



July 31 - August 4, 2023

International Oil & Gas Contracts and Negotiations Core Course

InterContinental Hotel
Kuala Lumpur, Malaysia



Association of International
Energy Negotiators



Course Program

Monday, July 31, 2023

09:00 – 09:30 Overview of International Energy Industry
Sakura & Lotus Rooms

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

Sullivan

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

Arruda & Sullivan

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 Service Agreement Issues

Arruda & Sullivan

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

14:30 – 14:45 Refreshment Break

14:45 – 16:00 International Dispute Resolution

Roach & 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

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 – 19:30 Welcome Reception
Orchid & Dahlia Rooms

Tuesday, August 1, 2023

09:00 – 10:30 Granting Instrument Issues (continued)

10:30 – 10:45 Refreshment Break

10:45 – 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

Sullivan & Derman

These clauses have their own issues and concerns but they support investor and lender confidence.

- Two of the more common investor protections found in host government contracts will be discussed in greater detail in this session.

16:30 – 17:30 Implementing New Energy Solutions

Josefson & Roach

The world today is in the midst of an energy transition as we strive for lower or no carbon alternative energy solutions.

- This session will examine the energy transition and the issues being raised for the oil and gas industry.

Wednesday, August 2, 2023

09:00 – 10:30 Joint Operating Agreement (JOA) Issues

Sullivan & Arruda

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

10:30 – 10:45 Refreshment Break

10:45 – 12:00 Joint Operating Agreement Issues (continued)



Course Program

Wednesday, August 2, 2023 (continued)

- 12:00 – 13:30** **Hosted Lunch**
Serena Brasserie
- 13:30 – 15:30** **Joint Operating Agreement Issues (continued)**
- 15:30 – 15:45** **Refreshment Break**
- 15:45 – 17:00** **JOA Issues / Accounting Procedure**

- Review of the AIEN Accounting Procedure

Thursday, August 3, 2023

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

Josefson & Roach

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 & Roach

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**

Roach & Sullivan

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, August 4, 2023

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

Sullivan

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

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

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**