



# **LOCAL CONTENT SECRETARIAT**

## **LOCAL CONTENT MASTER PLAN** **SUBMISSION GUIDELINE**

**Version 1.1**  
**April 19, 2022**



## Local Content Master Plan Submission Guideline

### 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.

For further information, the Secretariat can be contacted at the offices stated below.

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### Document Revision Control Matrix

Version 1.0	April 11, 2022	This is the first version of the guideline.
Version 1.1	April 19, 2022	Definition of 'Sub-Contractor' updated.



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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 Act. The [Local Content Act No. 18 of 2021](#) ('the Act') provides for the implementation of local content obligations for 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 provides 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 five (5) year Local Content Master Plan (the 'Master Plan') to the Minister for approval. As such, this guideline serves to standardize reporting requirements, procedures, and the form with regard to the submission of the Master Plan for approval.

For Contractors, Sub-Contractors, or Licensees existing prior to the coming into operation of the Act, the five (5) year Master Plan shall cover the period from the 1<sup>st</sup> day of January 2022 to the 31<sup>st</sup> day of December 2026<sup>1</sup>. The Secretariat recognizes that this five (5) year period may extend beyond the contractual or licensing obligations of some Contractors, Sub-Contractors, or Licensees. Contractors, Sub-Contractors, or Licensees are therefore required to submit a Master Plan covering the remaining period over which their contractual or licensing obligations permits. This period should be explicitly stated in the Master Plan submitted to the Minister for approval. For instances where the conduct of petroleum activities is hinged upon Governmental Approval, such as the renewal of a prospecting or production license or transferring of interest in the license, the requested information, where stated within the Master Plan, should be provided with a caveat clearly stating same to the Minister.

The Master Plan is intended to provide the Minister and the Secretariat with an understanding of the Contractor's, Sub-Contractor's, or Licensee's projected activities as it relates to the areas of employment, procurement, and capacity (supplier) development, directly related to Guyana's petroleum operation. It is recognized that due to the volatility of the industry, planned figures are subject to change and as such

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<sup>1</sup> Subsection 4(1)(b), (c) and (d) of this guideline provides further direction on the requirement to submit a Master Plan to the Minister for approval.



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the intent of the information required for submission, is merely a projection to guide the Ministry of Natural Resources and the Government of Guyana, to the extent that it is possible.

### 1.2. Purpose and Objectives of Guidelines

The Local Content Master Plan Guideline:

- (a) Provides guidance to Contractors, Sub-Contractors, or Licensees on their obligation, under the Act to submit a Master Plan to the Minister for approval;
- (b) Outlines the relevant information to be included in the Master Plan to be submitted to the Minister for approval;
- (c) Promotes effective and efficient procedures for the standardisation of the submissions to the Secretariat; and
- (d) Outlines the steps after submission of the Master 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 8(1)** of the Act mandates Contractors, Sub-Contractors, or Licensees to submit a Local Content Master Plan to the Minister for approval.

### 1.4. Scope and Applicability

These guidelines apply to the Master 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;



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

“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 percent 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
- (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 Master Plan submitted pursuant to section 9(1) and the Second Schedule of the Act;

“Licensee” means the holder of a license 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 Master 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 a five (5) year local content plan submitted to the Minister for approval in accordance with section 9 of the Act but does not include a Local Content Annual Plan;

“Minister” means the Minister with responsibility for petroleum;

“Narrative” refers to the section of the Master Plan that contains the details outlined in section 3(4) of this guideline;

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

“Procurement and Bid Evaluation Guideline” refers to the procurement guideline developed and published by the Secretariat in accordance with sections 5(4)(e) and 13(4) of the Act and amended from time to time.

“Procurement Sub-Plan” refers to the Procurement Sub-Plan that forms part of the Master Plan submitted pursuant to section 9(1) and the Second Schedule of the Act;



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“Projected” means estimated or forecasted data that presents, to the best of the Contractor’s, Sub-Contractor’s or Licensee’s knowledge and belief, what it expects would occur at a given time in the future, based on past and present trends.

