



REPUBLIC OF GHANA

PETROLEUM (EXPLORATION AND PRODUCTION)
(DATA MANAGEMENT) REGULATIONS, 2017

(L.I. 2257)

**PETROLEUM (EXPLORATION AND PRODUCTION)
(DATA MANAGEMENT) REGULATIONS, 2017**

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IN exercise of the power conferred on the Minister responsible for Petroleum by subsections (1) and (2) of section 94 of the Petroleum (Exploration and Production) Act, 2016 (Act 919), these Regulations are made this 14th day of November, 2017.

Preliminary Provisions

Scope

1. (1) These Regulations apply to the reporting and management of petroleum data obtained from the conduct of petroleum activity within the jurisdiction of the Republic.

(2) The reporting and management of petroleum data obtained from the conduct of petroleum activity includes

- (a) the receipt, interpretation, analysis, and retrieval of petroleum data;
- (b) the provision of a safe environment for the storage of petroleum data submitted;
- (c) the efficient management of petroleum data between the licensee, contractor, sub-contractor or the Corporation and the Commission; and
- (d) the documentation and reporting on information related to the acquisition and submission of petroleum data.

Purpose

2. The purpose of these Regulations is to specify the format, contents and standards required for the preparation and submission of geophysical, geological and production data related to petroleum activity to support the efficient exploitation of the petroleum resources of the country.

Ownership of petroleum data

3. The provisions on ownership of petroleum data as specified under section 52 of the Act apply to these Regulations.

Compliance with these Regulations

4. Subject to section 49 of the Act, a licensee, contractor, sub-contractor or the Corporation shall ensure that

- (a) an employee, an agent or an affiliate of the licensee, contractor, sub-contractor or the Corporation complies with these Regulations; and

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- (b) a person who acts directly or indirectly for the licensee, contractor, sub-contractor or the Corporation complies with these Regulations.

Seismic Exploration Activity

Information on exploration-related activity

5. (1) A licensee, contractor or the Corporation shall, not later than five weeks before the commencement of an exploration activity, submit the following information to the Commission:

- (a) the purpose, type and designation of the exploration activity and the name of the survey, where applicable;
- (b) the name of the sub-contractor who carries out the exploration activity, where applicable;
- (c) the planned date of commencement and date of completion of the exploration activity;
- (d) the planned coverage area of the exploration activity, sail kilometres as well as common depth point kilometres;
- (e) the exploration area including the block, the Coordinate Reference System and corner coordinates;
- (f) the number of air guns and total chamber volume including other possible signal sources;
- (g) the number of streamers and the length of the tow;
- (h) the name of the vessel;
- (i) the call signal and the nationality of the vessel;
- (j) the port calls, where applicable;
- (k) the name of the fishery liaison officer, if already known;
- (l) the format of the data to be collected;
- (m) information to indicate whether the data shall be commercially available or not; and
- (n) the Environmental Impact Assessment Report with an evaluation of whether the exploration activity may harm particularly vulnerable environmental resources.

(2) The licensee, contractor or the Corporation shall give each seismic survey a unique identification.

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(3) The Commission shall inform the relevant institutions about the intended activity.

Onshore or inland seismic survey

6. A licensee, a contractor, a sub-contractor, the Corporation or any other person engaged in a petroleum activity shall

- (a) in consultation with the appropriate authority,
 - (i) engage the traditional authorities and the District Chief Executive of the community in which the licensed area is situated before starting operation on land;
 - (ii) ensure that an owner of the land on which the petroleum activity is to be conducted is adequately informed of the type of operation to be undertaken;
 - (iii) give notice to the Commission in writing of the approximate duration of the petroleum activity; and
 - (iv) give notice to the Commission of the potential damage the petroleum activity may cause to property;
- (b) give notice to the Commission in writing of the intention to enter on the land at least three months before making the entry;
- (c) upon commencement of upstream petroleum activity onshore or inland, obtain the required approvals and permits from the relevant agencies; and
- (d) submit a report on the petroleum activity conducted to the Commission within the period specified in guidelines issued under the Act.

Seismic vessel during seismic survey

7. (1) A vessel or a canoe that carries out a fishing activity shall keep a safe distance of a minimum of five hundred metres from a vessel that carries out a seismic survey.

