

BECHUANALAND PROTECTORATE.

HIGH COMMISSIONER'S NOTICE

No. 21 of 1946.

MINES AND MINERALS.

It is hereby notified for general information that, under and by virtue of the powers vested in him by section *forty-three* N of the Bechuanaland Protectorate Mines and Minerals Proclamation, 1932 (as amended by Proclamation No. 5 of 1945), His Excellency the High Commissioner has been pleased to make the following regulations:—

MINERAL OIL MINING REGULATIONS.

INTERPRETATION.

1. In these regulations and in every licence and lease issued hereunder the following terms shall respectively have the meanings assigned to them, unless inconsistent with the context or unless expressly varied in such licence or lease:—

“ His Majesty's dominions ” shall be deemed to include British Protectorates and protected States and territories in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty;

“ British Subject ” shall be deemed to include a person under His Majesty's protection.

APPLICATIONS FOR LICENCES AND LEASES.

2. (1) Any person may apply in accordance with the regulations for—

- (a) an oil exploration licence;
- (b) an oil prospecting licence;
- (c) an oil mining lease;

in respect of any lands to which the provisions of the Mines and Minerals Proclamation, 1932, have been applied.

(2) No oil mining lease shall be granted without the approval of the High Commissioner.

MANNER IN WHICH APPLICATION MAY BE MADE.

3. (1) Every application shall be made in writing in the form set out in the Schedule hereto addressed to the Resident Commissioner.

(2) The application shall state—

- (a) in the case of an application by an individual, his address, nationality and occupation;
- (b) in the case of an application by a company, the nature of, and the principal place of business of, the company, the name and address of a

duly authorised agent in the territory, the names and nationality of the directors thereof, and the names and holdings of the principal shareholders.

(3) An application by an alien or a company incorporated outside His Majesty's dominions shall contain, in addition to the matters specified in paragraph (2) of this regulation, full particulars of the company to be incorporated in accordance with regulation 8 in His Majesty's dominions for the purpose of receiving the grant of and exploiting any licence or lease which may be granted in pursuance of the application.

(4) To the application there shall be attached two copies of a map upon which shall be delineated the boundaries of the area in respect of which a licence or lease is applied for.

(5) The applicant shall, with his application, furnish evidence as to his financial and technical qualifications, and as to his ability to comply with such terms and conditions as are ordinarily contained in the kind of licence or lease for which application is made, and, in the case of an application by an alien or a company incorporated outside His Majesty's dominions, the like evidence in relation to the company to be incorporated in accordance with regulation 8 in His Majesty's dominions for the purpose of receiving the grant of and exploiting any licence or lease which may be granted in pursuance of the application. The applicant shall forthwith, upon request by the Resident Commissioner, furnish further evidence relating to such matters, and if such further evidence shall not have been furnished to the satisfaction of the Resident Commissioner within three months of the request therefor the application shall, unless the Resident Commissioner otherwise determines, be deemed void.

(6) All information comprised in, or furnished in pursuance of, an application made in accordance with these regulations shall be treated as confidential.

SEPARATE APPLICATION TO BE MADE FOR EACH AREA.

4. Where an applicant requires a licence or lease for two or more separate areas, a separate application shall be made in respect of each such area.

GRANT OF MORE THAN ONE LICENCE OR LEASE TO THE SAME PERSON.

5. Nothing in these regulations shall prevent more than one licence or lease being granted to the same person.

LICENCE OR LEASE NOT ASSIGNABLE WITHOUT CONSENT.

6. A licence or lease shall not be assigned without the previous consent in writing of the Resident Commissioner or the High Commissioner, as the case may be.

METHOD OF MAKING APPLICATION FOR ASSIGNMENT.

7. An application by a licensee or lessee for the assignment of a licence or lease shall be made in writing addressed to the Resident Commissioner and shall be accompanied by a fee of ten pounds. With the application the applicant shall furnish the like particulars in respect of the proposed assignee as are required to be furnished in the case of applicants for licences or leases under regulation 3.

APPLICATION BY AN ALIEN OR A COMPANY INCORPORATED OUTSIDE HIS MAJESTY'S DOMINIONS.

8. In the case of an application for a licence or lease by an alien or a company incorporated outside His Majesty's dominions, or in the case of an application by a licensee or lessee for consent to the assignment of a licence or lease to an alien or a company incorporated outside His Majesty's dominions, such licence or lease shall only be granted or assigned to a company incorporated in His Majesty's dominions for the purpose of receiving and exploiting any such licence or lease.

LAPSE OF RIGHT TO LICENCE OR LEASE.

9. If a licence or lease is not executed within six months after approval of the application, the right of the applicant to such licence or lease shall be deemed to have lapsed, unless the Resident Commissioner considers that the delay is not attributable to the fault of the applicant.

CLAUSES.

10. Every oil exploration licence, oil prospecting licence and oil mining lease shall incorporate such clauses as the Resident Commissioner or the High Commissioner, as the case may be, may think fit.

SHAPE OF AREA.

11. Each separate area in respect of which an oil prospecting licence or oil mining lease is granted shall be, so far as possible, compact and shall either be limited by well marked permanent physical boundaries or be bounded by straight lines. The greatest length of any area shall not be more than three times the average width.

WORKING OBLIGATIONS.

12. The licensee shall in respect of the area or areas covered by each licence carry out with due diligence such scheme of prospecting, including any geological and/or geophysical survey and/or programme of test drilling, as shall be agreed between the Resident Commissioner and the licensee: Provided that in the event of more than one oil prospecting licence being granted to the same licensee, a programme of test drilling covering two or more licensed

areas where the geological objective is the same, for the purpose of determining whether commercial deposits of petroleum exist within those areas, shall be agreed between the Resident Commissioner and the licensee.

SURVEY AT EXPENSE OF APPLICANT.

13. Before an oil mining lease is granted, the applicant shall at his own expense cause a topographical survey of the lands specified therein to be made to a scale normally required for oil mining purposes.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Cape Town, 1st February, 1946.

SCHEDULE.

APPLICATION FOR AN OIL EXPLORATION
LICENCE, AN OIL PROSPECTING LICENCE
OR AN OIL MINING LEASE.

1. Name(s) of applicant(s) in full.....
2. If application is by an individual or individuals—
 - (a) Address.....
 - (b) Nationality.....
 - (c) Occupation.....
3. If application is by a company—
 - (a) Principal place of business.....
 - (b) Name and address of duly authorised agent in the territory.....
 - (c) Nature of business.....
 - (d) Names of directors: Nationality:
.....
.....
 - (e) Names of principal shareholders:
.....
Amount of shareholding:
.....
.....
4. State whether an Oil Exploration Licence, an Oil Prospecting Licence or an Oil Mining Lease is required and whether the application is in respect of Private Lands or Lands other than Private Lands or both.....
5. Period for which Licence or Lease is required.....
6. Situation and approximate size of the area for which application is made.....
7. Brief particulars of previous experience in oil prospecting or oilfield development work.....

8. Names and qualifications of technical experts or advisers.....
9. State amount of capital for operations under the Licence or Lease applied for—
 - (a) At present available.....
 - (b) Which applicant can make available and the source.....
10. If the applicant is an alien, or a company incorporated outside His Majesty's dominions, state full particulars of the company to be incorporated by the applicant in His Majesty's dominions for the purpose of receiving the grant of and exploiting any Licence or Lease which may be granted, including particulars similar to those specified in (3) (d) and (8) above and the amount of the capital proposed.....

I/We hereby declare that all the foregoing particulars are correct..

Date.....

.....
Signature(s) of Applicant(s).

(If the applicant is a company, state capacity in which form is signed.)