

THE OIL AND GAS (UPSTREAM) ACT, NO. 6 OF 2016

**OIL AND GAS (UPSTREAM) GENERAL REGULATIONS,
2021**

[Made under section 155 (2) (a) and (u)]

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THE OIL AND GAS (UPSTREAM) ACT, NO. 6 OF 2016

**OIL AND GAS (UPSTREAM) GENERAL REGULATIONS,
2021**

[Made under section 155 (2) (a) and (u)]

IN EXERCISE of the powers conferred upon me under section 155 (2) (a) and (u)] of the Oil and Gas (Upstream) Act, No. 6 of 2016, **I, ABDULLA HUSSEIN KOMBO**, Minister of Blue Economy and Fisheries do hereby make the following Regulations:

LEGAL
NOTICE
NO. 189

**PART ONE
PRELIMINARY PROVISIONS**

1. These Regulations may be cited as the Oil and Gas (Upstream) General Regulations of 2021 and shall come into operation immediately after being signed by the Minister and published in the Gazette. Short title and Commencement.

2. These Regulations shall apply to person conducting upstream activities including reconnaissance within onshore and offshore. Application.

3. In these Regulations, unless the context requires otherwise: Interpretation.
 - “Act” means the Oil and Gas (Upstream) Act, No. 6 of 2016;
 - “Affiliate” means any person who directly or indirectly, through one or more intermediaries, controls or is controlled by, or is under common control of another person;
 - “Appraisal” means activities to be carried out after a discovery of petroleum with the aim of defining parameters of the petroleum and reservoir to which the discovery relates and determine its commerciality and include but not limited to:

- (a) drilling of wells and running productivity tests;
- (b) collecting geological samples and reservoir fluids; and
- (c) conducting supplementary studies and acquisition of geophysical and other related data, as well as the processing of same data;

“Authority” means the Zanzibar Petroleum (Upstream) Regulatory Authority established under section 7(1) of the Act;

“Best international petroleum industry practices” means best available practices that are global general accepted as good, safe, transparent and efficient in carrying out upstream activities;

“CDP-km” means Common Depth Point kilometre which equals the number of kilometres of seismic data acquired dependent on the number of receiving cables or other receivers in addition to the number of signal sources used where use of one cable for 2D seismic will equal one kilometre of sailing distance of a seismic vessel;

“Contract area” has meaning as ascribed to it under the Act;

“Development licence” means a license granted under section 64 of the Act;

“ESIA” means Environmental and Social Impact Assessment pursuant to the Environmental Assessment Regulations of 2019;

“EIA Regulations” means the Environmental Assessment Regulations, 2019 made under section 86 of the Zanzibar Environmental Management Act;

“Exploration licence” means a license granted under section 51 of the Act;

“Explosive” means anything that is made, manufactured or used to produce an explosion or a detonation or pyrotechnic effect, but does not include gases or organic peroxides;

- “Evaluation Committee” means a Committee established under the provisions of these Regulations;
- “Geophysical survey” means geoscience data acquisition either through seismic, gravimetric or electromagnetic survey;
- “Geoscience data acquisition” means geological, geophysical, geochemical, geotechnical and petrophysical activities to acquire petroleum related data and includes drilling of shallow boreholes for calibration, samples or data collection purposes, but not drilling boreholes for the purpose of identification or penetration of geological structures or zones that may contain petroleum;
- “Government” means the Revolutionary Government of Zanzibar;
- “Government Negotiation Team” means the Team established under provisions of these Regulations;
- “KMKM” means an acronym of Kikosi Maalum cha Kuzuia Magendo;
- “Minister” means the Minister responsible for petroleum affairs in Zanzibar;
- “offshore” means marine area with water depth exceeding 200 meters;
- “onshore” means terrestrial land and marine area with water depth less than or equal to 200 meters;
- “Petroleum” means any naturally occurring hydrocarbon, whether in gaseous, liquid, solid state or any naturally occurring mixture of hydrocarbons, but shall not include coal or any substance that may be extracted from coal or other rock;
- “Petroleum data” means all data and information relating to reconnaissance, exploration, development or production of petroleum including rocks samples, fluid samples and plans relating to petroleum operations;

“Pre-licensing” means activities pertaining to geoscience data acquisition, including shallow drilling for calibration purposes, and any other activity aimed at discovering possible petroleum resources sub-surface or sub-seabed, but shall not include drilling of a well;

“PPDA” means an acronym of the Public Procurement and Disposal of Public Assets Authority;

“reconnaissance” means any survey done for the purposes of acquiring any information or geo-scientific data in preliminary petroleum activities;

“Right holder” means a person holding a reconnaissance permit, exploration license, a development license or production permit;

“TPDF” means an acronym of the Tanzania Peoples Defence Forces;

“Transportation” has the meaning ascribed under the Act, and for the purposes of these Regulations shall be construed to include planning, preparation, construction, placing of pipelines, operation and use of an installation or facility for the purpose of transportation, but shall not include transportation of petroleum in bulk by vessel or vehicle;

“Strategic assessment of social and environmental impact” has same meaning as Strategic Environmental Assessment (SEA) ascribed to it under the Zanzibar Environmental Management Act;

“Upstream activities” means all activities covering matters on pre-licensing, licensing, exploration, appraisal, development, production and decommissioning;

“Well” means as ascribed to it under the Act.

PART TWO BLOCK DELINEATION

4.-(1) Any part on the onshore and offshore areas opened for the purpose of upstream activities pursuant to section 34 (1) of the Act, shall be divided into quadrants measuring 1 degree of latitude and 1 degree of longitude. Quadrants and blocks.

(2) The quadrant shall be subdivided into blocks measuring 20 minutes of latitude and 20 minutes of longitude.

5. The areas subjected to block delineation shall not extend beyond virtual maritime boundaries between Tanzania Zanzibar and Tanzania Mainland, or boundaries between the United Republic of Tanzania and other coastal states. Maximum extension.

6. Subject to section 34 (1) of the Act, the Authority shall propose appropriate licence areas to be opened for upstream activities and submit to the Minister upon the approval of the Zanzibar Revolutionary Council. Proposal of the licensed area.

7.-(1) Subject to section 33(2) of the Act, the Authority shall prepare an authoritative reference map showing possible area of exploration activities established pursuant to these Regulations. Reference map.

(2) Without prejudice to section 8 (2) (g) of the Act, the Authority shall keep the reference map up to date with relevant information pertaining to upstream activities, including areas opened for upstream activities and contract areas taking into account relinquishment.

(3) The plotted reference map shall be publicly available on the website of the Authority.

PART THREE EVALUATION REPORT BEFORE OPENING OF AREAS FOR UPSTREAM ACTIVITIES

8. Subject to section 34 (2) and (3) of the Act, prior opening an area for upstream activities, the Minister shall prepare an evaluation report, which shall: Evaluation report.

- (a) comprise an assessment of the petroleum potential within the area considered opened for upstream activities.
- (b) contain a strategic assessment of social and environmental impact on the area and those areas immediately surrounding the area considered opened for upstream activities.

Geological
Assessment.

9.-(1) The Minister shall, in consultation with Authority, conduct geological assessment through available data, identify and document possible play concepts, constellation of source, migration and trapping mechanisms leading to potential petroleum accumulation in the area outlined in map of prospective trends and indicative ranking of different areas with regard to geological promise.

(2) The geological assessment shall support licensing recommendations including size of license areas, work obligations, license terms, projections on possible nature and size of petroleum deposits and possible scenarios for resource development.

Strategic
assessment.

10.-(1) Pursuant to section 34 (2) and (3) (b) of the Act, the Minister shall carry out a strategic assessment of the social and environmental impact by preparing the document of the programme relevant for the area considered.

(2) The preparation and content of the strategic assessment of the social and environmental impact shall be in accordance with the Act, Zanzibar Environmental Laws and these Regulations.

