



# **LOCAL CONTENT SECRETARIAT**

## **LOCAL CONTENT ANNUAL PLAN** **SUBMISSION GUIDELINE**

**Version 1.0**  
**April 19, 2022**



## About

The Local Content Secretariat, a unit within the Ministry of Natural Resources, was created pursuant to the Local Content Act No. 18 of 2021 ('the Act'). In accordance with the Act, the Secretariat is mandated to ensure that the provisions of the Act are implemented. The Secretariat functions as the focal point for the monitoring, evaluation, coordination, and reporting of local content in the petroleum operations of Guyana.

## Note

This Guideline is one of several guidelines issued by the Local Content Secretariat aimed at providing guidance with respect to the provisions stipulated in the Act. This Guideline may be amended from time to time as the Secretariat deems necessary for the purpose of carrying out the provisions of the Act.

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## Document Revision Control Matrix

Version 1.0	February 22, 2022	This is the first version of the guideline.
Version 1.1	April 19, 2022	An update was made to the definition of 'Sub-Contractor' under subsection 2.



# Local Content Annual Plan Submission Guideline

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# 1. Introduction

## 1.1. Background

The Government of Guyana has solidified its commitment to ensuring that the benefits derived from the foreign direct investments into Guyana's petroleum sector are captured and retained in-country, through the enactment of the Local Content Legislation. The [Local Content Act No. 18 of 2021](#) ('the Act') provides for the implementation of local content obligations on companies and persons engaged in petroleum operations or related activities in the petroleum sector and prioritizes Guyanese nationals and Guyanese companies in the procurement of goods and services for the enhancement of the value chain of the sector. The Act also serves to enable local capacity development and provide for the investigation, supervision, coordination, monitoring and evaluation of, and participation in, local content in Guyana.

The Local Content Secretariat ('the Secretariat') is mandated to ensure that the provisions of the Act are implemented and functions as the focal point for the monitoring, evaluation, coordination and reporting of local content in the petroleum operations of Guyana.

In so far as the Act mandates every Contractor, Sub-Contractor, or Licensee to implement local content as an essential component of their petroleum operations, the Secretariat, through the issuance of industry guidelines, aims to provide detailed and specific guidance to Contractors, Sub-Contractors, or Licensees with regards to their reporting obligations.

The Act obligates Contractors, Sub-Contractors, or Licensees to submit a Local Content Annual Plan ('Annual Plan') to the Minister for approval. As such, these guidelines serve to standardise reporting requirements, procedures, and the form with regards to the submission of the Annual Plan for approval.

## 1.2. Purpose and Objectives of Guidelines

The Local Content Annual Plan Guidelines:

- (a) Provide guidance to Contractors, Sub-Contractors, or Licensees on their obligation, under the Act to submit the Annual Plan to the Minister for approval;
- (b) Outline the relevant information to be included in the Annual Plan to be submitted to the Minister for Approval;
- (c) Promote effective and efficient procedures for the standardisation of the submissions to the Secretariat; and
- (d) Outline the steps after submission of the Annual Plan.



### 1.3. Legal Basis and Authority

These guidelines are issued in accordance with the Act.

**Section 5(e)** of the Act provides for the Secretariat to develop formats for local content plans and reporting while section 5(f) of the Act provides for the Secretariat to develop guidelines for inter alia, local content reporting.

**Section 10(1)** of the Act mandates Contractors, Sub-Contractors or Licensees to submit a Local Content Annual Plan to the Minister for approval.

### 1.4. Scope and Applicability

These guidelines apply to the Annual Plan required to be submitted to the Minister for approval pursuant to the Act, by Contractors, Sub-Contractors, or Licensees undertaking petroleum operations in Guyana.

## 2. Definitions

For the purposes of these guidelines:

“Act” refers to the Local Content Act No. 18 of 2021 and its subsidiary Regulations;

“Annex” refers to the tables that contain additional supporting information relevant to the Employment Sub-Plan, Procurement Sub-Plan, and Local Capacity Development Sub-Plan;

“Annual Plan” refers to the Local Content Annual Plan submitted pursuant to section 10(1) and the Second Schedule of the Act;

“Business Day” means a day on which the banks in Georgetown, Guyana are customarily open for business;

“Calendar Year” means a period of twelve (12) consecutive months commencing on January 1 and ending on the succeeding December 31;

“Contractor” includes any person who enters into a Petroleum Agreement with the Minister in accordance with section 10 of the Petroleum (Exploration and Production) Act;

“Guyanese Company” means –

(a) any company incorporated under the Companies Act –

- (i) which is beneficially owned by Guyanese nationals who ultimately exercise, individually or jointly, voting rights representing at least fifty-one per cent of the total issued shares of the company; and
- (ii) that has Guyanese nationals holding at least seventy-five percent of executive and senior management positions and at least ninety percent of non-managerial and other positions; or



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(b) any partnership between Guyanese nationals and a company constituted under subclause (a) in accordance with the Partnership Act.

