



Energy and Infrastructure Group

Advocaat Law Practice is recognised for its energy practice and is one of the few indigenous law firms with the requisite capacity and knowledge to advise both local and international companies on all aspects of the energy sector in Nigeria.

Oil & Gas

The Energy and Infrastructure Group of the firm has consistently provided advice to clients on all aspects of the oil and gas sector, ranging from licensing to oil and gas exploration through to field development, gas transportation, storage and distribution. Lawyers within the team have over the years negotiated and drafted production-sharing agreements, farm in and farm out agreements, joint operating agreements, joint development agreements, unitization agreements throughput and gas sales purchase agreements.

Lawyers within the firm have also received individual accolades in legal directories, including the Head of the Energy & Infrastructure Group; OladotunAlokolaro who has been recognized as a “sound practitioner...steeped in oil and gas law” in Chambers Global Guide to Leading Lawyers.

Power

We are a leading firm in electricity and regulatory matters. Members of our team had the unique opportunity of reviewing the first Power Purchase Agreement in Nigeria and their direct involvement in creating a blueprint for the unbundling and restructuring of the state electricity company, formerly the Nigerian Electricity Power Authority (NEPA), now the Power Holding Company of Nigeria (PHCN), is evidence of our know how and leadership in providing advice to stakeholders in the industry. ALP continues to advise the successor companies from the privatisation process and also independent power producers, maintaining our status as the “go to” firm in Nigeria for advice on electricity.

Mining

Our understanding of the mining sector is unrivalled and we provide our clients with innovative solutions that are practical to their businesses. We advise clients on exploration agreements, including joint ventures, farm in/farm out agreements, sale and purchase of mining properties, mine operating and production agreements.

International Recognition

The firm is ranked for Energy and Natural Resources law in Nigeria by Chambers Global Guide to leading lawyers 2015, as well as being recognised as a recommended firm for Energy and Infrastructure by IFLR, 2015.

The Energy & Infrastructure Group has been recently described as:

- “Very prompt and compares favorably to a number of leading firms for energy work” - (IFLR 2015)
- “We were impressed by the work they had done before and their mining experience has come in useful, if I had my own way I would always use Advocaat in such projects” - (IFLR 2015)



Key Contact

Oladotun Alokolaro

T +234 1 453 1004, +234 1 4547932

F +234 1 2714044

E ola.alokolaro@advocaat-law.com

Transaction Experience

Oil & Gas Transactions

- The firm is currently advising Dover Engineering Limited, an indigenous owned and operated engineering company providing conceptual and detailed design engineering, procurement support, and construction services to the oil and gas industry in Nigeria on its proposed Joint Venture with JWG Nigeria Limited a wholly owned subsidiary of John Wood Group PLC, an international oil servicing company.
- We recently advised Noreast Petroleum Nigeria Limited on the extension of its oil prospecting licence (OPL 215) and its long standing dispute with an International Oil Company (IOC) operating in Nigeria.
- The Energy & Infrastructure team advised its retained client, Range Oil & Gas Development Limited on its joint venture arrangement with other upstream oil & gas companies for the purpose of forming a Consortium to bid for the acquisition of 55% equity interest in Shell Development Company's 45% interest in OMLs 25 and 29 located in the Niger Delta region of Nigeria.
- ALP is retained as external legal advisers to Seplat Petroleum Development Company Limited, one of the largest indigenous independent oil and gas exploration and Production Company in Nigeria. Recently, members of our Energy and Infrastructure group advised on the template Joint Account Operating Agreement to be utilised by the client in joint bids for the acquisition of oil & gas assets in the country. We also recently advised the client on the Disputed Amounts Account Agreement utilised in its gas sale and purchase relationship with Geregu Power Plc and the Gas Aggregation Company of Nigeria.
- The firm provided legal advice to Delta Upstream Services Limited in respect of its bid to an International Oil Company (IOC) for the supply of two offshore jack-up oil rigs and also on the terms of the agreement between the Client and its sub-contractor.
- ALP was engaged by Maco Offshore Engineering & Construction Limited, an indigenous oil & gas servicing company for the purpose of advising on its proposed corporate restructuring. The corporate commercial team of Advocaat Law Practice advised on the sale of the 40% shareholding of the company to a foreign investor, X-Drill Holdings Incorporated of USA. Lawyers in the firm were responsible for drafting and reviewing the Share Sale and Purchase Agreement as well as the share transfer documents required for the sale.
- We advised Albrightwaves Petroleum Development Limited on the memorandum of terms for a Gas Sales and Purchase Agreement (GSPA) to be entered with an international commodities company interested in developing a floating Small Liquefaction Project (near shore) in Nigeria to produce approximately 1.0 mtpa of Liquefied Natural Gas.
- The firm recently provided legal advisory services to Pan Ocean Oil Corporation (Nigeria) Limited, an indigenous oil exploration and production company, on its template contractual agreements with its service providers. The scope of services provided included the review and redrafting of all existing service contract templates for use with its service providers, including but not limited to drilling contracts, service level agreements, seismic acquisition agreements, well casing/cementing agreements, site preparation agreements, crude handling/transport agreement, consultancy model agreements, solid units control agreements and IT agreements etc.

