



ANALYSIS

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1996, No. 71

An Act to amend the Continental Shelf Act 1964

[26 July 1996]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Continental Shelf Amendment Act 1996, and shall be read together with and deemed part of the Continental Shelf Act 1964 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of August 1996.

2. Interpretation—(1) Section 2 (1) of the principal Act is hereby amended by inserting, before the definition of the term “continental shelf”, the following definition:

“‘Authority’ means the International Sea-Bed Authority established by article 156 of the Convention:”.

(2) Section 2 (1) of the principal Act is hereby further amended by inserting in the definition of the term “continental shelf”, after the expression “sections 5 and 6”, the expression “and 6A”.

(3) Section 2 (1) of the principal Act is hereby further amended by inserting, after the definition of the term “continental shelf”, the following definition:

“‘Convention’ means the United Nations Convention on the Law of the Sea, done at Montego Bay, Jamaica on the 10th day of December 1982:”.

3. Mining for minerals on continental shelf—Section 5 (3) of the principal Act is hereby amended by omitting the word “Every”, and substituting the words “Subject to section 5A of this Act, every”.

4. Payments and contributions with respect to exploitation of continental shelf beyond 200 nautical miles—The principal Act is hereby amended by inserting, after section 5, the following section:

“5A. (1) This section applies to—

“(a) Every licence granted under section 5 of this Act in respect of the exploitation of the non-living resources of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured; and

“(b) Every permit granted under section 25 of the Crown Minerals Act 1991 in respect of the exploration or prospecting for or the mining of petroleum in the seabed and subsoil of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

“(2) The Minister of Energy shall impose in every licence to which this section applies the condition that the licensee pay to the Crown royalties at the rate specified in the licence.

“(3) The Minister of Transport shall impose in every permit to which this section applies the condition that the holder of the permit pay to the Crown royalties at the rate specified in the permit.

“(4) In specifying the rate of royalties for the purposes of subsection (2) or subsection (3) of this section, the relevant Minister shall have regard to New Zealand’s rights and obligations under article 82 of the Convention.

“(5) The Crown shall make all payments or contributions in kind required to be made to the Authority from time to time under the terms of article 82 of the Convention.”