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WEST AFRICAN GAS PIPELINE PROJECT ACT
(No. 11 of 2005)

WEST AFRICAN GAS PIPELINE (OFFSHORE DAMAGE PREVENTION PROGRAMME) REGULATIONS, 2009

[21st December, 2009]

Commencement

In exercise of the powers conferred upon me by Section 20 of the West African Gas Pipeline Act and all other powers enabling me in that behalf, I, II. Odein Ajumogobia (SAN), Minister of State, Petroleum Resources, hereby make supplementary provisions to the West African Gas Pipeline Regulations in respect of Offshore Damage Prevention Programme as follows :

1.—(1) The operator shall prepare a damage prevention programme offshore to prevent the offshore section of the Pipeline System from mechanical damage and exposure from sub-sea erosion.

Damage Prevention Programme-Offshore.

(2) For the purpose of sub-regulation (1), "mechanical damage" includes damage from anchors, chains, trawl boards, vessel groundings, dynamite fishing and sabotage and "erosion" is the eroding away of seabed support from sub-sea pipelines and the washing away of material covering the pipeline in engineered trenching zones.

2. The Damage Prevention Programme-Mechanical shall include :

Components of the Damage Prevention Programme.

(a) identification of companies which engage in permanent or regular transport and or industrial marine operations in the vicinity of the pipeline ;

(b) public awareness campaigns directed at stakeholders of the four States, as often as necessary to make them aware of the existence and purpose of the Damage Prevention Programme-Offshore ;

(c) publication of pipeline routes on recognised nautical charts ;

(d) correction of charts and publications by relevant organisations ;

(e) notification and publications of temporary marine operations by the operator and companies engaged in permanent or regular transport and industrial marine operators in the vicinity of the pipeline ;

(f) regulatory process that will enforce a protection zone for the Pipeline (the Pipeline Protection Zone) in the Nigerian Territorial Waters and Exclusive Economic Zone ;

(g) active co-operation of the operator with Port authorities, the Nigerian Navy and other relevant State authorities in monitoring the enforcement of the Pipeline Protection Zone ;

(h) maintenance by the operator of a marine liaison presence in the Region to ensure co-operation with Port authorities, the Nigerian Navy and other relevant State authorities ;

(i) burial of the Cotonou and Lome lateral lines to a 0.75 metres minimum cover dept for protection against travel board impact ;

(j) co-operation with Port authorities in the definition of surveillance procedures by Port authorities and in so doing —

(i) Port authorities to instruct vessels to keep anchor secured (as for ocean passage) when crossing the zone ;

(ii) Port authorities to inform local traffic at sea of weather forecast for their area of jurisdiction ;

(iii) Port authorities to issue advice of the existence of the zone on pre-arrival message to ships ;

(iv) Maritime administration to issue advice to ship-to-ship transfer operators and to designate the transfer area away from the Pipeline in safe distance from the Zone ;

(v) Port authorities to issue advice of the zone to fishing unions or organisations ;

(vi) Verification that provisions of new charts incorporating the Pipeline and the zone are made to all stakeholders ; and

(vii) Maritime administration to produce special rules of the zone for Single Buoy Mooring (SBM) or Catenary Buoy Mooring (CBM) if they operate within the zone.

3. The prevention programme in respect of erosion shall include :

(i) surveys and, if needed, correction measures to ensure that the Togol/ Benin lateral lines remain buried as protection against trawl board impact ;

(ii) marine surveys to confirm status of marine pipeline as often as necessary but not less than once a year.

Damage Prevention Programme-Erosion.

4. In these Regulations, unless the context otherwise requires the following words and expressions have the following meanings :

"Catenary Buoy Mooring (CBM)" means an offshore system affixed to the ocean bottom that serves as a mooring point for ships ;

"Charts" means graphic representations of a section of ocean or other waterway. Also known as "marine chart" or "nautical chart". Available in paper or electronic form from respected sources such as the British Admiralty, the French Service Hydrographique et Oceanographique Maritime (SHOM) or U.S. National Oceanic and Atmospheric Administration. Charts must be constantly updated by users ;

"Exclusive Economic Zone" means an area extending from the external limits of the territorial waters of Nigerian up to a distance of 200 miles from the baseline from which the breadth of the territorial waters of Nigeria as measured ;

Definitions.

"Pipeline Protection Zone" means an area of at least 1 nautical mile on each side of the Pipeline in the Territorial Waters and Exclusive Economic Zone of the Republic of Nigeria in which activities endangering the Pipeline are prohibited or regulated ;

"Port Authorities" means the Nigeria Ports and Harbours Authority ;

"Publications" means nautical information sources commonly used by seasoned professional mariners in navigation ;

"Region" means the territories of Benin, Ghana, Togo and Nigeria ;

"Relevant Organisations" means the UK Admiralty (United Kingdom), the French Service Hydrographique et Oceanographique Maritime (SHOM) and the United States Coast Guard and NOAA (United States) ;

"Shipping Agent" means a person or firm that transacts business in a port, usually on behalf of ship owners or ship charterers ;

"Single Buoy Mooring (SBM)" means an offshore system affixed to the ocean bottom that serves as a mooring point for ships. Typically serve as a link between a sub-sea manifold and tanker ships ;

"Territorial Waters" include every part of the open sea within twelve nautical miles of the coast of Nigeria (measured from low water mark) or of the seaward limits of inland waters.

5. These Regulations may be cited as the West African Gas Pipeline Citation.
(Offshore Damage Prevention Programme) Regulations, 2009.

MADE at Abuja this 21st day of December, 2009.

H. ODEIN AJUMOGOBIA, SAN
Minister of State, Petroleum Resources