



NWT OFFICE OF THE REGULATOR OF OIL AND GAS OPERATIONS

**PROOF OF FINANCIAL RESPONSIBILITY
GUIDELINES AND INTERPRETATION
NOTES**

**OFFICE OF THE REGULATOR OF OIL AND
GAS OPERATIONS**

Draft: November 2020

TABLE OF CONTENTS

1	Introduction	1
2	Purpose of Proof of Financial Responsibility	4
3	Exploration Operations	7
4	Production Operations	9
5	Suspension and Abandonment Operations	12
6	Seismic Operations.....	15
7	Claims.....	18
8	Form of Proof of Financial Responsibility	21
9	Regulator’s Approval	23

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Proof of Financial Responsibility Guidelines and Interpretation Notes

1 INTRODUCTION

Purpose The *Proof of Financial Responsibility Guidelines and Interpretation Notes* (Guidelines) provide guidance to applicants and operators on how to meet the Regulator's requirements for Proof of Financial Responsibility for oil and gas operations.

Legislative Requirements The legislative requirements for Proof of Financial Responsibility under the *Oil and Gas Operations Act* (OGOA) are:

- Section 13 states that the Regulator may not issue an Operations Authorization without ensuring that the applicant has complied with the requirements of section 64(1) of OGOA;
- Section 61 of OGOA defines what spills, debris and loss or damages mean;
- Section 62 states that if a spill occurs, the operator is responsible for taking action to protect the environment and ensure the safety of personnel and the public;
- Section 63 describes the situations that may lead to a claim against Proof of Financial Responsibility and sets time limits for making a claim against Proof of Financial Responsibility; and
- Section 64(1) states that Operators must provide Proof of Financial Responsibility in the amount and form satisfactory to the Regulator in order to obtain an Operations Authorization.

The *Oil and Gas Spills and Debris Liability Regulations* state the maximum amounts of liability that can be held by the Regulator in different situations.

Minimum Requirements The Guidelines set out the Regulator's expectations for Proof of Financial Responsibility. Applicants may suggest alternative approaches, where those approaches are demonstrated to address the principles and requirements contained in these guidelines.

Plain Language These Guidelines have been written in plain language in order to make them accessible to as many readers as possible.

Legislation is Paramount Where a conflict exists between the Guidelines and OGOA or its regulations, OGOA or its regulations are paramount.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Objectives

The objectives of the Guidelines are to:

- Provide clarity on the Regulator's methodology for assessing the amount of Proof of Financial Responsibility required for oil and gas operations;
- Provide clarity on how Proof of Financial Responsibility is assessed for different phases of oil and gas operations;
- Clarify the format and information that should be included in the Irrevocable Letter of Credit instruments used to post Proof of Financial Responsibility with the Regulator;
- Enhance certainty and predictability in regulatory decisions; and
- Promote accessibility and transparency in oil and gas regulation.