“Projected Value of Local Content” refers to the aggregate of the monetary expenditure forecasted to be expended with regards to the employment of Guyanese nationals, procurement of goods and services from Guyanese nationals and Guyanese companies, and the training or development of Guyanese nationals and Guyanese companies.

“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;
  - (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 Master Plan

This section of the guideline provides an annotated version of the Master Plan detailing the content and format being requested by the Secretariat in the submission of the Master Plan pursuant to Section 8(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 of the Master Plan shall reflect the layout captured within Box 1 below. 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 Master Plan**



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Content Page .....	2
Executive Summary .....	2
1. Company Profile .....	2
2. Local Content Plan Narrative .....	2
2.1. Local Content Strategy .....	2
2.2. Projected Value of Local Content for Guyana .....	2
3. Master Employment Sub-Plan .....	2
3.1 Programmes for accelerated industrial and technical education and training for enhancing the skills of Guyanese nationals and Guyanese companies .....	2
3.2 Programmes for ensuring that first consideration is accorded to Guyanese nationals for employment .....	2
3.3. Programmes for ensuring equal treatment of Guyanese nationals .....	2
3.4 Projected Expenditure on Employment .....	2
4. Master Procurement Sub-Plan .....	2
4.1. Procurement and Supply Chain Management Strategy .....	2
5. Master Local Capacity (Supplier) Development Sub-Plan .....	2
5.1. Supplier Measurement Standards .....	2
5.2. Programmes for facilitating the formation of partnerships, joint ventures, or other alliances .....	2
5.3 Local Market Condition Analysis .....	2
6. Annexes .....	2
6.1. Annex 1: Organizational Structure .....	2
6.2. Annex 2: Forecast of hiring needs or training needs .....	2
6.3. Projected Procurement of Goods and Services .....	2
6.4. Local Content Targets .....	2

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

### **3.2. Executive Summary**

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

### **3.3. Company Profile**

The Company Profile shall provide a summary of the Contractor's, Sub-Contractor's, or Licensee's business or company, including its role in Guyana's petroleum industry and the products and or services the company provides. Contractors, Sub-Contractors, or Licensees shall include the list of all relevant petroleum agreements or licensees entered, with the Government of Guyana.



### 3.4. Local Content Plan Narrative

The Narrative of the Master Plan serves to give context to the local content activities planned by a Contractor, Sub-Contractor or Licensee for the period which the Master Plan covers. 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) Projected Value of Local Content for Guyana**

In accordance with section 9(1)(e) of the Act, this sub-heading shall provide a statement on, and a monetary estimate of the disaggregated value of local content reflective of, inter alia employment, procurement, and local capacity development to be acquired, delivered and rendered for Guyana over the period which the Master Plan covers. The following table shall be completed to support this sub-heading.

**Table 1: Format of the table to be used to state the Projected Value for Local Content over the period which the Master Plan covers.**

	Year					Total
	1	2	3	4	5	
<b>Projected Value for Local Content (USD)<sup>2</sup></b>						

### 3.5. Master Employment Sub-Plan

In accordance with section 9(1)(a) of the Act and the Second Schedule of the Act, the Master Plan submitted for approval shall include a programme with respect to matters of employment. These matters shall be covered within the Employment Sub-Plan that forms part of the Master Plan. The Employment Sub-Plan shall be constituted of the following sub-headings:

1. Programmes for accelerated industrial and technical education and training for enhancing the skills of Guyanese nationals and Guyanese companies;
2. Programmes for ensuring that first consideration is accorded to Guyanese nationals for employment;
3. Programmes for ensuring equal treatment of Guyanese nationals;
4. Projected Expenditure on Employment;
5. Annex 1: Organizational Structure; and
6. Annex 2: Forecast of the hiring needs or training needs.

