



REPUBLIC OF GHANA

**PETROLEUM (LOCAL CONTENT
AND LOCAL PARTICIPATION)
(AMENDMENT)
REGULATIONS, 2021
(L.I. 2435)**

**PETROLEUM (LOCAL CONTENT AND LOCAL PARTICIPATION)
(AMENDMENT) REGULATIONS, 2021**

ARRANGEMENT OF REGULATIONS

Regulation

1. Regulation 4 of L. I. 2204 amended
2. Regulation 49 of L. I. 2204 amended
3. First Schedule to L.I. 2204 amended

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IN exercise of the power conferred on the Minister responsible for Energy by section 22 of the Petroleum Commission Act, 2011 (Act 821), these Regulations are made this 30th day of November, 2021.

Regulation 4 of L.I. 2204 amended

1. The Petroleum (Local Content and Local Participation) Regulations, 2013 (L.I. 2204), referred to in this enactment as the principal enactment, is amended in regulation 4 by the insertion after subregulation (6), of

“(6A) Despite subregulation (6), the Commission may direct that

- (a) an indigenous Ghanaian company enters into a channel partnership or a strategic alliance arrangement with a non-indigenous Ghanaian company, or
- (b) a non-indigenous Ghanaian company enters into a channel partnership or a strategic alliance arrangement with an indigenous Ghanaian company

where in the opinion of the Commission, the channel partnership or strategic alliance will deepen local content and local participation and maximise technology transfer to the indigenous Ghanaian company.”.

Regulation 49 of L.I. 2204 amended

2. The principal enactment is amended in regulation 49 by

- (a) the insertion after the definition of “cartelisation”, of

““channel partnership” means an arrangement between an indigenous Ghanaian company and a non-indigenous Ghanaian company including a distributor, a vendor, a retailer, a

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consultant, a system integrator, an original equipment manufacturer or a value added reseller to market and sell the products, services or technologies of the non-indigenous Ghanaian company in the country;”;

- (b) the substitution for the definition of “indigenous Ghanaian company”, of

““indigenous Ghanaian company” means a company incorporated under the Companies Act, 2019 (Act 992) which

- (a) is fully owned by a Ghanaian citizen; and

- (b) has Ghanaian citizens holding

- (i) at least eighty per cent of executive and senior management positions; and

- (ii) one hundred per cent of the non-managerial and other positions;”;

- (c) the insertion after the definition of “National Policy on Local Content”, of

““original equipment manufacturer” means a company which manufactures and sells a product or part of a product to another

- (a) company to resell under the brand of the manufacturing company; or

- (b) manufacturer to use the product as a component for a finished product;”;

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(d) the insertion after the definition of “qualified”, of

““strategic alliance” means an arrangement between a non-indigenous Ghanaian company and an indigenous Ghanaian company by which the

(a) responsibilities of each partner are clearly defined; and

(b) partners agree to share resources to undertake a specific mutually beneficial project while each retains independence;”; and

“system integrator” means a company which specializes in a building system by merging a component subsystem and a product from multiple vendors into a whole to ensure that the subsystem and product function together;”; and

(e) the insertion after the definition of “technical core staff”, of

““value added reseller” means a company which makes an input to an existing product by adding a feature or service with the objective of increasing the value of the product and reselling the product as an integrated product; and”.

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First Schedule to L.I. 2204 amended

3. The principal enactment is amended in the First Schedule by the insertion after Part 2, of

**“PART 3 - GOODS AND SERVICES RESERVED FOR
INDIGENOUS GHANAIAN COMPANIES**

1. The supply of the following goods and products in respect of petroleum activities are reserved for indigenous Ghanaian companies:

- (a) chase boats;
- (b) communication equipment;
- (c) cooling, heating, ventilation and air conditioning equipment;
- (d) computers and accessories;
- (e) drinking and industrial water;
- (f) electrical equipment and materials;
- (g) fire fighting equipment (offshore);
- (h) industrial and domestic gases;
- (i) low and high voltage cables;
- (j) marine paints;
- (k) office stationery and consumables;
- (l) personal protective equipment (offshore);
- (m) security equipment and accessories;
- (n) standard chemicals, petroleum products, oil and paints;
- (o) technical welding materials; and
- (p) wires, slings and fittings.