“Guyanese national” means a citizen of Guyana;

“Director” means the Director of the Local Content Secretariat;

“Employment Sub-Plan” refers to the Employment Sub-Plan that forms part of the Annual Plan submitted pursuant to section 10(3) and the Second Schedule of the Act;

“Licensee” means the holder of a licence granted under the Petroleum (Exploration and Production) Act;

“Local Capacity Development Sub-Plan” refers to the Local Capacity Development Sub-Plan that forms part of the Annual Plan submitted pursuant to section 10(3) and the Second Schedule of the Act;

“Local content” means the monetary value of inputs from the supply of goods, or the provision of services, by Guyanese nationals or Guyanese companies and includes local capacity development;

“Local Content Master Plan” refers to the plan to be submitted pursuant to section 8(1) and the Second Schedule of the Act;

“Minister” means the Minister with responsibility for petroleum;

“Narrative” refers to the section of the Annual Plan that contains the details outlined in section 3.3 of this guideline;

“Petroleum operations” include operations carried out for, or in connection with, the prospecting for, or production of, petroleum;

“Procurement Sub-Plan” refers to the Procurement Sub-Plan that forms part of the Annual Plan submitted pursuant to section 10(3) and the Second Schedule of the Act;

“Secretariat” means the Local Content Secretariat established pursuant to section 6 of the Local Content Act;

“Sub-Contractor” includes any person with whom a Contractor or Licensee has entered into an agreement for the provision of goods and services within the Contractor’s or Licensee’s supply chain management, and -

(a) operates in Guyana either:

- (i) registered as an external company; or
- (ii) as a company incorporated,

under the Companies Act Cap 89:01;

(b) has a physical presence in Guyana;

(c) procures goods and services for petroleum operations; and

(d) provides the following services:

- (i) marine vessel support;
- (ii) FPSO vessel;
- (iii) Shore Base;



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- (iv) Drilling Support;
- (v) Drilling;
- (vi) SURF;
- (vii) Manpower and Crewing Services; or
- (viii) any other service(s) deemed relevant by the Minister.

“Supply Chain Management” includes all stages involved in the procurement of goods and services for use in petroleum operations;

*All capitalized terms not otherwise defined in this guideline shall have the meanings ascribed to them in the Laws of Guyana.*

*In this guideline, unless the context otherwise requires, words in the singular shall include the plural and, words in the plural shall include the singular.*



### 3. Structure of the Local Content Annual Plan

This guideline provides an annotated version of the Annual Plan detailing the content and format being requested by the Secretariat in the submission of the Annual Plan pursuant to Section 10(1) and the Second Schedule of the Act. Contractors, Sub-Contractors, and Licensees shall adopt the structure outlined herein.

#### 3.1. Content Page

The Content Page shall reflect the layout captured within Box 1. Contractors, Sub-Contractors or Licensees may provide further elaboration in the form of sub-headings under each heading outlined.

##### **Box 1: Sample Outline of the Annual Plan**

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The following sections provide greater detail with regards to the contents of each headings/sub-headings listed in Box 1.

### 3.2. Executive Summary

The Executive Summary shall provide a general overview of the Annual Plan being submitted by the Contractor, Sub-Contractor, or Licensee.

### 3.3. Local Content Plan Narrative

The Narrative of the Annual Plan serves to give context to the local content activities planned by a Contractor, Sub-Contractor, or Licensee for the calendar year. The Narrative shall contain, but not be limited to, the following sub-headings:

**(a) Local Content Strategy**

This sub-heading shall provide a description of the management philosophy or principles that guide the Contractor's, Sub-Contractor's, or Licensees' local content strategy.

**(b) [Year] Local Content Activities**

This sub-heading shall provide details of its key local content activities planned by the Contractor, Sub-Contractor, or Licensee for the Calendar year.

**(c) Value of Local Content for Guyana**

This sub-heading shall provide a statement on and an estimate of the disaggregated value of local content to reflect, but not be limited to employment, procurement, and local capacity development to be acquired, delivered, and rendered for Guyana

### 3.4. Annual Employment Sub-Plan

In accordance with section 10(3) of the Act and the Second Schedule of the Act, the Annual Plan submitted for approval shall include an annual programme with respect to matters of employment. These matters shall be covered within the Employment Sub-Plan that forms part of the Annual Plan. The Employment Sub-Plan shall be constituted of the following sub-headings:

1. Programmes for ensuring that first consideration is accorded to Guyanese Nationals for employment;
2. Programmes for ensuring equal treatment of Guyanese nationals;
3. Programmes for enhancing the skills of Guyanese nationals;
4. Annex 1: Forecast of Training Needs;
5. Annex 2: Employment Forecast and Expenditure; and
6. Annex 3: Initiatives for Accelerated Industrial and Technical Education for Guyanese nationals and Guyanese companies also form part of the Annual Employment Sub-Plan.

The contents of the sub-headings under the Employment Sub-Plan are provided below. Additionally, the contents of Annex 1, Annex 2, and Annex 3 are provided in sections 3.7(a), 3.7(b), and 3.7(c) of this guideline respectively.