<sup>2</sup> “Projected Value of Local Content” refers to the aggregate of the monetary expenditure forecasted to be expended with regards to the employment of Guyanese nationals, procurement of goods and services from Guyanese nationals and Guyanese companies, and the training or development of Guyanese nationals and Guyanese companies.



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The contents of the sub-headings under the Employment Sub-Plan are provided below. Additionally, the format of Annex 1 and Annex 2 is provided for in sub-sections 3.8(a) and 3.8(b) of this guideline respectively.

### **(a) Programmes for accelerated industrial and technical education and training for enhancing the skills of Guyanese nationals and Guyanese companies**

This sub-heading shall outline programmes that focus on supporting intensive, hands-on training designed to help advance the current industrial and technical skillset of Guyanese nationals and Guyanese companies to meet the industry standards that directly relate to the operating activities of the Contractor, Sub-Contractor, or Licensee.

The Contractor, sub-Contractor, or Licensee shall include specific desired outcomes that support achievement of the programmes and shall outline relationships established with education or training authorities or institutions to achieve these outcomes.

The Contractor, Sub-Contractor, or Licensee shall also elaborate on its internal training strategy geared at improving the skills and competencies of its employees.

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

This sub-heading shall outline the Contractor's, Sub-Contractor's, or Licensee's plan or policy, existing or to be developed, that integrates first consideration of Guyanese nationals within its employment application and selection process. The steps that are to be taken to ensure that Guyanese nationals are firstly considered should be explicitly stated. Further, in accordance with the Act, how the Contractor, Sub-Contractor, or Licensee intends to treat cases where a Guyanese national has the relevant qualification but does not possess the requisite skills for a job position, should be stated.

Included under this sub-heading shall also be an outline of the Contractor's, Sub-Contractor's, or Licensee's intent to provide trainee programs, mentorship, or coaching to support the hiring and employment progression of Guyanese nationals.

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

This sub-heading shall outline a detailed plan or policy that is to be developed or maintained by the Contractor, Sub-Contractor, or Licensee that integrates equal treatment and equal opportunity for Guyanese nationals irrespective of race, political opinions, colour, creed, age, disability, marital status, sex, gender, language, birth, social class, pregnancy, religion, conscience, belief or culture, or geographical location in Guyana.



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In particular, where there are disparities in the benefit and compensation structures provided to Guyanese nationals and non-Guyanese nationals all contributing factors shall be outlined.

### **(d) Projected Expenditure on Employment**

This sub-heading shall provide a projection of expenditure to be incurred over the period that the Master Plan covers, in implementing the Employment Plan.

## **3.6. Master Procurement Sub-Plan**

In accordance with section 9(1)(b) and the Second Schedule of the Act, the Master Plan submitted for approval shall include a long-term programme with respect to matters of procurement. These matters shall be covered within the Procurement Sub-Plan that forms part of the Master Plan. The Procurement Sub-Plan shall be constituted of the following sub-headings:

1. Procurement and Supply Chain Management Strategy; and
2. Annex 3: Projected Procurement of Goods and Services

The contents of the procurement and supply chain management strategy are stated below while the format of Annex 3 is provided for in subsection 3.8(c) of this guideline.

### **(a) Procurement and Supply Chain Management Strategy**

This sub-heading shall outline the Contractor's, Sub-Contractor's, or Licensees strategy for the procurement of goods and services from qualified vendors to support its operations. The procurement process shall be clearly stated, highlighting how the procurement requirements outlined in the Act and the Procurement and Bid Evaluation Guideline developed, published, and amended from time to time, by the Secretariat, have been incorporated.

This sub-heading shall also elaborate on the development of channels to ensure that Guyanese nationals and Guyanese companies will be given timely access to information, business opportunities, joint venture and partnership opportunities, technology and know-how, procurement systems and procedures suited to the scale and capacity of the local market, contract and payment terms that facilitate competitive financing and growth and performance management systems and procedures with feedback and support for improvement.

