

**Royal Decree of 21 June 1970 Establishing Provisional Rules
concerning Exploration for certain Submarine Natural Resources
other than Petroleum on the Norwegian Continental Shelf, etc.**

Pursuant to section 3 of the Act No. 12 of June 21, 1963 relating to exploration and exploitation of submarine natural resources, the following rules are provided:

Section 1

These rules shall apply to exploration for certain submarine natural resources other than petroleum - see the definition of petroleum in section 2 of the Royal Decree of April 9, 1965 - on the sea-bed or in its subsoil in Norwegian internal waters, in Norwegian territorial waters and in the part of the Continental Shelf which is under Norwegian sovereignty, but not in areas subject to private property rights.

Any exploration in Norwegian internal waters and in Norwegian territorial waters is subject to the Royal Decrees of February 9, 1968 relating to "Prohibited sea areas" and "Rules regarding the access of foreign non-military vessels to any part of Norwegian territory in peacetime".

Section 2

For the purpose of this decree, submarine natural resources mean mineral resources other than petroleum, inorganic resources, and coal on the sea-bed and in its subsoil.

Section 3

The Ministry of Industry may grant licences to explore (reconnaissance licences) for certain submarine natural resources on the sea-bed or in its subsoil or in defined parts thereof. Such licences are granted for a period of up to two years.

Section 4

Reconnaissance licences may be granted to Norwegian citizens, corporations, foundations or other associations. The licence is non-assignable.

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Section 7

Except as otherwise provided in the licence, it entitles the licensee to carry out the following operations:

- (a) Geological and geophysical surveys for the purpose of examining the upper strata of the subsoil.
- (b) Sampling of the sea-bed or its subsoil, but not exploratory drilling to a greater depth than 25 metres.

The Ministry may upon special application stating the reasons therefor permit the use of other exploration methods.

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Section 9

A reconnaissance licence does not give any exclusive right to carry out exploration in the areas mentioned in the licence. Nor does it give any precedence or right to exploit possible natural resources.

The Ministry may, upon special application stating the reasons therefor, grant an exclusive right to explore a defined area for a specified period of time. The licence is granted on conditions that are stipulated for each separate case.

The Ministry may at any time grant to others production licences in areas covered by the granted reconnaissance licence without incurring any liability therefor to any reconnaissance licensee.

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Section 12

The exploration shall be conducted in a proper and safe manner and must insofar as possible not interfere with other activities. Particular care must be taken in the exploration for the purpose as far as possible to avoid creating any difficulty or obstacle to shipping, fishing or aviation, to avoid any harm or hazard to marine fauna or flora, to natural resources on the sea-bed or in its subsoil, including petroleum resources, or to submarine cables or other submarine installations, and to avoid contamination or risk of contamination of the sea-bed, its subsoil, the sea or the air.

The licensee is obliged to comply with instructions regarding safety measures issued by the maritime and port authorities. The costs of such measures will be paid by the licensee.

Section 13

The exploration shall be conducted in accordance with the safety regulations applying at any time to such activities. The rules of the Royal Decree of August 25, 1967 relating to safety regulations etc. for the surveying and drilling for submarine petroleum resources will until otherwise provided be applicable insofar as appropriate.

Section 18

If damage or inconvenience is caused, Norwegian law of torts is applicable. The tort-feasor, his employer and the holder of the reconnaissance licence are jointly and severally liable for the claim.

The fact that the Ministry of Industry has approved or permitted the act or device which has caused the damage or inconvenience, does not exempt from liability.

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