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- (2) A vessel that carries out a seismic survey shall
- (a) take the necessary precautions to ensure that a fishing vessel keeps a safe distance as specified in subregulation (1); and
 - (b) have a fishery liaison officer on board a support vessel when required on account of the fishing activities in the area.
- (3) A licensee or contractor who carries out a seismic activity shall provide public education in respect of the seismic survey.
- (4) The Commission shall, in consultation with the Chief Fisherman within the locality for the activity, select a fishery liaison officer in accordance with guidelines issued under the Act.

Fishery liaison officer

8. A person is eligible to be a fishery liaison officer if that person
- (a) possesses the necessary knowledge with reference to
 - (i) the waters in which the seismic vessel is to operate;
 - (ii) the fishing activity that takes place in the waters in question;
 - (iii) navigation;
 - (iv) seismic data acquisition; and
 - (v) the local language and the English language; and
 - (b) has practised as a fisherman for at least twelve months during the last five years.

Track survey

9. A licensee, a contractor, a sub-contractor, the Corporation or any other person engaged in a petroleum activity shall, before a track survey,
- (a) submit a map to the Commission that shows the planned track and possible prospective areas; and
 - (b) state the scale and the Coordinate Reference System to be used.

Classification and Designation

Classification of petroleum resources

10. The Commission shall classify petroleum resources in accordance with the Petroleum Resources Management System of the Society of Petroleum Engineers or any other system specified by the Commission.

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Naming of prospect

11. The Commission shall name a prospect generated in accordance with the prospect naming convention of the Commission as provided in guidelines issued under the Act.

Application for name of well and name of wellbore

12. (1) A licensee, contractor or the Corporation shall apply for and obtain a name for a well or a wellbore from the Commission as provided in guidelines issued under the Act before the commencement of drilling activities.

(2) The licensee, contractor or the Corporation shall submit an application for the name of a well or a wellbore to the Commission not later than four weeks before the estimated commencement of the drilling activity.

(3) The application for the name of the well or wellbore shall, together with the drilling programme, provide satisfactory information on the well and planned data acquisition.

(4) The licensee, contractor or the Corporation shall obtain a new well or wellbore designation from the Commission in the case of side tracking to a new well or wellbore target.

(5) The licensee, contractor or the Corporation shall give each well or wellbore a unique identification which shall be referred to in the communication with the Commission.

Naming of well and wellbore

13. The Commission shall name a well and a wellbore in accordance with the naming convention of the Commission as provided in guidelines issued under the Act.

Classification and reclassification of well

14. (1) The Commission shall approve the classification of a well upon application for the name of a well and the name of a wellbore in accordance with regulation 12.

(2) Where there is a need for reclassification, the licensee, contractor or the Corporation shall, within thirty days before a change of use, submit an application in writing to the Commission, which shall determine the new classification of the well.

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Naming of discovery

15. A petroleum discovery shall be named followed by a hyphen and the word "discovery" in accordance with the naming convention of the Commission with regards to a prospect as provided in guidelines issued under the Act.

Naming of petroleum facility

16. (1) The Commission shall name a permanently placed petroleum facility.

(2) A licensee, contractor or the Corporation shall submit to the Commission, an application in writing for a name for the petroleum facility.

(3) The Commission shall, within eight weeks before the completion of the petroleum facility, acknowledge receipt of the application and provide a response to the licensee, contractor or the Corporation.

Naming of field

17. (1) A licensee, contractor or the Corporation shall, upon the declaration of the commerciality of a discovery or a cluster of discoveries, submit an application to the Commission in writing for a name for the field where the discovery is located.

(2) The Commission shall, within four weeks after an application for a name for the field where the discovery is located is made, acknowledge receipt of the application and provide a response to the licensee, contractor or the Corporation.

Materials, Documentation and Information

Formats and markings

18. (1) A licensee, contractor, sub-contractor or the Corporation shall ensure that material and information submitted to, or made available to the Commission has unambiguous identification and is accompanied by the necessary technical information with regard to quality and properties.

(2) The Commission may stipulate the manner in which material and information is submitted.