Content of
strategic
assessment
of the social
and enviro-
nmental
impact.

11. With the aim of describing the presumed impact of opening an area for upstream activities, the strategic assessment of the social and environmental impact shall, in addition to requirements stipulated under section 34 of the Act:

- (a) specify area proposed to be opened by coordinates and illustrated by a map and main natural features of the area;

- (b) assess impact on the national development, trade and tourism, agriculture and fisheries including impact on employment and commercial activities;
- (c) assess impact on local communities and potential economic and social impact including possible impacts to livelihoods;
- (d) assess impact on the environment and risk of pollution supported by mapping of environmental issues and natural resources;
- (e) describe the relationship to other plans, policies or legislation regarding the environment and economic development in the area and areas immediately surrounding the area considered opened for upstream activities;
- (f) describe the direct or indirect impact on inter alia living conditions for flora and fauna, marine life in the water column, on the seabed and in its subsoil, the shores, fresh water and aquifers, air, climate, soil, landscape, other non-living natural resources, on emergency preparedness and risk mitigation, and their joint or aggregate impact;
- (g) describe data collection and evaluation methodology and their use in the strategic assessment of the social and environmental impact report;
- (h) describe possible impacts with regard to matters assessed in relation to Tanzania Mainland, as well as any potential transboundary effects in relation to neighbouring states;
- (i) identification of need for further assessment or research; and
- (j) proposal for mitigating or remedial measures to counter identified potential negative effects.

Programme for data collection and strategic assessment of the social and environmental impact.

12. The draft programme for data collection and strategic assessment of the social and environmental impact shall describe:

- (a) information and reasons for an area to be considered opened for upstream activities;
- (b) information for and assess the impact of the opening area and immediate surrounding areas for upstream activities may entail;
- (c) the impact of possible development scenarios if a discovery of hydrocarbons be made in the area; and
- (d) any other matter arises from time to time and decided by the Minister.

Public hearing of programme for data collection and assessment.

13.-(1) The Minister shall circulate the proposed data collection and assessment programme for consultation to government agencies, industrial organisations, civil society and the public at large, including access via internet.

(2) The time limit for submitting comments to the proposed programme shall be within a period of one month.

(3) The final Strategic Environmental Assessment shall be decided by the Minister based on the proposed programme circulated for comments and inputs received.

Public circulation of strategic assessment of the social and environmental impact.

14.-(1) Without prejudice the provisions of section 34 (5) of the Act, the strategic assessment of the social and environmental impact report shall be circulated for consultation to government agencies, industrial organisations, civil society and to the public at large via local newspapers and internet accompanied with relevant attachments to the report shall also be made available.

(2) Subject to section 34 (6) of the Act, the completed evaluation report shall be subjected to public consultation for a period of thirty (30) days from the date of publication in the local newspapers.

(3) The consultation period for the strategic assessment of the social and environmental impact report shall not be less than two months and not exceed four months.

(4) The Authority may arrange presentations of the report in local communities in order to disseminate information and conclusions therein and receive feedback on the report and its findings directly from civil society and communities concerned.

15.-(1) The Minister may update the report or decide to collect more documentation or carry out further studies and evaluations to address issues identified or matters raised through consultation.

Input to
the report
finalisation
and endor-
sement.

(2) The Minister may consult any adjustment to the report with the interested party having raised concerns or identified matters requiring further assessment.

(3) The interested party shall have three weeks to comment on the adjusted report.

(4) The Minister shall, in collaboration with the Minister responsible for environment, endorse the Strategic Environmental Assessment Impact Report to the Zanzibar Revolutionary Council for approval and implementation.

(5) The final version of the strategic assessment of the social and environmental impact Report shall form part of the evaluation report in accordance with these Regulations.

16. The final evaluation report shall be submitted to the Zanzibar Revolutionary Council for approval and the publication of a decision to open areas for upstream activities shall be made in accordance with section 34 (7) and (8) of the Act.

Final
Evaluation
report.

PART FOUR AUTHORISATION TO CARRY OUT GEOSCIENCE DATA ACQUISITION

17.-(1) A person shall not carry out geosciences data acquisition without holding a valid reconnaissance permit, production permit, exploration licence or a development licence.

Prohibition.

(2) The license and permit referred to in under sub regulation (1) of this regulation shall be granted by the Authority in accordance with prescribed procedures stipulated under the provisions of the Act or these Regulations.

(3) A person who contravenes the provisions of this regulation commits an offence and shall, upon conviction, be liable.

Content of
reconnai-
ssance
permit.

18.-(1) Subject to section 35 (4) of the Act and these Regulations, and except as otherwise stipulated in contract with the Authority, a reconnaissance permit shall confer upon the Right holder a right to carry out the geoscience data acquisition activities as specified in the reconnaissance permit.

(2) The reconnaissance permit does not extend any exclusive rights to the area covered by the reconnaissance permit or any preferential Rights to the reconnaissance Right holder in relation to a licence or other petroleum Rights.

(3) A reconnaissance permit may be issued to different persons for various or identical types of geoscience data acquisition activities within the same or overlapping areas.

(4) The Authority shall limit the frequency of geoscience data acquisition of intrusive character such as geophysical surveys to reduce recurring negative impact on the natural environment, other economic activity, communities or recreational activities.

Option of
coordinating
geoscience
data acqui-
sition
activity
with
Tanzania
Mainland.

19.-(1) Where a person applying for a reconnaissance permit intends to carry out a geoscience data acquisition on both sides of the domestic maritime boundary between Tanzania Zanzibar and Tanzania Mainland, then the Authority and institution responsible for Upstream activities in Tanzania Mainland may upon request, agree on the submission of a joint application.

(2) The application under sub regulation (1) has to meet the legal or contractual requirements of both jurisdictions, but any authorization or permit shall be issued separately pursuant to applicable law.

Geographical
extent of
permit.

20. A Right holder may only carry out geoscience data acquisition within the area stipulated by the reconnaissance permit.

21. Before commencement of geosciences data acquisition, a Right holder shall notify the Authority in accordance with the Act or these Regulations.

Notification requirement.

22. A Right holder carrying out geoscience data acquisition shall submit and accord ownership of acquired petroleum data to the Authority free of charge in accordance with the Act and these Regulations.

Ownership and transfer of petroleum data acquired.

23. Subject to section 43 of the Act, the Authority shall authorise the Right holder to market the acquired petroleum data under reconnaissance permit for specific period through the Agreement.

Right to licence acquired data to third parties.

24.-(1) The geosciences data acquisition shall comply with health, safety and environmental requirements as prescribed in the Act or these Regulations.

Health, safety and environment requirements.

(2) Subject to the provisions of the Act or these Regulations, the Zanzibar Maritime Transport Act shall apply regarding seaworthiness, manning and operational requirements to all waterborne crafts and vessels to the extent applicable under international public law.

(3) Where geosciences data acquisition is carried out in onshore areas, the contractor shall comply with relevant laws governing the onshore areas.

25.-(1) Where a Right holder uses one or more subcontractors to assist or carry out geoscience data acquisition, the Right holder shall contractually secure and enforce a Right to closely monitor and control the subcontractor's regulatory compliance.

Duty to impose contractually monitoring and control of subcontractor.

(2) Irrespective of use of subcontractors, the Right holder shall be responsible for the execution of the geoscience data acquisition in compliance with applicable law, terms and conditions of the reconnaissance permit, exploration licence, development licence or production permit towards the authorities and third parties, as well as any liabilities towards the same arising out of or resulting from those activities whether permitted or not.

Right to
conduct
inspection
and enforce-
ment.

26.-(1) The Authority shall conduct inspection through entrance of business place of the Right holder to ensure that the Right holder activities are performed in compliance with the applicable Laws and these Regulations.