Authority

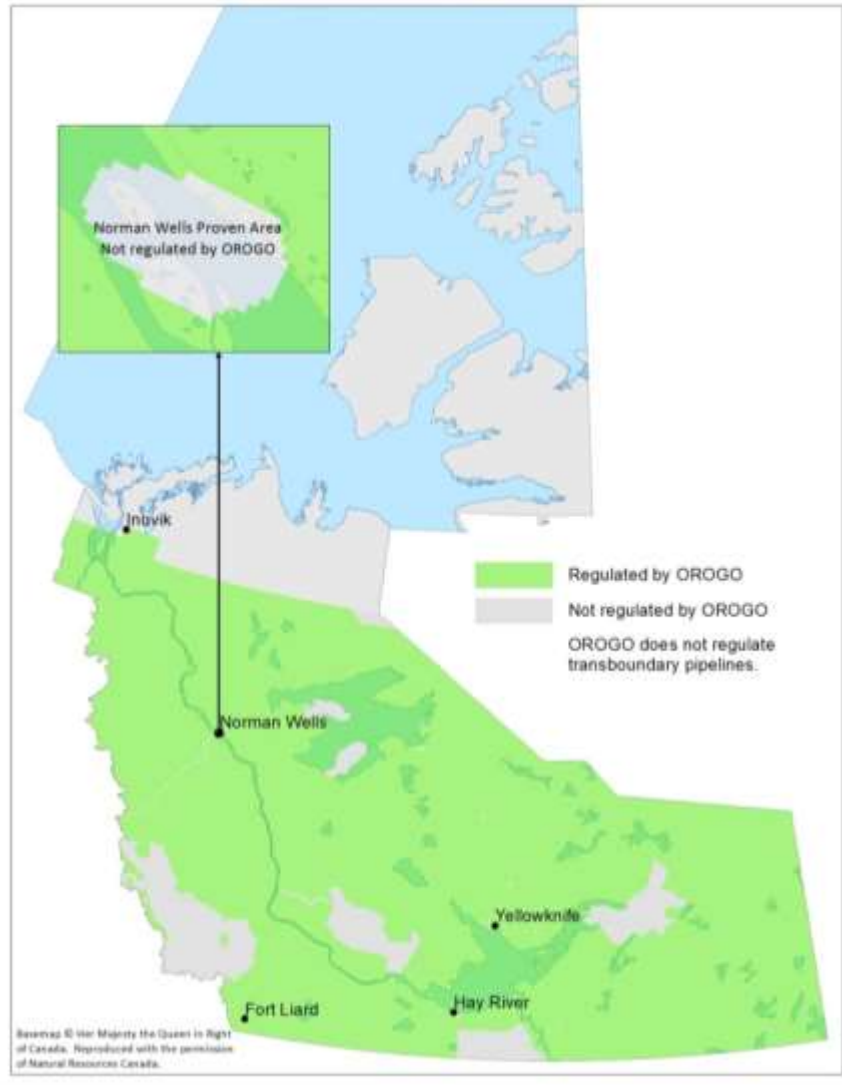
These Guidelines are issued by the Regulator under section 18 of OGOA.

Regulator's Discretion

Application of these Guidelines is subject to the Regulator's discretion under OGOA.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Jurisdiction



Contents

The Guidelines are organized as follows:

Section	Contents	Page
2	Purpose of Proof of Financial Responsibility	4
3	Exploration Operations	7
4	Production Operations	9
5	Suspension and Abandonment Operations	12
6	Seismic Operations	15
7	Claims	18
8	Form of Proof of Financial Responsibility	21
9	Regulators' Approval	23

Proof of Financial Responsibility Guidelines and Interpretation Notes

2 PURPOSE OF PROOF OF FINANCIAL RESPONSIBILITY

Contents This section describes the purpose of Proof of Financial Responsibility. It contains information on:

- Operator responsibility for loss, damages or costs;
- No fault liability;
- The uses of Proof of Financial Responsibility;
- The obligation to provide Proof of Financial Responsibility;
- The duration of Proof of Financial Responsibility;
- The scope of Proof of Financial Responsibility; and
- What is not covered by Proof of Financial Responsibility.

Objective To ensure applicants, operators and stakeholders know what Proof of Financial Responsibility is for.

Requirements Section 13 of OGOA states that the Regulator may not issue an Operations Authorization without ensuring that the applicant has complied with the requirements of section 64(1) of OGOA.

Section 61 of OGOA defines what spills, debris and loss or damages mean.

Section 62 of OGOA states that if a spill occurs, the operator is responsible for taking action to protect the environment and ensure the safety of personnel and the public.

Section 63 of OGOA describes the situations that may lead to a claim against Proof of Financial Responsibility.

Section 64(1) of OGOA states that Operators must provide Proof of Financial Responsibility in the amount and form satisfactory to the Regulator in order to obtain an Operations Authorization.

Section 64(3) of OGOA states that the Regulator may make payments from the Proof of Financial Responsibility in response to claims under section 63 of OGOA.

Operator Responsibilities for Loss, Damages or Costs The operator is responsible for all loss or damage or clean-up costs that result from spills or debris that are the operator's fault, even if the costs are greater than the Proof of Financial Responsibility held by the Regulator. This includes loss or damages from failed well abandonments or facility decommissionings.