(3) With the exception of physical samples, data and information required to be submitted to the Commission shall be in hard copy and electronic copy, unless otherwise specified by the Commission.

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Submission of geophysical information, documentation and material

19. (1) A licensee, contractor, sub-contractor or the Corporation shall, not more than three months after the completion of the individual geophysical activity, submit the following to the Commission:
- (a) field data, raw navigation data, and observers' logs;
 - (b) processed seismic data, velocity data and navigation data;
 - (c) processed gravimetric and magnetic data in electronic form;
 - (d) maps in electronic format including:
 - (i) Bouguer anomalies,
 - (ii) free air anomalies, and
 - (iii) total magnetic intensity;
 - (e) processed seismic refraction measurements;
 - (f) shallow seismic profiles; and
 - (g) analysis results, maps and profiles showing the results from other geophysical or geological surveys such as heat flow measurements, Controlled Source Electromagnetic measurements and samplings.
- (2) A licensee, contractor or the Corporation shall
- (a) submit raw data, processed data and interpreted data separately to the Commission; and
 - (b) clearly mark the raw data, processed data and interpreted data and ensure that the raw data, processed data and interpreted data are accompanied with a transmittal and the unique identification number of the survey.
- (3) The Commission may require other data and results to be submitted in a format determined by the Commission.
- (4) A variation to the submission timeline, content or format requires the prior approval of the Commission.
- (5) A licensee, contractor or the Corporation shall provide the following information in a transmittal to the Commission:
- (a) the name of the licensee, contractor or the Corporation;
 - (b) the name of the survey;
 - (c) a clear list of reports and data in accordance with guidelines issued under the Act;
 - (d) contact details comprising the name, electronic mail address and phone number;
 - (e) the full name of the survey;

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- (f) an alias of the survey, where applicable;
- (g) the seismic line prefix; and
- (h) any licensed non-exclusive data as provided in guidelines issued under the Act for detailed formats and markings requirements.

Fishery expert log

20. (1) A fishery expert on board a seismic vessel shall keep a log on marine mammals.

(2) A licensee, contractor or the Corporation shall make a copy of the log available to the Commission not more than three months after the activities.

Reconnaissance Activity

Reporting of reconnaissance activity

21. A licensee shall

- (a) submit a daily report of a reconnaissance activity to the Commission;
- (b) provide the Commission with an end of activity report not more than three months after the raw data and processed data have been made available to the holder of the petroleum reconnaissance licence; and
- (c) submit a copy of data acquired during a reconnaissance activity to the Commission.

Survey of pipeline route and other soil survey

22. (1) A licensee shall, before undertaking a track survey, submit to the Commission a map that

- (a) details the georeferenced pipeline route, showing the planned track and possible prospective areas; and
- (b) states the scale and the Coordinate Reference System of the map.

(2) A licensee shall submit a final "as-built map" to the Commission not more than six months after the pipeline has been laid.

(3) A licensee shall provide the necessary geotechnical information on a soil survey to the Commission not more than six months after completion of the survey.

(4) The Commission may periodically issue detailed specifications for reporting pipeline routes and other soil surveys.

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Drilling and Well Activities

Permit for exploration drilling

23. (1) A contractor shall submit an application to the Commission for a permit to undertake exploration drilling in accordance with section 24 of the Act.

(2) The contractor shall submit the application to the Commission for a permit within six weeks before the commencement of the exploration drilling.

(3) The application for exploration drilling shall include

- (a) an environmental permit;
- (b) a rig security clearance;
- (c) a rig inspection report;
- (d) a specific well drilling or completion programme;
- (e) a modification to the well drilling programme; and
- (f) a permanent plug and abandonment programme.

(4) The permit is valid for six months from the date of issue and is subject to renewal at the end of the period.

(5) The Commission shall revoke the permit where there is a deviation from the approved drilling programme without permission from the Commission.

Drilling programme

24. (1) A licensee, contractor or the Corporation shall submit the drilling programme of the licensee, contractor or the Corporation to the Commission upon application for the approval of the name for a well.

(2) The drilling programme shall

- (a) provide relevant geological and engineering information; and
- (b) contain provisions on health, safety and environment in the conduct of drilling activities.