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### **(a) Programmes for ensuring that first consideration is accorded to Guyanese nationals for employment**

This sub-heading shall provide a detailed annual course of action to be implemented by the Contractor, Sub-Contractor, or Licensee in line with a long-term programme to be laid out within the Local Content Master Plan. The annual course of action must articulate how the forecasted hiring needs of the Contractor, Sub-Contractor, or Licensee will:

- (i) ensure first consideration of Guyanese nationals where Guyanese nationals have the relevant qualification and experience; and
- (ii) ensure training, coaching, and mentorship of Guyanese nationals where Guyanese nationals have the relevant qualification but not the requisite experience.

### **(b) Programmes for ensuring equal treatment of Guyanese nationals**

This sub-heading shall provide a detailed annual course of action to be implemented by the Contractor, Sub-Contractor or Licensee in line with a long-term programme to be laid out within the Local Content Master Plan. The annual course of action must articulate how equal treatment will be afforded to and maintained for Guyanese nationals irrespective of the circumstances outlined within (1)(b)(iii) of the Second Schedule of the Act.

In particular, where there are any disparities between Guyanese nationals and non-Guyanese nationals on the basis of remuneration, a justification for, and disaggregation of, such disparities shall also be provided.

### **(c) Programmes for enhancing the skills of Guyanese nationals**

This sub-heading shall provide a detailed annual course of action to be implemented by the Contractor, Sub-Contractor or Licensee in line with a long-term programme to be laid out within the Local Content Master Plan. The annual course of action must articulate how the development of the skillset of Guyanese nationals will be supported to build their capacity in the provision of specific goods and services to ultimately aid the Contractor, Sub-Contractor or Licensee in achieving the minimum local content levels set out within the First Schedule of the Act.

## **3.5. Annual Procurement Sub-Plan**

In accordance with sections 9(1)(d); 10(3); and the Second Schedule of the Act, the Annual Plan submitted for approval shall include an annual programme with respect to matters of procurement. The Procurement Sub-Plan shall be constituted of the following sub-headings:



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1. Criteria for the supply of goods and the provision of services;
2. Supply Chain Management Strategy
3. Procurement Strategy

The contents of these sub-headings are provided for below.

### **(a) Criteria for the Supply of Goods and the Provision of Services**

This sub-heading shall provide a description of the quality criteria and quantity criteria being required by the Contractor, Sub-Contractor, or Licensee for the supply of goods and the provision of services for petroleum operations.

### **(b) Supply Chain Management Strategy**

This sub-heading shall contain a detailed annual strategy to be implemented by the Contractor, Sub-Contractor or Licensee in line with a long-term strategy to be laid out within the Local Content Master Plan so to ensure that Guyanese nationals and Guyanese companies are given timely access to all particulars outlined within subsection (1)(a)(iii) under 'Procurement Sub-Plan' within the Second Schedule of the Act.

This sub-heading shall also provide the information required within Annex 4, and Annex 5. The contents of Annex 4 and Annex 5 are elaborated in sub-heading 3.7(d) and sub-heading 3.7(e) of this guideline, respectively.

### **(c) Procurement Strategy**

This sub-heading shall provide a detailed annual strategy to be implemented by the Contractor, Sub-Contractor or Licensee in line with a long-term strategy to be laid out within the Local Content Master Plan which elaborates on:

- (i) how local content is to be included for each phase of petroleum operations;
- (ii) how the Contractor, Sub-Contractor, or Licensee will ensure that Guyanese nationals and Guyanese companies can actively participate and gain experience so as to attain the requisite standards;
- (iii) how first consideration will be given to goods and services supplied or provided by Guyanese nationals and Guyanese companies; and
- (iv) how the Contractor, Sub-Contractor, and Licensee intend to align their procurement activities with the guidelines for Bid Evaluation and Procurement developed, published, and amended from time to time, by the Secretariat.



### 3.6. Annual Local Capacity Development Sub-Plan

In accordance with section 10(3) of the Act, the Annual Plan submitted for approval shall include an annual programme with respect to matters of local capacity development. The Local Capacity Development Sub-Plan shall be constituted of the following sub-headings:

1. Supplier Measurement Standards;
2. Programmes for facilitating the formation of partnerships, joint ventures, or other Alliances;
3. Local market condition analysis;
4. Annex 6: Facilitation of Capacity Building Initiatives; the contents of Annex 6 are provided for in sub-heading 3.7(f) of this guideline.

#### (a) Supplier Measurement Standards

This sub-heading shall provide a description of the parameters and criteria to be utilized by the Contractor, Sub-Contractor, and Licensees to measure and compare the capabilities, qualification, and certification of the skills, goods, and services of a national or company (Guyanese or otherwise). These parameters and criteria shall include information whether there is distinction of measurements by nationality, scope/type of the good or service provided, sector, size, etc.

#### (b) Programmes for facilitating the formation of partnerships, joint ventures or other alliances

This sub-heading shall provide a detailed annual course of action to be implemented by the Contractor, Sub-Contractor or Licensee in line with a long-term programme to be laid out within the Local Content Master Plan. This annual course of action must articulate how the formation of partnerships, joint ventures, or other alliances will be facilitated and supported between qualified Guyanese nationals or Guyanese companies and non-Guyanese nationals and non-Guyanese companies in the petroleum sector.

