalties prescribed in Schedule I shall apply.

## **21. Data Marketing and Sales**

- (1) The Commission shall within 12 months of the effective date of these Regulations issue Guidelines on the strategy for the promotion, marketing and sales of data by the Repository, including data acquired under a PEL.

- (2) The Repository shall establish an account which shall serve as a payment receipt platform for proceeds of sales of data under any data sales and marketing arrangement pursuant to a PEL granted by the Commission.
- (3) The report of transactions of the account established pursuant to sub-para (1) shall be the basis of the monitoring of the activities and auditing the financial performance of the licensee of a PEL.

## **22. Promotion of Research and Development**

The Repository shall, in collaboration with the Industry, organise periodic technical engagements with the academia, E&P data management companies and technology solution providers on opportunities in research and development in the upstream petroleum industry.

## **23. Confidentiality of Data in the Repository**

- (1) Data received, stored and managed by the Repository shall at all times remain secure and confidential and shall only be released in line with established protocols by the Repository.
- (2) All data received or stored in the Repository shall be treated by all public officers and other authorities entitled to the information as confidential.

## **24. Data Confidentiality Period**

- (1) Data Confidentiality Period shall be determined by the Commission taking into consideration –
  - i. the type or nature of the data
  - ii. Trade Secrets
  - iii. Proprietary Information and;
  - iv. Any other consideration that the Commission might deem necessary.
- (2) Where data in the Repository is subject to any confidentiality period, such confidentiality period shall be in accordance with the provisions of S.83(6) of the PIA, 2021 and the guidelines issued by the Commission.
- (3) No data shall be regarded as confidential immediately after the expiration period specified in S.83(6) of the PIA, 2021 and the guidelines issued by the Commission.

## **25. Non-compliance**

- (1) Any licensee, lessee or permit holder who fails to make the annual contribution prescribed in regulation 8 of these Regulations shall be in contravention of the provisions of these Regulations and shall be liable for an administrative penalty prescribed in Schedule I of these Regulations;



- (2) A licensee, lessee or permit holder who fails to submit data pursuant to a directive by the Commission under these Regulations shall be in contravention of these Regulations and shall be liable for an administrative penalty prescribed in Schedule I of these Regulations.
- (3) A licensee, other than a PEL holder, or lessee who sells, purchases, leases, transfers, assigns or exchanges data obtained from the repository without the prior consent of the Commission in accordance with these regulations shall be in contravention of these Regulations and shall be liable for an administrative penalty prescribed in Schedule I of these Regulations.

## **26. Power to issue Guidelines**

The Commission shall pursuant to these Regulations make guidelines for the effective implementation of the provisions of these Regulations.

## **27. Repeal and Savings**

- (1) The National Data Repository Regulations, 2020 is hereby repealed.
- (2) Without prejudice to anything or act done under the repealed Regulations prior to the commencement date of these Regulations, these Regulations shall be the applicable Regulations in relation to the National Data Repository.

## **28. Interpretation**

**‘Data’** includes reports and information including but not limited to geophysical, geological, geotechnical, geochemical, geographical, petroleum engineering, health, safety, environment, core, reservoir fluid, ditch cuttings, maps, facilities, pipelines, accounts and materials;

**“Minister”** means the Minister of Petroleum Resources or any person designated by the President as having responsibility for overseeing the Petroleum Industry

**“Proprietary Information”** means all information designated as proprietary under law and regulations and held in confidence or disclosed under restriction to prevent uncontrolled distribution except for instances where proprietary information may be legally divulged e.g. under a non-disclosure Agreement or as a result of judicial proceedings.

**“Trade Secret”** means Information including a formula, pattern, compilation, program, device, method, technique, or process that derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

## **29. Citation**

These Regulations may be cited as the National Data Repository Regulations, 2024



## SCHEDULE

### SCHEDULE I

#### ANNUAL CONTRIBUTIONS AND PENALTIES

The Annual Contribution prescribed in these Regulations shall be paid in United States Dollars (USD).

[regulation ]

Sn	Breach	Penalty
1.	Late payment of annual NDR contribution	500 USD (or the naira equivalent at prevailing market rates on the date of payment) for each day that payment is due.
2.	Failure to submit data pursuant to a directive under these Regulations	2000 USD (or the naira equivalent at prevailing market rates on the date of payment) for each day that licensee or lessee is in non-compliance with a data submission request
3.	Exchange of data without consent	200% of the applicable data leasing fee
4.	Failure to transfer data on divestment of part or whole of an asset or to submit data to NDR on surrender, relinquishment, expiration or revocation of license/lease	100% of applicable data leasing fee shall imposed with effect from the date of such transaction payable in United States Dollars (or the naira equivalent at prevailing market rates on the date of payment) .
5.	Failure to provide proof of data source	100% of the value of the data shall be imposed payable in United States Dollars (or the naira equivalent at prevailing market rates on the date of payment).

**MADE at Abuja this.....day of.....2024**

**ENGR. GBENGA KOMOLAFE, FNSE**  
Commission Chief Executive  
Nigeria Upstream Petroleum Regulatory Commission

**EXPLANATORY NOTE**

*(This note does not form part of these Regulations but intends to explain its  
purports)*

These Regulations repeals the National Data Repository Regulations, 2020 and establishes the National Data Repository Regulations, 2024 to provide for upstream data submission, management, standards, procedures and chargeable fees.