The pre-qualification of Specialized Offices and Expert Offices in the Hydrocarbons Sector and Its Environmental Role in Light of Executive Decree 24-278

التأهيل الأولي للمكاتب المتخصصة ومكاتب الخبرة في قطاع المحروقات ودوره البيئي في ضوء المرسوم التنفيذي 24-278

Boutarfa Aouatef ♦
8 May 1945 University – Guelma/ Algeria
boutarfa.aouatef@univ-guelma.dz

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Abstract:

This study aims to highlight the pre-qualification of Specialized Offices and Expert Offices in the hydrocarbons sector, specifying the conditions and procedures for obtaining it, and analyzing the ways in which it contributes to environmental protection. The results confirm the importance of pre-qualification in ensuring that these offices comply with environmental and technical standards, thereby reducing the environmental impact of activities related to hydrocarbons. Additionally, the study emphasizes the pivotal role of the hydrocarbons regulatory authority, which is reflected in the strict oversight imposed on qualified offices to ensure the quality of their performance and compliance with regulations.

Keywords: pre-qualification, specialized offices, expert offices, environmental protection, hydrocarbons sector.

الملخص:

تهدف هذه الدراسة إلى تسليط الضوء على التأهيل الأولي للمكاتب المتخصصة ومكاتب الخبرة في قطاع المحروقات، وتحديد شروط وإجراءات الحصول عليه، وتحليل كيفيات ومظاهر مساهمته في حماية البيئة، توصلت النتائج إلى تأكيد أهمية التأهيل الأولي في ضمان التزام هذه المكاتب بالمعايير البيئية والتقنية، مما يقلل الأثر البيئي للنشاطات المتعلقة بالمحروقات، كما أبرزت الدور المحوري لسلطة ضبط المحروقات والذي يتجلى في فرض رقابة صارمة على المكاتب المؤهلة لضمان جودة أدائها وامتثالها للقوانين.

الكلمات المفتاحية: التأهيل الأولي، المكاتب المتخصصة، مكاتب الخبرة، حماية البيئة، قطاع المحروقات.

♦ **Author Sent**

Introduction

The protection of the environment within the hydrocarbons sector, on both global and national levels, is critically important due to the substantial environmental impacts associated with the extraction and utilization of hydrocarbon resources. In alignment with Algeria's commitment to enhancing environmental protection and achieving sustainable development, there has been an escalating necessity for robust environmental regulation and oversight concerning hydrocarbon activities, this necessity has been addressed through the enactment of Law No. 19-13, which governs hydrocarbon activities.

In 2024, Executive Decree No. 24-278[1] was promulgated to delineate the conditions and procedures for the pre-qualification of specialized and expert offices in the hydrocarbons sector, pursuant to Article 44 of Law No. 19-13[2]. This executive decree establishes the criteria and procedures for the pre-qualification of firms engaged in conducting environmental impact assessments, hazard studies, and other risk evaluations, as well as those responsible for regulatory oversight and technical inspections.

Importance of the study: This study is significant due to the pivotal role that the pre-qualification process for specialized and expert offices plays in ensuring their capability to provide high-quality services in compliance with hydrocarbons regulation laws, such qualification is crucial for enhancing the firms' contribution to environmental protection.

Problematic of the Study: In light of the above, the following Problematic can be posed:

How can the pre-qualification of specialized offices and expert offices in the hydrocarbons sector contribute to environmental protection?

Objectives of the Study: This study aims to achieve several objectives, which are outlined as follows:

- Providing a comprehensive understanding of the concept of pre-qualification for specialized and expert offices in the hydrocarbons sector.

- Defining the conditions required for granting pre-qualification to these offices.

[1] Executive Decree No. 24-278 dated 8 Safar 1446 AH, corresponding to August 13, 2024, outlines the conditions and procedures for the pre-qualification of specialized offices and expert offices involved in the hydrocarbons sector, Official Gazette No. 58, issued on August 22, 2024.

[2] Article No 44 (§ 10) of Law No. 19-13 dated 14 Rabi' al-Thani 1441 AH, corresponding to December 11, 2019, regulates hydrocarbons activities, Official Gazette No. 79, issued on December 22, 2019.

- Detailing the procedures involved in the pre-qualification process as outlined by the Hydrocarbons regulatory authority.

- Analyzing how the pre-qualification of specialized and expert offices contributes to environmental protection and identifying the specific ways in which this contribution is manifest

The methodology followed: Addressing the research problem necessitates a descriptive approach to thoroughly understand the concept of pre-qualification for specialized and expert offices in the hydrocarbons sector, including the official qualification conditions established by the regulatory authority and the procedural aspects of this process. Additionally, an analytical approach is required to assess how these offices contribute to environmental protection and to examine the key aspects of this contribution. The study will follow this structured plan:

The plan of the study: The issue of this study will be addressed according to a plan that includes two main topics. The first topic explores the concepts and procedures of pre-qualification for specialized and expert offices in the hydrocarbons sector, while the second focuses on discussing the role of pre-qualification for specialized and expert offices in environmental protection.

I. pre-qualification in the Hydrocarbons Sector: Concepts and Procedures

The executive decree 24-278 regulates the pre-qualification process for specialized offices and expert offices in the hydrocarbons sector, in accordance with the provisions of Law No. 19-13, which governs hydrocarbon activities. The decree provides definitions for the parties involved in the pre-qualification process and specifies the exact conditions and procedures that the Hydrocarbon Regulatory Authority must follow to qualify these specialized and expert offices. It ensures that these offices are capable of performing their functions correctly and in line with the required standards. We will first cover the fundamentals of the pre-qualification for specialized and expert offices (**1**), and then explain the procedures for the pre-qualification of these offices (**2**).

1. Concepts of Pre-qualification for Specialized and Expert Offices

pre-qualification of specialized and expert offices in the hydrocarbons sector is conducted by the Hydrocarbon Regulatory Authority[1]. This

[1] Article No 1 of Executive Decree No. 24-278, op.cit

authority performs an evaluation and certification process to ensure that these offices possess the necessary competence and knowledge to provide their services in the hydrocarbons sector. The purpose of this qualification is to confirm that accredited offices have the required expertise and appropriate resources to handle technical and administrative issues related to the hydrocarbons sector and that they comply with established standards and regulations. We will first address the concept of pre-qualification for specialized offices, followed by the concept of pre-qualification for expert offices.

1.1. Definition and Conditions of Pre-qualification for Specialized Offices

Specialized offices are responsible for preparing environmental impact assessments, hazard studies, and other risk assessments. These studies are crucial for evaluating the environmental and technical impact of any activity in the hydrocarbons sector. The purpose of the pre-qualification is to ensure the quality and reliability of the services provided by these offices and to serve as a fundamental step in ensuring their compliance with the laws and regulations governing the hydrocarbons sector. In the following sections, we will provide definitions of pre-qualification for specialized offices and its conditions as outlined in Executive Decree No. 24-278.

1.1.1. Definition of Pre-qualification for Specialized Offices

Executive Decree No. 24-278 defines a specialized office as one that prepares studies and reports on the environmental impacts of activities, as well as other studies related to risks[1]. This means that such an office specializes in providing assessments of environmental impact and preventive measures for specific risks.

The pre-qualification for specialized offices is defined as a comprehensive evaluation process conducted to ensure that these offices in the hydrocarbons sector meet the necessary environmental and technical standards to operate effectively and safely. This qualification includes verifying the offices' compliance with local and international environmental standards, such as environmental protection laws and waste management regulations, as well as their capabilities in implementing safety procedures and risk management practices. This is achieved through reviewing internal

[1] Article No 2 of Executive Decree No. 24-278, op.cit.

systems, training, and approved procedures to ensure a strong commitment to environmental standards[1].

The process confirms the offices' ability to adhere to environmental regulations and specific technical standards, aimed at ensuring environmental protection and the conservation of natural resources. It involves examining practices and techniques used in hydrocarbons management, evaluating ecosystem systems and safety measures, and ensuring effective systems for monitoring environmental performance and managing emergencies. Qualification is granted after the offices successfully pass thorough audits demonstrating their possession of the necessary resources and expertise.[2]

1.1.2. Conditions of Pre-qualification for Specialized Offices

The Pre-qualification for Specialized Offices requires verifying their ability to handle a range of studies and documents related to environmental impact, hazards, and risks associated with hydrocarbons activities. These offices must be capable of providing accurate and comprehensive reports and effective solutions for risk and environmental management to ensure compliance with environmental and health regulations. Article 5 of Executive Decree No. 24-278 specifies the conditions for pre-qualification and details the areas in which specialized offices must be qualified, pertaining to various studies and documents related to hydrocarbons activities. These areas are outlined as follows:[3]

A. **Environmental Impact Studies:** These involve analyzing how hydrocarbons-related activities or projects may affect the surrounding environment. For example, studying the impact of oil projects on soil, water, and air. Offices must be able to prepare comprehensive impact studies to evaluate the effects of hydrocarbons activities and provide solutions to mitigate potential harm.

B. **Environmental Impact Statements:** Offices are required to prepare explanatory notes summarizing the results of environmental impact studies, detailing the measures and precautions to be taken to minimize negative

[1] Environmental Management Systems and Certification by the International Organization for Standardization (ISO). https://www.iso.org/obp/ui/en/#iso:std:iso:14001:ed-3:v1:en

[2] American Petroleum Institute (API),Oil and Gas Industry Environmental Compliance, https://www.api.org/oil-and-natural-gas/environment

[3] Article No 5 of Executive Decree No. 24-278, op.cit.

environmental impacts, and providing recommendations on how to reduce potential adverse effects.

C. **Hazard Studies**: This includes assessing potential hazards associated with various hydrocarbons sector activities, such as technical, environmental, and health hazards that may arise from activities or projects, like the risks of chemical spills.

D. **Hazard Statements:** Offices must provide explanatory notes on how to address identified hazards and the measures to be taken to mitigate or manage these hazards.

E**. Risk studies related to research activities:** These involve assessing risks related to research and exploration activities in the hydrocarbons sector, such as geological studies or exploratory drilling, and ensuring adherence to necessary safety standards and regulations.

F. **Risk studies related to health, safety, and environmental files:** These studies pertain to risks affecting public health, safety, and the environment within the context of hydrocarbons activities, such as the safety of facilities and related infrastructure. They include analyzing health and environmental safety risks according to regulatory requirements for hydrocarbons projects, ensuring facilities and equipment meet safety and environmental standards.

G. **Any other risk studies:** This includes risk studies related to the following activities:

- **Offshore Hydrocarbons Activities:** Analyzing risks associated with oil or gas extraction from the sea, such as risks related to drilling and production in marine areas.

- **Site Abandonment and Restoration:** Studying how to handle project sites after their use, assessing risks related to the closure of production sites and their restoration to pre-activity conditions.

H. **Carbon Capture and Sequestration:** Studying methods for capturing carbon from industrial activities to reduce environmental impact.

I. **Underground Storage of Hydrocarbons and Petroleum Products:** Risk analysis related to the storage of petroleum materials in underground tanks to ensure safety and prevent leaks.

Article 6 of Executive Decree No. 24-278 stipulates that studies and statements mentioned in Article 5, such as environmental impact studies and hazard studies, can only be conducted by specialized offices that have been initially qualified according to the provisions of this decree. This means that

environmental and risk-related studies for hydrocarbons activities must be conducted by offices that have been officially recognized for such work.

The decree outlines the conditions for pre-qualification for specialized offices seeking to work in the areas specified in points 1 to 6 of Article 5. This includes studies related to environmental impact, hazard statements, and health, safety, and environmental risk studies.[1]

To obtain pre-qualification in these areas, an office must have:

- **Technical Resources:** The office must possess the necessary equipment and technologies to perform the required activities.

- **Availability of qualified technical staff:** The office must have qualified personnel in the required specialties. To demonstrate staff competencies, the following certificates and documents must be provided:

- **Higher education certificates:** Indicating that the employees have completed their academic education in relevant specialties.

- **Training certificates:** Showing that the employees have received specialized training as specified in Appendix II of the decree.

- **Professional experience documents:** Providing evidence of the employees' practical experience in the required field.

- **Certificates of good performance:** Certificates from the competent authorities confirming that the studies or reports submitted by the office have been reviewed and approved, as detailed in Appendix II of the decree.

- **Number of Qualified Staff:** The office must have at least three qualified staff members according to the specific disciplines for each study area, as detailed in the decree's annex.

Article 8 of the same decree addresses the qualification of offices for other areas outlined in point 7 of Article 5, including:

- Offshore hydrocarbons activities.

- Site abandonment and restoration.

- Carbon capture and storage.

- Underground storage of hydrocarbons and petroleum products.

Qualification in these areas is based on:

[1] Article No 7 of Executive Decree No. 24-278, op.cit

- **Experience:** The office must have experience in these specific fields.

- **Reviews:** Submitting documents or reviews related to these activities to the relevant authority (Hydrocarbons Regulatory Authority).

It is clear that Article 7 of Executive Decree No. 24-278 pertains to the general conditions for pre-qualification in the areas under points 1 to 6 of Article 5, focusing on assessing office readiness in environmental impact, hazard, and health risk studies. Article 8, on the other hand, relates to pre-qualification for offices applying to work in the specialized fields represented by point 7 of Article 5, including specific activities such as offshore operations and risks related to hydrocarbons storage and carbon capture

1.2. Definition and Conditions of Pre-qualification for Expert Offices

Expert offices play a crucial role in regulatory oversight and technical inspection, providing expertise and recommendations in the context of hydrocarbons activities, including studies, design, and data analysis. The Pre-qualification aims to ensure the quality and reliability of the services, data, and solutions provided by these offices and is a fundamental step in ensuring their compliance with the laws and regulations specific to the hydrocarbons sector. The following provides definitions and conditions for Pre-qualification for Expert Offices as outlined by Executive Decree No. 24-278.

1.2.1. Definition of Pre-qualification for Expert Offices

An expert office is defined as an external entity responsible for regulatory oversight and technical inspection in the field of hydrocarbons activities[1]. In other words, it is an independent, specialized entity tasked with monitoring and examining hydrocarbons-related activities to ensure compliance with standards and regulatory requirements.

The Pre-qualification for Expert Offices in the hydrocarbons sector is a process aimed at confirming that these offices possess the expertise and technical competencies necessary to provide accurate and reliable consultations and evaluations. This includes assessing the office's capabilities in regulatory oversight and technical supervision of projects to ensure adherence to applicable standards and regulations[2].

[1] Article No 2 of Executive Decree No. 24-278, op.cit

[2] International Association of Oil & Gas Producers (OGP). "**Guidelines for the Qualification of Technical Experts in the Oil and Gas Sector**." OGP Technical Report, 2021, p17-15

It is also defined as an evaluation process that verifies these offices have the requisite competence to offer their services in regulatory oversight and technical supervision of hydrocarbons projects. The qualification aims to ensure that the offices can perform their tasks in alignment with regulatory standards and achieve the required quality[1].

1.2.2. Conditions for Pre-qualification of Expert Offices

Expert offices seeking Pre-qualification in the hydrocarbons sector must meet specific conditions related to accreditation, specialization in regulatory oversight equipment, and providing the necessary resources to ensure effective execution of activities according to the specified standards. Executive Decree No. 24-278 outlines the conditions for Pre-qualification for Expert Offices wishing to engage in hydrocarbons activities, which are clarified as follows:

A. **Accreditation Requirement for Expert Offices**

Accreditation means that the office must obtain official recognition from relevant authorities for its activities in the hydrocarbons sector, this is a fundamental requirement for an expert office seeking Pre-qualification, and the accreditation must comply with laws and regulations governing the process of granting accreditation and qualification for expert offices in the hydrocarbons sector[2].

B. Qualification Requirements for Regulatory Oversight:

- **Qualification for Regulatory Oversight:** Regulatory oversight means that the office will monitor compliance with regulatory standards, especially those related to pressure equipment, pipelines, and electrical integration equipment.

- **Accreditation in the Manufacturing Country:** This means the office must be accredited in the same country where the equipment was manufactured, ensuring that the office has the necessary knowledge and experience regarding the specifications and standards of the manufactured equipment.[3]

[1] American Petroleum Institute (API). "**Standards and Guidelines for Prequalification of Technical Consulting Services in the Petroleum Industry**." API Standards, 2019.p31
[2] Article No 23 of Executive Decree No. 24-278, op.cit.
[3] Article No 24 of Executive Decree No. 24-278, op.cit

C. **Requirement for Availability of Necessary Human and Material Resources:**

- The expert office must have the human and material resources necessary to perform the activities covered by the Pre-qualification.

- The office must employ qualified and specialized personnel in the hydrocarbons sector.

- The office must have the tools and equipment required to perform specialized functions in the hydrocarbons field.

- These resources must comply with the required standards and best practices in the gas and petroleum industry to ensure performance quality and effectiveness[1].

2. Procedures of pre-qualification for Specialized and Expert Offices

The procedures of Pre-qualification for Specialized and Expert Offices are outlined by Executive Decree No. 24-278, these procedures require the submission of a comprehensive dossier by offices seeking qualification to the Hydrocarbons Regulatory Authority. This dossier must include documents demonstrating the offices' compliance with the required environmental and technical standards, as well as details regarding their capability to effectively carry out hydrocarbons-related activities. The Hydrocarbons Regulatory Authority is responsible for reviewing and evaluating these dossiers to ensure compliance with applicable laws and regulations. These procedures help ensure that offices are qualified in a manner that meets the specified environmental and regulatory objectives. We will explain the procedures for specialized offices and for expert offices.

2.1. Methods of Pre-qualification for Specialized Offices

The materials from Articles 09 to 14 included the procedures for obtaining Pre-qualification for offices specialized in the field of hydrocarbons, we will explain these procedures as follows:

2.1.1. Request for Pre-qualification

A. Submission of the Pre-qualification Request: Specialized offices seeking Pre-qualification must submit a Request to the Hydrocarbons Regulatory Authority.

[1] Article No 25 of Executive Decree No. 24-278, op.cit

B. Documents and Information: The Request must be accompanied by documents and information specified in Annex I of the decree, which includes a list of requirements and necessary documents for submission[1].

2.1.2. Examination of the Pre-qualification Request

A. **Examination Period:** The Hydrocarbons Regulatory Authority will examine the pre-qualification request within thirty (30) days from the date of receipt of the dossier.

B. **Request for Supplementary Information:** During the Examination period, the Hydrocarbons Regulatory Authority may request Supplementary Information or data from the specialized office if necessary[2], The office must provide the requested supplementary information or address any potential concerns within thirty (30) days of receiving the request.

C. **New Qualification Request**: If the office fails to provide the supplementary information or address concerns within the specified period, it must submit a new Pre-qualification application.

D. **Review of Supplementary Information**: The Hydrocarbons Regulatory Authority will review the supplementary information within fifteen (15) days from the date of receipt.[3]

2.1.3. Issuance of Pre-qualification Certificate

A. Delivery of Pre-qualification Certificate: If the pre-qualification application meets the specified requirements, the Hydrocarbons Regulatory Authority will issue a Pre-qualification certificate to the specialized office, the certificate must include its validity period, information about the applicant, the scope or areas of intervention, and a list of the personnel responsible for the studies.

B. Rejection of Qualification: If the application does not meet the requirements or if concerns are not resolved, the Hydrocarbons Regulatory Authority will issue a decision to reject the Pre-qualification[4].

2.1.4. Validity of Pre-qualification

The Pre-qualification is granted for a period of twenty-four (24) months. Subsequent Pre-qualification are valid for thirty-six (36) months[1],

[1] Article No 9 of Executive Decree No. 24-278, op.cit
[2] Article No 10 of Executive Decree No. 24-278, op.cit
[3] Article No 11 of Executive Decree No. 24-278, op.cit
[4] Article No 12 of Executive Decree No. 24-278, op.cit

the specialized office must apply for the renewal of Pre-qualification under the same conditions as for the pre-qualification. The renewal request must be submitted at least fifteen (15) days before the expiration of the Pre-qualification.

If the specialized office exceeds the specified deadlines, it must submit a new Pre-qualification application.[2]

2.1.5. Oversight by the Hydrocarbons Regulatory Authority

The Regulatory Authority for Hydrocarbons effectively contributes within the framework of its regulatory mandate by preparing and developing regulatory texts in the areas of health, industrial safety, and the environment. It also plays a crucial role in establishing technical regulations related to standards and specifications, as well as the technical regulations governing activities subject to the Hydrocarbons Law. Its most significant role emerges in the field of environmental protection, which is manifested through the oversight and approval of environmental impact studies that must be submitted by every entity operating in the hydrocarbons sector. These studies clarify the impact of the conducted activities on the environment, in addition to outlining the measures to be taken to avoid potential risks, and the remedial actions that will be adopted in the event of any occurrence[3].

Specialized offices with pre-qualification are subject to oversight by the Hydrocarbons Regulatory Authority, this means that the authority has the right to monitor and inspect the activities of specialized offices to ensure compliance with applicable standards and regulations[4].

If a specialized office with Pre-qualification fails to comply with the conditions on which the qualification was granted and/or the provisions of Decree No. 24-278, the Hydrocarbons Regulatory Authority will issue a notice to the office, and the Pre-qualification will be suspended or revoked within thirty (30) days from the date of the notice if not responded to[5].

A. **Suspension of Pre-qualification:** The Pre-qualification of specialized offices may be suspended by order of the Hydrocarbons Regulatory Authority for the following reasons:

- Non-compliance with the provisions of the decree.

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[1] Article No 13 of Executive Decree No. 24-278, op.cit
[2] Article No 14 of Executive Decree No. 24-278, op.cit
[3] Khaldia Mekki, **Role of the Hydrocarbon Regulatory Authority in the Protection of the Environment,** Idjtihad for legal and economic studies review, University of Tamenghasset,Vol. 9 No. 1(pp 347-371), 2020, p347.
[4] Article No 19 of Executive Decree No. 24-278, op.cit
[5] Article No 20 of Executive Decree No. 24-278, op.cit

- Repeated breaches of professional obligations set by the Hydrocarbons Regulatory Authority.

- Failure to meet the conditions for which the Pre-qualification was granted.

The suspension of Pre-qualification will last up to six (6) months, and the qualification will not be reinstated during this period until the reasons for suspension have been resolved[1].

B. **Revocation of Pre-qualification:** The Hydrocarbons Regulatory Authority will revoke the Pre-qualification of specialized offices for the following reasons:[2]

- Failure to address concerns after the suspension period has ended.

- False declarations or document forgery.

- Conducting activities during the suspension of Pre-qualification.

- Conflict of interest observed during the conduct of activities.

- Repeated instances of suspension.

2.2. Methods of Pre-qualification for Expert Offices

The articles from 26 to 31 outline the procedures for obtaining pre-qualification for Expert Offices in the hydrocarbons sector, while articles 42 to 45 detail the procedures for suspending and withdrawing this pre-qualification.

This explanation will be summarized, as the procedures are identical to those applied for granting pre-qualification to Specialized Offices in the hydrocarbons sector, which were previously mentioned (Request for Pre-qualification, Examination of the Pre-qualification Request, and issuing the pre-qualification certificate). Expert Offices also have the same validity period for their pre-qualification as that granted to Specialized Offices, as noted earlier, and are subject to oversight by the Hydrocarbon Regulatory Authority, similar to Specialized Offices.

However, there is a slight distinction between the two regarding the reasons for withdrawing pre-qualification. In addition to the withdrawal reasons applicable to both Specialized Offices and Expert Offices (including failure

[1] Article No 21 of Executive Decree No. 24-278, op.cit
[2] Article No 22 of Executive Decree No. 24-278, op.cit

to lift reservations after the suspension period, false declarations or document forgery, conducting activities during the suspension period, conflicts of interest observed during operations, and repeated instances of suspension), there are two additional reasons that may lead to the withdrawal of pre-qualification for Expert Offices: (replacing qualified personnel listed without the approval of the Hydrocarbon Regulatory Authority, and providing services that do not meet the standards, criteria, and best practices in the gas and oil industry).[1]

II. The Role of Pre-qualification for Specialized and Expert Offices in Environmental Protection

Pre-qualification for Specialized Offices and Expert Offices is considered a fundamental process in ensuring environmental protection. This is achieved by establishing precise standards and practices that must be adhered to. The Pre-qualification plays a crucial role in verifying the ability of these offices to effectively address environmental challenges and ensure the implementation of environmental protection measures in accordance with international and local standards. Therefore, the Authority for Regulating Hydrocarbon Activities relies on it to select the Specialized Offices and Expert Offices that meet the specified conditions and qualifications outlined in the annexes of Executive Decree 24-278. We will first clarify the contribution of the Pre-qualification of Specialized Offices to environmental protection **(1)**, and then the contribution of the Pre-qualification of Expert Offices to environmental protection **(2)**.

1. Contribution of Pre-qualification for Specialized Offices in Environmental Protection

The pre-qualification of specialized offices enhances the ability to implement and manage strict environmental standards, significantly contributing to environmental protection by reducing the ecological impact of various activities, it also promotes transparency and accountability, supports institutions' commitment to environmental laws, and encourages the adoption of best environmental practices, in this context, key aspects of how pre-qualification of specialized offices contributes to environmental protection will be highlighted as follows:

[1] Article No 45 of Executive Decree No. 24-278, op.cit.

The pre-qualification of Specialized Offices and Expert Offices in the Hydrocarbons Sector and Its Environmental Role in Light of Executive Decree 24-278.

1.1. Compliance with Environmental Standards and Enhancing Transparency

The pre-qualification process for specialized offices involves ensuring their adherence to environmental standards and confirms their commitment to transparency in their activities and reports. This includes establishing systems for evaluating environmental performance and disclosing relevant environmental information. We will explain this as follows:

1.1.1. Ensuring Compliance with Environmental Standards

The pre-qualification requires specialized offices to demonstrate compliance with specific environmental standards and conditions, which may include adherence to local and international environmental regulations, such as those related to hazardous waste management, reducing harmful emissions, conserving biodiversity and implementing sustainable energy standards[1], it also involves reviewing environmental risk management procedures, including emergency response and spill protocols. Specialized offices receive qualification after passing a comprehensive environmental audit by independent entities, ensuring they possess the necessary technical knowledge and resources to meet these standards[2], this audit evaluates current practices, reviews compliance records, and ensures adherence to best environmental practices and monitoring systems. Qualification also necessitates evaluating approved environmental management systems, such as ISO 14001, which provides a framework for improving environmental performance, enhancing compliance, and contributing to sustainable development and environmental protection for future generations[3].

