** **

**PETROLEUM COMMISSION**

**SUBMISSION OF LOCAL CONTENT PLANS**

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# INTRODUCTION

The request for Local Content Plans is enshrined in Regulation 7, 9, 17, 18, 19, 21, 24, 30 and 32 of the Petroleum (Local Content and Local Participation) Regulations, 2013 (LI2204). Regulation 7(1) of L.I 2204 stipulates that:

1. A contractor, subcontractor, licensee or other allied entity shall before engaging in a petroleum activity prepare and submit a Local Content Plan for approval to undertake the petroleum activity.
2. Regulation 7(2) of L.I 2204 requires a Long-Term Local Content Plan and an Annual Local Content Plan to be submitted to the Commission. The content of the Plan is outlined in Regulation 9 of LI2204 as follows:
3. Employment Plan
4. Training plan
5. Research and Development plan
6. Technology Transfer plan
7. Insurance services plan
8. Legal services plan
9. Financial Services plan

This document provides the format and the procedure for submitting Local Content Documents to the Petroleum Commission for approval in accordance with the LI2204.

# SUBMISSION OF DOCUMENTS

The documents upon completion should be duly signed together with all relevant supporting documents, comb-bound and submitted to the Commission in both soft and hard copies. Documents should be submitted with a cover letter stating the contents of the submitted documents.

The Local Content LI stipulates sanctions for providing false information to the Commission. Regulation 46 (1) and (6) specifically stipulates that:

1. (1): A person who submits a plan, returns, report or other document and knowingly makes a false statement commits an offence and is liable on summary conviction to a fine or a term of imprisonment or both
2. (6): A citizen who acts as a front or connives with a foreign citizen or company to deceive the Commission as representing an indigenous Ghanaian company to achieve local content requirement commits an offense

# PART ONE: COMPANY DETAILS

Registered Name of Company\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Company Registration Number\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tax Identification Number (TIN) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Incorporation\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Commencement of Business\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Petroleum Commission Registration Permit Number\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name(s) of Shareholder(s) of the company with Percentage Ownership\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Services Provided (as stated on PC Permit) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Office address and location**

Postal Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone #\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Fax # \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Website address (if any) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

House/Plot Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Street Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Town/City\_\_\_\_\_\_\_\_\_\_\_\_\_ Region\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Head of Entity *(This person should have the authority to endorse this document)***

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Fax # \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-mail address (if any) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Contact Person *(Person responsible for answering questions on data provided)***

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Business address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Fax # \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-mail address (if any) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***\*All sections of the document should be duly completed and reasons provided for any omissions.***

# PART TWO: LOCAL CONTENT PLANS

## PURPOSE

This Plan in accordance with Regulation 7, 9, 17, 18, 19, 21, 24, 30 and 32 seeks to maximize the use of local expertise, goods and services in the petroleum industry value chain and the retention of benefits within Ghana.

A contractor, sub-contractor and any other allied entity engaged in petroleum activities is required by the Local Content L.I.2204 to incorporate local content as an important element in their project execution and management philosophy. Every petroleum project, activity or transaction must have a Local Content Plan which would be assessed and approved by the Commission.

### SECTION A: EMPLOYMENT AND TRAINING SUB-PLAN – REGULATION 17 &19

The Employment and Training Sub-Plan should include a Long-Term Employment and Recruitment Plan in line with the work programme of the contractor, subcontractor, licensee or other allied entity for the petroleum activity to be undertaken and an Annual Plan in respect of each year.

#### EMPLOYMENT SUB-PLAN

1. List of All Staff (direct employment)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Name** | **Position** | **Nationality** | **Job Description (Responsibilities)** | **Required Expertise/skills** | **Gender** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

1. Employment Category (direct employment)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Employment**  **Category** | **No. of Ghanaians (Male)** | **No. of Ghanaians (Female)** | **Total No. of Ghanaians** | **No. of Expatriates (Male)** | **No. of Expatriates (Female)** | **Total No. of Expatriates** |
| Management |  |  |  |  |  |  |
| Technical Core Staff |  |  |  |  |  |  |
| Other |  |  |  |  |  |  |
| **Total** |  |  |  |  |  |  |

***NOTE:*** *The Local Content LI requires that a contractor, subcontractor, licensee or other allied entity should employ only Ghanaians in Middle and Junior Level Positions. Middle and Junior Positions for the purpose of the LI includes foreman, supervisor, or any corresponding position designated as such.*