#### (c) Local market condition analysis

In line with a long-term market condition analysis to be laid out within the Local Content Master Plan, this sub-heading shall provide an annual outline of the circumstances identified by the Contractor, Sub-Contractor or Licensee that influences the current and potential capacity of Guyanese nationals and Guyanese companies to provide goods and services to meet the needs of the petroleum sector directly related to the Contractor, Sub-Contractor or Licensees.



**3.7. Annexes**

The Annual Plan shall contain six (6) annexes that capture additional supporting information relevant to the Employment, Procurement, and Capacity Development Sub-Plan.

**(a) Annex 1: Forecast of Training Needs**

Annex 1 of the Annual Plan shall provide details of training activities planned by the Contractor, Sub-Contractor or Licensee for their employees, for the calendar year.

In accordance with the sub-section 1(a)(iii) under ‘Employment Sub-Plan’ in the First Schedule of the Act, a separate table containing the relevant information and having the format of Table 1 below, shall be submitted for each training activity planned in this regard for the Calendar year.

**Table 1: Format of information presented in Annex 1 of the Annual Plan**

<b>Name of Contractor, Sub-Contractor or Licensee:</b>		<b>1 of (AA)</b>	
<b>Description of training:</b> <i>(e.g., overall objectives, key activities to be undertaken, collaborating and/or sponsoring partners)</i>			
<b>Total anticipated expenditure:</b> <i>(in United States Dollars)</i>			
<b>Cost of training to be incurred by employee(s)</b> <i>(in United States Dollars)</i>			
<b>Training type:</b> <i>(e.g. Administrative, Basic and Induction, Leadership/Management, HSSE, Technical/Professional, Trade and Craft or if other, please specify.)</i>			
<b>Anticipated duration period:</b> <i>(e.g., “mm/yyyy to mm/yyyy” or “1Q”, or “1Q to 2Q”)</i>			
<b>Job Positions to be Targeted for Training</b>			
<b>No.</b>	<b>Job Positions</b>	<b>No. of Employees</b>	
1.			
2.	<i>(Add rows as needed)</i>		
<b>Key Outputs/Outcomes</b>			
<b>No.</b>	<b>Key Outputs</b>	<b>No.</b>	<b>Key Outcomes</b>
1.		1.	
3.	<i>(Add rows as needed)</i>	3.	

Kindly note that the table containing the information for each Job Position detailed in Annex 1 of the Annual Plan shall be labelled in the upper right corner in the format “a of AA; where “a” reflects the sequential order (number) of trainings planned and “AA” reflects total count of trainings planned (e.g., 1 of 10).



**(b) Annex 2: Employment Forecast and Expenditure**

Annex 2 of the Annual Plan shall comprise of a table that contains information on current employment, forecasted employment, and the associated expenditure anticipated by the Contractor, Sub-Contractor or Licensee, identified per job position for the Calendar year. In accordance with subsection 1(a)(iv) under ‘Employment Sub-Plan’ in the Second Schedule of the Act, the table shall take the format of Table 2 below:

**Table 2: Format of information presented in Annex 2 of the Annual Plan.**

Name of Contractor Sub-Contractor or Licensee:								
No.	Job Position <sup>1</sup>	Employment Category <sup>2</sup>	Required Qualifications and Experience <sup>3</sup>	Main Functions of Position <sup>4</sup>	Total Number of Guyanese Nationals Currently Employed	Total Number of Non-Guyanese Nationals Currently Employed	Number of Forecasted Hires for Calendar Year <sup>5</sup>	Anticipated Total Expenditure on Employment (USD)
1.								
2.								
3.								
4.								
5.								

Rows shall be added as necessary.

<sup>1</sup> A listing of all job positions within the Contractor’s, Sub-Contractor’s or Licensees’ operations related to petroleum operations for Guyana.

<sup>2</sup> The employment category whether senior management, junior management, professional, skilled, semi-skilled and unskilled) related to each position listed.

<sup>3</sup> The minimum qualifications and experience required for the job position listed.

<sup>4</sup> A summary of the role of the position listed within the Contractor’s, Sub-Contractor’s, or Licensees’ operation.

<sup>5</sup> The number of personnel forecasted to be hired for each position within the calendar year.



**(c) Annex 3: Initiatives for Accelerated Industrial and Technical Education and Training for Guyanese Nationals and Guyanese Companies**

Annex 3 of the Annual Plan shall comprise a table that contains information on initiatives to be implemented by the Contractor, Sub-Contractor, or Licensee to support vocational training and education activities targeted at developing skills and competencies within the Guyanese workforce. These initiatives shall be geared towards meeting the growing industrial and technical needs in Guyana and can be in the form of providing financial and technical support to local educational and training institutions, implementing skill-specific capacity development initiatives, etc., that are consistent with the performance standards of the Contractor, Sub-Contractor or Licensee. In accordance with sub-section 1(b)(i) under ‘Employment Sub-Plan’ in the Second Schedule of the Act, the table shall take the format of Table 3 below:

**Table 3: Format of information presented in Annex 3 of the Annual Plan.**

Name of Contractor Sub-Contractor or Licensee:								
No.	Training Programme/Course Details <sup>6</sup>	Target Audience <sup>7</sup>	Is this an ongoing programme? Yes or No	Commencement <sup>8</sup>	Key Outcome	Relevant Performance Standards	Anticipated Cost to be incurred by Participant <sup>9</sup>	Anticipated Total Expenditure for Calendar Year
1.								
2.								
3.								
4.								