Plan for formation testing

25. A contractor or the Corporation shall submit a plan for formation testing to the Commission not less than five days before the commencement of the testing activity.

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Reporting during drilling and well activity

26. A licensee, contractor or the Corporation shall submit to the Commission, daily reports from a drilling and well activity in accordance with the format provided in guidelines issued under the Act.

Submission of geological and reservoir data from drilling and well activity

27. (1) A licensee, contractor or the Corporation shall ensure that samples in the nature of

- (a) cuttings,
- (b) conventional cores,
- (c) sidewall cores,
- (d) liquid and gas,
- (e) logs, and
- (f) test data

are collected and submitted to the Commission as provided in guidelines issued under the Act.

(2) The Commission shall agree with the licensee, contractor or the Corporation on the requirements for data acquisition, processing and analysis in each case.

Collection of cuttings

28. (1) A licensee, contractor or the Corporation shall take samples of cuttings from an exploration well from a geological formation drilled.

(2) Sampling shall commence as soon as returns of the drilling fluid have been established.

(3) The contractor or the Corporation shall take samples of cuttings from a development well from the reservoir section.

(4) The sampling interval shall not exceed ten metres for an exploration well.

(5) The sampling interval in the reservoir shall not exceed five metres for an appraisal and development well if a conventional core is not taken.

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Collection of cores

29. (1) A contractor or the Corporation shall take a conventional core

- (a) for purposes of determining the reservoir properties; and
- (b) from the entire reservoir section from
 - (i) each of the selected appraisal wells, and
 - (ii) a selected development well after

a discovery has been made.

(2) The licensee, contractor or the Corporation may take a sidewall core where necessary.

(3) The licensee, contractor or the Corporation shall submit core data to the Commission in accordance with guidelines issued under the Act.

Collection of fluids

30. A contractor or the Corporation shall take a fluid sample during formation testing for analysis.

Collection and testing of well logs

31. (1) A licensee, contractor or the Corporation shall take a well log in a selected well for analysis.

(2) The contractor or the Corporation shall carry out formation testing in a selected well to establish

- (a) the pressure gradient and type of fluids in a formation; and
- (b) the production capability of the well.

Transportation and storage of sample container

32. A licensee, contractor or the Corporation shall ensure that

- (a) a sample container is suitable and safe for transportation and storage; and
- (b) requirements issued in applicable enactments on health, safety and the environment are complied with.

Description, analyses and interpretation of well data

33. (1) A licensee, contractor or the Corporation shall submit to the Commission, the results of analyses on well data not later than ninety days after the analyses on the well data is carried out by the licensee, contractor or the Corporation.

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(2) Where the licensee, contractor or the Corporation carries out an interpretation and update of the analyses, the licensee, contractor or the Corporation shall submit to the Commission the interpretation and update not later than ninety days after the interpretation and update of the analyses is carried out by the licensee, contractor or the Corporation.

Final reporting of geological and reservoir parameters

34. (1) A licensee, contractor or the Corporation shall submit a Final Well Report to the Commission not more than six months after the well has been completed.

(2) The Final Well Report shall, in addition to well data in electronic format, contain an overview of data collected including data that has been sent to research laboratories for further analysis.

(3) The licensee, contractor or the Corporation shall submit to the Commission, in electronic format, both the prognosed and actual results in respect of exploration wells.

(4) The licensee, contractor or the Corporation shall, in the Final Well Report, ensure that

- (a) depths are related to the Rotary Kelly Bushing;
- (b) the logs indicate measured depth in metres and true vertical depth in metres; and
- (c) information enabling the conversion of measured depth into vertical depth and the wellbore geometry is included.

Reporting Requirements during Production

Reporting during production phase

35. A contractor or the Corporation shall submit to the Commission, in a manner provided in the guidelines issued under the Act, the following information on production parameters:

- (a) gross or net production;
- (b) individual well performance;
- (c) wellhead pressures;
- (d) bottom hole pressure; and
- (e) water and gas injection volumes.

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Information on petroleum produced and sold

36. A contractor or the Corporation shall submit to the Commission information on petroleum produced and sold after each lifting where the contractor or the Corporation conducts a petroleum activity in accordance with the Act.

