



PROFESSIONAL TRAINING
FOR THE OIL & GAS INDUSTRY

THIRD PARTY ACCESS TO OFFSHORE INFRASTRUCTURE (TPA)

Don't let TPA drive you mad!

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 **VASSPETRO**
Petroleum Law Specialists

Holt Energy
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Third Party Access to Offshore Infrastructure (TPA)

In a mature province like the UKCS, with very extensive infrastructure and typically small new developments, TPA is a key regulatory theme.

UKCS TPA is complex and interrelates with MER. Let leading commentator Uisdean Vass guide you through the minefield.

TRAINING DESIGNED FOR:

Oil company in-house lawyers and commercial executives (UKCS only)

NOTE: It is helpful to take our MER training prior to taking the TPA training.

DURATION:

Approximately 90 minutes to 2 hours

PRESENTER:

Uisdean Vass

SUBJECTS COVERED INCLUDE:

- The Players: Infrastructure Owner, Discovery Owner and State
- The TPA conundrum
- Our system of Negotiated Access
- Energy Act 2011 Sections 82-91
- The requirement for a negotiation
- Application to NSTA (formerly OGA) on failed negotiation
- NSTA's right to initiate its own proceeding
- Section 82(7) - 7 key factors
- TPA applies to all offshore infrastructure
- "Term Sheet approach"
- Impact of Competition Law on TPA
- MER applicable to TPA
- MER Strategy Paras 11 & 12
- TPA Guidance
- Reasonable capacity needs of Infrastructure Owner
- Honour prior commitments
- General Tariff Principles - Guidance, Para 80
- Infrastructure Code of Practice (ICOP)
- 4 Information programmes
- Automatic Referral Notice
- ICOP principles
- Nelson-Howe Dispute

Third Party Access to Offshore Infrastructure (TPA)

"The 2019 project work which was completed by Uisdean Vass and his team was well structured, detailed and provided us with valuable information. Uisdean was extremely knowledgeable regarding international jurisdictional policies and in particular, the UK regulatory system covering MER, fallow fields, and third-party access. Uisdean was professional throughout the project cycle and we hope to use his services in the future."

David Corkey, Director of Petroleum Engineering in the Province of Newfoundland and Labrador Department of Natural Resources, Canada.

"In 2020 Uisdean spoke to a Brazilian audience on the lessons which Brazil can learn from the extensive UK experience with third party access to offshore infrastructure. The UKCS is one of the most mature and most intensively developed petroleum basins in the World and it was great to have a master of the subject speak to our realities in Brazil."

Felipe Boechem, Partner and Head of Oil & Gas, Lefosse Advogados,
Rio de Janeiro, Brazil

Our Training Programs

THE FARMOUT AGREEMENT

A detailed review of the classic deal document / when and why it is used / "Equity First" and "Equity After" variants / how the carry works / consideration / damages / relationship with JOA and more

KNOCK-FOR-KNOCK CLAUSES, INDEMNITIES AND EXCLUSIONS

An analysis of the vital role of indemnities and exclusions in oil and gas docs / reviewing LOGIC K4K / Carve-outs and Carve-ins / "Negligence", "Gross Negligence" and "Wilful Misconduct" / English law compared to Deepwater Horizon and Brazil, and more

MAXIMISING ECONOMIC RECOVERY (MER)

The UKCS has undergone a regulatory revolution with the 2016 advent of MER - In this training, we look at original MER (2016) and amended MER (2021) / who owes MER duties to whom / the principal MER duties / the effect of MER on private contracts / the impact of Net Zero / Loach v OGA, and more

THIRD PARTY ACCESS TO OFFSHORE INFRASTRUCTURE (TPA)

Covering issues such as TPA provisions of Energy Act 2011 / our negotiated access system / powers of the NSTA / impact of MER / ICOP / TPA Guidance / Nelson-Howe dispute and more

HYDROCARBON SALES

Managing the value of hydrocarbon sales is critical to ensuring you can maximise the value of product streams. In this training, we will give background on the key hydrocarbons and how and where they are sold and their associated trading fundamentals.

PETROLEUM ECONOMIC MODELLING

This training we seek to demonstrate how key Petroleum Economics concepts are used in M&A and farmout transactions in a practical way to value assets being acquired but also to structure commercial structures to give the best chance of buyer and seller alignment on deals.

