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STATUTORY INSTRUMENTS

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1982 No. 58

DEEP SEA MINING

**The Deep Sea Mining (Exploration Licences) (Applications) Regulations 1982**

<i>Made - - - -</i>	<i>22nd January 1982</i>
<i>Laid before Parliament</i>	<i>25th January 1982</i>
<i>Coming into Operation</i>	<i>25th January 1982</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 2 and 12 of the Deep Sea Mining (Temporary Provisions) Act 1981<sup>(a)</sup>, and with the consent of the Treasury given in relation to Regulation 3, hereby makes the following Regulations:—

*Citation and commencement*

1. These Regulations may be cited as the Deep Sea Mining (Exploration Licences) (Applications) Regulations 1982 and shall come into operation on 25th January 1982.

*Applications for licences*

2.—(1) An application for an exploration licence shall be made in writing to the Secretary of State in the form specified in Part I of the Schedule hereto, giving such particulars and accompanied by such documents as are referred to in that part of the Schedule.

(2) An application shall also be accompanied by such information as is referred to in Part II of the Schedule.

(3) If there is any material change in any of the particulars, documents or information comprised in an application before the Secretary of State has informed the applicant of his decision to grant or refuse the licence applied for, the applicant shall forthwith give written particulars of the change to the Secretary of State.

*Fee*

3. The fee payable for the grant of an exploration licence shall be £10,000.

*John MacGregor,*  
Parliamentary Under-Secretary  
of State, Department  
of Industry.

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(a) 1981 c.53.

The Treasury hereby consents, so far as prescribing the fee.

*J. A. Cope,*  
*P. L. Brooke,*  
Two of the Lords Commissioners of  
Her Majesty's Treasury.

Regulation 2(1)

SCHEDULE

APPLICATION FOR AN EXPLORATION LICENCE

PART I

Form of application

1. Name of each applicant in full.
2. If the application is made by more than one person (see note (a) below) state —
  - (a) the nature of the relationship between each applicant
  - (b) the interest held in such relationship by each applicant
  - (c) the extent of the share in the licence which is to be held by each applicant.
3. In respect of each applicant who is an individual, state —
  - (a) usual residential address
  - (b) nationality.
4. In respect of each applicant which is a body corporate (see note (b)), state —
  - (a) place of incorporation
  - (b) principal place of business
  - (c) in the case of a company, its registered office
  - (d) place of central management and control
  - (e) particulars of each member of the board of directors (or other governing body), as follows:—

(1)	(2)	(3)
Full name	Usual residential address	Nationality

5. In respect of each applicant which is a body corporate (see note (c)), state —
  - (a) particulars of its authorised and issued capital, as follows:—
 

(1)	(2)	(3)	(4) (see note (d))
Class of capital	Amount authorised	Amount issued	Voting rights of each class
  - (b) particulars of all holdings of more than 5% in number or value of any class of its capital, as follows:—

(1)	(2)	(3)	(4)
Name(s) of holder(s) in full	Nationality or country of incorporation of holder(s)	Class of holding	Amount

- (c) particulars of any persons having control (see note (e)) as follows:—

(1)	(2)	(3)
Name(s)	Nationality or country of incorporation	Means of control (see note (f))

(d) particulars of all its capital issued to bearer, as follows:—

(1) Class of capital	(2) Total amount issued	(3) Amount issued to bearer
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6. In respect of each applicant which is a body corporate and any body corporate whose particulars have been given in accordance with paragraph 5(c) above, one copy of their audited accounts for the two most recent financial years.

7. A description of the area in respect of which a licence is desired (see note (g)).

8. A description of—

(a) the type of activity to be carried on, including the type of equipment and methods to be used, tested or developed under the licence

(b) the proposed programme of activities and expenditure

(c) the proposed measures to investigate and protect the marine environment and to monitor the effectiveness of environmental safeguards.

I/We hereby declare that the information given above (or annexed to or accompanying this application) is correct.

Dated

Signature of each applicant or, in the case of each applicant which is a body corporate, of a duly authorised officer whose capacity is to be stated (see note (h)).

TO: The Department of Industry,  
Ashdown House,  
123 Victoria Street  
London SW1E 6RB

## PART II

### Additional Information

1. Information with respect to the applicant's financial and technological capability and resources for carrying out the items specified in paragraph 8 of Part I of this Schedule.

2. Information justifying the size of the area in respect of which the licence is applied for in terms of the tonnage of hard mineral resources estimated to be required for the applicant's anticipated production, the estimated tonnage of such resources as are minable which the applicant estimates to be recoverable, together with all factors which explain the basis for such estimates.

## NOTES

- (a) Where there is more than one applicant, the information relating to each applicant required to be given in Part I above should be grouped together in the same order in which the applicants are named in paragraph 1 thereof.
- (b) If the applicant is a Scottish firm, the comparable information concerning the firm shall be given wherever appropriate.

- (c) If the body corporate does not possess a capital structure, any comparable information concerning the items listed should be furnished.
  - (d) This sub-paragraph need not be completed if a copy of the memorandum and articles of association (or other document setting out or defining the constitution) of the body corporate accompanies the application.
  - (e) In determining whether a person (being an individual or a body corporate) has control of the applicant for the purposes of this sub-paragraph, section 302 (2) and (4) to (6) of the Income and Corporation Taxes Act 1970 shall apply with the modifications set out in section 35(6) of the Petroleum and Submarine Pipe-lines Act 1975.
  - (f) In this column should be stated whether the control over the applicant's affairs is secured by means of the holding of shares or by the possession of voting power in or in relation to the applicant or any other body corporate, or by virtue of any power contained in the articles of association or other document regulating the applicant or any other body corporate.
  - (g) In describing the area of the deep sea in respect of which a licence is applied for, the applicant must present the geographical co-ordinates of the turning points defining the boundary, referred to the World Geodetic System 1972 (WGS 72). The line defining the boundary between the turning points must be geodetic.
  - (h) Where there is more than one applicant, the applicant to which each signature relates should be identified.
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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations provide for the form and content of applications for exploration licences which the Secretary of State may grant under the Deep Sea Mining (Temporary Provisions) Act 1981. They also prescribe the fee payable on grant of the licence.

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