1.1.2. Enhancing Transparency and Accountability

Enhancing transparency and accountability is a fundamental goal in managing organizational environments. Qualified offices may conduct regular environmental performance audits to ensure ongoing compliance with standards, including verifying emissions reports and waste management. This not only fosters transparency but also contributes to accountability, as independent audits can uncover violations and improvement opportunities. Additionally, offices prepare detailed environmental reports for regulatory bodies, containing information on

[1] David Miller, Alexa Burr**, American Petroleum Institute,** API-USEA-USAID Webinar September 2020, **p23.**
[2] David Miller, Alexa Burr**, Ibid,** p6-9.
[3]International Organization for Standardization, An Introduction to ISO 14001:2015 Standard., https://www.iso.org/files/live/sites/isoorg/files/archive/pdf/fr/introduction_to_iso_14001_fr_ld.pdf

environmental performance, corrective plans, and risk assessments. These reports enhance transparency in addressing environmental issues and provide a database accessible to stakeholders and the community.

1.2. Improving Risk Management and Environmental Practices

This section discusses how pre-qualification contributes to improving environmental risk management practices and enhancing environmental practices within qualified specialized offices. Their pre-qualification is based on meeting conditions and standards that enable them to play a crucial role in environmental protection and developing strategies for addressing potential environmental risks. We will explain this as follows:

1.2.1. Improving Environmental Risk Management

The Pre-qualification for Specialized Offices in the field of hydrocarbons involves a comprehensive process for assessing the environmental risks associated with hydrocarbon activities, with a particular focus on risks related to oil spills and chemical pollution[1]. The qualified offices conduct a thorough evaluation of potential environmental risks, including scenario analysis for various spills and contamination, and identifying vulnerabilities in infrastructure and operations. Based on these assessments, these offices develop risk management strategies aimed at effectively reducing environmental damage.

Risk management strategies include improving containment systems, such as establishing advanced spill barriers and secure waste storage tanks, as well as enhancing early warning systems that enable the rapid detection of any potential spills or other environmental issues.[2]

The Pre-qualification also includes the development of detailed emergency response plans that encompass rapid response procedures, actions to be taken in the event of environmental incidents, and the identification of specialized teams responsible for the response. These plans ensure effective coordination among different teams and minimize the environmental impacts of incidents.

Additionally, the offices conduct regular updates to these strategies and plans based on lessons learned from past incidents and new technological

[1]CENTRE D'EXPERTISE EN ANALYSE ENVIRONNEMENTALE DU QUÉBEC. 2015. **Hydrocarbures pétroliers : caractéristiques, devenir et criminalistique environnementale**, Études GENV222 et GENV23, Évaluation environnementale stratégique globale sur les hydrocarbures. Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, 41 p. et annexes. Québec

[2] Faith Mmesoma Kelechi, **Occupational Health, Safety, and Environmental Risk Management in the Oil and Gas Sector: Challenges, Precautions, and Implications,** Petroleum Technology Development Journal Vol. 13 No. 2, 2023, p89-98.

developments. This continuous assessment and updating aim to ensure the highest standards of environmental safety and sustainably reduce risks.

1.2.2. Implementing Advanced Environmental Practices

Qualified specialized offices implement best environmental practices and modern technologies to minimize the environmental impact of the activities they oversee. These practices encompass a range of strategies and techniques aimed at reducing the negative environmental effects of petroleum extraction, processing, and use.

Such practices include enhancing cleaning technologies and reducing pollution through gas treatment and water purification to ensure that chemicals do not leak into the environment. They also focus on improving energy efficiency by utilizing new technologies to increase the effectiveness of petroleum extraction and developing more efficient refining processes. In the transportation sector, efforts are made to enhance transportation systems to be safer and more efficient, alongside waste management through recycling and reduction initiatives.

These practices aim to mitigate environmental impacts by conducting environmental impact assessments and rehabilitating sites after extraction activities have ceased. Implementing these practices requires fostering innovation in sustainable methods and techniques for managing environmental activities, as well as coordinating efforts among companies, governments, and local communities to ensure resource sustainability and protect the environment for future generations.[1]

2. Contribution of Pre-qualification for Expert Offices in Environmental Protection

The Pre-qualification of the Expert Offices focuses on ensuring these offices' compliance with international and national legislation, including environmental regulations, as this forms the legal framework within which they will conduct their activities. The Pre-qualification also emphasizes the qualifications of the Expert Offices and their specialization in regulatory oversight and technical supervision in the field of hydrocarbons, as well as their ability to develop strategies for continuous improvement. The essential

[1] Wendy Brown, Artemis Kostareli, Ian Sealy, **Environmental Management in the Oil & Gas Industry, A Guide to Environmental Management Good Practices in the Upstream Oil & Gas Industry** Second Edition, Paper presented at the SPE International Conference and Exhibition on Health, Safety, Environment, and Sustainability, Virtual, 27-30 July 2020, Published: July 20 2020.p1-8.

aspects in which the Pre-qualification contributes to environmental protection will also be highlighted.

2.1. Compliance with Environmental Legislation and Regulatory Oversight

The content of this section indicates that the Pre-qualification of Expert Offices contributes to environmental protection by requiring these offices to comply with environmental legislation. This ensures that their practices in regulatory oversight and technical supervision in the field of hydrocarbons align with environmental laws. We will explain this as follows:

2.1.1. Ensuring Compliance with Environmental Legislation

The Pre-qualification of Specialized Offices ensures that these offices adhere to local and international environmental legislation, contributing to environmental preservation and the protection of natural resources. This qualification includes verifying the compliance of Specialized Offices with global environmental agreements, such as the Paris Agreement on climate change[1] and the protocol concerning persistent organic pollutants, in addition to local regulations that may govern water management, air pollution, and waste disposal. This qualification is granted to these offices to operate in the hydrocarbons sector, which poses significant risks to the environment if not conducted in accordance with environmental regulations.