Annual status report for production field

37. (1) A contractor or the Corporation shall, within the first three months of the following year, submit to the Commission, an annual report which shall provide information relating to production of the field.

(2) The annual report shall include measures taken during the preceding period to enhance production and measures planned to be carried out in the following year to sustain production levels.

Miscellaneous Provisions

Confidentiality

38. (1) A licensee, contractor or the Corporation shall keep confidential the data acquired and any existing data released by the Commission to the licensee, contractor or the Corporation.

(2) A licensee, contractor or the Corporation shall not disclose the data to a third party without the permission of the Commission except as may otherwise be provided in accordance with applicable enactments.

Offences and penalties

39. (1) A person who

- (a) after the selection of a fishery liaison officer by the Commission in accordance with regulation 7, fails to have the fishery liaison officer on board a vessel that carries out a seismic survey,
- (b) fails to submit a map to the Commission before a track survey, showing the planned track and possible prospective areas contrary to regulation 9, or
- (c) commences a drilling activity before obtaining a name for a well or a wellbore from the Commission contrary to regulation 13,

is liable to pay to the Commission an administrative penalty of ten thousand penalty units.

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(2) A person who fails to ensure that a sample container is suitable and safe for both transportation and storage contrary to regulation 32 is liable to pay to the Commission an administrative penalty of fifteen thousand penalty units.

(3) A licensee who, before undertaking a track survey, fails to submit to the Commission a map detailing the georeferenced pipeline route, showing the planned track and possible prospective areas and to state the scale and Coordinate Reference System to be used is liable to pay to the Commission an administrative penalty of ten thousand penalty units.

(4) A person who

- (a) fails after three months of completion of the individual geophysical activity to submit to the Commission, the material and information contrary to regulation 19;
- (b) fails to submit to the Commission, daily reports from a drilling and well activity contrary to regulation 26;
- (c) fails after six months of completion of the individual geological activity to submit to the Commission, the material and information contrary to regulation 27;
- (d) fails to submit to the Commission a Final Well Report before the expiry of six months after the total depth has been reached contrary to regulation 34;
- (e) fails to submit to the Commission on a daily basis information on production parameters contrary to regulation 35;
- (f) fails to submit to the Commission information on all petroleum produced and sold after every lifting contrary to regulation 36; or
- (g) fails to submit to the Commission an annual report which provides information relating to production of the field contrary to regulation 37;

is liable to pay to the Commission an administrative penalty of ten thousand penalty units in the first instance, and a further penalty of ten percent of the penalty for each day that the information is not provided.

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(5) A person who provides false information to the Commission commits an offence and is liable on summary conviction to a fine of not less than ten thousand penalty units and not more than fifty thousand penalty units and, where the offence continues, to a fine of not more than one thousand penalty units for each day during which the offence continues or to a term of imprisonment of not less than one year and not more than three years or to both.

Guidelines

40. The guidelines issued in accordance with subsection (3) of section 94 of the Act shall serve as explanatory notes and guidance to these Regulations.

Interpretation

41. In these Regulations, unless the context otherwise requires,

“appraisal programme” means a programme submitted for the conduct of appraisal;

“appraisal well” means a wellbore drilled for the purposes of an appraisal programme to establish the extent and the size of a petroleum deposit that has already been discovered by a wildcat well;

“as-built map” means a revised set of drawings submitted by a contractor upon completion of a project and reflects all changes made in the specifications and working drawings during the construction process and shows the exact dimensions, geometry, and location of all elements of the work completed under the contract;

“bottom hole pressure” means the pressure, usually measured in S.I. units at the bottom of the hole which is used to represent the sum of all the pressures being exerted at the bottom of the hole;

“Bouguer anomaly” means the difference between the expected value of gravity at a given location, taking into account factors such as latitude, longitude, altitude and the rotation of the Earth and its actual value;

“controlled source electromagnetic survey” means an offshore geophysical technique, employing electromagnetic remote-sensing technology to indicate the presence and extent of hydrocarbon below the seabed;