This sub-heading shall also elaborate on the standards, both internal and international, required for the provision of key goods and services related to the operations of the Contractor, Sub-Contractor, or Licensee, indicating where exists, capacity by Guyanese companies to provide goods and services by those standards. Further, it should be clearly outlined, how the Contractor, Sub-Contractor, or Licensee will ensure that Guyanese



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nationals and Guyanese companies can actively participate and gain experience so as to attain the requisite standards.

### 3.7. Master Local Capacity (Supplier) Development Sub-Plan

In accordance with section 9(1)(c) of the Act, the Master Plan submitted for approval shall include a long-term programme with respect to matters of local capacity development. These matters shall be covered within the Local Capacity (Supplier) Development Sub-Plan that forms part of the Master Plan. 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; and
3. Local Market Condition Analysis.

#### (a) Supplier Measurement Standards

In accordance with section 9(1)(d) and the Second Schedule of the Act, this sub-heading shall describe the parameters and criteria to be utilized by the Contractor, Sub-Contractor, and Licensees to measure and compare the capabilities, qualifications, and certification of the skills, goods, and services of a national or company (Guyanese or otherwise). These parameters and criteria shall include information on whether there is distinction of measurements by nationality, scope/type of the good or service provided, sector, size, etc. Further, there should be 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) Programmes for facilitating the formation of partnerships, joint ventures, or other alliances

This sub-heading shall provide an elaboration of how the Contractor, Sub-Contractor, or Licensees intends to facilitate or support the formation of partnerships, joint ventures, or other alliances between qualified Guyanese nationals or Guyanese companies and non-Guyanese nationals or non-Guyanese companies in the petroleum sector, over the period which the Master Plan covers.

#### (c) Local Market Condition Analysis

This sub-heading shall provide a detailed market condition analysis outlining 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 Licensee, over the period which the Master Plan covers.



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### **3.8. Annexes**

The Master Plan shall contain three (3) annexes that capture additional supporting information relevant to the Employment, Procurement, and Capacity Development Sub-Plans. The format of these annexes is given below.

#### **(a) Annex 1: Organizational Structure**

This annex shall contain the organizational structure required by the Contractor, Sub-Contractor or Licensee to support petroleum operations in Guyana over the period which the Master Plan covers, identifying those positions currently filled and those to be filled and also differentiating between offshore and onshore positions. This information is being requested to give context to the information requested in Annex 2.

[Kindly attach organizational chart herein]



**(b) Annex 2: Forecast of hiring needs or training needs**

This annex shall elaborate on the job positions to be filled, all associated minimum required skills and competencies identifying those skillsets that have been witnessed to be absent within the Guyanese workforce, and the specific training required to be undertaken by Guyanese nationals. This annex shall also elaborate on the anticipated shortage of skillset related to the hiring needs of the Contractor, Sub-Contractor, or Licensee, in the Guyanese workforce in the format of Annex 1 of the Plan. Contractors, Sub-Contractor, or Licensees are required to enter information for the applicable years based on their contractual or licensing obligations.

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

<b>Name of Contractor Sub-Contractor or Licensee:</b>										
<b>No.</b>	<b>Projected job position to be filled within the organization<sup>3</sup></b> (e.g. Helicopter Pilot)	<b>Minimum skills and competencies needed for the position<sup>4</sup></b> (e.g. High school diploma, FAA Airline Transport Pilot Helicopter Certificate, 3000 hours total time and 100 hours PIC in type, 1500 hours of multi-engine time)	<b>Known related skillsets or competencies presumed to be lacking in the Guyanese workforce, for the position<sup>5</sup></b> (e.g. FAA Airline Transport Pilot Helicopter Certificate)	<b>Projected Hires<sup>6</sup></b>						<b>Total</b>
				<b>Year</b>						
				<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>		
1.										
2.										
3.										