(2) Where the Authority observes non compliance of the Right holder during inspection, it shall issue compliance order to the person-in-charge and the person-in-charge shall immediately comply with such order.

PART FIVE APPLICATION FOR RECONNAISSANCE PERMIT, ISSUANCE AND DURATION

Application
of reconna-
issance
permit.

27.-(1) Subject to section 35 of the Act, an application for a reconnaissance permit shall be submitted to Authority by filling out the application form prescribed under the First Schedule of these Regulations.

(2) The applicant shall submit four identical hard copies of his application to the Authority during working hours together with a complete digital file of the application on appropriate media or by digital transfer.

(3) The format of the digital file shall be fully searchable and readable by the Authority.

Purpose of
application
process and
documenta-
tion
requirements.

28.-(1) The application process shall enable the Authority to determine if the person submitting the application is qualified to carry out the type of geoscience data acquisition requested and to assess the need to stipulate any conditions to the reconnaissance permit.

(2) The Authority shall require a person submitting an application for a reconnaissance permit to accompany his application with:

- (a) the information about the legal person on:
 - (i) the corporate name, business registration number, address, relevant contact details, place of incorporation and principal

place of business, names and nationality of directors and owners up to and including ultimate beneficial owners accompanied by relevant documentation and certificates;

- (ii) whether the application is a foreign owned or controlled entity, then such legal person shall be required to name and identify its representative resided in Tanzania Zanzibar in accordance with the Zanzibar Companies Act;
 - (iii) the description of the administrative, financial and technical capacity of the person applying for the reconnaissance permit;
 - (iv) the description of documentation of compliance with its internal control and management systems relevant for complying with regulatory requirements applicable to the activity planned, including a quality plan, risks and hazards assessment and a general health, safety and environment plan, the emergency organisation and staffing plan;
 - (v) the documentation of pollution liability insurance and other insurances held by the legal person relevant to the geoscience data acquisition applied for;
 - (vi) the information about any reconnaissance permit or similar authorization that has been granted to the legal person during the last three years;
 - (vii) the details of the ownership or control, capacities of equipment, vehicle, vessel or craft available for the geoscience data acquisition applied for;
 - (viii) proof of payment of the reconnaissance permit fee pursuant to the Fee, Permit and License Regulation issued by the Authority; and
 - (ix) any other information that the person considers relevant to the Authority.
- (b) the requirement of the application by stating:
- (i) the intended purpose and objective of the geoscience data acquisition;

- (ii) on whether the intention is to carry out the activity on a speculative, multi-client basis or in accordance with a contract with the Authority; and
 - (iii) any contracts executed, being pursued and its status, plans made or considered to achieve the intended purpose and objective.
- (c) duration, area and type of geoscience data acquisition applied for:
- (i) stating the requested permit period, which may not exceed three years;
 - (ii) identifying by coordinates the area applied for;
 - (iii) stating the requested category of geoscience data acquisition to be conducted in accordance with these Regulation;
 - (iv) stating the type of data to be acquired for category of geoscience data acquisition requested to be included in the permit;
 - (v) describing the nature and scope of any activities planned in onshore or offshore; and
 - (vi) description of possible or identified environment concerns regarding planned activities, and to what extent any environmental impact assessment has been planned, conducted or if resulting reports are available;

Supple-
mental infor-
mation.

29.-(1) Authority may request the supplemental information deemed relevant for the reconnaissance permit application from applicant.

(2) Prior the start-up of a geoscience data acquisition pursuant to these Regulations, the applicant shall notify the Authority all preliminary process and any amendment thereof.

30. Where the industry initiatives to perform necessary reconnaissance work are not forthcoming, the Authority may, with the approval of the Minister, arrange a tender or contract with a qualified person directly to carry out specified geoscience data acquisition on its behalf in accordance with the Act or these Regulations.

Tender or direct contract as alternative procedures.

31.-(1) After receiving the application of reconnaissance permit, the Authority without undue delay shall:

Review of reconnaissance application.

- (a) review the application;
- (b) verify information received as soon as practicable and consider whether the application and information provided is complete or not; and
- (c) notify the person who has submitted the application to submit additional information so as the Authority to process the application.

(2) The Authority may stipulate a reasonable time limit for submitting additional information and coordinate with other government agencies as required.

32. The Authority shall, within ninety (90) days when the application is considered complete:

Grant or rejection of reconnaissance permit.

- (a) grant a reconnaissance permit; or
- (b) reject a reconnaissance permit and provide reasons for rejection of the application.

33. Subject to the provisions of section 36 of the Act, a reconnaissance permit shall be granted for the duration of three years subject to the payment of respectively the initial fee and renewal fee for the second and third year in accordance with the Fee, Permit and License Regulations issued by the Authority.

Duration of reconnaissance permit.

34. The reconnaissance permit shall contain the:

Content of reconnaissance permit.

- (a) description of the reconnaissance permit in the format issued by the Authority;
- (b) name of person and, if applicable, the representative resided in Zanzibar;
- (c) date of issuance of the reconnaissance permit in accordance with section 35 (5) (a) of the Act;
- (d) effective date, and the expiration date in accordance with section 35 (5) (f) and 36 of the Act;
- (e) geographical coordinates in accordance to with the agreed geographic coordinate system and define the outer perimeter of the area to which the permit applies in accordance with section 35 (5) (b) of the Act;
- (f) conditions for the permit, in order to prevent, limit, mitigate or remedy negative impact of activities due to environmental concerns or to avoid or reduce conflict with other interests in defined areas during specified periods of time or during recurring hours;
- (g) type of geosciences data activities the reconnaissance permit applies for:
 - (i) seismic surveys
 - (ii) geomagnetic surveys;
 - (iii) gravity surveys;
 - (iv) geochemical sampling;
 - (v) radiometric surveys;
 - (vi) electro-magnetic surveys;
 - (vii) shallow stratigraphic drilling;

- (viii) heat flow measurement; and
 - (ix) any other geoscience data acquisition activities which is deemed relevant by the Authority.
- (h) reconnaissance permit shall be limited to a specific type of petroleum data that applied for:
- (i) duration of confidentiality applicable to the data acquired;
 - (j) subject to section 43 of the Act , the acquired petroleum data may be traded on a licence basis subject to special contractual arrangement with the Authority;
 - (k) description of obligations on the person holding a reconnaissance permit to:
 - (i) submit a complete and timely notification to the Authority before commencement of any geoscience data acquisition under these Regulations;
 - (ii) submit acquired petroleum data and reports in accordance with section 43 (1) of the Act, these Regulations and guidelines.
 - (l) signature and seal by authorised representative of the Authority.

35. Without prejudice to the provisions of section 40 of the Act, the Authority may terminate or cancel a reconnaissance permit if the Right holder becomes bankruptcy or insolvency proceedings and a receiver or liquidator is appointed by competent court or authority.

Termination or cancellation of reconnaissance permit.

36. Upon termination or cancellation, the Right holder remains obliged to submit to the Authority all documentation, petroleum data and other information as stipulated in section 83 of the Act and pursuant to these Regulations.

Obligations upon termination or cancellation.

PART SIX
TENDERING PROCEDURE FOR GEOSCIENCE
DATA ACQUISITION (RECONNAISSANCE)

Contract for carrying out geosciences data acquisition.

37.-(1) The Authority shall enter into a contract with a qualified person to perform specified geoscience data acquisition in accordance with the Act or these Regulations.

(2) The person shall satisfy the requirements for being granted a reconnaissance permit.

Tender arrangement.

38.-(1) The Authority shall, in consultation with Public Procurement and Disposal of Public Assets Act, arrange tender for the award of contract pursuant to these Regulations.

(2) The tender arrangement shall either be open or direct.

