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<i>S.I. No.</i>	<i>Short Title</i>	<i>Page</i>
4	National Data Repository Regulations, 2020 .. .. .	B23-40

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PETROLEUM ACT  
NATIONAL DATA REPOSITORY REGULATIONS, 2020



ARRANGEMENT OF REGULATIONS

*Regulation :*

1. Establishment of the National Data Repository.
2. Functions of the Repository.
3. Advisory Council of the Repository.
4. Composition of the Advisory Council of the Repository.
5. Functions of the Advisory Council.
6. Revenue of the Repository.
7. Data Submission.
8. Data Confidentiality Period.
9. Data Release.
10. Non-compliance.
11. Revocation and Savings.
12. Interpretation.
13. Citation.

SCHEDULES

S. I. No. 4 of 2020

## PETROLEUM ACT

## NATIONAL DATA REPOSITORY REGULATIONS, 2020

[2nd Day of January, 2020]

Commence-  
ment.

In the exercise of the powers conferred upon me by section 9(b) (iv), (f), (g) and (h) of the Petroleum Act CAP P10, Laws of the Federation of Nigeria, 2004 and all other powers enabling me in that behalf, I MUHAMMADU BUHARI, President of the Federal Republic of Nigeria and Minister of Petroleum Resources, make the following Regulations—

1. There is established in the Department of Petroleum Resources (DPR) of the Ministry of Petroleum Resources, a National Data Repository (in these Regulations referred to as “the Repository”).

Establishment  
of the  
National  
Data  
Repository.

2. The Repository shall—

Functions of  
the  
Repository.

(a) serve as the Data Center for the Nigerian Oil and Gas industry ;

(b) provide a platform for the timely and holistic submission of all oil and gas data by the holder of an Oil Prospecting License, Oil Mining lease, Marginal Field Operator, Speculative and Data Trading Company ;

(c) carry out storage, management, transfer, quality control and validation of all data and materials submitted to it ;

(d) ensure data preservation, value maximization and compliance with these Regulations, standards and procedures as may be prescribed from time to time ;

(e) serve as a digital platform for the DPR to improve interaction between the Government and the Industry and provide digital data and technical supports for bid round exercise ;

(f) provide a digital platform for the reporting and monitoring of all data transactions including but not limited to data acquisition, marketing, evaluation and re-processing by companies licensed by DPR ;

(g) provide adequate monitoring and regulatory tools for the DPR ;

(h) provide geographic information management system and satellite information processing capabilities for the development and monitoring of oil and gas facilities, acreages and operations ;

(i) support the use of predictive analytics and artificial intelligence and promote experimental Research and Development projects in the Industry to optimize Oil and gas exploration and production activities ; and

(j) perform such other functions and responsibilities which in the opinion of the Minister may promote oil and gas development in Nigeria.



Advisory Council of the Repository.

3. There shall be an Advisory Council for the Repository which shall advise the Minister on matters relating to the management and operations of the Repository.

Composition of the Advisory Council of the Repository.

4.—(1) The Minister may on the recommendation of the Director of DPR appoint members of the Advisory Council of the Repository which shall comprise the following—

- (a) Director, DPR who shall be the Chairman ;
- (b) Head Upstream Monitoring and Regulation (UMR), DPR ;
- (c) Head Engineering and Standards (E&S), DPR ;
- (d) Head Safety, Health and Environment (SHE), DPR ;
- (e) Head Gas Monitoring and Regulation (GMR), DPR ;
- (f) Head Basinal Assessment and Lease Administration (BALA), DPR ;
- (g) Head Downstream Monitoring and Regulation (DMR), DPR ;
- (h) Head National Data Repository, DPR ;
- (i) Two representatives of International Oil Companies ;
- (j) Two representatives of Indigenous Operators ;
- (k) One representative of a Speculative Data Company ;
- (l) Legal Adviser, Department of Petroleum Resources ; and
- (m) Director, Planning, Research and Statistics (Ministry of Petroleum Resources).

(2) The Legal Adviser of the DPR shall act as the Secretary to the Advisory Council.