1. Functional Distribution (direct employment)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Name of Department** | **No. of Ghanaians (Male)** | **No. of Ghanaians (Female)** | **Total no. of Ghanaians** | **No. of Expatriate (Male)** | **No. of Expatriate (Female)** | **Total no. of Expatriates** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

1. Employment Expenditure (direct employment)

|  |  |  |
| --- | --- | --- |
| **Category** | **Total No.** | **Expenditure (USD)** |
| Ghanaian |  |  |
| Expatriate |  |  |
| Total |  |  |

1. List of Third-Party Staff in the organization

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Name** | **Position** | **Agency/Company** | **Nationality** | **Job**  **Description (Responsibilities)** | **Required Expertise/skills** | **Gender** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

*NOTE: Third party staff are staff that have been engaged by an organization from a third party and are working in the organisation but are not on the organization’s payroll.*

Additionally, the company should provide the following information:

1. A forecast of the hiring needs of the organization;
2. A report on the anticipated skill shortage per the organization’s human resource need;
3. Organizational strategies to bridge skill shortage, this should include efforts to hire and train Ghanaian nationals;
4. A quarterly employment statistics report using the employment statistics templates (employment category and functional distribution templates); and
5. Any other relevant information under this sub plan should be attached as an appendix.

#### B. TRAINING SUB-PLAN

This is aimed at promoting education, practical attachments and training of Ghanaians in relation to the organization’s overall work programme and activities.

**The following should be submitted:**

1. Report on the efforts made and procedures adopted for the accelerated training of Ghanaian staff;
2. Training plan for all staff (this includes Ghanaians under succession and those that are not) using the template below:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Name of Employee** | **Position** | **Type of Training** | **Details of Training** | **Duration (mm/year to mm/year)** | **Training Outcomes** | **Cost (USD)** | **Remarks** |
|  |  | Eg: Certifications | BOSIET |  |  |  |  |

*NOTE: The ‘Type of Training’ includes, Secondment/internship/attachment, Certification, Academic, Practical/hands on, etc. ‘Details of training’ includes the specific training such as BOSIET, MSc Petroleum Engineering, etc.*

1. Any other relevant information under this sub plan should be attached as an appendix.

### SECTION B: SUCCESSION PLAN– REGULATION 18

To accelerate the development of Ghanaians in skills set unavailable in the Ghanaian market, a contractor, subcontractor, licensee or other allied entity shall submit to the Commission for approval a Succession Plan for any employment position occupied by an expatriate in accordance with LI 2204.

**The following should be submitted:**

1. A report on the organization’s succession/localization strategy;
2. A succession plan for each expatriate using the Succession Plan Template as shown below:

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Name** | | **Position** | | **Qualification (s) /**  **Certification (s)** | | **Years of Working Experience** | | **Localisation Duration for Ghanaian Successor** | **Localisation** | | **Remarks** |
| **Expat** | **Ghanaian successor** | **Expat** | **Ghanaian successor** | **Expat** | **Ghanaian successor** | **Expat** | **Ghanaian successor** | **Start Date** | **End Date** |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |

*NOTE: The period (duration) for Succession shall be determined by the Commission on a case-by-case basis. A Ghanaian successor should not be identified for more than two (2) expatriates.*

1. Specific training requirement of each Ghanaian successor using the Succession Training Plan Template as shown below:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Name of Expatriate** | **Name(s) of Ghanaian successor(s)** | **Skills Required** | **Training/Certifications to be undertaken** | **KPI** | **Remarks** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

1. Any other relevant information under this sub plan should be attached as an appendix.

### SECTION C: RESEARCH AND DEVELOPMENT (R&D) SUB-PLAN – REGULATION 20-21

A contractor, subcontractor, licensee or other allied entity shall after the execution of a petroleum agreement and before the commencement of petroleum activities, submit a programme for research, development and budget to the Commission for the promotion of education, practical attachments, training and research and development in the country in relation to its overall work programme and activities.

The Plan should be in accordance with the **R&D Guidelines** published by the Commission. The Plan should outline a Long-Term R&D programme (3-5 years) for petroleum related R&D initiatives to be undertaken and an Annual Plan showing the progress of the programme.

The Plan should include but not limited to the following:

1. The type of project or research to be undertaken outlining the objectives of the programme;
2. Expected expenditure and indicating total spend to be incurred in-country;
3. Implementation strategy and timelines for commencement and completion;
4. Collaboration with institutions (if any).