(3) Where an open tender fails to attract interested legal entities, the Authority may, with the approval of the Minister, opt to enter into direct negotiations with one or more interested legal entities in the manner provided under these Regulations.

Invitation for tender.

39.-(1) The Authority shall announce an invitation for tender in accordance with the Public Procurement and Disposal of Public Assets Act.

(2) The Authority may also promote the tender invitation through any other means.

Minimum content of tender invitation.

40.-(1) The tender invitation shall describe at least the:

(1) subject-matter of the tender:

- (a) type of geosciences data acquisition requested;
- (b) delimitation of area to be covered;
- (c) information about relevant, existing petroleum data and geological information;
- (d) exclusivity, revenue split or any other arrangements pursuant to these Regulations; and

- (e) contract terms, including guarantee, as prescribed under these Regulations.

(2) tender procedure on:

- (a) deadlines, duration of offer, submission rules, opening, evaluation and announcement of successful bidder;
- (b) evaluation and weighting criteria;
- (c) bid components;
- (d) documentation requirements, and
- (e) application fee payable.

(3) qualifications of interested person on the:

- (a) documentation of qualifications shall be the same as required to obtain a reconnaissance as prescribed under these Regulations, together with the proof of payment pursuant to Fee, Permit and License Regulations issued by the Authority; and
- (b) proposal for marketing of acquired petroleum data and other petroleum data held by Government.

41.-(1) A tender shall be submitted to the Authority in accordance with tender invitation requirements prescribed under the Public Procurement and Disposal of Public Asset Act and these Regulations.

Tender submission, opening and evaluation.

(2) After the deadline of tender, the Authority through Tender Board shall open the received bids and submitted to the Evaluation Committee for evaluation process.

(3) The bids shall be ranked by the Evaluation Committee according to the evaluation and weighting criteria.

(4) The evaluation Committee shall prepare a report explaining how the evaluation was conducted and shall submit an Evaluation Report to the Authority for approval.

(5) The Authority shall submit the approval report of the Tender Board together with the bids to the Minister for information and negotiating a contract or entering into contract if non-negotiable.

Minimum principles for award of contract.

42. The minimum principles pursuant to this Part for awarding the contract for successful bidder shall:

- (a) be as competitive as possible; and
- (b) provide for predictability, transparency, equal treatment, integrity and accountability.

Direct initiative.

43.-(1) In case a person takes initiative towards Government to carry out geoscience data acquisition outside the scope of an ordinary reconnaissance permit, the Authority shall, before entering into good faith negotiations with such person, consider inviting other legal entities to submit proposals in parallel.

(2) The Authority shall respect the confidentiality of any information submitted by the interested person and shall not share such information to any other invited legal entities.

(3) The initiating person shall be informed of the decision by the Authority to invite other potential legal entities to submit offers and the identity of such other legal entities invited.

Content of the Contract and exemptions.

44.-(1) The requirement of the Act and these Regulations shall apply to the awarded contract without limitation, except with regard to:

- (a) the right for the person contracted to compensation or revenue split arrangements from licencing of acquired petroleum data;
- (b) any agreed obligatory purchase requirements for licensees or others;
- (c) temporary exclusivity with regard to geoscience data acquisition in the area comprised by the contract; and
- (d) duration of confidentiality of petroleum data acquired under the contract in accordance with these Regulations.

(2) Any contract awarded pursuant to this part shall as a minimum include the:

- (a) parties to the contract;
- (b) general rights and obligations of the parties to the contract;
- (c) contracted area identified with geographical coordinates;
- (d) type and extent of geoscience data acquisition activities to be carried out;
- (e) schedule for the timely performance of the activity;
- (f) guarantee covering the timely and due performance of the contract;
- (g) regulation of licensing and marketing of petroleum data pursuant to sub-regulation (1);
- (h) indemnification and hold harmless clause for the benefit of Government;
- (i) direct or indirect change of control of the contracted person;
- (j) duration of the contract;
- (k) variation and termination of contract;
- (l) governed and construed in accordance with Zanzibar law; and
- (m) provide for dispute resolution.

45. When entering a contract pursuant to this Part with a qualified person, the Authority shall also grant a reconnaissance permit to the Right holder.

Contract to be awarded together with the reconnaissance permit.

46. The person awarded a contract pursuant to this Part, shall pay the Multi-Client Survey and Reconnaissance Permit fee as prescribed in the Fee, Permit and Licence Regulations.

Requirement to pay applicable fee.

PART SEVEN
TENDERING PROCEDURE ON PETROLEUM AGREEMENT

Advertise-
ment of the
Block.

47. Subject to the provisions of section 49 (2) and section 84(3) (a) of the Act, the Minister shall advertise all available license area or exploration areas through bidding procedure in the national newspaper of wide circulation, International newspapers, International Forums and website of Authority and Ministry after the approval of the Zanzibar Revolutionary Council.

Bidding
process.

48.-(1) The Minister may, from time to time, instruct the Authority to conduct bidding process for the award of the license or petroleum Right in respect of one or more open acreages areas.

(2) The bidding process under sub regulation (1) of this regulation, shall consist the:

- (a) announcement of open acreages for bidding;
- (b) pre-qualification (shortlisting);
- (c) request for proposal;
- (d) evaluation of the proposal;
- (e) petroleum agreement negotiations;
- (f) contract signings; and
- (g) award of license.

Procedures
for prepara-
tion and
submission
of bid.

49.-(1) The Authority shall prepare and submit to the Minister for approval a pre and post bidding procedures governing the bidding process which include:

- (a) the schedule for bidding process announcement, presentations to the interested companies, submission of bids, evaluation of bids, contract signature and award;

- (b) data packages requirements;
- (c) bidder's registration fee to the Authority;
- (d) the registration fees;
- (e) rules for submission of bids, including the timing, form and the bid guarantees;
- (f) the bid components;
- (g) the percentage weight assigned to each bid component for evaluation process;
- (h) the Model Petroleum Sharing Agreement will be the basis for negotiation with the winning bidder.
- (i) information concerning the Person-in-Charge that will represent the bidder in their dealings with the relevant authorities in Zanzibar;
- (j) a description of bidder's experience with the procedures relating to the occupational health, safety and welfare of persons involved in or that are likely to be affected by the exploration operations; and
- (k) proposals concerning production sharing or the sharing of net revenues between the bidder and the State, unless such sharing is otherwise specified in the invitation for bid;

(2) The offers pertaining to biddable items stipulated in the Model Petroleum Sharing Agreement which include:

- (a) a minimum work program during the exploration period;
- (b) aggregate amount of the signature bonus and other contributions payable upon the effective date of the Petroleum Agreement;
- (c) aggregate amount of the surface rentals and other annual contributions

- (d) royalty rate on crude oil and natural gas;
- (e) percentage of petroleum production allocated to the recovery of the contractor's cost;
- (f) percentage of formula for calculating, the government share of the petroleum production remaining after deduction of the petroleum production allocated to cost recovery and royalties;
- (g) percentage of the state participation; and
- (h) any other criteria as the Authority shall deem appropriate.

(3) In preparation of the bid procedures, the Authority may consult the institution responsible for regulating Public Procurement in Zanzibar in respect of any matter falling within the scope of the functions and responsibilities of such institution.

Invitation
for Tender.

50.-(1) The invitation for block(s) or opening of the exploration areas or upstream petroleum operation shall contain the:

- (a) information on how to access the bidding documents;
- (b) deadline for the submission of bids, and the time and location of any related events;
- (c) inviter's address;
- (d) obligations concerning the payment of security and fees;
- (e) eligibility of the bidders;
- (f) designation of blocks (or parts thereof) or Fields open for Hydrocarbons Operations;
- (g) criteria that will be used to evaluate the proposal; and
- (h) other necessary information as may be requested.