Functions of the Advisory Council.

5. The Advisory Council shall—

- (a) approve the definition of data-type and operational scope of the Repository ;
- (b) approve standards and procedures set for data submission, release, transfer, exchange (trade), quality control, and security ;
- (c) approve penalties, sanctions and fines impose for non-compliance or contravention of the provisions of these Regulations ;
- (d) periodically review and approve annual fees and charges as specified in regulation 6 of these Regulations ;
- (e) approve operational, business and financial models for the purposes of managing and generating revenue ; and
- (f) approve the Repository budget and expenditure ;

Revenue of the Repository.

6.—(1) The following shall constitute sources of revenue of the Repository—

(a) *Asset Based Annual Fees*—the following annual fees shall be paid by Companies not later than 31st March of the year—

(i) Oil Prospecting License Holders -USD 10,000 per Acreage per annum (New entrants are exempted for the first year of award),

(ii) Oil Mining Lease Holders -USD 15,000 per Acreage per annum,

(iii) Marginal Fields Holders -USD 2,000 per Field per annum (New entrants are exempted for the first year of award), and

(iv) Speculative and oil and gas data trading companies - USD 5,000 per annum (New entrants are exempted until first data sales) ;

(b) *Production Based Annual Fees* - in addition to the fees specified in paragraph (a) (i) and (iii) of this regulation, all producing oil mining lease and marginal field holders shall pay Production Based Fees as specified in the First Schedule to these Regulations;

(c) *Transaction and Service Fees*—

(i) without prejudice to the generality of the foregoing, the Repository shall have the right to impose fees as specified in Third schedule to these Regulations,

(ii) the Repository shall have the right to impose fees for any other services rendered to companies and individuals relating to, but not limited to, production data, geophysical data, well logs, well data, gas data, reserves data, facilities data, pipelines data, environmental data, safety data, evaluation reports, meta data, charts, static maps, interactive maps, shape files, spatial values and attributes information, web portals, web services, mobile apps, desktop apps, software, leasing facilities and tools, and

(iii) the Repository shall have the right to grant its Subscribers discounts or waivers on transaction fees ; and

(d) *Other Revenues Sources* includes any—

(i) fees or levies imposed by the Minister through the DPR on the industry for the support of the Repository ;

(ii) gifts in kind or cash received by the DPR or the Repository for the support of the Repository ;

(iii) monies granted or loaned to the Repository by the Federal Government in support of the Repository.

(2) The fees, charges and revenues stated under sub-regulation (1) of this regulation shall be paid directly to the Repository account.

7.—(1) All records, including but not limited to, reports, data, core samples, reservoir fluid samples, ditch cuttings, plans, maps, charts, accounts, materials and information which are required to be furnished to the DPR

Data  
Submission.



under the Petroleum Act and Regulations or any other law shall be submitted by the holder of an Oil Prospecting License, Oil Mining lease, Marginal Field Operator, Speculative and Data Trading Company to the Repository in a standard and format specified by the DPR, provided that where applicable, the Fifth Schedule to these Regulations shall be employed for data submission.

(2) The submission of the data by the Licensee, Lessee, Marginal Field Operators, Speculative and Data Trading Companies in the format specified by the DPR shall be a discharge of its obligation to submit data to the DPR under the Petroleum Act and Regulations.

(3) All records, reports, data, ditch cuttings, core samples, reservoir fluid samples, plans, maps, charts, account, materials and information which are required to be furnished to the Repository under these Regulations or Petroleum Act shall be supplied by the Licensee, Lessee, Marginal Field Operator, Speculative and Data Trading Company at no cost to the DPR.

(4) The Repository shall charge fees for the storage and handling of core, ditch cuttings and reservoir fluid samples at designated facilities.

(5) For the purpose of carrying out project performance monitoring and cost benchmarking in the oil and gas industry, every oil and gas exploration and production company including marginal field operator, shall register on the Value Monitoring Digital Platform in DPR and upload all required data specified in sub-regulation (6) of this regulation not later than two months after the data becomes available to the company.