### SECTION D: TECHNOLOGY TRANSFER PROGRAMME – REGULATION 22-25

A contractor, subcontractor, licensee or other allied entity shall include a programme of planned activities aimed at promoting the effective transfer of technologies from the contractor, subcontractor, licensee or other allied entity to the Ghanaian indigenous company or citizen. The Plan shall be in alignment with the National Policy on Technology Transfer and Guidelines.

The Plan shall include but not limited to:

1. Initiatives or programmes to be pursued;
2. Implementation strategy and timelines;
3. Expenditure to be incurred.
4. In the case of a JV company
5. The roles and responsibilities of the foreign and local partner in the JV;
6. Strategy for the transfer of technology and skills to the indigenous Ghanaian company; and

*NOTE: The Indigenous Ghanaian Company in the JV company in submitting its Annual Local Content Plan should outline the skills and know-how obtained from the JV post incorporation.*

### SECTION D: INSURANCE AND REINSURANCE SERVICES SUB-PLAN – REGULATION 27 – 28

A contractor, subcontractor, licensee or other allied entity shall obtain the services of an insurance or reinsurance company and insure all risk related to the petroleum upstream activities in accordance with the Insurance Act, LI2204 and the Insurance Protocol.

|  |  |
| --- | --- |
| **Name of Insurance Service Provider** |  |
| **Office Location of Insurance Service Provider** |  |
| **Asset Insured** |  |
| **Sum Insured** |  |
| **Type of Insurance Cover** |  |
| **Insurance Broker** |  |
| **Name of Reinsurance Service Provider** |  |
| **Asset Re-insured** |  |
| **Sum Reinsured** |  |
| **Reason for Omission and explanation**  ***(Attach written approval from National Insurance Commission)*** |  |

### SECTION E: LEGAL SERVICES SUB-PLAN – REGULATION 29 – 30

A contractor, subcontractor, licensee or other allied entity shall retain only the services of a Ghanaian Legal Firm unless otherwise approved by the Commission.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name of Legal Practitioner/Firm** |  | | | |
| **Date of Engagement** |  | | | |
| **Location** |  | | | |
| **Legal Services (to be) Obtained** | **Past 6 Months** | | **Projection for Next 6 Months** | |
|  | |  | |
| **Legal Expenditure** | **Past 6 Months** | | **Projection for Next 6 Months** | |
| GHC………………………….. USD…………………………... | | GHC………………………….. USD…………………………... | |
| **External solicitors** | Legal services for past 6 months | Nature of work | | Expenditure |
|  |  | | GHC………………………….. USD…………………………... |
| **Comprehensive report of Legal Services Required (where applicable)** |  | | | |

### SECTION F: FINANCIAL SERVICES SUB-PLAN – REGULATION 31 – 32

A contractor, subcontractor, licensee or other allied entity shall retain only the services of a Ghanaian financial institution or organisation unless otherwise approved by the Commission.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name of Financial Institution** |  | | | |
| **Account Number** |  | | | |
| **Branch** |  | | | |
| **Date of Engagement** |  | | | |
| **Financial Services (to be) Obtained** | **Past 6 months** | | **Projection of next 6 months** | |
|  | |  | |
| **Financial Expenditure** | **Past 6 Months** | | **Projection for Next 6 Months** | |
| GHC………………………….. USD…………………………... | | GHC………………………….. USD…………………………... | |
| **List of Financial Services** | Financial services for past 6 months | Nature of work | | Expenditure |
|  |  | | GHC………………………….. USD…………………………... |
| **Name of Indigenous Bank** |  |  | |  |
| **Date of Engagement** |  |  | |  |
| **Financial Expenditure** |  |  | |  |

*NOTE: A financial services institution is any institution or bank incorporated in Ghana.*

### SECTION G: INDIGENOUS BANK – REGULATION 33

A contractor, subcontractor, licensee or other allied entity shall engage the services of an indigenous bank and transact business through the bank.

Details of the indigenous bank utilized should include:

1. Name of the Indigenous Bank;
2. Office location and address;
3. List of services utilised and the expenditure incurred.

*NOTE: An Indigenous Bank is a bank with 100% Ghanaian shareholding or a majority Ghanaian shareholding. The Commission has obtained the list of indigenous banks from the Bank of Ghana (BoG) for referencing.*

# PART THREE: APPENDIX

Attach all relevant certifications and documentation to show evidence of information provided in this document.

# PART FOUR: DECLARATION

I/We declare that the information provided, and documents submitted with this application are true and authentic. I/We am/are aware that the Local Content LI2204 provides penal sanctions for providing false or inaccurate statements in my/our submissions.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_

Name of Head of Entity Position Signature Date