



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**PLOT 91, CADASTRAL ZONE, NNAMDI AZIKWE**  
**EXPRESS WAY, JABI - ABUJA**  
**FACULTY OF LAW**  
**DEPARTMENT OF PUBLIC LAW (PUL)**  
**OCTOBER/NOVEMBER EXAMINATION 2016**

**COURSE CODE: LAW 411 (PUL 411)**  
**COURSE TITLE: OIL AND GAS LAW I**  
**CREDIT UNIT: 4**  
**TIME ALLOWED: 2 ½ HOURS**  
**INSTRUCTIONS: ANSWER FOUR QUESTIONS ONLY.**  
**QUESTION ONE IS COMPULSORY**

**QUESTION**

1. Morocco has just applied to join the African Union again after about 32 years of pulling away in order to be able to contribute to the African Union Initiative on the mitigation of the effects of climate change. Some students have argued that this is a wrong step that Morocco instead should have joined OPEC. Some other students feel otherwise. As an expert in Oil and Gas law, can Morocco belong to the two organizations? In your view, what benefit if any, can Morocco derive from such organizations?
- 2.(a) Critically examine the rights and obligations of the holder of the license.  
(b) Explain what oil exploration means and what it entails.
3. Mr Nano applied for an Oil prospecting licence (OPL )in 2014 but was not granted. Upon his application for an oil mining licence (OML)in 2016 the Minister approved his application. Due to some financial challenges he is not able to utilise the licence himself and so assigned his licence to Mr Pema. Mr Ojo is a friend of Mr Pema.. He had asked Mr Pema to lend him some money and upon his refusal Mr Ojo informed the Minister that Mr Pema. is from Sudan. Mr Pema. has also refused to pay Mr Nano the total amount of the agreement fee on the ground that Mr Nano need to apply to Minister's for his consent to the assignment. Mr Nano wants to go to court. On the other hand the Minister wants to revoke Mr Nano's OML. Advise both parties.
4. Zurich a foreign registered vessel sailed into Nigerian waters with the approval of the Nigerian government to conduct scientific research and establish operational structures on the area for the purpose of exploring and exploiting, conserving and managing the natural resources. However, some days into her research she was sighted in the territorial waters of Nigeria, around the rivers Sate area, fishing and

was arrested by the officials from the Rivers State government who were on special assignment. The Federal government has revoked the approval granted to Zurich. Zurich has gone to court contending that the Nigerian government has no right to revoke her license before the expiration of the period originally granted. Advise the parties as to their rights and liabilities.

5. What is the principle enunciated in the case of Donoghue and Stevenson. Relate the ratio to the concept of environmental protection?
6. The littoral states of Kimba are demanding for ownership and considerable control over the mineral oil. In addition, they contend that their territory extends to the continental shelf and the exclusive economic zone. The states are asking for 80% derivation from the resources. Some other states in Kimba that are not economically viable are insisting that all the resource should be controlled by the central government and distributed among the states. With the help of the decided cases and laws in Nigeria, analyse the issues involved and advise the littoral states.