



APPLICATION FOR APPROVAL OF A PLAN OF WORK FOR EXPLORATION  
TO OBTAIN A CONTRACT

Section I

Information concerning the applicant

1. Name of applicant:
  2. Street address of applicant:
  3. Postal address (if different from above):
  4. Telephone number:
  5. Facsimile number:
  6. Electronic mail address:
  7. Name of applicant's designated representative:
  8. Street address of applicant's designated representative (if different from above):
  9. Postal address (if different from above):
  10. Telephone number:
  11. Facsimile number:
  12. Electronic mail address:
  13. If the applicant is a juridical person, identify applicant's
    - (a) place of registration; and
    - (b) principal place of business/domicile.
- and attach a copy of the applicant's certificate of registration.
14. Identify the sponsoring State or States.
  15. In respect of each sponsoring State, provide the date of deposit of its instrument of ratification of, or accession or succession to, the 1982 United Nations Convention on the Law of

the Sea and the date of its consent to be bound by the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982.

16. A certificate of sponsorship issued by the sponsoring State must be attached with this application. If the applicant has more than one nationality, as in the case of a partnership or consortium of entities from more than one State, certificates of sponsorship issued by each of the States involved must be attached.

## Section II

### Information relating to the area under application

17. Define the boundaries of the area under application by attaching a list of geographical coordinates (in accordance with the World Geodetic System WGS 84).

18. Attach a chart (on a scale and projection specified by the Authority) and a list of the coordinates dividing the total area into two parts of equal estimated commercial value.

19. Include in an attachment sufficient information to enable the Council to designate a reserved area based on the estimated commercial value of each part of the area under application. Such attachment must include the data available to the applicant with respect to both parts of the area under application, including:

- (a) data on the location, survey and evaluation of the polymetallic nodules in the areas, including:
  - (i) a description of the technology related to the recovery and processing of polymetallic nodules that is necessary for making the designation of a reserved area;
  - (ii) a map of the physical and geological characteristics, such as seabed topography, bathymetry and bottom currents and information on the reliability of such data;
  - (iii) data showing the average density (abundance) of polymetallic nodules in  $\text{kg/m}^2$  and an associated abundance map showing the location of sampling sites;
  - (iv) data showing the average elemental content of metals of economic interest (grade) based on chemical assays in (dry) weight per cent and an associated grade map;
  - (v) combined maps of abundance and grade of polymetallic nodules;
  - (vi) a calculation based on standard procedures, including statistical analysis, using the data submitted and assumptions made in the calculations that the two areas could be expected to contain polymetallic nodules of equal estimated commercial value expressed as recoverable metals in mineable areas;
  - (vii) a description of the techniques used by the applicant.

(b) information concerning environmental parameters (seasonal and during test period) including, inter alia, wind speed and direction, wave height, period and direction, current speed and direction, water salinity, temperature and biological communities.

20. If the area under application includes any part of a reserved area, attach a list of coordinates of the area which forms part of the reserved area and indicate the applicant's qualifications in accordance with regulation 17 of the Regulations.

### Section III

#### Financial and technical information<sup>a</sup>

21. Attach sufficient information to enable the Council to determine whether the applicant is financially capable of carrying out the proposed plan of work for exploration and of fulfilling its financial obligations to the Authority.

(a) If the application is made by the Enterprise, attach certification by its competent authority that the Enterprise has the necessary financial resources to meet the estimated costs of the proposed plan of work for exploration.

(b) If the application is made by a State or a state enterprise, attach a statement by the State or the sponsoring State certifying that the applicant has the necessary financial resources to meet the estimated costs of the proposed plan of work for exploration.