(2) Subject to the provisions of section 49 (2) of the Act, the invitation for bid shall be published in the national newspaper of wide circulation and International newspaper as approved by Government and at the Authority's Website.

51.-(1) A bid and receipt shall be issued by the Authority to the bidder after payment of a non – refundable bid fee. Application fee.

(2) Where there is justifiable reason from the bidder, the Authority may exempt the bid fee.

52.-(1) The Authority shall, in consultation with Minister, establish Evaluation Committee, in relation with the bidding process in hand. Establishment and Composition of the Evaluation Committee.

(2) The Evaluation Committee shall compose a number of members as determined by the Authority based on seniority, experience, knowledge and profession depending on the value and complexity of the procurement requirement.

53.-(1) The bidding documents shall be prepared by the Authority in consultation with responsible Authority for Public Procurement and Disposal of Public Asset in Zanzibar and shall include the: Bidding Documents.

- (a) instruction to bidder;
- (b) declaration forms issued by the Authority;
- (c) general condition of the bid including the information regarding the preparation and submission of bids, date and the location of the bid opening;
- (d) technical specifications, performance criteria, the requirements regarding the minimum work program, safety procedures and methods and environmental impact requirements;
- (e) terms of the Model Petroleum Sharing Agreement;
- (f) bid parameters and the bid evaluation criteria;

- (g) obligations related to security (guarantees) or the payment of fees;
- (h) forms of bid; and
- (i) other information as the Authority deems appropriate.

(2) The Authority shall, in a timely manner, respond to any prospective bidder who requests additional information concerning the bidding documents mentioned in paragraph (c) of this regulation.

(3) The request shall be submitted and received to the Authority at least fourteen days (14) prior to the deadline for the submission of bids.

(4) Responses to such requests for clarification, as well as any changes to the bidding documents, shall be communicated in writing to the prospective bidders within seven (7) working days of the receipt of such a request.

(5) The Authority shall have a right to extend the deadline for the submission of bids if deems appropriate.

Requirements
relating to
the Tender
or Bidding
Process.

54.-(1) The tender process for open acreage shall be an open, transparent, and competitive procurement system, based on effective budgetary and expenditure controls, and one that uses reporting requirements designed to achieve efficiency, economy, the prevention of abuse, and a fair opportunity for all potential international oil companies to participate in bidding process.

(2) Where a bidder's qualifications materially change after the submission of a bid, the bidder shall promptly notify the Authority of any such change.

(3) The Authority shall determine a deadline for the submission of bids which shall allow the bidders to prepare and submit bids, taking into consideration the conditions and circumstances of the tendering proceedings.

(4) In order to ensure a transparent tender process, the Authority shall require the prior submission of all information except for the biddable elements, prior to the bid submission deadline.

55. The bidders shall not:

Prohibition
for Bidder.

- (a) provide false information in order to influence the bidding process;
- (b) offer or give bribes either directly or indirectly to a procurement official;
- (c) establish bid elements at uncompetitive levels which could prevent the promotion of a free, open and competitive bidding or tender process; and
- (d) do any other conduct that will distort or prevent the bidding process.

56.-(1) The bid shall be opened as soon as possible after the bid submission, by way of a public proceeding and in accordance with the bidding documents.

Opening of
Bid.

(2) The opening of bid shall be performed by the Authority, in the presence of bidders or their legal representatives.

(3) Subject to the provisions of sub - regulation 2 of this regulation, the bidder or their legal representatives through physical or virtual presence shall be officially introduced in writing to the Authority at least forty-eight (48) hours before the opening.

57.-(1) The bids shall remain valid until a contract is concluded with the preferred bidder in accordance with the terms prescribed in the bidding documents.

Validity of
Bid.

(2) Unilateral withdrawal from the bid shall result to the forfeiture of any bid security.

(3) The validity of a bid may be extended with the agreement of the bidders after being approved by the Authority if there is any justifiable cause submitted by the bidder.

Evaluation
of Bid.

58.-(1) The Bids shall only be considered for evaluation where the bidder is qualified, eligible and treated fairly and without discrimination by the Evaluation Committee.

(2) The Evaluation Committee shall carry out the evaluation of bid based on the:

- (a) technical and managerial competence and experience of the bidder;
- (b) financial resources available to the bidder to carry out the proposed work program;
- (c) commercial competence and legal and financial standing of the bidder;
- (d) health, safety and environment policy of the bidders;
- (e) specific contents of the proposed work programs related financial commitments, the proposed sharing of production and other economic benefits to the extent such criteria are stipulated in the invitation for bid;
- (f) personnel at the bidder's disposal;
- (g) evidence of payment of application and registration fee and bid fee to the Authority;
- (h) extent to which the bidder will contribute to the sustainable development of Oil and Gas activities in Zanzibar;
- (i) Local content commitment; and
- (j) any other criteria as the Evaluation Committee deems necessary.

(3) The Evaluation Committee may seek clarifications of bids in writing but shall not negotiate changes to the terms and conditions of the bids with the bidders.

59.-(1) The Evaluation Committee shall prepare and submit evaluation report to the Authority containing recommendations on classification of the bids and provide details information about all bids. Evaluation Report.

(2) Recommendations of the Evaluation Committee shall be recorded, including any dissenting views, in minutes of the meeting which shall be signed by the members of the Evaluation Committee and annexed to the bid evaluation report.

(3) The Evaluation Committee shall submit the bid evaluation report of the qualified bidder to the Authority for approval, reject or issue directive to the Evaluation Committee for conduct of the re – evaluation process.

(4) The Authority shall submit the approval report together with the bids to the Minister for information and negotiating a contract or entering into contract if non-negotiable.

60.-(1) The Authority shall send letters of award to the successful bidder and letters of regret unsuccessful bidders including reasons for unsuccessful of the bid. Notification of Awards and Regret.

(2) The letters of regret shall be sent within seven (7) working days after award.

61.-(1) There shall be a Government Negotiation Team by its acronym known as "GNT". Establishment and Composition of Government Negotiation Team.

(2) The Team shall be a Negotiation Team on behalf of the Government for each Petroleum Agreement in Zanzibar.

(3) The Team shall be composed of:

- (a) a Chairperson who shall be a representative from Attorney General's Chambers;
- (b) one representative from:
 - (i) Ministry responsible for Petroleum;
 - (ii) Ministry responsible for Environment;
 - (iii) Ministry responsible for Finance;
 - (iv) Authority;
 - (v) Zanzibar Petroleum Development Company; and
 - (vi) Tax Revenue Authority

(4) The Minister shall, in consultation with the Authority, appoint the Chairperson and members referred to in sub regulation (3) of this regulation based on experience and knowledge.

Tenure
of GNT
members.

62. The tenure of the GNT members shall be prescribed by the appointing Authority.

Termination
of the
Member
of GNT.

63. The members of the Government Negotiation Team shall be terminated to be a member where he:

- (a) discloses the Government Team Confidential Information;
- (b) involves in a corrupt transaction or convicted for offence involving fraud or dishonest;
- (c) sentenced for six months imprisonment or more by the competent court;
- (d) incapables of discharging his obligation due to physical or mental reason;
- (e) dies;
- (f) tenders resignation letter;

- (g) ceases to have the position in case of ex-officio member; and
- (h) has been absent for three or more consecutive meeting of the GNT without the just cause or leave of the Chairperson.

64.-(1) The Authority, in consultation with the Minister, shall appoint a secretariat team for purposes of coordinating the affairs of the GNT.

Appointment of Secretariat of GNT.

(2) The number of members of the Secretariat shall be determined by the Authority.

(3) The members of the Secretariat Team shall be appointed based on the experience and expertise in relation the subject matter for negotiation.

65.-(1) Subject to the provisions of section 49(3) of the Act, the Authority through the Government Negotiation Team shall initiate a direct negotiation with the successful bidder.