Proof of Financial Responsibility Guidelines and Interpretation Notes

No Fault Liability	Compensation may be paid from Proof of Financial Responsibility without proving that the operator was at fault or that operator negligence caused the spill or debris.
Uses of Proof of Financial Responsibility	<p>The Regulator may use Proof of Financial Responsibility to pay compensation to a party who has:</p> <ul style="list-style-type: none">• Experienced loss and/or damage from a spill of oil and gas or debris; or• Had to pay to clean up a spill or dispose of debris.
Proof of Financial Responsibility is Obligatory	The Regulator cannot approve any oil and gas work or activity applied for under an Operations Authorization unless the applicant or operator provides Proof of Financial Responsibility in a form and amount satisfactory to the Regulator.
Duration of Proof of Financial Responsibility	The operator is required to maintain the Proof of Financial Responsibility until the work or activity is complete and for an additional year after the works have been successfully abandoned or decommissioned to the Regulator's satisfaction.
Definitions	<p>A spill means a discharge, emission or escape of oil and gas, that is not authorized under an Operations Authorization.</p> <p>Debris means an installation or structure used for an oil and gas operation or any material that has broken away, been abandoned or displaced during an oil and gas operation, but has been authorized under an Operations Authorization, but has been abandoned or displaced without approval of the Regulator.</p> <p>Actual loss or damage is the loss of income, including future income, from a spill of oil and gas or from debris. For Indigenous peoples of Canada, this includes loss of hunting, fishing and gathering opportunities.</p>
Scope of Proof of Financial Responsibility	Proof of Financial Responsibility must be adequate to cover the entire scope of the proposed oil and gas operation being applied for under an Operations Authorization. The Regulator may also require that the amount of Proof of Financial Responsibility be upgraded or revised if the operation continues longer than originally applied for or if the operation is modified.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Not Closure, Remediation and Reclamation

Proof of Financial Responsibility is not intended to cover costs associated with the closure, remediation and reclamation of a site, either with or without an Operator.

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Proof of Financial Responsibility Guidelines and Interpretation Notes

3 EXPLORATION OPERATIONS

Contents	<p>This section of the Guidelines describes Proof of Financial Responsibility requirements for exploration operations. It contains information on:</p> <ul style="list-style-type: none">• Rationale; and• Maximum amounts.
Objective	<p>To ensure applicants and operators understand the Regulator's requirements for Proof of Financial Responsibility for exploration operations.</p>
Requirements	<p>Section 64(1) of OGOA states that Operators must provide Proof of Financial Responsibility in the amount and form satisfactory to the Regulator in order to obtain an Operations Authorization.</p> <p>The <i>Oil and Gas Spills and Debris Liability Regulations</i> state the maximum amounts of liability that can be held by the Regulator.</p>
Rationale	<p>Spills or debris resulting from exploration operations are likely to result in greater impacts due to the uncertainty associated with downhole geologic conditions, casing limitations and other technical issues.</p> <p>Greater impacts result in higher possible clean-up costs and higher possible claims for loss or damages.</p> <p>Therefore, for exploration operations, the Regulator requires that applicants and operators provide the maximum amount of Proof of Financial Responsibility specified under the <i>Oil and Gas Spills and Debris Liability Regulations</i>.</p>
Maximum Amounts	<p>The <i>Oil and Gas Spills and Debris Liability Regulations</i> set the following maximum amounts for Proof of Financial Responsibility:</p> <ul style="list-style-type: none">• Well(s) to be drilled in a submarine area: \$ 40 million;• Well(s) to be drilled in an area within 200 meters of a river, stream, lake or other body of inland water: \$ 25 million; and• Well(s) to be drilled in any other area: \$ 10 million.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Definition

A **body of inland water** is water under the exclusive legislative jurisdiction of the Government of the Northwest Territories that is capable, in its natural state, of being used by Indigenous people and the public for hunting, fishing, gathering, harvesting and cultural purposes and can be navigated by floating vessels of any description for the purpose of transportation, recreation or commerce, and may also be a human-made feature such as a canal or reservoir.