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- (s) network installation and support services;
- (t) protocol services;
- (u) scaffolding;
- (v) security services;
- (w) ship chandelling;
- (x) tank cleaning services including tank bottom sludge treatment services and biological sludge treatment services;
- (y) temporary accommodation and camp services;
- (z) trenching excavation services;
- (aa) vehicle rental and leasing;
- (bb) warehousing; and
- (cc) waste management.

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**PART 4 – COMMODITY CHEMICALS RESERVED FOR
INDIGENOUS GHANAIAN COMPANIES**

1. ACETONE
2. ACRYLIC ACID
3. ALUMINIUM SULFATE
4. AMMONIA
5. AMMONIUM BIFLUORIDE
6. AMMONIUM BISULPHITE
7. AMMONIUM CHLORIDE
8. AMMONIUM NITRATE
9. AMMONIUM SULFATE
10. AROMATIC AND ALIPHATIC SOLVENTS
11. BARITE
12. BENTONITE
13. BENZENE
14. BORIC ACID
15. BUTANOL
16. CALCIUM BROMIDE
17. CALCIUM CARBONATE
18. CALCIUM CHLORIDE
19. CALCIUM HYPOCHLORITE
20. CALCIUM SULPHATE – GYPSUM CARBOXY METHYL CELLULOSE: CMC HV, CMC LV
21. CAUSTIC SODA
22. CELLOPHANE FLAKES
23. CHLORINE
24. CITRIC ACID
25. DIATOMACEOUS EARTH (DE)
26. DIETHANOLAMINE
27. DIETHYLENE GLYCOL (DEG)
28. ETHANOL
29. ETHANOLAMINES
30. ETHYLENE GLYCOL MONOBUTYL ETHER (EGMBE)
31. ETHYL TERTIARY BUTYL ETHER
32. FORMALDEHYDE
33. GLUTERALDEHYDE
34. GLYCERINE
35. GLYCOL ETHERS
36. HYDRAULIC FLUID
37. HYDRO ETHYL CELLULOSE (HEC)
38. HYDROCHLORIC ACID
39. HYDROGEN CHLORIDE
40. HYDROGEN FLUORIDE
41. HYDROGEN PEROXIDE
42. LIME: CALCIUM HYDROXIDE
43. MAGNESIUM OXIDE
44. METALLOCENE LINEAR LOW-DENSITY POLYETHYLENE
45. METHANOL
46. METHYL ETHYL KETONE
47. METHYL ISOBUTYL KETONE
48. METHYL TERTIARY BUTYL ETHER
49. MICA
50. MONO ETHYLENE GLYCOL
51. MEG
52. SODIUM BISULPHITE
53. SODIUM BORATE-BORAX
54. SODIUM BROMIDE
55. SODIUM CARBONATE
56. SODIUM ERYTHORBATE
57. SODIUM FORMATE

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58. SODIUM HYDROXIDE
59. SODIUM HYPOCHLORITE
60. SODIUM METABISULPHITE
61. SODIUM NITRATE
62. SODIUM SILICATE
63. SODIUM SULPHITE
64. SULFURIC ACID
65. SURFACTANTS, OLEOCHEMICALS
66. THPS
67. TOLUENE
68. TRIETHYLENE GLYCOL (TEG)
69. XYLENES".

HON (DR.) MATTHEW OPOKU PREMPEH, M.P.
Minister responsible for Energy

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2. The supply of the following services in respect of petroleum activities are reserved for indigenous Ghanaian companies:

- (a) bunkering services;
- (b) catering services;
- (c) cleaning services;
- (d) community relations and social investment related services;
- (e) construction and civil works including construction of accommodation, office, portable cabins, workshops and storage facilities;
- (f) dredging services;
- (g) fabric maintenance including painting, sand blasting and insulation;
- (h) fabrication and construction services including machine shop, threading, cutting, folding, welding, jointing, pipe cutting and pipe bending services;
- (i) financial, accounting, auditing, tax consultancy and insurance services;
- (j) freight forwarding;
- (k) gardening;
- (l) general consultancy services including cost and planning, local content, community relations and material handling;
- (m) husbandry;
- (n) insurance and reinsurance services;
- (o) land reclamation services;
- (p) legal services;
- (q) logistics and customs clearance;
- (r) marine mammals observation;