Negotiation with the successful bidder.

(2) Subject to the provisions of section 48(4) of the Act, the basis of the negotiation by the Government Negotiation Team (GNT) shall be Model of Petroleum Sharing Agreement.

66. After successful negotiation by the parties of Production Sharing Agreement, the Minister on behalf of the Government, Company and contractor shall sign the Agreement.

Signing of the Production Sharing Agreement.

67.-(1) A bidder who is not satisfied with bidding process shall, within ten (10) working days from the date of his notification of bidding process, submit in writing to the Authority addressing any complaints arising out of any bidding process.

Complaints handling.

(2) The Authority shall handle the complaint within fifteen (15) working days from the date of receipt of the complaint.

(3) Once a complaint has been disposed of, the Authority shall notify the complainant in writing of the conclusion reached.

Appeal on
Complaint.

68. Where the bidder was not satisfied with decision issued by the Authority, he shall, within fifteen (15) days from the date of the decision, appeal to the Public Procurement and Disposal of Public Assets Authority.

PART EIGHT

NOTIFICATION OF GEOSCIENCE DATA ACQUISITION

Notification
requirement.

69. A Right holder intending to carry out a geoscience data acquisition in onshore and on offshore shall comply with the notification requirements by filling the application form prescribed under the Second Schedule of these Regulations.

Environment-
nal Impact
Assessment
Requirement.

70.-(1) Pursuant with provisions of section 39 of the Act, the Zanzibar Environmental Management Act No. 3, 2015 and the Environmental Assessment Regulations, the Authority shall submit a received notification for geoscience data acquisition as basis for screening by the Authority responsible for Environment in Zanzibar.

(2) Based on the screening, the Authority responsible for Environment in Zanzibar shall decide the level of environmental assessment required.

(3) Upon reviewing process of the required environmental assessment if is complete and satisfactory, the Authority responsible for Environment in Zanzibar shall approve and authorise the issuance of the certificate of Environmental Impact Assessment which shall be submitted to the Authority by Right holder as part of the notification pursuant to these Regulations.

Involvement
of fishery
liaison officer,
environmental
officer or
marine
mammal
observer.

71.-(1) Where the geosciences data acquisition is planned in marine areas and where there are known fishery or marine mammal activities, the Right holder shall require the involvement of the qualified fishery liaison officer, environmental officer or marine mammal observer after consultation with relevant institutions in Zanzibar.

(2) The involvement of qualified fishery liaison officer, environmental officer or marine mammal observer shall emphasise remarks concerning the Environmental Impact Assessment pursuant to these Regulations.

(3) The Authority, in consultation with the institutions responsible for Fisheries and Environment, may require the inclusion of a fishery liaison officer, environmental officer or a marine mammal observer.

72. A person shall be eligible as fishery liaison officer if he has:

Eligibility
of fishery
liaison
officer.

- (a) practised a fisheries activity for at least two years during the last five years in a comparable environment expected to be encountered in the area where the geophysical survey to be performed.
- (b) conducted and possesses the necessary knowledge with reference to:
 - (i) the marine areas in which the vessel is to operate;
 - (ii) the fishery activity that takes place in the marine areas in question;
 - (iii) navigational understanding;
 - (iv) geophysical survey effects on fisheries;
 - (v) conducted optical examination from the approved hospital in Zanzibar; and
 - (vi) ability to speak and write Swahili and English.

73. A person shall be eligible as environmental officer if he:

Eligibility
of enviro-
nmental
officer.

- (a) is a competent environmental officer on environmental related matters on Engineering, marine science, ecology or environmental management;

Eligibility
of marine
mammal
observer.

- (b) is recognised and registered by responsible institution related with environment Zanzibar;
- (c) has experience of not less than two years; and
- (d) has ability to speak and write Swahili and English.

74. A person shall be eligible to be marine mammal observer if he has:

- (a) theoretical or in the last five years has documented practical experience from or related to the species and environment expected to be encountered in the area where the geophysical survey to be performed;
- (b) conducted, and possesses the necessary knowledge with reference to:
 - (i) the marine areas in which the vessel is to operate (may be acquired before start-up);
 - (ii) experience as observer at sea and have good vision;
 - (iii) navigational understanding and ability to estimate distances;
 - (iv) knowledge of geophysical survey effects on marine mammal species; and
 - (v) ability to speak and write in Swahili and English.

Notification
of the
commence
ment of
geosciences
data
acquisition.

75.-(1) The geosciences data acquisition shall not commence unless the Authority has been duly notified in accordance with these Regulations.

(2) The notification mentioned under sub-regulation (1) shall be submitted to the Authority not later than five weeks before the intended commencement of the geoscience data acquisition.

Content of
notification
of geoscie-
nces data
acquisition.

76. The notification of the geoscience data acquisition submitted to Authority shall contain the following information:

- (a) Right holder related information:
 - (i) reference of the reconnaissance permit, contract, pursuant to which the geoscience data acquisition shall be performed
 - (ii) name of Right holder;
 - (iii) name of the person contracted to carrying out the geoscience data acquisition if other than the Right holder, including contact details; and
 - (iv) name of person-in-charge at Right holder, point of contact person subcontracted by Right holder, the master of any craft or vessel, or if applicable any team leader of any crew carrying out the geoscience data acquisition.
- (b) description of planned activity:
 - (i) name of the geosciences data activity as stipulated by and obtained from the Authority;
 - (ii) description of type of geoscience data activity and objectives in relation to existing geoscience information;
 - (iii) the approach or methodology applied;
 - (iv) identify risks and hazards, how these can be detected, monitored, controlled, mitigated or remedied, and how through a safety management system measures taken are implemented efficiently and consistently;
 - (v) planned commencement date and completion;
 - (vi) planned area coverage delimited by coordinates and illustrated on a map identifying known areas with special environmental status, archaeological interest,

cultural heritage status and areas identified to have third party economic interest; and

- (vii) required environmental documentation approved by the Authority responsible for environment in Zanzibar including Environmental Management Plan.
- (c) details regarding petroleum data to be acquired:
- (i) information about Rights to use the petroleum data pursuant to the Act and these Regulations;
 - (ii) confirm ability to submit acquired petroleum data in a format acceptable to the Authority in accordance with these Regulations and applicable guidelines;
 - (iii) state if the petroleum data are acquired under contract or other arrangement for a specific buyer, under contract with Government or are intended for multi-client marketing and licensing; and
 - (iv) where applicable for the type of geoscience data acquisition, estimation of data volume in terabyte.

Additional content of notification on geophysical surveys in offshore.

77. Where in offshore the geophysical survey, or other geoscience data acquisition by vessel or craft, the following additional information shall be submitted to the Authority by Right holder:

- (a) identification vessel or craft conducting the geoscience data acquisition activity, including call signal, nationality and identification number in accordance with the identification system of the International Maritime Organization, the same shall apply for any support vessel or craft;
- (b) information about the positioning system of the vessel or craft and tracking option for the Authority;

- (c) provide documentation of adequate insurance, including liability insurance for any vessel or craft;
- (d) the name and contact details of the fishery liaison officer or marine mammal observer or both if known at the time of notification, otherwise this information may be notified separately;
- (e) as applicable, plan to coordinate with other economic or commercially organised recreational activities in marine areas, in particular tourism, underwater activity including diving and fishery activities;
- (f) as applicable, planned extent of the geophysical survey stipulated in kilometres to be sailed, square kilometre, grid system and CDP-kilometres as applicable;
- (g) any additional area necessary for calibration purposes or testing of equipment pertaining to the geophysical survey and the area required to safely navigate, including to turn the vessel or craft around;
- (h) as applicable, number of signal sources, including air guns and their individual and total chamber volume;
- (i) as applicable, number of streamers and the length of tow; and
- (j) planned port calls in Zanzibar, as applicable.