Proof of Financial Responsibility Guidelines and Interpretation Notes

4 PRODUCTION OPERATIONS

Contents	<p>This section of the Guidelines describes Proof of Financial Responsibility requirements for production operations. It provides information on:</p> <ul style="list-style-type: none">• Rationale;• Maximum amounts;• Application requirements; and• Third party costs.
Objective	<p>To ensure applicants and operators understand what information must be submitted to the Regulator for determining the amount of Proof of Financial Responsibility for production operations.</p>
Requirements	<p>Section 64(1) of OGOA states that Operators must provide Proof of Financial Responsibility in the amount and form satisfactory to the Regulator in order to obtain an Operations Authorization.</p> <p>The <i>Oil and Gas Spills and Debris Liability Regulations</i> state the maximum amounts of liability that can be held by the Regulator.</p>
Rationale	<p>The impacts of spills or debris resulting from production operations vary depending on the nature of the operation and of the incident resulting in the spill or debris.</p> <p>Therefore, for production operations, the Regulator will assess the amount of Proof of Financial responsibility required on a case-by-case basis, up to the maximum amount specified under the <i>Oil and Gas Spills and Debris Liability Regulations</i>.</p>
Maximum Amounts	<p>The <i>Oil and Gas Spills and Debris Liability Regulations</i> set the following maximum amounts for Proof of Financial Responsibility:</p> <ul style="list-style-type: none">• Well(s), pipelines or other oil and gas facilities in a submarine area: \$ 40 million;• Well(s), pipelines or other oil and gas facilities in an area within 200 meters of a river, stream, lake or other body of inland water: \$ 25 million; and• Well(s), pipelines or other oil and gas facilities in any other area: \$ 10 million.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Definition A **body of inland water** is water under the exclusive legislative jurisdiction of the Government of the Northwest Territories that is capable, in its natural state, of being used by Indigenous people and the public for hunting, fishing, gathering, harvesting and cultural purposes and can be navigated by floating vessels of any description for the purpose of transportation, recreation or commerce, and may also be a human-made feature such as a canal or reservoir.

Application Requirements An application for an Operations Authorization for production operations must:

- Propose an amount of Proof of Financial Responsibility for the Regulator's consideration; and
- Include the following information in support of the proposed amount of Proof of Financial Responsibility:
 - A description of the worst case scenario that could occur from a spill or debris during the operation (for example, for a spill, identify the maximum possible volume and most damaging form of petroleum);
 - A description of any potential impacts of the worst case scenario on Indigenous and other land use and an estimate of the amount of loss or damage that would occur if the spill or debris were not cleaned up to the Regulator's satisfaction;
 - A description of the costs and expenses that would be incurred by a third party to clean up the worst case scenario, including:
 - Crew costs;
 - Accommodation costs for the crew, either in a camp, hotel or other facility;
 - Equipment cost to obtain and hire equipment for the removal of contaminated material or other waste;
 - Sampling costs to conduct sampling required to demonstrate that the clean-up has been completed effectively;
 - Transportation and disposal costs to transport the contaminated material or other waste to an approved disposal site and dispose of it; and
 - Access costs to access the well site in order to complete the clean-up. Identify the season of access (summer or winter), the types of access (barge, winter road, etc.), and the length and cost per kilometer of any roads to be constructed.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Definitions

A **spill** means a discharge, emission or escape of oil and gas, that is not authorized under an Operations Authorization.

Debris means an installation or structure used for an oil and gas operation or any material that has broken away, been abandoned or displaced during an oil and gas operation, but has been authorized under an Operations Authorization, but has been abandoned or displaced without approval of the Regulator.

Actual loss or damage is the loss of income, including future income, from a spill of oil and gas or from debris. For Indigenous peoples of Canada, this includes loss of hunting, fishing and gathering opportunities.

Third Party Costs

Claims under Proof of Financial Responsibility would occur if the operator did not clean up the spill or debris to the satisfaction of the Regulator.

Therefore, all estimates must be developed under the assumption that a third party will be conducting clean-up operations. Third party clean-up operations may not occur during the same work season as the activities that caused the spill or debris and may not have access to the operator's equipment in order to complete the clean-up.

Proof of Financial Responsibility Guidelines and Interpretation Notes

5 SUSPENSION AND ABANDONMENT OPERATIONS

Contents	<p>This section of the Guidelines describes Proof of Financial Responsibility requirements for well suspension and abandonment operations. It provides information on:</p> <ul style="list-style-type: none">• Rationale;• Maximum amounts;• Application requirements; and• Third party costs.
Objective	<p>To ensure applicants and operators understand what information must be submitted to the Regulator for determining the amount of Proof of Financial Responsibility for suspension and abandonment operations.</p>
Requirements	<p>Section 64(1) of OGOA states that Operators must provide Proof of Financial Responsibility in the amount and form satisfactory to the Regulator in order to obtain an Operations Authorization.</p> <p>The <i>Oil and Gas Spills and Debris Liability Regulations</i> state the maximum amounts of liability that can be held by the Regulator.</p>
Rationale	<p>The impacts of spills or debris resulting from suspension and abandonment operations vary depending on the nature of the operation and of the incident resulting in the spill or debris.</p> <p>Therefore, for suspension and abandonment operations, the Regulator will assess the amount of Proof of Financial responsibility required on a case-by-case basis, up to the maximum amount specified under the <i>Oil and Gas Spills and Debris Liability Regulations</i>.</p>
Maximum Amounts	<p>The <i>Oil and Gas Spills and Debris Liability Regulations</i> set the following maximum amounts for Proof of Financial Responsibility:</p> <ul style="list-style-type: none">• Operations in a submarine area: \$ 40 million;• Operations in an area within 200 meters of a river, stream, lake or other body of inland water: \$ 25 million; and• Operations in any other area: \$ 10 million.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Definition

A **body of inland water** is water under the exclusive legislative jurisdiction of the Government of the Northwest Territories that is capable, in its natural state, of being used by Indigenous people and the public for hunting, fishing, gathering, harvesting and cultural purposes and can be navigated by floating vessels of any description for the purpose of transportation, recreation or commerce, and may also be a human-made feature such as a canal or reservoir.

Application Requirements

An application for an Operations Authorization for suspension and abandonment operations must:

- Propose an amount of Proof of Financial Responsibility for the Regulator's consideration; and
- Include the following information in support of the proposed amount of Proof of Financial Responsibility:
 - A description of the worst case scenario that could occur from a spill or debris during the operation (for example, for a spill, identify the maximum possible volume and most damaging form of petroleum);
 - A description of any potential impacts of the worst case scenario on Indigenous and other land use and an estimate of the amount of loss or damage that would occur if the spill or debris were not cleaned up to the Regulator's satisfaction;
 - A description of the costs and expenses that would be incurred by a third party to clean up the worst case scenario, including:
 - Crew costs;
 - Accommodation costs for the crew, either in a camp, hotel or other facility;
 - Equipment cost to obtain and hire equipment for the removal of contaminated material or other waste;
 - Sampling costs to conduct sampling required to demonstrate that the clean-up has been completed effectively;
 - Transportation and disposal costs to transport the contaminated material or other waste to an approved disposal site and dispose of it; and
 - Access costs to access the well site in order to complete the clean-up. Identify the season of access (summer or winter), the types of access (barge, winter road, etc.), and the length and cost per kilometer of any roads to be constructed.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Definitions

A **spill** means a discharge, emission or escape of oil and gas, that is not authorized under an Operations Authorization.

Debris means an installation or structure used for an oil and gas operation or any material that has broken away, been abandoned or displaced during an oil and gas operation, but has been authorized under an Operations Authorization, but has been abandoned or displaced without approval of the Regulator.

Actual loss or damage is the loss of income, including future income, from a spill of oil and gas or from debris. For Indigenous peoples of Canada, this includes loss of hunting, fishing and gathering opportunities.

Third Party Costs

Claims under Proof of Financial Responsibility would occur if the operator did not clean up the spill or debris to the satisfaction of the Regulator.

Therefore, all estimates must be developed under the assumption that a third party will be conducting clean-up operations. Third party clean-up operations may not occur during the same work season as the activities that caused the spill or debris and may not have access to the operator's equipment in order to complete the clean-up.

Proof of Financial Responsibility Guidelines and Interpretation Notes

6 SEISMIC OPERATIONS

Contents	<p>This section of the Guidelines describes Proof of Financial Responsibility requirements for seismic operations. It provides information on:</p> <ul style="list-style-type: none">• Rationale;• Maximum amounts;• Application requirements; and• Third party costs.
Objective	<p>To ensure applicants for an Operations Authorization know what information must be submitted to the Regulator for determining the amount of Proof of Financial Responsibility for seismic operations.</p>
Requirements	<p>Section 64(1) of OGOA states that Operators must provide Proof of Financial Responsibility in the amount and form satisfactory to the Regulator in order to obtain an Operations Authorization.</p> <p>The <i>Oil and Gas Spills and Debris Liability Regulations</i> under OGOA state the maximum amounts of liability that can be held by the Regulator.</p>
Rationale	<p>The impacts of spills or debris resulting from seismic operations vary depending on the nature of the operation and of the incident resulting in the spill or debris.</p> <p>Therefore, for seismic operations, the Regulator will assess the amount of Proof of Financial responsibility required on a case-by-case basis, up to the maximum amount specified under the <i>Oil and Gas Spills and Debris Liability Regulations</i>.</p>
Maximum Amounts	<p>The <i>Oil and Gas Spills and Debris Liability Regulations</i> set the following maximum amounts for Proof of Financial Responsibility:</p> <ul style="list-style-type: none">• Seismic operations in a submarine area: \$ 40 million;• Seismic operations in an area within 200 meters of a river, stream, lake or other body of inland water: \$ 25 million; and• Seismic operations in any other area: \$ 10 million.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Definition

A **body of inland water** is water under the exclusive legislative jurisdiction of the Government of the Northwest Territories that is capable, in its natural state, of being used by Indigenous people and the public for hunting, fishing, gathering, harvesting and cultural purposes and can be navigated by floating vessels of any description for the purpose of transportation, recreation or commerce, and may also be a human-made feature such as a canal or reservoir.

Application Requirements

An application for an Geophysical Operations Authorization must:

- Propose an amount of Proof of Financial Responsibility for the Regulator's consideration; and
- Include the following information in support of the proposed amount of Proof of Financial Responsibility:
 - A description of the worst case scenario that could occur from a spill or debris during the operation (for example, for a spill, identify the maximum possible volume and most damaging form of petroleum);
 - A description of any potential impacts of the worst case scenario on Indigenous and other land use and an estimate of the amount of loss or damage that would occur if the spill or debris were not cleaned up to the Regulator's satisfaction;
 - A description of the costs and expenses that would be incurred by a third party to clean up the worst case scenario, including:
 - Crew costs;
 - Accommodation costs for the crew, either in a camp, hotel or other facility;
 - Equipment cost to obtain and hire equipment for the removal of contaminated material or other waste;
 - Sampling costs to conduct sampling required to demonstrate that the clean-up has been completed effectively;
 - Transportation and disposal costs to transport the contaminated material or other waste to an approved disposal site and dispose of it; and

Proof of Financial Responsibility Guidelines and Interpretation Notes

- Access costs to access the well site in order to complete the clean-up. Identify the season of access (summer or winter), the types of access (barge, winter road, etc.), and the length and cost per kilometer of any roads to be constructed.

Definitions

A **spill** means a discharge, emission or escape of oil and gas, that is not authorized under an Operations Authorization.

Debris means an installation or structure used for an oil and gas operation or any material that has broken away, been abandoned or displaced during an oil and gas operation, but has been authorized under an Operations Authorization, but has been abandoned or displaced without approval of the Regulator.

Actual loss or damage is the loss of income, including future income, from a spill of oil and gas or from debris. For Indigenous peoples of Canada, this includes loss of hunting, fishing and gathering opportunities.

Third Party Costs

Claims under Proof of Financial Responsibility would occur if the operator did not clean up the spill or debris to the satisfaction of the Regulator.

Therefore, all estimates must be developed under the assumption that a third party will be conducting clean-up operations. Third party clean-up operations may not occur during the same work season as the activities that caused the spill or debris and may not have access to the operator's equipment in order to complete the clean-up.

Proof of Financial Responsibility Guidelines and Interpretation Notes

7 CLAIMS

Contents	<p>This section of the Guidelines describes how claims can be made under Proof of Financial Responsibility held by the Regulator. It provides information on:</p> <ul style="list-style-type: none">• The limitation period;• Triggers for a claim against Proof of Financial Responsibility;• Making a claim for loss or damages;• Making a claim for costs;• Claims for additional compensation.
Objective	<p>To ensure applicants, operators and other stakeholders understand the process, timelines and details for making a claim to the Regulator for Proof of Financial Responsibility.</p>
Requirements	<p>Section 63(4) of OGOA states that a party can make a claim in any court of competent jurisdiction in Canada.</p> <p>Section 63(6) of OGOA establishes the period within which a claim may be made.</p> <p>Section 64(3) of OGOA states that the Regulator may make payments from the Proof of Financial Responsibility in respect to a claim that meets the requirements of section 63 of OGOA, whether or not a claim has been made through the courts.</p>
Limitation Period	<p>A claim can be made:</p> <ul style="list-style-type: none">• Within three years after the loss, damage, costs or expenses were incurred by the claimant; but• Not later than six years after the day the spill or debris occurred.
Definitions	<p>A spill means a discharge, emission or escape of oil and gas, that is not authorized under an Operations Authorization.</p> <p>Debris means an installation or structure used for an oil and gas operation or any material that has broken away, been abandoned or displaced during an oil and gas operation, but has been authorized under an Operations Authorization, but has been abandoned or displaced without approval of the Regulator.</p>

Proof of Financial Responsibility Guidelines and Interpretation Notes

Actual loss or damage is the loss of income, including future income, from a spill of oil and gas or from debris. For Indigenous peoples of Canada, this includes loss of hunting, fishing and gathering opportunities.