(6) Every oil and gas exploration and production company including marginal field operator, shall upload on the Value Monitoring Digital Platform data relating to—

(a) cost estimates relating to acquisition, exploration, appraisal, development, operations, decommissioning and removal of oil and gas production and Petrochemical facilities ;

(b) annual budget, actual annual cost performance, technical monthly projection by well production string for oil, condensate and gas fluid types, annual reserves information (P1 and P2), condensate and gas for each asset, cost information for project and asset operations, safety and environment performance parameters, project duration, project schedules, front-end loading, five to ten years strategic work plan and lessons learnt by project categorisation ; and

(c) any other data that may be required from the companies by the DPR for purposes of value monitoring and cost benchmarking in the Industry.

(7) All data derived from project performance monitoring and cost benchmarking in the oil and gas industry shall be archived in the Repository.

(8) No information required under these Regulations to be furnished or submitted to the Repository in relation to work done or progress of operations in the relevant area shall be withheld on the ground that the information is confidential or interpretational.

8. Any information supplied by the Licensee, Lessee, Marginal Field Operator, Speculative and Data Trading Company shall (except as otherwise provided by these Regulations), be treated by all public officers and other authorities entitled to the information as confidential, provided that, no information shall be regarded as confidential, immediately after the expiration of the period specified in the Fourth schedule to these Regulations.

Data  
Confidentiality  
Period.

9. Data may be release to the public, after the expiration of the confidentiality period, upon payment of the relevant fees as specified in the Third schedule to these Regulations.

Data  
Release.

10. A any person or company who fails to comply with the provisions of these Regulations shall be subject to the following sanctions and penalties—

Non-  
compliance.

(a) refusal of regulatory and statutory approvals in respect of all operational and environmental applications related to all oil and gas activities issued by the DPR ;

(b) imposition of sanctions and penalties prescribed in the Second Schedule to these Regulations ;

(c) exclusion from the services of the Repository ; and

(d) civil action for recovery of unpaid fees and accrued interest.

11.—(1) The National Data Repository Regulations, 2007 is revoked.

Revocation  
and Savings.

(2) Without prejudice to anything or act done under the revoked Regulations prior to the commencement date of these Regulations, these Regulations shall be the applicable Regulations in relation to Data Repository in the oil and gas industry in Nigeria.

12. Interpretation—

Interpretation.

“Data” includes but not limited to reports, core samples, reservoir fluid samples, ditch cuttings, plans, maps, charts, accounts, materials and information ;

“Minister” means the Minister responsible for Petroleum Resources ; and

“Production” means the summation of the volume of Crude Oil and the equivalent Crude Oil value of Natural Gas, and at any given time, the DPR subsisting Gas to Oil conversion algorithm shall be applicable in obtaining the Crude Oil volume equivalent of Natural Gas.

Citation.

13. These Regulations may be cited as the National Data Repository Regulations, 2020.



SCHEDULES  
FIRST SCHEDULE  
ANNUAL FEES

[regulation 6(b)]

OIL MINING LEASE/MARGINAL FIELDS HOLDERS

PRODUCTION VOLUME (VOLUME OF OIL + OIL EQUIVALENT OF GAS VOLUME)

<i>SN</i>	<i>Production Lower Limit</i>	<i>Production Volume Upper Limit</i>	<i>Annual Fee</i>
1.	1	5,000	25,000
2.	5,001	10,000	35,000
3.	10,001	15,000	50,000
4.	15,001	20,000	75,000
5.	20,001	25,000	100,000
6.	25,001	30,000	125,000
7.	30,001	35,000	150,000
8.	35,001	40,000	175,000
9.	40,001	45,000	200,000
10.	45,001	50,000	225,000
11.	50,001	55,000	250,000
12.	55,001	60,000	275,000
13.	60,001	65,000	300,000
14.	65,001	70,000	325,000
15.	70,001	75,000	350,000
16.	75,001	80,000	375,000
17.	80,001	85,000	400,000
18.	85,001	90,000	425,000
19.	90,001	95,000	450,000
20.	95,001	100,000	475,000
21.	100,001	Above 100,001	500,000

