



March 13 - 17, 2023

International Oil & Gas Contracts and Negotiations Core Course

InterContinental Hotel
Kuala Lumpur, Malaysia



Association of International
Energy Negotiators



About AIEN | www.aien.org

The Association of International Energy Negotiators (AIEN), formerly AIPN, is the leading professional membership organization of commercial negotiators and energy lawyers in the international energy industry, serving around 2,800 professionals in some 110 countries. AIEN develops model contracts that are widely used throughout the industry, provides educational seminars and conferences around the world, publishes leading research on emerging energy issues and is the premier forum for dialogue on energy transactions amongst companies, government and their advisors.

Registration Fees

Member Rates

Active Member: \$2,900
National Company/Government Member: \$2,200
Academic Member: \$2,100
Student Member: \$500*

Non-Member Rates

Non-member: \$3,300
National Company/Government Member: \$2,600
Academic Non-member: \$2,500
Student Non-member: \$800*

**Students, email proof of enrollment to events@aien.org after registering*

Apply for membership at aien.org/join-aien/ before registering and receive member rates! After completing your application, email events@aien.org to register. If you are already a member but not able to see the member rates after logging in, please email events@aien.org for assistance with reinstating your membership.

Course registration includes digital materials, lunches, breaks and a Welcome Reception. It does not include hotel and travel accommodations. All fees are in US dollars.

Course Faculty

Course Chair: **Harry W. Sullivan, Jr.**, Assistant General Counsel, Kosmos Energy; Executive Professor, Texas A&M School of Law

Frank L. Cascio, International Energy Counsel

Andrew B. Derman, Partner, Holland & Knight LLP

Jennifer Josefson, Partner, Morgan Lewis

Kimberly Reeder, International Energy Counsel

Pieter Paul Van Lelyveld, Associate General Counsel - Operations & Infrastructure, Qatar Energy

InterContinental Kuala Lumpur

165 Jalan Ampang, 50450 Kuala Lumpur,
Wilayah Persekutuan, Kuala Lumpur, Malaysia
<https://kualalumpur.intercontinental.com/>

A jewel in the heart of Malaysia, InterContinental Kuala Lumpur offers one of the most sought-after locations in the city, making it an ideal urban retreat for both business and leisure travelers.

Room Rates

Classic Room single/double MYR 480
Classic Room with club benefits single/double MYR 700

The above room rates are inclusive of a buffet breakfast, internet and prevailing taxes. Room rates do not include a MYR 10.00 per room, per night Tourism tax. Room rates will apply up to three days before and three days after the course, subject to availability.

Reservations

To reserve a room online at the above rates, please visit the "Venue Information" page on the course website at: aien.org/forms/meeting/Microsite/CoreCourse2023,1 for direct access to the hotel's online booking.

AIEN has secured a limited number of rooms for course attendees. We recommend reserving your room as soon as possible to ensure availability. AIEN cannot guarantee room and rate availability once the room block has filled up. The deadline to reserve a room under the AIEN room block is **February 13, 2023**.

Location

The hotel is just steps away from the iconic Petronas Twin Towers and Kuala Lumpur Convention Centre, and within walking distance to countless other shopping and entertainment activities. It is located roughly 40 miles from the Kuala Lumpur International Airport (KLIA).

More travel and transportation details may be found on the course website, including airport transfer options.

CLE Credits

AIEN is an accredited sponsor approved by the State Bar of Texas Committee on MCLE. The number of MCLE credit hours awarded for the course are still being determined.



Course Program

Monday, March 13, 2023

08:20 – 08:30 Introduction and Opening Remarks
Orchid & Dahlia Rooms

08:30 – 09:00 Overview of International Energy Industry

Jennifer Josefson, AIEN Immediate Past President

09:00 – 10:30 Confidentiality & Bidding Agreement Issues

Sullivan & Reeder

Sharing of data and information without losing a competitive advantage is critical for International Energy Business

- Review of the AIEN Model Form Confidentiality Agreement, which provides protection for valuable information and data that is shared with another company, and related issues
- Review of the AIEN Model Form International Study and Bid Group Agreement, which addresses the sharing of information and data, and other issues in creating a bidding group to acquire rights, and related issues

10:30 – 10:45 Refreshment Break

10:45 – 12:00 Anti-Bribery, Corruption Laws and Sanctions Issues

Cascio & Van Lelyveld

Bribery and Corruption are among some of the biggest obstacles to success in the International Energy Business

- Combatting bribery and corruption in international business transactions through a variety of treaties, conventions, and laws
- Business ethics and the principles found in anti-bribery and corruption laws
- Traps for the unwary

12:00 – 13:30 Hosted Lunch
Serena Brasserie

13:30 – 14:30 International Dispute Resolution

Derman

Resolving investment disputes through International Arbitration is the norm in the International Energy Business

- Successful resolution of disputes between parties
- International arbitration -- an impartial private method of resolving disputes
- The specific clause required in a granting instrument to have access to the chosen dispute resolution method and enforce the resulting decision

