2 Sector: Oil

Obligations Concerned: Prohibition of Performance Requirements (Article 6)

Measures: Law No. 96-669 of August 29, 1996 relating to the Petroleum Code, as amended by Ordinance No. 2012-369 of April 18, 2012, Articles 53 new and 55

Description:

1. (Article 53 new) The holder of a Petroleum Contract and its subcontractors shall employ, as a matter of priority, Ivorian nationals, qualified for the necessities of their operations.

To this end, from the beginning of the Petroleum Operations, the holder of the Petroleum Contract shall:

- establish a training program for its Ivorian staff of all qualifications, under the conditions laid down in the Petroleum Contract; and
- finance a training program for the Ivorian oil administration civil servants of all qualifications, under the conditions specified in the Petroleum Contract.

2. (Article 55) The holder of a Petroleum Contract shall, in the case of commercial hydrocarbon production, allocate, by giving priority to meeting the needs of the Ivorian domestic market, a share of the production accruing to it. The terms and conditions of this obligation are specified in the Petroleum Contract, including the transfer price.

3 Sector: Mines

Obligations Concerned: National Treatment (Article 2)

Measures: Law No. 2014-138 of March 24, 2014 relating to the Mining Code, Articles 7, 18, 53 and 65

Description:

1. (Article 7) The granting of an operating permit obliges its holder to create a company under Ivorian law whose exclusive object is the exploitation of the deposit for which the permit has been issued.

The operating permit is transferred to the company created under the conditions defined by decree.

The granting of operating permits by the State entitles the State to contribution shares fixed to 10 percent of the capital of the operating company in exchange for distributed wealth and subsoil depletion, throughout the life of the mine. No financial contribution may be required from the State in respect of such contribution shares even in the event of a capital increase. In all cases, the State's share shall remain at least equal to 10 percent of the capital of the operating company.

2. (Article 18) The research permit is granted by decree, subject to prior rights, to any Ivorian national or legal person under Ivorian law.

3. (Article 53) Authorisation for semi-industrial mining exploitation is granted by order of the Minister in charge of Mines, subject to prior rights, and after consultation with the competent administrative authorities and the urban communes or rural communities concerned, to: