

ACT NO. 314 OF 3 JUNE 1966 CONCERNING THE CONTINENTAL SHELF

Article 1

For the purpose of this Act the term "continental shelf" shall mean the sea-bed and its subsoil within Swedish public waters and within such an area of the sea outside the territorial limits as the Government may determine in accordance with the Convention on the Continental Shelf signed at Geneva on 29 April 1958.

The term "natural resources of the continental shelf" in this Act shall be interpreted to mean the mineral and other non-living natural resources on the sea-bed and its subsoil and such living organisms as, at their harvestable stage, are either immobile on or under the sea-bed, or are unable to move unless they are in constant contact with the sea-bed or its subsoil.

Within Swedish public waters this Act shall not apply to the exploration and exploitation of those minerals for which mining concessions can be taken out under the Mining Act of 3 June 1938 (No. 314). Nor does it apply to the harvesting of such living natural resources as are covered by Swedish fisheries legislation.

Article 2

The right to explore the continental shelf and to extract its natural resources shall vest in the State.

Article 3

The Government, or such authority as it may designate, shall have the right to grant a concession to another party to explore the continental shelf by means of geophysical measurements, drilling or other methods, and to extract its natural resources.

The concession shall be for a definite area and a fixed period.

The Government shall have the right to prescribe that certain of the activities referred to in the first paragraph hereof may be engaged in without a concession.

Article 4

A concession may be made subject to such conditions as the public interest may require, for example, as regards the management of the enterprise concerned, the methods of carrying out the work, the installations on the continental shelf for the work, charts of the work, sampling, reporting on activities, utilization of the products and measures for safeguarding any deposit found or drill-hole, and instructions for preventing water pollution or for protecting shipping, fishing or other public or private interests.

When a concession is granted, a decision may be taken concerning the extent to which exploration or extraction is to be undertaken for the right deriving from the concession to remain in force.

The concession may also include conditions relating to the participation of the State in the undertaking, or to the payment to the State of fees for the concession, calculated in relation to the quantity or value of the products extracted or otherwise or as a share of the products, and any similar conditions.

Article 6

The Government, or an authority designated by it shall have the right to order that safety zone be instituted to protect an installation set up for the exploration of the continental shelf or for the extraction of its natural resources. Such a safety zone shall extend not more than 500 metres from the outer limit of the installation. The Government, or the authority designated by it, shall also have the right to issue such instructions as may be required for safeguarding such a zone. Unless, otherwise provided in this Act or in any regulations which, by virtue of this Act, maybe promulgated by the Government or the authority designated by it, ships shall not be permitted to sail into the safety zone without the consent of the owner of the installation.

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Article 8

An authority designated by the Government shall be responsible for ensuring compliance with the instructions and conditions to which a concession is subject.

When requested by the supervising authority, the holder of a concession shall give such information and transmit such documents as are necessary for exercising supervision. The supervising authority shall have the right to issue regulations in order to ensure compliance with the stipulations and conditions applying to the concession.

Persons responsible for supervision shall have the right of access to any installation, ship or aircraft upon which work covered by the concession is being done and the right to obtain information concerning any circumstance of importance for the purpose of carrying out the instructions and conditions applying to the concession.

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Article 10

In installations of security zones outside Swedish territorial limits Swedish law shall apply, except as provided in the Mining Act, the Coal Deposits etc. Act of 28 May 1886 (No. 46), the Uranium Act of 2 December 1960 (No. 679), the Water Act and the legislation relating to game and fisheries. In this connexion the installations and zones shall be deemed to be situated within the nearest part of Swedish territorial waters.

Products extracted outside Swedish territorial waters shall be deemed to have been extracted in Sweden.

Article 11

Any unauthorized person who explores the continental shelf or extracts its natural resources or prepares for such exploration or extraction shall be liable to a fine or to a maximum of six months' imprisonment.

Any person who

- (1) disobeys an instruction issued in pursuance of the first paragraph of article 4 thereof:
- (2) fails to comply with the requirements of instructions of the supervising authority issued in pursuance of the second or third paragraph of article 8 hereof: or
- (3) either wilfully or through gross negligence gives incorrect information in discharging his obligation to provide information in accordance with the terms of the concession, or as directed or imposed in accordance with the second paragraph of article 8 hereof shall be liable to the same punishment.

Any person who disobeys the order in article 6 hereof not to sail into the safety zone, or the instructions for safeguarding such zone, shall be liable to a fine.

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Article 13

No person who has, or has had, to exercise supervision to ensure compliance with this Act or instructions or conditions issued by virtue of this Act, or who has acted as an assistant in the exercise of such supervision, or who has otherwise had to concern himself with the matters to which the Act refers, may disclose or make unauthorized use of trade secrets which have thereby become known to him, nor may he, unless this is deemed desirable in the interests of his duties, reveal a working process or commercial data with which he has thus become acquainted. Any person who contravenes these provisions shall be liable to a fine or to a maximum of one year's imprisonment.

Any alien who has committed, outside Sweden, any of the offences referred to in article 11, or article 13 hereof shall, if he is in Sweden, be tried by a Swedish court of law in accordance with this Act even if chapter 2, article 2 or article 3, of the Criminal Code does not apply.

Legal proceedings in respect of the offences referred to in the first and third paragraphs of article 11 hereof may not be instituted unless a decree to that effect has been issued by the Government or by the authority empowered by it to issue such a decree.

Proceedings in respect of offences referred to in article 13 may not be instituted until information has been given by the plaintiff.