2.1.2. Regulatory Oversight and Technical Supervision

Expert Offices play a crucial oversight role in ensuring that activities related to hydrocarbons comply with local and international environmental legislation, their role includes reviewing and auditing processes and procedures to ensure adherence to established environmental standards, as well as providing accurate reports on compliance, the Pre-qualification includes thorough technical supervision of hydrocarbon-related activities to ensure they are implemented according to best environmental practices. The handling and storage of materials are continuously monitored, and their environmental impacts are assessed to minimize risks and negative effects on the environment. This also involves training personnel on proper environmental procedures and fostering a culture of environmental commitment within the facilities.

[1] **The Framework Convention on Climate Change** was ratified by Presidential Decree No. 93-99, dated April 10, 1993, which includes the ratification of the United Nations Framework Convention on Climate Change, approved by the United Nations General Assembly on May 9, 1992, Official Gazette No. 24, issued on April 21, 1993.

The pre-qualification of Specialized Offices and Expert Offices in the Hydrocarbons Sector and Its Environmental Role in Light of Executive Decree 24-278.

The obligations imposed on entities in the hydrocarbons sector encompass various environmental considerations within the framework of sustainable development. These include cleanliness and public health, the essential characteristics of the adjacent terrestrial or marine environment, and the protection of biological resources. Furthermore, these obligations entail safeguarding the environment, ensuring industrial safety, and the use of chemicals, as well as the rational use of natural resources and energy. Additionally, they include the protection of groundwater resources and the preservation of cultural heritage[1].

2.2. Developing Continuous Improvement Strategies

This section discusses how the Pre-qualification of Expert Offices can contribute to environmental protection. The authority responsible for regulating hydrocarbon activities grants Pre-qualification only to those Expert Offices that have the capability to develop continuous improvement strategies and enhance environmental performance through ongoing assessments. These offices must also commit to environmental training and professional development for their workers and staff. We will explain this as follows:

2.2.1. Evaluating and Improving Environmental Performance

The Pre-qualification requires offices to develop strategies for continuous improvement in environmental performance. These strategies include assessing environmental performance and updating procedures based on results and feedback. Qualified offices conduct environmental impact assessments for new or modified projects. These assessments help identify and evaluate potential environmental impacts and provide recommendations for mitigation. Specialized offices prepare detailed environmental reports and offer guidance on environmental performance. These reports include risk assessments and recommendations for improving environmental practices, enhancing transparency and enabling precise monitoring of companies' compliance with environmental standards[2].

[1] Kharkhach Ilhem, **the role of the two-hidrocarbon agencies in achieving environmental security within the framework of sustainable development in the light of law N° 19-13,** Milev Journal of Research and Studies, University Center of Mila, vol8, No1(pp 59-68),2022, p61.

[2] Sorina Geanina STÂNESCU, Constantin Aurelian IONESCU2, Mihaela Denisa COMAN, **Environmental Audit Contribution to the Evaluation and Control of Environmental Information,** International Conference Globalization, Innovation and Development. Trends and Prospects (G.I.D.T.P.), LUMEN Conference Center & LUMEN Proceedings (pp: 200-213), Volume 10, 2018., p202-204.

2.2.2. Environmental Training and Professional Development

Qualified offices provide training for employees on correct environmental practices, enhancing environmental awareness and helping to implement effective measures in this field. The training aims to qualify workers and develop their skills in environmental issues, improving their ability to manage these issues comprehensively.

The offices also focus on providing intensive training for employees on how to handle environmental incidents, including rapid response techniques aimed at containing spills and minimizing their impacts. This training also covers the use of appropriate equipment and effective communication procedures with environmental and community authorities, as well as providing guidance and promoting continuous improvement[1].

Conclusion:

In conclusion, this article has highlighted the process of pre-qualification for Specialized Offices and Expert Offices in the hydrocarbons sector, viewing it as a fundamental step to ensure these offices' adherence to environmental and technical standards, which significantly contributes to environmental protection. This is in accordance with the strict conditions and precise procedures outlined in Executive Decree 24-278, which enhances the environmental role of pre-qualification by evaluating these offices' capabilities to manage environmental and technical risks, ensuring their compliance with environmental standards, and applying best practices. Furthermore, it reinforces their contribution to reducing the environmental impact of hydrocarbon-related activities, ensuring transparency and accountability, and guaranteeing that hydrocarbon activities are conducted in a sustainable and effective manner. **Through this study, we arrived at the following results:**

- Specialized Offices and Expert Offices operating in facilities and structures related to hydrocarbon activities must obtain pre-qualification from the relevant regulatory authority as stipulated by Executive Decree 24-278, to be officially recognized before engaging in their activities.

- The Hydrocarbons Regulatory Authority is responsible for confirming that Specialized Offices and Expert Offices meet the necessary requirements and

[1] Andrew Clark, Richard Verity, Sean Wheeler, Rose Landau, **Safety and environmental management in the oil and gas industry- A new model to enable line performance** report was originally published by Booz & Company in 2013. P9.

adhere to the specified laws and standards, thereby ensuring the professionalism and competence of these offices in the hydrocarbons field.

- Pre-qualification requires Specialized Offices and Expert Offices to comply with local and international laws and regulations, ensuring adherence to sound environmental standards in hydrocarbon sector activities.

- Pre-qualification emphasizes the importance of developing ongoing improvement strategies for environmental performance, including continuous employee training and updating practices, thereby enhancing sustainable environmental performance.