Rows shall be added as necessary.

<sup>3</sup> Kindly list all job positions projected to be filled over the period which the Master Plan covers.

<sup>4</sup> List the minimum skills and competencies that are required for hiring related to each position.

<sup>5</sup> Of the minimum skills and competencies that are required for hiring related to each position, identify the skills and/or competencies that are presumed to be lacking in the Guyanese workforce.

<sup>6</sup> State the number of hires related to each job position projected within the period identified.



### (c) Annex 3: Projected Procurement of Goods and Services

Annex 3 of the Master Plan shall identify the goods and services projected or forecasted for procurement over the period which the Master Plan covers. Contractors, Sub-Contractor, or Licensees are required to enter information for the applicable years based on their contractual or licensing obligations.

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

Name of Contractor Sub-Contractor or Licensee:							
No.	Sector or Sub-Sector of Goods and Services forecasted for procurement <sup>7</sup>	Projected Expenditure (USD) <sup>8</sup>					Total
		Year					
		1	2	3	4	5	
1.							
2.							
3.							

Rows shall be added as necessary.

<sup>7</sup> Kindly list the related sector or sub-sector for goods or services projected for procurement.

<sup>8</sup> State the projected expenditure on the procurement of goods and services disaggregated by each applicable year over which the Master Plan covers.



**(d) Annex 4: Local Content Targets**

Annex 4 of the Master Plan specifies targets identified by the Contractor, Sub-Contractor, or Licensees in relation to Local Content achievement over the period which the Master Plan covers. Contractors, Sub-Contractors, or Licensees are required to enter information for the applicable years based on their contractual or licensing obligations.

**Table 4: Format of information presented in Annex 4 of the Master Plan.**

<b>Name of Contractor Sub-Contractor or Licensee:</b>						
<b>No.</b>	<b>Indicators</b>	<b>Targets</b>				
		<b>Year One</b>	<b>Year Two</b>	<b>Year Three</b>	<b>Year Four</b>	<b>Year Five</b>
1	Percentage of total in-country employees that are Guyanese.					
2	Percentage of Guyanese employees receiving on-the-job training.					
3	Percentage increase in spending on the procurement of goods and services from Guyanese nationals and Guyanese companies.					
4	Number of local suppliers <sup>9</sup> completing capacity-building training programmes.					
5	Percentage increase in expenditure on local industrial and technical education training institutions.					

<sup>9</sup> Local suppliers refer to Guyanese nationals and Guyanese companies providing goods and services for petroleum operations.



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### 4. Submission of the Master Plan

#### 4.1. Timeframe for Submission

- (a) Section 8(1)(a) of the Act obligates Contractors or Licensees existing immediately before the coming into operation of the Act to submit a Local Content Master Plan to the Minister for approval **within four months** of the coming into operation of the Act, that is to say, **on or before the 1<sup>st</sup> day of May 2022**, subject to subsection 4.1(e) below.
- (b) Section 8(1)(b) of the Act obligates Contractors or Licensees to submit a Local Content Master Plan to the Minister for approval **within four months** of –
  - (i) the grant of a licence;
  - (ii) the grant of a transfer of interest in a licence; or
  - (iii) entering into a petroleum agreement with the Minister to conduct petroleum operations,in accordance with the Petroleum (Exploration and Production) Act.
- (c) Section 8(2) of the Act obligates Sub-Contractors existing immediately before the coming into operation of the Act to submit a Local Content Master Plan to the Minister for approval **within four months** after the coming into operation of the Act, that is to say, **on or before the 1<sup>st</sup> day of May 2022**, subject to subsection 4.1(f) below.
- (d) Section 8(2) of the Act also obligates Sub-Contractors to submit a Local Content Master Plan to the Minister for approval **within four months** of entering an agreement with a Contractor, Sub-Contractor, or Licensee for the term of the agreement.
- (e) 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 a Master Plan containing the information outlined in sub-section 3 of this guideline, in the format stipulated and for a period of 5 year, subject to contractual or licencing obligations, to the Minister for Approval.
- (b) Contractors, Sub-Contractors, or Licensees are required to submit a “**Notice of Submission of Local Content Master Plan**” (‘the Notice of Submission’) along with the Master 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 Master Plan, electronically (softcopy) to the Minister and the Local Content Secretariat via the email address: [minister@nre.gov.gy](mailto:minister@nre.gov.gy) copied to [localcontent@nre.gov.gy](mailto:localcontent@nre.gov.gy) with the following title (subject) format: Local Content Master Plan – 20XX-20YY – *Name of Contractor, Sub-Contractor or Licensee*.  
E.g., Local Content Master Plan – 2022-2027 – TechnipFMC