(c) If the application is made by an entity, attach copies of the applicant's audited financial statements, including balance sheets and profit-and-loss statements, for the most recent three years in conformity with internationally accepted accounting principles and certified by a duly qualified firm of public accountants; and

- (i) if the applicant is a newly organized entity and a certified balance sheet is not available, a pro forma balance sheet certified by an appropriate official of the applicant;
- (ii) if the applicant is a subsidiary of another entity, copies of such financial statements of that entity and a statement from that entity in conformity with internationally accepted accounting practices and certified by a duly qualified firm of public accountants that the applicant will have the financial resources to carry out the plan of work for exploration;

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<sup>a</sup> An application for approval of a plan of work for exploration submitted on behalf of a State or entity, or any component of such entity, referred to in resolution II, paragraph 1(a)(ii) or (iii), other than a registered pioneer investor, which has already undertaken substantial activities in the Area prior to the entry into force of the Convention, or its successor in interest, shall be considered to have met the financial and technical qualifications necessary for approval of a plan of work if the sponsoring State or States certify that the applicant has expended an amount equivalent to at least US\$ 30 million in research and exploration activities and has expended no less than 10 per cent of that amount in the location, survey and evaluation of the area referred to in the plan of work.

- (iii) if the applicant is controlled by a State or a state enterprise, a statement from the State or state enterprise certifying that the applicant will have the financial resources to carry out the plan of work for exploration.

22. If it is intended to finance the proposed plan of work for exploration by borrowings, attach a statement of the amount of such borrowings, the repayment period and the interest rate.

23. Attach sufficient information to enable the Council to determine whether the applicant is technically capable of carrying out the proposed plan of work for exploration, including:

- (a) a general description of the applicant's previous experience, knowledge, skills, technical qualifications and expertise relevant to the proposed plan of work for exploration;

- (b) a general description of the equipment and methods expected to be used in carrying out the proposed plan of work for exploration and other relevant non-proprietary information about the characteristics of such technology; and

- (c) a general description of the applicant's financial and technical capability to respond to any incident or activity which causes serious harm to the marine environment.

#### Section IV

##### The plan of work for exploration

24. Attach the following information relating to the plan of work for exploration:

- (a) a general description and a schedule of the proposed exploration programme, including the programme of activities for the immediate five-year period, such as studies to be undertaken in respect of the environmental, technical, economic and other appropriate factors which must be taken into account in exploration;

- (b) a description of a programme for oceanographic and environmental baseline studies in accordance with the Regulations and any environmental rules, regulations and procedures established by the Authority that would enable an assessment of the potential environmental impact of the proposed exploration activities, taking into account any recommendations issued by the Legal and Technical Commission;

- (c) a preliminary assessment of the possible impact of the proposed exploration activities on the marine environment;

- (d) a description of proposed measures for the prevention, reduction and control of pollution and other hazards, as well as possible impacts, to the marine environment;

- (e) a schedule of anticipated yearly expenditures in respect of the programme of activities for the immediate five-year period.

## Section V

### Undertakings

25. Attach a written undertaking that the applicant will:
- (a) accept as enforceable and comply with the applicable obligations created by the provisions of the Convention and the rules, regulations and procedures of the Authority, the decisions of the relevant organs of the Authority and the terms of its contracts with the Authority;
  - (b) accept control by the Authority of activities in the Area as authorized by the Convention;
  - (c) provide the Authority with a written assurance that its obligations under the contract will be fulfilled in good faith.

## Section VI

### Previous contracts

26. Has the applicant or, in the case of an application by a partnership or consortium of entities in a joint arrangement, any member of the partnership or consortium previously been awarded any contract with the Authority?
27. If the answer to 26 is "yes", the application must include:
- (a) the date of the previous contract or contracts;
  - (b) the dates, reference numbers and titles of each report submitted to the Authority in connection with the contract or contracts; and
  - (c) the date of termination of the contract or contracts, if applicable.

Section VII

Attachments

28. List all the attachments and annexes to this application (all data and information should be submitted in hard copy and in a digital format specified by the Authority):

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of applicant's designated  
representative

ATTESTATION:

\_\_\_\_\_  
Signature of person attesting

\_\_\_\_\_  
Name of person attesting

\_\_\_\_\_  
Title of person attesting