14:30 – 14:45 Refreshment Break

14:45 – 16:00 Service Agreement Issues

Cascio & Van Lelyveld

Obtaining services and goods from third parties is standard practice in the International Energy Business

- Services provided by service companies in support of the petroleum operations under granting instruments
- Examination of the main issues in service contracts, including warranty and cross-indemnity provisions

16:00 – 17:30 Granting Instrument Issues

Josefson & Derman

Host countries utilize contractual granting instruments to enable the International Energy Business

- Concessions
- Production sharing agreements
- Service agreements
- Joint ventures

17:30 – 19:00 Welcome Reception
Bunga Raya Room

Tuesday, March 14, 2023

08:30 – 10:00 Granting Instrument Issues (continued)

10:00 – 10:30 Refreshment Break

10:30 – 12:00 Granting Instruments Issues (continued)

12:00 – 13:30 Hosted Lunch
Serena Brasserie

13:30 – 15:00 Granting Instruments Issues (continued)

15:00 – 15:30 Refreshment Break

15:30 – 16:30 Stabilization & Sovereign Immunity

16:30 – 17:30 Implementing New Energy Solutions

Wednesday, March 15, 2023

08:30 – 10:00 Joint Operating Agreement (JOA) Issues

Van Lelyveld & Reeder

Governance among co-venturers in the International Energy Business is regulated by contractual JOAs

- Establishing the rights, duties, and obligations of coventurers in the same oil and gas contract area
- Review of the AIEN 2012 Model Form International Operating Agreement

10:00 – 10:30 Refreshment Break

10:30 – 12:00 Joint Operating Agreement Issues (continued)

12:00 – 13:30 Hosted Lunch
Serena Brasserie

13:30 – 15:30 Joint Operating Agreement Issues (continued)

15:30 – 15:45 Refreshment Break



Course Program

Wednesday, March 15, 2023 (continued)

15:45 – 17:00 **Joint Operating Agreement Issues (Accounting Procedure)**

Sullivan & Josefson

- Review of the AIEN Accounting Procedure

Thursday, March 16, 2023

09:00 – 10:30 **Participation: Farmin/Farmout Agreement Issues**

Josefson & Cascio

A Farmout is one method of transferring interests in granting instruments in the International Energy Business

- Using a farmout (participation) agreement to acquire an interest in an oil and gas granting instrument by performing or paying for specified work under the granting instrument
- AIEN Model Form International Farmout Agreement

10:30 – 10:45 **Refreshment Break**

10:45 – 12:00 **Sale and Purchase Agreement Issues**

Derman & Van Lelyveld

Sales of interests in granting instruments if common in the International Energy Business

- International purchase and sale of oil and gas interests
- Key provisions and risks of purchase and sale agreements for oil and gas assets

12:00 – 13:30 **Hosted Lunch**
Serena Brasserie

13:30 – 15:45 **Unitization Issues**

Derman & Sullivan

Joint development of shared reservoirs is through Unitization in the International Energy Business

- Development of oil and/or gas reservoirs by the owners of various contract areas as a single unit when they extend beneath more than one contract area
- Mechanics of unitization
- AIEN Model Form Unitization and Unit Operating Agreement

15:45 – 16:00 **Refreshment Break**

16:00 – 17:00 **Decommissioning Issues**

Sullivan & Reeder

End-of-use issues relating to petroleum activities is a concern in the International Energy Business

- Decommissioning as an adjunct obligation to the right to develop oil and gas
- Review of contractual provisions related to decommissioning

Friday, March 17, 2023

09:00 – 10:30 **Crude Oil Sales & Lifting Agreement Issues**

Cascio

Marketing of oil is fundamental to the International Energy Business

- How co-venturers share limited infrastructure to take, lift, and sell their individual shares of oil production.
- AIEN Model Form Lifting Agreement
- Contracts involved in the physical sale of crude oil

10:30 – 10:45 **Refreshment Break**

10:45 – 12:00 **Gas Sales Agreement Issues**

Sullivan & Reeder

Marketing gas is different than oil in the International Energy Business

- Differences between sales of natural gas and crude oil
- Mechanics of international sales of natural gas

12:00 – 13:30 **Hosted Lunch**
Serena Brasserie

13:30 – 14:00 **Gas Balancing and Transportation Issues**

Sullivan & Reeder

Gas sales have unique challenges in the International Energy Business

- Out of balance sales of natural gas to different customers, resulting in one party selling more than its participating interest share of natural gas production and the other selling less than its participating interest share
- Gas balancing agreements, which establish a method for restoring balance to each party's share of production
- Key concepts involved in natural gas transportation agreements

14:00 – 15:00 **Overview of LNG**

Sullivan & Derman

LNG is a transportation method for natural gas in the International Energy Business

- LNG value chain
- Mechanics and contracts involved in developing an LNG export project

15:00 – 15:15 **Refreshment Break**

15:15 – 17:00 **Overview of LNG (continued)**

17:00 **Course Adjournment**