Rows shall be added as necessary.

<sup>6</sup> A statement on the overall objective of the programme/course, key activities planned and collaborating entities involved.

<sup>7</sup> That is, whether the programme/course would be open to the public or specific to students of an institution or staff of Guyanese businesses/companies.

<sup>8</sup> If the programme/course is already ongoing kindly specify when the programme commenced. If the programme/course will commence during the Calendar year, kindly specify the month or quarter.

<sup>9</sup> If it is anticipated that a cost will be incurred by the programme/course participants, kindly state the anticipated cost per participant for each applicable programme/course.



**(d) Annex 4: Procurement of Goods and Services**

Annex 4 of the Annual Plan shall comprise information presented in two (2) tables. The first table shall contain information on existing contracts and POs related to the various **sectors and sub-sectors of the First Schedule** while the second table shall contain information on **all** goods and services to be procured during the Calendar year. In accordance with sub-section 1(a)(i) under ‘Procurement Sub-Plan’ in the Second Schedule of the Act, the tables shall take the format of Table 4A and Table 4B below:

**Table 4A: Format of information presented in the first table of Annex 4 of the Annual Plan.**

Name of Contractor Sub-Contractor or Licensee:									
No.	Goods and Services being Procured <sup>10</sup>	Related Sector or Sub-Sector	Scope of Work	Procurement Process Utilized <sup>11</sup>	Name of Supplier/ Service Provider	Duration of Project/ Contract /Purchase Order	Value of Project / Contract / Purchase Order to be Expended <u>during the Calendar Year</u> (USD)	Total Value of Project/ Contract/ Purchase Order (USD) <sup>12</sup>	Was the project/ contract/purchase order awarded to a Guyanese national or Guyanese company (Yes or No)
1.									
2.									

<sup>10</sup> List the goods and services for which contracts or purchase orders have been issued that will incur costs in the Calendar year **under the sectors and sub-sectors of the First Schedule.**

<sup>11</sup> Sole source or competitive bidding

<sup>12</sup> Total contract value



**Table 4B: Format of information presented in the second table of Annex 4 of the Annual Plan.**

Name of Contractor Sub-Contractor or Licensee:										
No.	Goods and Services to be Procured <sup>13</sup>	Related Sector or Sub-Sector <sup>14</sup>	Scope of Work <sup>15</sup>	Procurement Process to be Utilized	Procurement Type <sup>16</sup>	Planned date for issuing advertisement	Proposed supplier or service provider nationality (Guyanese/Other)	Duration of Project/Contract /Purchase Order	Value of Project / Contract / Purchase Order to be Expended during the calendar Year (USD)	Total Value of Project/ Contract/ Purchase Order (USD)
1.										
2.										

Rows shall be added as necessary.

<sup>13</sup> List **ALL** (not limited to the First Schedule of the Act) the goods and services anticipated for procurement advertisement within the Calendar year. In other words, please provide a brief description of the proposed services.

<sup>14</sup> Refers to the sectors and sub-sector of the First Schedule. In cases where there is a lack thereof, please specify.

<sup>15</sup> Refers to the detail breakdown of the list of activities under the proposed contract or PO.

<sup>16</sup> Specify whether the process would be an RFI, RFQ or RFP.



**(e) Annex 5: Procurement related to First Schedule Local Content Targets**

Annex 5 of the Annual Plan shall comprise a table which shall contain information on the procurement within sectors and sub-sectors including those listed in the First Schedule of the Act, during the Calendar Year. In accordance with sub-section 1(a)(ii) under ‘Procurement Sub-Plan’ in the Second Schedule of the Act, the table shall take the format of Table 5 below:

**Table 5: Format of information presented in Annex 5 of the Annual Plan.**

Name of Contractor Sub-Contractor or Licensee:		Ongoing Procurement			Anticipated Procurement	
No.	Sectors and Sub-Sectors <sup>17</sup>	Number of Goods and Services <sup>18</sup>	Number of Procurement provided by Guyanese nationals and Guyanese companies <sup>19</sup>	Total Expenditure Anticipated within the Calendar Year (USD)	Number of Goods and Services <sup>20</sup>	Total Expenditure Anticipated within the upcoming Year (USD)
1.	Rental of Office Space					
2.	Accommodation Services (Apartments & Houses)					
3.	Equipment Rental					
4.	Surveying					
5.	Pipe Welding (Onshore)					
6.	Pipe Sand Blasting and Coating (Onshore)					
7.	Construction Work for Buildings (Onshore)					

<sup>17</sup> Rows shall be added to capture the sectors and sub-sectors outside of those listed in the First Schedule of the Act.

<sup>18</sup> With regards to ongoing procurement activities, list the number of goods and services under each sub-sector for which a contract/purchase order has been issued.