## SECOND SCHEDULE

[regulation 10(b)]

## BREACHES AND PENALTIES

SN	Breach	Penalty
1.	Late payment of Annual Fees.	<ul style="list-style-type: none"> <li>* 10% monthly interest rate on the Annual Fees shall be imposed.</li> <li>* Refusal of DPR approvals.</li> <li>* Denial of access to Repository/DPR applications and portals.</li> </ul>
2.	Non- submission of data.	<ul style="list-style-type: none"> <li>* Refusal of DPR approvals.</li> <li>* Denial of access to Repository/DPR applications and portals.</li> <li>* Including other charges as may be determined by the Repository.</li> </ul>
3.	Incomplete submission of data.	
4.	Inaccurate/Wrong data submission.	
5.	Failure to return data after expiration of lease period.	* 1/3 of data leasing fee shall be applied monthly.
6.	Exchange of leased E&P data without DPR approval.	<ul style="list-style-type: none"> <li>* 100% of applicable data leasing fee for the initial three (3) months from the date of data exchange.</li> <li>* 10% monthly interest rate on the penalty shall apply at the end of the initial three (3) months period.</li> </ul>
7.	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.	<ul style="list-style-type: none"> <li>* 100% of applicable data leasing fee shall imposed with effect from the date of such transaction.</li> <li>* 10% monthly interest rate on the penalty shall apply at the end of the initial three (3) months period.</li> </ul>
8.	Illegal possession of data.	<ul style="list-style-type: none"> <li>* 100% of applicable data leasing fee shall imposed.</li> <li>* 10% monthly interest rate on the penalty shall apply at the end of the initial three (3) months period.</li> </ul>
9.	Access to restricted Repository web locations.	Prosecution through appropriate authorities and claim of damages by Repository.



## THIRD SCHEDULE [regulations 6(1)(c)(i) and 9]

## TRANSACTION AND SERVICE FEES

Activity	SN.	Description	Component	Fee (USD)	Renewal/Extension Fee
Data Prying	1.	Geophysical, geological and engineering data.	Geophysical data, well data and reports.	10,000 per session per block (prying fee) 500 (processing fee)	N/A
Data	2.	<b>Geophysical Data Leasing (Initial Release)</b> * Block Owner: Period of Ownership of Block * To Meet Minimum Work Programme Obligation.	Geophysical Data (Processed Data)	100,000 500 (processing fee)	N/A
	3.	<b>Geophysical Data Leasing (Initial Release)</b> * Field Owner: Period of Ownership of Field	Geophysical Data (Processed Data)	25,000 500 (processing fee)	N/A
	4.	<b>Raw Geophysical Data Leasing (Initial Release)</b> * Block Owner: * Period of Ownership of Block. * To Meet Minimum Work Programme Obligation.	Raw Geophysical Data	500,000 500 (processing fee)	N/A
	5.	<b>Raw Geophysical Data Leasing (Initial Release)</b> * Field Owner: Period of Ownership of Field.	Raw Geophysical Data	50,000 500 (processing fee)	N/A
	6.	<b>Geophysical Data Leasing for Non-Asset Owner (Initial Release)</b> * Not Owner of Block : Data can be leased 3 months in the first instance and renewable thereafter	Processed Data	100,000 500 (processing fee)	10,000



	7.	<b>Geophysical Data Leasing for Non-Asset Owner (Initial Release)</b> * Not Owner of Field : Data can be leased 3 months in the first instance and renewable thereafter	Processed Data	50,000 500 (processing fee)	5,000
<b>Well</b>	8.	Logs of "A Well" * Block/Field Owner: Period of Ownership of Block/Field.	All Logs of Main Well and the Wellbores	2,000 500 (processing fee)	NA
	9.	Logs of "A Well" * Not Owner of Block/Field : Data can be leased 3 months in the first instance and renewable thereafter.	All Logs of Main Well and the Wellbores	1,000 500 (processing fee)	350
	10.	Reports of "A Well" * Well Owner : Period of Ownership of Block/Field.	All Reports of Main Well and the Wellbores	10,000 500 (processing fee)	NA
	11.	Reports of "A Well" * Not Owner of Block/Field : Data can be leased 3 months in the first instance and renewable thereafter	All Reports of Main Well and the Wellbores	5,000 500 (processing fee)	2,000
<b>Production</b>	12.	A Well production data	A Well production record set (daily Production data of a well from inception to date)	500	250
	13.	A Well production data	"A month" Well production record set (daily production data of a well for one-month period)	50	100

