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*Changes to legislation: There are currently no known outstanding effects for the Deep Sea Mining Act 2014, Paragraph 3. (See end of Document for details)*

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## SCHEDULE

### AMENDMENTS OF DEEP SEA MINING (TEMPORARY PROVISIONS) ACT 1981

- 3 (1) Section 2 (exploration and exploitation licences) is amended as follows.
- (2) For subsection (1) substitute—
- “**(1)** In this Act—
- “the Authority” means the International Seabed Authority;
- “corresponding contract” means—
- (a) in relation to an exploration licence, a contract which is granted by the Authority to the licensee and authorises exploration for the licensed mineral resource in the licensed area, and
- (b) in relation to an exploitation licence, a contract which is granted by the Authority to the licensee and authorises the exploitation of the licensed mineral resource in the licensed area;
- “exploration licence” means a licence under this section authorising the licensee to explore for mineral resources of a description specified in the licence in an area so specified;
- “exploitation licence” means a licence under this section authorising the licensee to exploit mineral resources of a description specified in the licence in an area so specified;
- “granted by the Authority”, in relation to a contract, means granted by the Authority in accordance with Article 153 of the Convention;
- “plan of work” means a programme of activities and expenditure.”
- (3) In subsection (2)—
- (a) omit “subsection (4) and”, and
- (b) for the words from “the Secretary of State” to the end substitute “—
- (a) the Secretary of State may on payment of such fee as may with the consent of the Treasury be prescribed grant to such persons as the Secretary of State thinks fit exploration or exploitation licences, except where the Scottish Ministers have power to grant the exploration or exploitation licence in question;
- (b) the Scottish Ministers may on payment of such fee as may be prescribed grant to such persons as they think fit exploration or exploitation licences.”.
- (4) For subsection (3) substitute—
- “(3) An exploration or exploitation licence—
- (a) may be granted for such period as the Secretary of State thinks fit or, as the case may be, the Scottish Ministers think fit, and
- (b) must not come into force before the date on which a corresponding contract comes into force.

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- (3A) An exploration or exploitation licence may contain such terms and conditions as the Secretary of State thinks fit or, as the case may be, the Scottish Ministers think fit, including, in particular, terms and conditions—
- (a) relating to the safety, health or welfare of persons employed in the licensed operations or in the ancillary operations;
  - (b) relating to the processing or other treatment of any mineral resources extracted in pursuance of the licence which is carried out by or on behalf of the licensee on any ship;
  - (c) relating to the disposal of any waste material resulting from such processing or other treatment;
  - (d) requiring plans, returns, accounts or other records with respect to any matter connected with the licensed mineral resource and the licensed area or licensed operations or ancillary operations, to be provided to the Secretary of State or, as the case may be, the Scottish Ministers;
  - (e) requiring samples of the licensed mineral resource discovered in or extracted from the licensed area, or assays of such samples, to be provided to the Secretary of State or, as the case may be, the Scottish Ministers;
  - (f) requiring any exploration for or exploitation of the licensed mineral resource in the licensed area to be diligently carried out;
  - (g) requiring the licensee to comply with such provisions of the Convention and the Agreement, interpreted in accordance with Article 2 of the Agreement, as are applicable to contractors;
  - (h) requiring compliance with any other rules, regulations and procedures issued or adopted by the Authority, as are applicable to contractors;
  - (i) requiring compliance with a corresponding contract;
  - (j) requiring compliance with any plan of work authorised by a corresponding contract;
  - (k) requiring payment to the Secretary of State of such sums as may with the consent of the Treasury be prescribed at such times as may be prescribed;
  - (l) requiring payment to the Scottish Ministers of such sums as may be prescribed at such times as may be prescribed; and
  - (m) permitting the transfer of the licence in prescribed cases or with the written consent of the Secretary of State or, as the case may be, the Scottish Ministers.”

(5) Omit subsection (4).

(6) For subsection (5) substitute—

- “(5) Where the Secretary of State has, or the Scottish Ministers have, granted an exploration licence, neither the Secretary of State nor the Scottish Ministers may grant an exploitation licence which relates to any part of the licensed area in relation to the exploration licence and to any of the mineral resources to which that licence relates unless the exploitation licence is granted—
- (a) to the holder of the exploration licence, or
  - (b) with that person's written consent.”

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