<sup>19</sup> Out of the number of goods listed in the previous column, list how many have been awarded to Guyanese nationals or Guyanese companies.

<sup>20</sup> With regards to anticipated procurement activities, list the number of goods and services under each sector/sub-sector for which the Contractor/Sub-Contractor or licensee will be advertising an opportunity.



<b>Name of Contractor Sub-Contractor or Licensee:</b>		<b>Ongoing Procurement</b>			<b>Anticipated Procurement</b>	
<b>No.</b>	<b>Sectors and Sub-Sectors<sup>17</sup></b>	<b>Number of Goods and Services<sup>18</sup></b>	<b>Number of Procurement provided by Guyanese nationals and Guyanese companies<sup>19</sup></b>	<b>Total Expenditure Anticipated within the Calendar Year (USD)</b>	<b>Number of Goods and Services<sup>20</sup></b>	<b>Total Expenditure Anticipated within the upcoming Year (USD)</b>
8.	Structural Fabrication					
9.	Waste Management (Non-Hazardous)					
10.	Waste Management (Hazardous)					
11.	Storage Services					
12.	Janitorial and Laundry Services					
13.	Catering Services					
14.	Food Supply					
15.	Admin Support & Facilities Management Services					
16.	Immigration Support Services					
17.	Work Permit, Visas Applications, Visas on arrival and In-water Activity Permit					
18.	Laydown Yard Facilities					
19.	Customs Brokerage Services					
20.	Export Packaging					
21.	Pest Control Extermination Services					
22.	Cargo Management/ Monitoring					



## Local Content Annual Plan Submission Guideline

<b>Name of Contractor Sub-Contractor or Licensee:</b>		<b>Ongoing Procurement</b>			<b>Anticipated Procurement</b>	
<b>No.</b>	<b>Sectors and Sub-Sectors<sup>17</sup></b>	<b>Number of Goods and Services<sup>18</sup></b>	<b>Number of Procurement provided by Guyanese nationals and Guyanese companies<sup>19</sup></b>	<b>Total Expenditure Anticipated within the Calendar Year (USD)</b>	<b>Number of Goods and Services<sup>20</sup></b>	<b>Total Expenditure Anticipated within the upcoming Year (USD)</b>
23.	Ship & Rig Chandlery Services					
24.	Borehole Testing Services					
25.	Environment Services & Studies					
26.	Transportation Services: Trucking					
27.	Transportation Services: Ground Transportation					
28.	Metrology Services					
29.	Ventilation (private, commercial, industrial)					
30.	Industrial Cleaning Services (Onshore)					
31.	Security Services					
32.	ICT-Network Installation, Support Services					
33.	Manpower and Crewing Services					
34.	Dredging Services					
35.	Local Insurance Services					
36.	Accounting Services					
37.	Local Legal Services					



## Local Content Annual Plan Submission Guideline

<b>Name of Contractor Sub-Contractor or Licensee:</b>						
<b>No.</b>	<b>Sectors and Sub-Sectors<sup>17</sup></b>	<b>Ongoing Procurement</b>			<b>Anticipated Procurement</b>	
		<b>Number of Goods and Services<sup>18</sup></b>	<b>Number of Procurement provided by Guyanese nationals and Guyanese companies<sup>19</sup></b>	<b>Total Expenditure Anticipated within the Calendar Year (USD)</b>	<b>Number of Goods and Services<sup>20</sup></b>	<b>Total Expenditure Anticipated within the upcoming Year (USD)</b>
38.	Medical Services					
39.	Aviation Support Services					
40.	Engineering and Machining					
41.	Local Marketing & Advertising Services (PR)					



## Local Content Annual Plan Submission Guideline

### (f) Annex 6: Facilitation of Capacity Building Initiatives

Annex 6 of the Annual Plan shall comprise a table which shall contain information on programmes for facilitating capacity building within the Calendar Year. In accordance with sub-section 3 under ‘Local Capacity Development Sub-Plan’ in the Second Schedule of the Act, the table shall take the format of Table 6 below:

**Table 6: Format of information presented in Annex 6 of the Annual Plan**

Name of Contractor, Sub-Contractor or Licensee:		1 of (AA)
<b>Description of Capacity Building Activity to the undertaken within the Calendar Year:</b> <i>(e.g., overall objectives, key activities to be undertaken, collaborating and/or sponsoring partners)</i>		
<b>Key outcomes:</b>		
<b>Capacity Building Activity Type:</b> <i>(eg. Workshop, feedback session, outreach)</i>		
<b>Expected Number of Suppliers to Benefit:</b>		
<b>Total Anticipated Expenditure:</b> <i>(in United States Dollars)</i>		
<b>Cost of Training to be Incurred by the supplier:</b> <i>(in United States Dollars)</i>		

Kindly note that the table containing the information for each capacity building initiative detailed in Annex 6 of the Annual Plan shall be labelled in the upper right corner in the format “a of AA; where “a” reflects the sequential order (number) of trainings planned and “AA” reflects total count of trainings planned (e.g., 1 of 10)