78. Where the geophysical survey conducted is onshore, the following additional information shall be submitted to the Authority by the Right holder:

- (a) identification of vehicles or crafts, type and registration or plate number;
- (b) planned extent of the activity stipulated in kilometres to be covered, square kilometre and CDP-kilometres as applicable;
- (c) source type(s);

Additional content of notification on geophysical surveys in onshore.

- (d) where the source type includes explosive, documentation of certification of the explosive;
- (e) survey geometry describing line length, survey width, signal or shot interval, inline midpoint spacing, cross-line midpoint spacing, sample interval and record length;
- (f) permits and approvals, or plan to obtain these, necessary for access to property in order to carry out the planned activity;
- (g) measures taken to minimise and mitigate negative effects from the activity on local communities and other economic activities;
- (h) approach to compiling relevant information regarding sub-surface infrastructure (pipes, cables, reservoirs, wells, tanks or storage and other related matters) which should be taken into account when planning and carrying out the activity;
- (i) information on plans to alter surface, remove or damage crop or other vegetation which has commercial or livelihood value or flora which will not regenerate in a year, in order to clear path or make it more level, and plans for its restoration;
- (j) a plan for how to inform anyone affected by the activity, which shall include a description of how the activity is carried out, the planned schedule, Right holder point of contact, the Right for third parties to contact the Authority with complaints, and procedure for managing claims for damage caused;
- (k) a plan in accordance with applicable law for arranging compensation to private and public interests for any damage caused by the activity; and
- (l) the involvement of the environmental officers.

79.-(1) The geophysical company conducting survey shall submit the notification to the Authority in electronic form.

Submission of notification to other government agencies.

(2) The Authority may request four identical hard-copies of the notification within five days of the electronic submission.

(3) Where the geophysical survey, or other geoscience data acquisition by vessel or craft on offshore, the Authority shall notify the authority responsible for Maritime in Zanzibar, institution responsible for Fisheries, Ministry responsible for Regional Administration with copies to Regional and District Commissioners of the areas where the acquisition is conducted.

(4) Where geophysical survey in the onshore, the Authority shall notify the institution responsible for Tourism in Zanzibar, Department responsible for Forest and the Ministry responsible for Regional Administration with copies to Regional and District Commissioners where the acquisition is conducted.

(5) Where the acquisition is for onshore and offshore areas the Authority responsible for environment in Zanzibar and KMKM shall be notified.

(6) The Authority may notify any other government agencies as appropriate.

80.-(1) Within five weeks after submission of notification, the Right holder may, upon written confirmation from the Authority, commence the specified geoscience data acquisition on the commencement date notified in accordance with provisions of these Regulations.

Commencement of the activity.

(2) Any postponement of the commencement date shall be notified to the Authority as soon as possible but not less than ten working days.

(3) Any change to a notified commencement date to an earlier date, shall be notified to the Authority as soon as practicable and no less than ten working days prior to the proposed new commencement date.

Postpone-
ment of
completion
date.

81.-(1) The Right holder shall notify the Authority of any need to postpone the completion date notified in accordance with these Regulations not later than ten working days prior to its expiry.

(2) Changes notified pursuant to sub- regulation (1) of this regulation shall require the approval of the Authority.

Temporary
suspension,
cancellation
and activa-
tion of
geosciences
data.

82. The Right holder shall notify the Authority as soon as possible if:

(a) temporarily suspends or cancels a geosciences data acquisition; or

(b) activates the geoscience data acquisition from suspension or cancellation.

Changes to
notification.

83.-(1) The Right holder shall submit any other changes to the prevailing version of the notification pursuant to these Regulations to the Authority not later than fifteen working days prior to implementation of the proposed change.

(2) The changes referred under sub regulation (1) of this regulation shall be approved by the Authority.

Shortening
of timelines.

84. Upon approval by the Authority under these Regulations, the Authority may waive the Right holder from waiting for notification deadlines to expire to continue with the acquisition activities.

PART NINE

GEOSCIENCE DATA ACQUISITION ACTIVITIES

General
requirements
for all geos-
ciences data
acquisitions.

85.-(1) A person carrying out geoscience data acquisition shall submit a weekly report and a final geoscience data acquisition report pursuant to these Regulations.

(2) All petroleum data acquired through geoscience data acquisition is the property of the Government and shall be submitted to the Authority in accordance with provisions of the Act or these Regulations.

(3) The Geophysical surveys are subject to specific requirements applicable to marine areas as provided in the Act or these Regulations.

86.-(1) The Right holder shall ensure that any person employed, contracted directly or indirectly to carry out geoscience data acquisition shall perform the task in a diligent manner and in compliance with best international petroleum industry practices to the extent not otherwise regulated in the Act, Regulations or stipulated in conditions included in authorisations, permits or consents granted pursuant to these Regulations.

Obligation of
Right holder.

(2) The Right holder shall be responsible to carry out compliance monitoring and audits of any person contracted to undertake geoscience data acquisition under Right holder's reconnaissance permit.

(3) The obligation prescribed under sub - regulation (1) and (2) of this regulation shall be implemented in the entire chain of contracted persons by the Right holder.

87.-(1) During the execution of a geoscience data acquisition, the Right holder shall submit a weekly electronic report to the Authority and any other government agency informed pursuant to these Regulations.

Weekly
report.

(2) The Authority may issue Guideline for submission requirements, including format and lay-out.

(3) The Right holder shall, at least, submit the following to the extent applicable:

- (a) identification of activity and the Right holder:
 - (i) reference to the reconnaissance permit pursuant to which the activity is being carried out;
 - (ii) name and detailed identification of the activity granted by and notified to the Authority;
 - (iii) name of Right holder;

- (iv) name of the person carrying out the activity if other than the Right holder, including contact details for such other person; and
 - (v) name of person-in-charge at Right holder and point of contact at the person carrying out the activity when applicable;
- (b) status and plans:
- (i) general status of activities measured against submitted plans, which for a seismic survey shall include total acquired line kilometres including kilometres, square kilometres completed and CDP-km as applicable; and
 - (ii) report on planned activities for the coming week, including the planned area of activities.
- (c) specific for offshore:
- (i) name of vessel or craft, call signal, name of government liaison, fishery liaison officer, environmental officer or marine mammal observer as applicable;
 - (ii) input to report from fishery liaison officer or marine mammal observer regarding observations of significance or incidents; and
 - (iii) port calls in Zanzibar or entry into internal waters.
- (d) specific for onshore geophysical surveys:
- (i) report on any damage to third party interest, estimated claim amount and status of claim handling; and
 - (ii) any other relevant information under this regulation.

88.-(1) The Authority and government agencies without delay shall be electronically notified by the Right holder on the completion of geoscience data acquisition. ^{Final report.}

(2) The notification shall include information submitted as part of the weekly report pursuant to these Regulations.

(3) Within sixty days after completion of the geoscience data acquisition, the Right holder shall submit to the Authority a final report regarding of geoscience data acquisition.

(4) The report submitted under sub - regulation (2) shall be submitted electronically together with four other identical hard copies.

(5) The Authority may issue Guidelines for submission requirements, including format and lay-out.