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- "conventional core" means a cylindrical section of a geologic formation taken from a well for analysis;
- "Coordinate Reference System" means a system of numbers that represent a vertical position and two or three of the numbers that represent a horizontal position that are used to accurately identify locations on the surface of the earth and that is one of the fundamental building blocks that make modern Geographic Information Systems possible by providing a standardized way of describing locations;
- "cuttings" means a rock fragment from the drilling process;
- "development plan" means a plan for development of a commercial discovery prepared by the contractor and approved by the Minister pursuant to Article 8 of the Petroleum Agreement;
- "development well" means a generic term for wells used for the development and production of petroleum including production wells, injection wells and possible combinations of them;
- "drilling activity" means preparation for and implementation of drilling operations;
- "drilling programme" means a set of activities that contains specific information concerning wells and well paths relating to planned drilling or well activities;
- "exploration well" means a well drilled in order to establish the existence of a possible petroleum deposit or to acquire information and is a generic term for wildcat and appraisal wells;
- "field" means a petroleum accumulation which is covered by an approved plan of development;
- "fluid sample" means a sample of oil, gas or water taken from a formation;
- "formation" means single or multiple layers of rocks that have similar properties and are formed within a period;
- "formation testing" means operations undertaken to determine the nature and quality of hydrocarbons present in a reservoir;

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- "free air anomaly" means the measured gravity anomaly after a free-air correction is applied to correct the elevation at which a measurement is made;
- "lifting" means the export of oil or gas by ship or tanker from the point of production;
- "Petroleum Resources Management System" means a system for defining petroleum reserves and resources developed by an international group of reserves evaluation experts which provides a consistent approach to estimating natural occurring petroleum quantities, evaluating development projects to commercially extract and market derived products and presenting results within a comprehensive classification framework;
- "processed data" means any data acquired from a place of survey which have all the corrections applied to them;
- "prospect" means a mappable anomaly of sub-surface rock formation that is capable of accumulating petroleum and of economic value;
- "raw data" means any data acquired from a place of survey which do not have the various corrections applied to them;
- "reconnaissance" means the undertaking of preliminary petroleum activities for the purpose of acquiring geoscientific data and includes geological, geophysical, geochemical surveys and drilling of shallow boreholes for calibration;
- "Rotary Kelly Bushing" means an adapter that connects the rotary table to the Kelly which turns the entire drill string and depth measurements such as 4,000m. RKB meaning 4,000 metres below the Rotary Kelly Bushing;
- "sidewall core" means geological formation taken from the side of the well usually within the reservoir interval;
- "side tracking" means the drilling of a wellbore out from an existing wellbore towards a new well location or target where the original hole section below the kick-off point is plugged and permanently abandoned;

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- "S.I. unit" means an international metric system of measurements adopted in France in 1960;
- "Society of Petroleum Engineers" means a not-for-profit professional organisation whose mission is to collect, disseminate and exchange technical knowledge concerning the exploration, development and production of oil and gas resources and related technologies for the benefit of the public by providing opportunities for professionals to enhance their technical and professional competence;
- "soil survey" means a geotechnical survey which is conducted to understand the physical properties of the soil;
- "total magnetic intensity" means the total amount of magnetic flux pertaining to the condition at any point under magnetic influence such as a magnet, an electric current or an electromagnetic wave, measured by the force exerted in a vacuum upon a free unit North Pole placed at the point in question;
- "transmittal" means a letter that accompanies data or a document and explains what the data or document is;
- "well" means a borehole which is drilled in order to discover or delineate a petroleum deposit or to produce petroleum or injection water, inject gas, water or other medium, or to map or monitor well parameters;
- "well activity" means preparation for and implementation of operations in connection with completion, data acquisition, monitoring, control, workover, modification and plugging of existing wells;
- "wellbore" means the drilled hole or borehole, the open hole or uncased portion of the well, the inside diameter of the wellbore wall and the rock face that bounds the drilled hole;
- "well log" means a measurement of a physical, chemical, electrical or other properties of a formation referenced to depth;

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"well target" means a geological unit into which the well is to be drilled and may consist of one or more well tracks; and
"wildcat well" means an exploration well drilled to establish or prove whether petroleum exists in a prospect.

HON. BOAKYE AGYARKO
Minister responsible for Petroleum

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