



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**FACULTY OF LAW**  
**DEPARTMENT OF PUBLIC LAW**  
**2020\_1 EXAMINATION**

**COURSE CODE: PUL 412**

**COURSE TITLE: OIL AND GAS LAW 11**

**CREDIT UNITS: 4**

**TIME ALLOWED: 3 HOURS**

**INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. QUESTION 1 (ONE) ATTRACTS 25 MARKS WHILE OTHERS ARE 15 MARKS EACH.**

- 1.(a) Mankind desires to live in peace and harmony. But sometimes man is the cause of some problems to himself as regards to his existence on earth. Problems such as - political crisis, wars, economic crisis, earthquake, international and domestic artificial crisis created by man against his fellow human being, etc. However, of all the dangers facing mankind today which needs urgent attention is climate change and environmental pollution. Discuss ways in which the environment is exposed to pollution and what are the effects? **15 Marks**
- (b) List the various Legislations for the control of oil pollution in Nigeria. **10 Marks. Total = 25 Marks**
- 2.(a) Describe in detail the Rule in *Rylands v. Fletcher* and its application to oil pollution cases globally. **7 ½ Marks**
- (b) List and explain the legal framework for the control of gas flaring in Nigeria and three reasons for gas flaring in a buoyant market economy like Nigeria. **7 ½ Marks. Total =15 Marks.**
3. In the decision handed down by the Federal High Court in the case of *Gbemre v. Shell Petroleum Corporation Nigeria Ltd. [2005] A.H.R.L R 151*, the Learned Presiding Justice stated that the burning of gas by flaring in its host community gave rise to many problems for the community. Discuss seven problems of gas flaring that affect the people of the community. **15 Marks**
4. It is interesting to note that State participation in petroleum industry all over the world is rooted in Legislation. What are the reasons for participation? **15 Marks**
5. The grant of a survey permit by the Minister of Petroleum for oil production in Nigeria goes with other restrictions. Critically analyze this statement and how true is it. **15 Marks**
6. Describe the reasons for the establishment of National oil companies and membership of Organization of Oil Producing Countries, with particular reference to Nigeria. **15 Marks**