



**NATIONAL OPEN UNIVERSITY OF NIGERIA  
14-16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS  
SCHOOL OF LAW  
JANUARY/FEBRUARY 2013 EXAMINATION**

**LAW 412- OIL AND GAS LAW II**

**TIME ALLOWED: 3 HOURS**

**ANSWER ANY FIVE QUESTIONS, ALL QUESTIONS CARRY EQUAL MARKS**

**1. WRITE SHORT NOTES ON THE FOLLOWING:**

- A. THE ENVIRONMENT**
- B. POLLUTION**
- C. LAND POLLUTION**
- D. WATER NPOLLUTION**
- E. AIR POLLUTION**
- F. NOISE POLLUTION**

**2. THE ISSUE OF ENVIRONMENTAL POLLUTION HAS GONE BEYOND THE CAPRICE OF A NATIONAL DISCUSSION AS ITS REVEVANCE IS NOW BEING VIEW FROM A GLOBAL PERSPECTIVE. DISCUSS**

**3. GIVE A GENERAL OVERVIEW OF THE PROVISION OF N.E.S.R.E.A. AS REGARDS THE PROTECTION OF THE ENVIRONMENT AGAINST, LAND, AIR, WATER AND NOISE POLLUTION.**

**4. [A.] IDENTIFY AND DISCUSS THE OBJECTIVES OF THE N.E.S.R.E.A. ACT**

**[B.] VIVIDLY EXAMINE THE IMPACT OF HAZARDOUS WASTE ON THE ENVIRONMENT AND HOW THE N.E.S.R.E.A. ACT HAS BEEN ABLE TO RISE UP TO THAT CHALLENGES IN NIGERIA**

**5. [A.] THE POWER OF THE PETROLEUM MINISTER TO MAKE REGULATIONS AS REGARDS THE OPERATIONS OF THE OIL AND GAS SECTOR IS NOT WITHOUT THE FORCE OF LAW. DISCUSS.**

**[B.] EXPLAIN THE PROVISIONS MADE BY THE PETROLEUM (DRILLING AND PRODUCTION) REGULATIONS FOR PROTECTION OF THE ENVIRONMENT FROM OIL MINING POLLUTION.**

**6. CRITICALLY EXAMINE HOW STATUTORY PROVISIONS TO CERTAIN EXTENT, HAVE MADE THE OIL AND GAS INDUSTRY BECOME MOTIVATED TO BE RESPONSIBLE TO ENVIRONMENTAL PROTECTION.**

**7. NEGLIGENCE, NUISANCE, THE DOCTRINE RES IPSA LOQUITUR AND THE RULE IN RYLANDS V FLETCHER, ARE ALL COMMON LAW PRINCIPLES WHICH BOTHERS ON CLAIMS ON ENVIRONMENTAL POLLUTION AND CONTROL. DISCUSS.**

**8. [A.] WHAT DO YOU UNDERSTAND BY "GAS FLARING"?**

**[B.] WHAT ARE THE MAJOR REASONS ADVANCED IN SUPPORT OF GAS FLARING?**

**[C.] OUTLINE THE RESPONSES OF GOVERNMENT TO ISSUE OF GAS FLARING IN NIGERIA**

**9. NO MATTER THE REASON ADVANCED AS A MEANS OF JUSTIFYING "GAS FLARING", SUCH ARE NONETHELESS INCOMPARABLE TO THE NEGATIVE EFFECTS AND COMPLICATIONS IT HAS ON THE ENVIRONMENT GENERALLY. DISCUSS THIS WITH PARTICULAR REFERENCE TO THE CASE OF GBEMRE V SHELL PETROLEUM DEVELOPMENT CO NIG. LTD & ORS (2005) A.H.R.L.R 151**

