

HYDROCARBONS - NATURAL GAS PROJECTS | FRANCE

A Specialised Team with Strong Sector Expertise

The Energy and Natural Resources team, part of Gide's Projects practice group, has developed in-depth knowledge of the regulatory and contractual aspects of mining, oil and gas activities in France. Our team's day-to-day practice concerns all regulations applicable to oil and gas exploration and production activities, in particular the French Mining Code and its various application decrees, as well as European directives and corresponding French laws governing natural gas storage, transmission, distribution and supply, including the numerous regulatory implementation acts.

Our lawyers have significant expertise in all stages of oil and gas exploration and production projects in France, from licence applications to assistance for work declarations and environmental authorisations, as well as structuring, securing and implementing hydrocarbons assets acquisitions.

We also provide legal advice to natural gas suppliers and traders on their regulatory and administrative issues and their contractual relationships with all stakeholders in the natural gas market. We assist major international oil companies and new market players alike.

Our Areas of Expertise

- **Applications for hydrocarbons exploration and production licences:** legal assistance to international oil companies regarding applications for exploration and exploitation licences in France, and negotiations with local and national authorities.
- **Acquisition of interests in hydrocarbons licences:** legal due diligence of hydrocarbons assets, structuring of sale and purchase transactions, assisting clients in non-opposition and/or mutation processes.
- **Drafting and negotiating ancillary hydrocarbons contracts:** joint operating agreements, joint venture agreements, shareholders' agreements, drilling and services agreements, off-take agreements, farm-in and farm-out agreements.
- **Authorisations to supply natural gas:** regulatory framework applicable to the energy market and, in particular, to the supply of natural gas, legal advice to natural gas companies on their applications for administrative authorisations to supply natural gas, assistance in discussions with the French administration.
- **Access to natural gas facilities:** access to LNG terminals, access to storage facilities, interconnection with transmission/distribution networks.
- **Natural gas and LNG trading:** drafting of suppliers' general terms and conditions of sale (to other suppliers or to industrial clients) and single supply contracts, mostly on the basis of model contracts (EFET® or AIPN® models).
- **Securitisation on hydrocarbons assets:** securities over natural gas stocks and natural gas streams.

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Selected Recent Transactions

Hydrocarbons Exploration and Production

- **Shale Gas / Paris basin (ongoing)**: assisting a US oil & gas company in its application for eight exploration permits for shale gas in the Paris basin.
- **Farm-in agreements (ongoing)**: assisting a UK company in the acquisition of participating interests in two exploration permits for hydrocarbons (shale gas) in the south of France.
- **Acquisition of shares in hydrocarbons companies (ongoing)**: advising a UK fund on the acquisition of minority shares in the holding of hydrocarbons companies with exploration permits in France for conventional gas and shale gas.
- **Acquisition of hydrocarbons exploration permits (2010)**: advising a US company on structuring an acquisition of participating interests in several hydrocarbons exploration permits and providing legal assistance in the purchase administrative process.

Natural Gas Market

- **Natural gas supply agreements (2010-ongoing)**: assisting a Russian gas company in drafting natural gas supply agreements with industrial clients on the French market, including the drafting of general conditions of sale.
- **Natural gas supply (2010)**: assisting a major European gas company in an application for an authorisation to supply natural gas in France to other suppliers and industrial clients; drafting of commercial supply agreements.
- **Société Générale - Financing of gas storage (2009)**: advising Société Générale on structuring the financing of a French natural gas supplier's stocks. Drafting of the financing documentation and related security agreements.
- **ENI, Italy (2008)**: counsel to ENI (Italy) for its partnership with Gaz de Bordeaux and Altergaz and for the acquisition of 57% of Distrigaz.
- **Pegas - GD (2007-2008)**: advising a consortium of industrial undertakings on the execution of natural gas supply agreements.
- **EFET - Legal opinion (2005-2008)**: analysing the implementation of the EFET agreement in France.
- **E.ON Ruhrgas (2004-2008)**: advising the German utilities gas branch on its application for an authorisation to supply gas in France; insolvency of a major client and non-performance of its payment obligation under the gas supply agreement and on the acquisition of a minority stake in the planned liquefied gas storage facility to be developed by Gaz de Normandie.
- **BNPP - Gas (2007)**: analysis of the legislation on gas production, transmission, distribution and sale activities.
- **GDF - Unbundling (2007)**: analysing the ownership unbundling obligation for gas transmission assets pursuant to the European Commission's third package of legislative proposals.
- **LNG Terminal - GRTgaz (2007)**: implementing the contractual framework related to the interconnection of a natural gas network and an LNG terminal.
- **E.ON Ruhrgas AG (2005-2007)**: advising the German utilities gas branch on negotiations to increase gas transmission grid interconnection capacities between France and Germany (Obergailbach interconnection point).
- **Gazonor - Contracts (2006-2007)**: advising Gazonor on the negotiation and drafting of several gas supply agreements.

CONTACT PARTNERS

FRANÇOIS KROTOFF
tel. +33 (0)1 40 75 61 26
krotoff@gide.com

MICHEL GUÉNAIRE
tel. +33 (0)1 40 75 36 46
guenaire@gide.com

STÉPHANE VERNAY
tel. +33 (0)1 40 75 22 99
vernay@gide.com