- We advised Sands Exploration & Production Limited on the terms of its joint venture arrangement for the purpose of executing various projects and opportunities in the oil & gas industries in Nigeria and Angola.
- We represented both CCC Energy Limited and CCC Oil & Gas Limited in the divestment of their 30% participating interest in OPL 276 and OPL 283 respectively to Newcross Petroleum Limited.
- Members of our team advised the Federal Government of Nigeria with respect to the Downstream Gas Bill - Responsibilities included reviewing the existing legal and regulatory framework for the gas, research and comparative analysis of the laws of other jurisdictions with mature gas legislation, drafting, co-ordinating deliverables, arranging and attending discussion meetings and workshops.
- The firm is retained counsel to H Oil Petroleum Products Limited (“H Oil), the subsidiary of an international oil trading company interested in participating in the downstream sector of the Nigerian Oil & Gas Industry. We are currently advising H Oil on its proposal to supply petroleum on a swap basis to the downstream sector in Nigeria.
- ALP represented Sterling Global Oil Resources Limited, a subsidiary of Sterling Oil Resources LLC, USA and member of the Sterling Global Oil resources, Domon Oil Services and Primetime International Energy Services Consortia that acquired OPL 277 under the 2006 Nigerian Licensing round. The transaction, in addition to the exploration and development of OPL 277, involves the construction of a 40MW independent power plant on a Build Own Operate (BOO) basis.
- We represented VP Energy Limited, a subsidiary of Vogel Peak Energy LLC and a member of the VP Energy, Ager and Petrolog consortia that acquired OPLs 917 and 907 under the 2006 Nigerian Licensing round.
- Members of the Energy and Infrastructure group were members of the legal team that advised YinkaFolawiyi Petroleum Company Limited, a major indigenous oil Exploration and Production Company, on the farm-in arrangement on one of its oil blocks (by a consortium of international oil and gas companies).
- ALP advised Hamlet Energy Resources Limited, a UK based oil & gas company interested in the acquisition of 30% participatory interest in a PSC asset in Nigeria currently owned by an indigenous oil producing company.
- Members of our Energy and Infrastructure team were members of the team that represented Emerald Energy Resources Limited, operators of OPL 229 with respect to its negotiations on the Joint Operating Agreement for the acreage.

Power Transactions

- ALP advised Cummins Power Generation (Nigeria) Limited on its bid for the acquisition of an Independent Power Plant located in Ogun State. The Energy & Infrastructure team advised the client on the terms of the existing power project agreements and other ancillary agreements and the impact of such terms on the sale and purchase of the plant.
- We also advised the client on its acquisition of majority shareholding in a licensed indigenous IPP in Nigeria. Our scope of services included drafting, reviewing and negotiating the share sale and purchase agreement for the transaction.
- The firm was engaged by Bates Wells Braithwaite LLP, a firm of UK solicitors, to review and advise on the FIDIC Yellow Book Conditions of Contract for the purposes of the EPC/Turnkey contract for the construction of a 1 MW natural gas fired power plant in the Niger Delta Nigeria.
- The Energy and Infrastructure team recently advised Fan Milk Plc on the terms of its electric power purchase agreement with a private power generating company. Services provided to the client include the review and negotiation of the electric power sales and purchase agreement between both parties with a view to renegotiating its terms.

- ALP advised Omotosho Electric Energy Company Limited & Sepco – Pacific Energy Partners Limited on their bids for the acquisition of two separate Federal Government/NIPP owned power plants located in the south west region of Nigeria. In providing its legal services to the clients, members of the Energy and Infrastructure team reviewed and advised the clients on the draft power project agreements to be entered into by the clients if and in the event their bids were successful. Such draft agreements included but were not limited to the Gas Sale and Aggregation Agreement, Gas Transportation Agreement, Grid Connection Agreement, Power Purchase Agreements, and Ancillary Services Agreements and Put and Call Option Agreement.
- We are retained counsel to OSH Power West Africa Limited, an indigenous IPP investing in the power industry across Nigeria and West Africa. The firm recently advised the company on its joint venture with an international power producing company for the purposes of setting up, operating and maintaining power barges in and around Lagos State, Nigeria.
- The firm acting as local counsel in conjunction with Wragge & Co, a firm of solicitors in the UK, advised Cummins Cogeneration Limited in respect of its acquisition of majority shareholding in a licensed indigenous power generating company in Nigeria.
- Members of the Energy and Infrastructure team were part of the legal team that proffered preliminary advice to ExxonMobil on its 350 Mega Watts thermal independent power plant in Bonny, Nigeria. The role involved advising the client on various legal issues such as applicable tax regime for the project, sovereign guarantees and the effect of the impending deregulation and restructuring of the Nigerian Electricity Industry on the project.
- Members of the Energy and Infrastructure team formed part of a consortium of advisers that advised the Bureau of Public Enterprises (“BPE”) on the blue print for the unbundling of the electricity sector in Nigeria and the state owned utility company NEPA. Their roles included reviewing the existing legal and regulatory framework and advising on the creation of a new independent regulatory body. In addition, the consortium advised on the unbundling of the electricity sector and prepared all the necessary documentation required for the formation of the new successor entities: Power Generation Companies, Transmission Company and Distribution companies for the new electric supply industry.

Mining Transactions

- The firm advised Espro Asphalt Production Company Limited, a JV Company consisting of ETS Eser Contracting & Industry Co Inc of the Republic of Turkey and Project Niche Nigeria Limited, on its Asphalt operations in Osun State in Nigeria.
- Members of the Energy & Infrastructure team advised Central Gold Asia Limited on its acquisition of Participating Interest in a gold mining asset. The advice centered on corporate governance issues; conducting an extensive due diligence on legal, regulatory and country-entry risk issues; as well as preparing and reviewing relevant transaction documentation.
- The firm advised Fortuna Bitumen Mining International Limited on its proposed bid for bitumen blocks in the Federal Republic of Nigeria. We also advised the client on the legal and regulatory regime of both the solid minerals sector and the oil and gas sector.
- Members of the Energy and Infrastructure team formed part of the team of lawyers that advised the Federal Government of Nigeria on and reviewed the Minerals and Mining Act (2007) - Responsibilities included reviewing the existing legal and regulatory framework for the mining sector, research and comparative analysis of the laws of other jurisdictions with mature gas legislation, drafting.