

PETROLEUM (AMENDMENT) DECREE 22 OF 1998

THE Federal Government hereby decrees as follows:-

1. The Petroleum Act (in this Act referred to as "the principal Act") is amended as set out in this Act.
2. Section 1 of the principal Act is amended in subsection (2) by -
 - (a) substituting for the full stop at the end of paragraph (c), the following, that is -

"; or "; and
 - (b) inserting immediately after paragraph (c), as amended, the following new paragraph, that is -

"(d) from part of the Exclusive Economic Zone of Nigeria"
3. Section 2 of the principal Act is amended by deleting paragraph (a) of subsection (2).
4. Section 7 of the Principal act is amended -
 - (a) in subsection (1), by deleting the words in bracket, that is, "(of the existence of which the Minister shall be the sole judge)"; and
 - (b) by substituting for subsection (5), the following new subsection, that is -

"(5) The Minister may, for the purpose of subsection (1) of this section, advise the President to declare a state of national emergency if the Minister is satisfied that, as a result of the low level of availability of petroleum and petroleum products

 - (a) there is an actual breakdown of public order and public safety in the Federation or any part thereof; or
 - (b) there is a clear and present danger of actual breakdown of public order or public safety in the Federation or any part thereof.

- (6) The President may, on receiving the advise of the Minister under subsection (5) of this section, declare a state of national emergency under the provisions of the Nigeria 1979, as amended, for the purpose of subsection (1) of this section, if he is satisfied that it is necessary to do so"
- (5) The First Schedule to the principal Act is amended in paragraph 24(1), by substituting for sub-paragraph (a), the following new sub-paragraph, that is -
- "(a) is not conducting operations -
- (i) Continuously,
 - (ii) in a vigorous and businesslike manner in accordance with the basic work programme approved for the licensee, and
 - (iii) in accordance with good oil field practice; or"
6. this Act may be cited as the Petroleum (Amendment) Decree 1998.

MADE at Abuja this 30th day of September 1998.

GENERAL ABDULSALAM ALHAJI ABUBAKAR,

Head of State, Commander-in-Chief

of the Armed Forces

Federal Republic of Nigeria.

EXPLANATORY NOTE

(This note does not form part of the above Decree but is intended to explain its purport).

The Decree amends the Petroleum Act to delete those provisions which inhibit competition in the petroleum sector of the economy.

Accordingly, the Decree, among other things -

1[1]