### 4. Submission of the Annual Plan

#### 4.1. Timeframe for Submission

- (a) Section 10(1) of the Act obligates Contractors, Sub-Contractors, or Licensees existing immediately before the coming into operation of the Act to submit a Local Content Annual Plan to the Minister for approval **within sixty days** after the coming into operation of the Act, that is to say, **on or before the 1<sup>st</sup> day March 2022**.
- (b) Section 10(5) of the Act obligates Contractors, Sub-Contractors or Licensees to submit a Local Content Annual Plan to the Minister for approval within **sixty days prior to**, but no later than thirty days after, the beginning of each calendar year, that is to say, **on or before the 30<sup>th</sup> day of January annually**.
- (c) Where a postmark/submission date falls on a weekend or bank holiday, the submission deadline will be automatically extended to the next Business Day.

#### 4.2. Submission Method

- (a) Contractors, Sub-Contractors, or Licensees are required to submit an Annual Plan containing the information outlined in sub-section 3 of this guideline and in the format stipulated, to the Local Content Secretariat.
- (b) Contractors, Sub-Contractors, or Licensees are required to submit a **“Notice of Submission of Local Content Annual Plan”** (‘the Notice of Submission’) along with the Annual Plan. The format for this notice is provided in [Appendix 1](#) of this Guideline.
- (c) The Notice of Submission must be signed, scanned, and submitted along with the Annual Plan, electronically (softcopy) to the Local Content Secretariat via the email address: [localcontent@nre.gov.gy](mailto:localcontent@nre.gov.gy) with the following title (subject) format: Local Content Annual Plan – *CALENDAR YEAR* – *Name of Contractor, Sub-Contractor or Licensee*.  
E.g., Local Content Annual Plan – 2022 – TechnipFMC
- (d) The Annual Plan shall be submitted in searchable Portable Document Format (PDF) with the notice being the first page of the PDF document.
- (e) The Annual Plan is required to be titled as follows:  
Annual Plan: Local Content Annual Plan [*Year*] [*Name of Contractor/Sub-Contractor/Licensee*]

#### 4.3. Steps After Submission of the Annual Plan

- (a) Upon receipt of the Annual Plan with the Notice of Submission, the Secretariat will review the documents submitted to ensure that the submission made is consistent with the structure provided in subsection 3 of the guideline. Once satisfied, a **“Notice of Receipt of Submission of Local Content Annual Plan”** will be sent to the Contractor, Sub-Contractor, or Licensee indicating the time and date the submission was received.



## Local Content Annual Plan Submission Guideline

- (b) If the Secretariat, after reviewing the content of the documents submitted, finds that necessary information is missing from the submission, the Contractor, Sub-Contractor of Licensee will be informed and the outstanding information will be requested.
- (c) The Secretariat reserves the right to request a Contractor, Sub-Contractor of Licensee to make a presentation regarding the information submitted in the Annual Plan, as is deemed necessary.
- (d) Upon reviewing and assessing the Annual Plan, if the Minister intends to accept the submitted Annual Plan, the Secretariat shall, within forty-five (45) days from the date of receipt of the Annual Plan, inform the Contractor, Sub-Contractor or Licensee of the Minister's decision. In this regard, the Secretariat shall issue a **“Notice of Approval of Local Content Annual Plan”** to the Contractor, Sub-Contractor, or Licensee.
- (e) Upon reviewing and assessing the Annual Plan, if the Minister intends to refuse the submitted Annual Plan, the Secretariat shall, within forty-five days from the date of receipt of the Annual Plan, inform the Contractor, Sub-Contractor or Licensee of the Minister's decision. In this regard, the Secretariat shall issue a **“Notice of Intention to Refuse the Local Content Annual Plan”** to the Contractor, Sub-Contractor, or Licensee.
- (f) The notice issued in accordance with 4.3(e) above shall include the grounds for the intended refusal of the Annual Plan.
- (g) The Contractor, Sub-Contractors or Licensee will be afforded a period of **fourteen days from the receipt of the Notice of Intention to Refuse the Local Content Annual Plan**, during which, representation can be made in respect of the grounds stated in the notice or to propose modifications to the Annual Plan.
- (h) Upon receipt of the representation or proposed modifications to the Annual Plan made pursuant to 5.3(g) above, the Secretariat shall review and assess the merits of the representation made or the modifications proposed and advise the Minister on the acceptance or refusal of the representation made or the modification(s) proposed.
- (i) Upon the advice of the Minister, the Secretariat shall EITHER,
  - (i) Issue the Contractor, Sub-Contractor, or Licensee with a **“Notice of Acceptance of the Modifications to the Local Content Annual Plan”** (‘Notice of Acceptance’);  
OR
  - (ii) Issue the Contractor, Sub-Contractor, or Licensee with a **“Notice of Refusal of the modifications to the Local Content Annual Plan”** (Notice of Refusal).
- (j) Upon receipt of a Notice of Acceptance, the Contractor, Sub-Contractor or Licensee shall amend the Annual Plan to include the modifications and resubmit the Annual Plan to the Minister.



