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## SUBSIDIARY LEGISLATION

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### MINERALS

#### **Offshore Petroleum (Licensing)(Amendment) Regulations 2009**

S. R. & O. No: 1 of 2009

*Made: ..... 6 February 2009*

*Published: ..... 28 February 2009*

*Coming into force: in accordance with regulation 3*

IN EXERCISE of my powers under section 7(1) of the Offshore Minerals Ordinance (No 16 of 1994), I make the following regulations —

#### **1. Title**

These regulations are the Offshore Petroleum (Licensing)(Amendment) Regulations 2009.

#### **2. Amendment of the Offshore Petroleum (Licensing) Regulations 2000**

These regulations amend the Offshore Petroleum (Licensing) Regulations 2000 (No 20 of 2000).

#### **3. Commencement**

(1) Subject to this regulation, these regulations come into force on publication in the Gazette.

(2) Regulations 4, 5 and 6(a) are deemed to have come into force on 18 April 2008.

(3) Regulation 6(b) is deemed to have come into force on 28 September 2007.

#### **4. Invited applications**

Regulation 6(1)(b) is amended by omitting paragraph (i).

#### **5. Schedule 1**

Schedule 1 (form of application for a production licence) is amended by omitting paragraph 4 and substituting —

“4. Number(s) of the block(s) and details of part block(s) in respect of which the application is made.”

## 6. Schedule 2

Schedule 2 (model clauses for production licences in controlled waters) is amended —

(a) in clause 2 by omitting “comprising block(s) No.” and substituting “making up the block(s) or a part or parts of block(s) numbered”;

(b) in clause 3 —

(i) by omitting “insert here either “three” or “five”” and substituting “insert here a figure from three to eight”;

(ii) by omitting “three years” and substituting “five years”; and

(c) by revoking Schedule 2 and substituting Schedule 2 set out in the schedule to these regulations.

## 7. Transitional

Regulation 6(b)(ii) has effect in relation to relevant current licences.

### Schedule

#### “Schedule 2

*(clause 10(1))*

#### ACREAGE RENTS

1. The Licensee will pay to the Governor, without any deduction, annual rents —

(a) in respect of the first licence held by the Licensee, of \$30,000 during the initial term and second exploration term;

(b) in respect of the second and each further licence held by the Licensee, of \$10,000 during the initial term and the second exploration term;

(c) of \$375,000 in relation to a discovery area; and

(d) of \$375,000 for every square kilometre of a production field (but no rent is payable in respect of a production field in relation to which royalty is payable).

2. The annual rents must be paid —

(a) in advance, the first payment being due on the grant of this Licence and subsequent payments being due on each anniversary of the Licence; and

(b) be paid to the Falkland Islands Government bank account in the Falkland Islands or in London as notified by the Falkland Islands Government Director of Finance.”

Made 6 February 2009

A. E. Huckle,  
*Governor.*

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EXPLANATORY NOTE  
*(not forming part of the above regulations)*

These regulations amend the Offshore Petroleum (Licensing) Regulations 2000 by:-

1. removing the prohibition on licensing of part blocks; and
2. amending the model clauses to:-
  - (i) provide for the initial term of a licence to be granted for a maximum period of eight years (increased from a period of five years);
  - (ii) provide for the second exploration term of a licence to be increased from three to five years; and
  - (iii) reflect a reduction in licensing fees which have, as a matter of practice, been charged for a number of years.