
SUBSIDIARY LEGISLATION

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.

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.