## Local Content Annual Plan Submission Guideline

- (k) Upon receiving the modified version of the Annual Plan, after ensuring the modifications are done in accordance with the direction given in the Notice of Acceptance, the Secretariat shall issue the Contractor, Sub-Contractor, or Licensee with a Notice of Approval of the Local Content Annual Plan.
- (l) Alternatively, a Contractor, Sub-Contractor, or Licensee, upon receipt of the Notice of Refusal of the modification to the Local Content Annual Plan, shall, within a timeline stipulated by the Secretariat, revise the modifications to the Annual Plan based on reasons outlined within the Notice of Refusal; or if stipulated by the Secretariat, shall abide by the latest approved revision of the Local Content Annual Plan.

## 5. Publication of Information and Confidential Information

- (a) Pursuant to section 11(5) of the Act, the Secretariat shall cause to be published an approved extract of the approved Annual Plan submitted by a Contractor, Sub-Contractor, or Licensee after consultations with the Contractor, Sub-Contractor or Licensee. The approved extract shall be published on the ministry's websites: [www.nre.gov.gy](http://www.nre.gov.gy) and [www.petroleum.gov.gy](http://www.petroleum.gov.gy), and on any other media of wide circulation.
- (b) The approved extract published in accordance with section 11(5) of the Act shall not include any confidential or proprietary information.
- (c) Further, subject to section 22(1) of the Act, any information submitted to the Minister or the Secretariat which is not required to be published in accordance with the Act, shall be regarded and dealt with as secret and confidential.

## 6. Offences and Penalties

- (a) A Contractor, Sub-Contractor, or Licensee who - pursuant to section 23(1) of the Local Content Act - submits, or causes to be submitted, a Local Content Plan knowing or ought reasonably to have known, that the submission is false or misleading, commits an offence and is liable on summary conviction to a fine of ten million dollars.
- (b) A Guyanese national or Guyanese company who aids or abets anyone to contravene any provision of the Act in order to defeat the local content obligations under the Act commits an offence and is liable on summary conviction –
  - (i) in the case of an individual, to a fine of five million dollars;
  - (ii) in the case of a body corporate, to a fine of ten million dollars.



## Local Content Annual Plan Submission Guideline

- (c) A Contractor, Sub-Contractor, or Licensee who – pursuant to section 23(3)(b) of the Act – carries out petroleum operations without the minimum local content requirements commits an offence and is liable on summary conviction to a fine of fifty million dollars.
- (d) A Contractor, Sub-Contractor, or Licensee who fails to submit a Local Content Annual Plan as required by the law - pursuant to section 23(3)(c) of the Act - commits an offence and is liable on summary conviction to a fine of five million dollars.
- (e) A Contractor, Sub-Contractor, or Licensee who - pursuant to section 23(3)(d) of the Act - submits beyond the prescribed time as stated in the Act and referenced in these Guidelines, a Local Content Annual Plan, commits an offense and is liable on summary conviction to a fine of one million dollars.
- (f) A Contractor, Sub-Contractor, or Licensee who fails to satisfy the prescribed content requirement of an approved Local Content Annual Plan - pursuant to section 23(3)(e) of the Act - commits an offence and is liable on summary conviction to a fine of ten million dollars.
- (g) A Contractor, Sub-Contractor, or Licensee who - pursuant to section 23 (3)(g) - fails to comply with a request by the Minister or Secretariat to review or provide information on, any return, report, record, or any other document pursuant to the provisions of the Act commits an offence and is liable to a fine of one million dollars.
- (h) Pursuant to section 22(3), a person who causes information to be published which is not required to be published in accordance with the Act commits an offence and is liable on summary conviction to a fine of one million dollars.



## Appendix 1: Format for Notice of Submission of Local Content Annual Plan

<b>[Date]</b>	Printed on the company's official letterhead
<b>The Minister Responsible for Petroleum,</b> Ministry of Natural Resources 96 Duke Street, Kingston, Georgetown, Guyana Attn: Honourable Vickram Bharrat Minister of Natural Resources Minister Responsible for Petroleum Ministry of Natural Resources 96 Duke Street, Kingston, Georgetown, Guyana E-mail: <a href="mailto:minister@nre.gov.gy">minister@nre.gov.gy</a>	Format: January 30, 2022
Dear Honourable Minister,	
<b><u>Subject/Re: Notice of Submission of Local Content Annual Plan for the year</u></b> <b><u>– [insert year here]</u></b>	Kindly remove the parentheses and insert the name of the Contractor, Sub-Contractor, or Licensee seeking approval.
Pursuant to Section 10 of the Local Content Act No. 18 of 2021 ('the Act'), and in keeping with the Guidelines issued by the Local Content Secretariat for this purpose, [ <i>Insert Name of Contractor, Sub-Contractor, or Licensee</i> ] hereby submits a Local Content Annual Plan for the year [ <i>insert year here</i> ] attached to this Notice, for approval.	Kindly remove the parentheses and insert the year.
Kindly acknowledge receipt of this Notice in good order.	
Sincerely,	
.....	The Notice must be completed and signed by a duly authorized representative of the company.
[Name of Signatory]	
[Designation of Signatory]	The company stamp or seal must be affixed.