

United Kingdom Government notice concerning Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorisations for the prospecting, exploration and production of hydrocarbons

(2010/C 169/04)

Announcement of the availability of the onshore area of Northern Ireland for oil and gas licensing applications in accordance with the open door procedure

Licensing onshore Northern Ireland

1. With reference to Article 3(3) of Council Directive 94/22/EC, the Department for Enterprise, Trade and Investment hereby declares that under the provisions of the Petroleum (Production) Act (Northern Ireland) 1964 the onshore area of Northern Ireland is available on a permanent basis for licences for the prospecting, exploration and production of hydrocarbons.

2. Pursuant to Regulation 3 of the Petroleum Production Regulations (Northern Ireland) 1987, as substituted by the Petroleum Production (Amendment) Regulations (Northern Ireland) 2010, and Regulation 3 of the Hydrocarbons Licensing Directive Regulations (Northern Ireland) 2010, applications may be made for licences for the prospecting, exploration and production of hydrocarbons relating to the onshore area of Northern Ireland in accordance with the procedures set out below.

Initial Window — applications to be submitted by 27 August 2010

3. All interested parties must submit an application for a licence in respect of a defined area specified on a map by 27 August 2010. All applications submitted in the period to 27 August 2010 shall be treated as received on the same day, namely, 27 August 2010 and shall be determined accordingly.

4. Special arrangements set out in Regulations 13 and 14 of the Hydrocarbons Licensing Directive Regulations (Northern Ireland) 2010 shall apply if qualifying applications are received from a former licensee and a new applicant for the whole or part of an area formerly granted by licence to the former licensee. If there are applications of equal merit and it is not possible to grant licences with the agreement of the applicants by adjusting the areas applied for in accordance with Regulation 13, the arrangements set out in Regulation 14 shall apply.

Subsequent successive granting of licences — on or after 30 August 2010

5. With effect from 30 August 2010, applications for areas which are not already the subject of qualifying applications or for unlicensed areas may be submitted to the Department at any time and will be considered in the order they are received.

Area and information available

6. The onshore area available under this notice is shown on maps deposited at the offices of the Department of Enterprise, Trade and Investment (Minerals and Petroleum Branch), Colby House, Stranmillis Court, Belfast BT9 5BF, UNITED KINGDOM. Guidance about licences, the terms which those licences will include and how to apply, are also available. The maps and guidance may be inspected by prior appointment (tel. +44 2890388462, fax +44 2890388461, e-mail: minerals@detini.gov.uk) between 9.30 a.m. and 4.30 p.m. Monday to Friday and are also available on the Department's website: <http://www.detini.gov.uk> Maps will be updated regularly as qualifying applications are received and licences are granted.

Application criteria

7. Applications will be judged against the background of the continuing need for expeditious, thorough, efficient and safe exploration to identify oil and gas resources within onshore Northern Ireland.

8. Applications will be judged on the basis of the following criteria:

- (a) the financial viability of the applicant and its financial capability to carry out the activities that would be permitted under the licence during the initial term including the work programme submitted for evaluating the full potential of the area applied for;

- (b) the technical capability of the applicant to carry out activities that would be permitted under the licence during the initial term including the identification of hydrocarbon prospects within the area applied for;
- (c) the way in which the applicant proposes to carry out the activities that would be permitted by the licence including the quality of the work programme submitted for evaluating the full potential of the area applied for. The work programme is to be structured with the aim of drilling of one well in the area before the expiry of the initial licence term which is a period of five years;
- (d) where the applicant holds, or has held, a licence under the Petroleum (Production) Act (Northern Ireland) 1964, any lack of efficiency and responsibility displayed by the applicant in operations under that licence.

Operator

9. The Department will not normally grant a licence unless it is prepared to approve the applicant's choice of operator at the same time. Before approving an operator, the Department must be satisfied that the nominee will be competent to plan and manage drilling operations (see guidance notes). In addition to the criteria mentioned in paragraph 8 above, the Department will base its assessment of the operatorship on the operator's qualifications and experience in maintaining a high level of safety and environmental protection.

Licence fees and costs

10. A fee of GBP 1 000 is payable upon submission of an application. The Department accepts no liability for any costs incurred by any party declaring its intent to apply for a licence or by any applicant in considering or making its application.