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- (d) The Master Plan shall be submitted in searchable Portable Document Format (PDF) with the Notice of Submission being the first page of the PDF submission.
- (e) The cover page of the Master Plan shall be dated.
- (f) The Master Plan is required to be titled as follows:  
Master Plan: Local Content Master Plan [20XX-20YY] [Name of Contractor/Sub-Contractor/Licensee]

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

- (a) Upon receipt of the Master Plan with the Notice of Submission, the Secretariat will issue a “**Notice of Receipt of Submission of Local Content Master Plan**”, to the Contractor, Sub-Contractor, or Licensee indicating the date the submission was received.
- (b) If the Secretariat, after reviewing the contents 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 Master Plan.
- (d) Upon reviewing and assessing the Master Plan, if the Minister intends to approve the submitted Master Plan, the Secretariat shall, within forty-five (45) days from the date of receipt of the Master 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 Master Plan**” to the Contractor, Sub-Contractor or Licensee.
- (e) Upon reviewing and assessing the Master Plan, if the Minister intends to refuse the submitted Master Plan, the Secretariat shall, within forty-five days from the date of receipt of the Master 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 Master 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 Master Plan.
- (g) The Contractor, Sub-Contractors or Licensee will be afforded a period of **fourteen (14) days from the receipt of the Notice of Intention to Refuse the Local Content Master Plan**, during which, representation can be made in respect of the grounds stated in the notice issued in relation to sub-section 4.3(e) above, or to propose modifications to the Master Plan.
- (h) Upon receipt of the representation or proposed modifications to the Master Plan made pursuant to subsection 4.3(g) above, the Secretariat shall review and assess the merits of



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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 Master 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 Master Plan”** (Notice of Refusal).
- (j) Upon receipt of a Notice of Acceptance, the Contractor, Sub-Contractor, or Licensee shall amend the Master Plan to include the modifications and resubmit the Master Plan to the Minister.
- (k) Upon receiving the modified version of the Master 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 Master Plan.
- (l) Alternatively, a Contractor, Sub-Contractor, or Licensee, upon receipt of the Notice of Refusal of the modification to the Local Content Master Plan, shall, within a timeline stipulated by the Secretariat, revise the modifications to the Master 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 Master 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 Master 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.
  
- (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 Master 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 Master 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 Master 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 Master 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: May 01, 2022
Dear Honourable Minister,	
<b><u>Subject/Re: Notice of Submission of Local Content Master Plan for the period – 20XX-20YY</u></b>	Kindly remove parentheses and insert the <b>period</b> here
Pursuant to Section 8 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 Master Plan for the period 20XX to 20YY, attached to this Notice, for approval.	Kindly remove the parentheses and insert the name of the Contractor, Sub-Contractor or Licensee seeking approval.
Kindly acknowledge receipt of this Notice.	Kindly remove the parentheses and insert the period.
Sincerely,	
.....	
[Name of Signatory]	The Notice must be completed and signed by a duly authorized representative of the company.
[Designation of Signatory]	The company stamp or seal must be affixed.