- Qualified offices contribute to developing effective strategies for managing environmental risks, including establishing rapid response plans to address environmental incidents.

- The level of transparency and accountability in environmental performance is enhanced through periodic audits and accurate environmental reporting.

- Pre-qualification for Specialized Offices and Expert Offices ensures adherence to sound environmental practices in the hydrocarbons sector and significantly contributes to reducing pollution, preserving biodiversity, mitigating climate change, conserving natural resources, and protecting community health.

Based on the findings, we can offer the following recommendations:

- Provide Specialized Offices and Expert Offices with updates on international and national legislation related to hydrocarbon activities and environmental protection.

- Expand the scope of pre-qualification to include more offices and practices, thereby enhancing the effectiveness of environmental procedures.

- Encourage Specialized Offices and Expert Offices to utilize modern technology to improve operational efficiency and reduce environmental impact.

- Enhance training programs for Specialized Offices and Expert Offices to ensure employees remain informed of the latest environmental standards and practices.

- Develop oversight and inspection mechanisms to ensure continuous compliance with environmental standards, intensifying efforts to monitor qualified offices.

-Strengthen cooperation between Specialized Offices, Expert Offices, governmental bodies, and civil society to share knowledge and achieve environmental protection objectives more effectively.

- Implement ongoing awareness programs to enhance environmental consciousness among workers and local communities, contributing to improved environmental response.

- Facilitate public access to environmental information and reports, thereby enhancing transparency and encouraging.

List of sources and references:

A. Legal texts

1. Conventions:

- **The Framework Convention on Climate Change** was ratified by Presidential Decree No. 93-99, dated April 10, 1993, which includes the ratification of the United Nations Framework Convention on Climate Change, approved by the United Nations General Assembly on May 9, 1992, Official Gazette No. 24, issued on April 21, 1993.

2. Legislative texts:

- **Law No. 19-13** dated 14 Rabi' al-Thani 1441 AH, corresponding to December 11, 2019, regulates hydrocarbons activities, Official Gazette No. 79, issued on December 22, 2019.

3. Regulatory texts:

- **Executive Decree No. 24-278** dated 8 Safar 1446 AH, corresponding to August 13, 2024, outlines the conditions and procedures for the pre-qualification of specialized offices and expert offices involved in the hydrocarbons sector, Official Gazette No. 58, issued on August 22, 2024.

B. Articles:

1. Journal articles :

- Kharkhach Ilhem, **the role of the two-hidrocarbon agencies in achieving environmental security within the framework of sustainable development in the light of law N° 19-13,** Milev Journal of Research and Studies, University Center of Mila, vol8, No1(pp 59-68),2022, p61.

- Khaldia Mekki, **Role of the Hydrocarbon Regulatory Authority in the Protection of the Environment,** Idjtihad for legal and economic studies review, University of Tamenghasset,Vol. 9 No. 1(pp 347-371), 2020, p347.

- Faith Mmesoma Kelechi, **Occupational Health, Safety, and Environmental Risk Management in the Oil and Gas Sector: Challenges, Precautions, and Implications,** Petroleum Technology Development Journal Vol. 13 No. 2, 2023, p89-98.

2. Seminar articles :

- David Miller, Alexa Burr**, American Petroleum Institute,** API-USEA-USAID Webinar September 2020, **p23.**

- Wendy Brown, Artemis Kostareli, Ian Sealy, **Environmental Management in the Oil & Gas Industry, A Guide to Environmental Management Good Practices in the Upstream Oil & Gas Industry** Second Edition, Paper presented at the SPE International Conference and Exhibition on Health, Safety, Environment, and Sustainability, Virtual, 27-30 July 2020, Published: July 20 2020.p1-8.
- Sorina Geanina STĂNESCU, Constantin Aurelian IONESCU2, Mihaela Denisa COMAN, **Environmental Audit Contribution to the Evaluation and Control of Environmental Information,** International Conference Globalization, Innovation and Development. Trends and Prospects (G.I.D.T.P.), LUMEN Conference Center & LUMEN Proceedings (pp: 200-213), Volume 10, 2018., p202-204.

C. Reports & Studies

- Andrew Clark, Richard Verity, Sean Wheeler, Rose Landau, **Safety and environmental management in the oil and gas industry- A new model to enable line performance** report was originally published by Booz & Company in 2013. P9.
- CENTRE D'EXPERTISE EN ANALYSE ENVIRONNEMENTALE DU QUÉBEC. 2015. **Hydrocarbures pétroliers : caractéristiques, devenir et criminalistique environnementale**, Études GENV222 et GENV23, Évaluation environnementale stratégique globale sur les hydrocarbures. Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, 41 p. et annexes. Québec

- American Petroleum Institute (API). "**Standards and Guidelines for Prequalification of Technical Consulting Services in the Petroleum Industry**." API Standards, 2019.p31.

- International Association of Oil & Gas Producers (OGP). "**Guidelines for the Qualification of Technical Experts in the Oil and Gas Sector**." OGP Technical Report, 2021, p17-15

D. Internet websites:

- Environmental Management Systems and Certification by the International Organization for Standardization (ISO). https://www.iso.org/obp/ui/en/#iso:std:iso:14001:ed-3:v1:en
- American Petroleum Institute (API), Oil and Gas Industry Environmental Compliance, https://www.api.org/oil-and-natural-gas/environment

- International Organization for Standardization, An Introduction to ISO 14001:2015 Standard.
https://www.iso.org/files/live/sites/isoorg/files/archive/pdf/fr/introduction_to_iso_14001_fr_ld.pdf