## FOURTH SCHEDULE.

[regulation 8]

## DATA CONFIDENTIALITY PERIOD

No.	Description	Data Confidentiality Expiration Period
1.	Well Data, Logs, Reports	A day following 2nd year of acquisition
2.	Well Daily Production Figures	N/A
3.	Well Daily Information (Water/Oil/Gas ratio, Sample reports, Activities reports, operators, owners, coordinates, status)	N/A
4.	Raw Geophysical Data	A day following 5th year of acquisition
5.	Processed Geophysical Data	A day following 5th year of acquisition
6.	Speculative Geophysical Data	A day following 10th year of acquisition
7.	Interpreted Geophysical Data	A day following 10th year of acquisition
8.	Company Daily Average Production Figures	24 hours
9.	Pipeline Information (operators, owners, coordinates, status, incidents, products, technical data, P&ID)	24 hours
10.	Facility Information (operators, owners, coordinates, status, incidents, products, technical data, P&ID)	24 hours
11.	Concession Information (operators, holders, status, coordinates, history)	24 hours
12.	Field Information (less production figures)	24 hours
13.	Well Information (less production figures)	24 hours
14.	Environmental Data (EIA, ESI, SPILL, Incident, Accident)	



## FIFTH SCHEDULE

[regulations 7(1)]

## DATA SUBMISSION FORMAT, TIMEFRAME AND CHECKLIST

## A: GEOPHYSICAL DATA

<i>Data Group</i>	<i>Data Type</i>	<i>SN</i>	<i>Description</i>	<i>Submission Format</i>	<i>Timeline for Data Submission at the end of acquisition/ processing</i>
Field Data	Field Tapes	1	Raw Seismic Data	SEGD/SEG-Y	At the 1st year anniversary of the project
		2	Raw Navigation Data	UKOOA (Offshore) SPS (Onshore)	
		3	Processed PI navigation Data	UKOOA (Offshore) SPS (Onshore)	
		4	Source Signature File		
	Field Documents	5	Observer's reports	PDF	
		6	Seismic Acquisition report	PDF	
		7	Seismic acquisition QC report	PDF	
		8	Navigation acquisition report	PDF	
		9	Navigation acquisition report	PDF	
		Bathymetry Data	10	Digital values and raster image of bathymetry data	
Pre-Stack Data	Pre-Stack Tapes	11	Gathers, NMO, DMO and many more	SEG-Y	
Pre-Stack Data	Post-Stack Tapes	12	Migrated Stack (time)	SEG-Y	
		13	Filtered Stack	SEG-Y	
		14	Final Stack	SEG-Y	
		15	Raw stack	SEG-Y	
		16	Migrated stack (depth)	SEG-Y	
		17	Other stacks	SEG-Y	
		18	Post-processed PI Navigation Data	UKOOA	
		19	P6/90 Navigation data	UKOOA	
		20	Seismic velocity data	SEG-Y/ASCII	



	Post-Stack Documents	21	Seismic processing report	PDF	
		22	Navigation processing report	PDF	
		23	Independent QC reports	PDF	
		24	Seismic sections (as support)	SEGY	
Gravity & Magnetic Data	—	25	Ground gravity and magnetic data/reports	ASCII, PDF	
Aero Gravity Magnetic	—	26	Airborne gravity and magnetic survey data/reports	ASCII, PDF	
Magnetic telluric/ Control Source Electro-magnetic Survey (CSEM)	—	27	Magnetic telluric reports, CSEM (survey data including section/map/report)	ASCII, PDF	