Triggers for a Claim against Proof of Financial Responsibility

A claim against Proof of Financial Responsibility may be triggered by:

- The occurrence of a spill or debris;
- The failure of the operator to clean up the spill or debris to the Regulator's satisfaction; and
- Either:
 - Loss or damages caused by the spill or debris; or
 - Costs or expenses incurred to clean up the spill or debris.

Making a Claim for Loss or Damages

To make a claim to the Regulator for loss or damages resulting from a spill or debris, the claimant must apply in writing and include, at a minimum, the following:

- Evidence that a spill or debris occurred;
- The date the spill or debris occurred;
- Evidence that the operator failed to clean up the spill or debris to the Regulator's satisfaction; and
- Detailed information on the nature and value of:
 - The actual loss or damage to an individual's income, or future income, resulting from the spill or debris; and/or
 - The actual loss or damage to an Indigenous person's hunting, fishing and gathering opportunities resulting from the spill or debris.

Making a Claim for Costs

To make a claim to the Regulator for costs incurred to clean up a spill or debris, the claimant must apply in writing and include, at a minimum, the following:

- Evidence that a spill or debris occurred;
- The date the spill or debris occurred;
- Evidence that the operator failed to clean up the spill or debris to the Regulator's satisfaction; and
- Detailed information on the nature and amount of the costs incurred and how they relate to the clean-up of the spill or debris.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Claims for Additional Compensation

Based on these Guidelines, the Regulator may not hold the maximum amount of Proof of Financial Responsibility possible under the *Oil and Gas Spills and Debris Regulations*.

If the amount of Proof of Financial Responsibility held by the Regulator does not meet the full amount of the claims presented for loss or damages and for costs, claimants may pursue the remaining amount, up to the maximum established in the *Oil and Gas Spills and Debris Regulations*, through the courts.

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Proof of Financial Responsibility Guidelines and Interpretation Notes

8 FORM OF PROOF OF FINANCIAL RESPONSIBILITY

Contents	<p>This section of the Guidelines describes the form the Regulator accepts for posting of Proof of Financial Responsibility. It contains information on:</p> <ul style="list-style-type: none">• The forms accepted by the Regulator;• The requirements for an Irrevocable Letter of Credit (ILOC); and• Other forms of Proof of Financial Responsibility.
Objective	<p>To ensure applicants understand the form of Proof of Financial Responsibility acceptable to the Regulator.</p>
Requirements	<p>Section 64 of OGOA requires that Operators provide Proof of Financial Responsibility for the amount and in a form satisfactory to the Regulator.</p>
Forms Accepted by the Regulator	<p>The Regulator accepts either an Irrevocable Letter of Credit (ILOC) or cash as Proof of Financial Responsibility.</p>
Requirements for an ILOC	<p>An Irrevocable Letter of Credit (ILOC) for Proof of Financial Responsibility must:</p> <ul style="list-style-type: none">• Be issued by a Canadian chartered bank as set out in Schedule I of the <i>Bank Act</i>;• Show as beneficiary “Government of the Northwest Territories, 4th floor, 5201-50th Avenue, PO Box 1320, Yellowknife, Northwest Territories, X1A 2L9, Canada”;• Be to the attention of “Executive Director, Office of the Regulator of Oil and Gas Operations”;• Allow for automatic renewal with at least 90 days’ notice to the Regulator if the ILOC is to be cancelled, not renewed or expire; and• Allow for multiple partial drawings.

Proof of Financial Responsibility Guidelines and Interpretation Notes

Other Forms of Proof of Financial Responsibility The Regulator will consider other forms of Proof of Financial Responsibility on a case by case basis. Any other forms of Proof of Financial Responsibility must provide the Regulator with readily available access to the funds. An operator who proposes to use other forms of Proof of Financial Responsibility must submit its request to the Regulator with its application for an Operations Authorization for the Regulator's consideration.

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**Proof of Financial Responsibility
Guidelines and Interpretation Notes**

9 REGULATOR'S APPROVAL

These *Proof of Financial Responsibility Guidelines and Interpretation Notes* are issued under section 18 of the *Oil and Gas Operations Act* effective MONTH DAY, 2021.

Pauline de Jong