(6) The Right holder shall at least submit the following to the extent applicable:

- (a) description of activity and Right holder:
 - (i) reference to the reconnaissance permit or licence pursuant to which the activity was carried out;
 - (ii) name and detailed identification of the activity granted by and notified to the Authority;
 - (iii) name of Right holder;
 - (iv) name of the person carrying out the activity if other than the Right holder, including contact details for such other person;
 - (v) name of person-in-charge at Right holder and point of contact person carrying out the activity when applicable;

- (vi) direction of the area or location where the activity took place; and
 - (vii) total duration of activities split on preparations, on location and demobilisation;
- (b) details regarding activity:
- (i) maps that show the delimitation of the area or location that was subject to the activity carried out;
 - (ii) a summary of significant dates, the total number of crew members, if applicable, the number of geophysical crew members, the type and number of each type of equipment used, the downtime per day;
 - (iii) activities carried out measured against submitted plans, which for a seismic survey shall include number of kilometres of data recorded per day, total acquired line kilometres, total kilometres covered and CDP-km as applicable;
 - (iv) summary of weather, sea, topographic conditions and effect on activity;
 - (v) total duration of activities split on preparations, on location and demobilisation
 - (vi) a general description of the activity including, as applicable, the instrument type, the accuracy of the navigation, positioning and survey systems, the parameters for the energy source and recording system and the field configuration of the source lines and the receiver lines;
 - (vii) shot point maps, track plots, flight lines with numbered fiducial points, gravity station maps and, for seabed surveys, location maps for core holes, grab samples and seabed photographs;

- (viii) shot point location data:
- (ix) included as annexes to the final report, the logs of the fishery liaison officer and marine mammal observer;
- (x) written complaints to the activity, resolve or mitigation, if any; and
- (xi) report on any damage to third party interest, estimated claim amount, settled amounts and plan for finalisation of claim handling.

89.-(1) The Authority may appoint a Government liaison to a geoscience data acquisition carried out pursuant to a reconnaissance permit from its staff or hired consultant qualified as geologist or geophysicist with minimum two years of experience preferably from similar assignments.

Government
liaison
officer.

(2) Within thirty days after such appointment, the Authority shall inform the Right holder of the name and contact details of the Government liaison(s) prior to notify commencement day.

90.-(1) The appointed Government liaison shall not be authorized to make decisions on behalf of the Authority while participating in the geoscience data acquisition.

Role of
Government
liaison
officer.

(2) The Government liaison shall facilitate communication and interaction between the Authority and:

- (a) the Right holder;
- (b) the person operating the craft, vessel or vehicle if different from Right holder;
- (c) the master, principle or head of any vehicle, craft or vessel;
- (d) team leader of crew carrying out the geosciences data acquisition;
- (e) the general public at the site; or

- (f) any other person as required by circumstances or decided by the Authority.

Government liaison officer in offshore.

91. For geosciences data acquisition activity based on vessel or craft in marine areas other than a geophysical survey, regulations 102 and 105 shall apply with regard to Government liaison on board and regulation 98 for position monitoring.

Training of government liaison officer.

92.-(1) The Government liaison officer shall receive adequate training required to be on or attached to the geoscience data acquisition activity as per the Training Policy and Programmes approved by the Authority.

(2) The cost of such training shall be covered by the Right holder.

Supervisory fee for Government liaison officer.

93. The Government liaison officer shall be considered to carry out a monitoring activity of upstream activities and entitled a daily supervisory fee from the Right holder as prescribed under the Fee, Permit and License Regulations.

Information to public.

94. The Authority shall provide and maintain updated digitally available public domain information of ongoing geoscience data acquisition and corresponding plans for the coming week.

Specific requirements for geophysical surveys in offshore.

95.-(1) A vessel or craft conducting a geophysical survey shall carry equipment which monitors the vessel's or craft's position and movement and reports it electronically to the Authority, or other government agency as directed by the Authority, at least twice per hour.

(2) The electronic positioning data submitted shall include clear identification of the vessel or craft, not deviate from actual position with more than 500 meters with a confidence interval of 99%, and indicate speed and course at time of reporting.

(3) The positioning and tracking equipment shall not turn off, damaged, or in any way manipulated while the geophysical survey is ongoing.

96. Where geophysical surveys carried out in marine areas the Right holder and masters of vessels or crafts shall:

Requirements of Right holder and master of vessel in offshore.

- (a) the observations of the sea surface, be made by the Right holder or master of the ship or vessel for indications of marine mammals or underwater activity, including diving, before commencing any permitted activity;
- (b) be gradual to allow fish, marine mammals and divers to be alerted, if not observed, to leave the vicinity of the geophysical survey;
- (c) maintain a reasonable distance from any other vessels engaged in ongoing fishery activities and to any fixed and floating fishing gear.
- (d) be exercised with respect to larger gatherings of vessels engaged in ongoing fishery activities.
- (e) be passive towards other users of the sea;
- (f) be sought regulated through the fishery liaison officer to the extent permissible under applicable law or International Public Law, KMKM or other designated Government authority may be requested to mitigate any issue with regard to the ability of Right holder to carry out the geophysical survey.
- (g) pay compensation to the persons affected with the acquisition activities in accordance with the Act and these Regulations; or
- (h) perform any other lawful act as directed by the Authority.

97. Where contact details of the fishery liaison officer or marine mammal observer has not been notified, the Right holder shall register the contact details such person not later than ten working days prior commencement date for the geophysical survey.

Information about fishery liaison officer or marine mammal observer.

Transportation to and from vessel.

98. Transportation of the Government liaison officer, fishery liaison officer and marine mammal observer to and from the port of mobilisation and demobilisation shall be arranged and paid for by the Right holder.

Presence at start-up meeting.

99. The Government liaison officer, the fishery liaison officer or the marine mammal observer, shall at all times be available at the start-up meeting for the geophysical survey in order to be informed of the planned activities and inform about government issues, expected fishery or marine mammal activity in the area of permitted activities.

Independent role of fishery liaison officer and marine mammal observer.

100.-(1) The fishery liaison officer and the marine mammal observer shall have a free and independent advisory function within his area of expertise.

(2) A fishery liaison officer or marine mammal observer shall carry out the assignment objectively and impartially by balance the interests of fisheries, marine mammal protection interests and the Right holder.

Weekly report contribution.

101.-(1) The fishery liaison officer and the marine mammal observer shall contribute to the weekly report pursuant to regulation 89 and keep a digital logbook for recording all incidents and observations during the geophysical survey within their respective area of expertise and responsibility.

(2) The Authority may issue guidelines on the role and tasks of the fishery liaison officer and the marine mammal observer.

Facilitation on vessel or craft.

102.-(1) The vessel or craft shall carry out permits, documents and data required under its nationality and flag, certificates and licenses for upstream activities in marine areas.

(2) Information required under sub regulation (1) shall remain available for the Government liaison, fishery liaison officer and marine mammal observer during all time on board the vessel or craft.

(3) The Government liaison, fishery liaison officer and marine mammal observer shall at no cost have full board, accommodation and access to the vessel's or craft's communication equipment, including web-access.

103. The government liaison shall be present at all start-up meeting for the geophysical survey to be informed of the planned activities and provide clarification on any government issues.

Presence of government liaison officer in geophysical surveys in the onshore.

104.-(1) The Government liaison officer shall have the Right to accommodation and full board in any camp or other accommodation offered by Right holder to the crew carrying out the geophysical survey.

Accommodation and board for Government liaison officer.

(2) The accommodation facilities offered by the Right holder under sub - regulation (1) shall be the same as of those occupied by the crew of the Right holder.

(3) The Right holder shall also provide transport for the government liaison officer to follow the geophysical survey at all time of the activities.

(4) The costs incurred pursuant to this regulation, shall be paid by the Right holder.

105.-(1) The geophysical company shall provide and use the explosives which are safe and meet the standard of the intended survey.

Explosive standard for geophysical survey.

(2) The required standard under sub - regulation (1) of this regulation shall be verified by the Authority and responsible organ of the government to ensure that they are fit and safe for the activity.

(3) Any company which provides the explosives which does not meet the standard of survey and is not safe for use shall commit an offence.

106.-(1) Subject to prior consent by the Authority, and provided that other alternative sources are not deemed suitable, the explosives shall be used as energy source for purposes of onshore geophysical survey.

Use of explosive in geophysical surveys in the onshore.

(2) The Right holder shall request the consent from the Authority for use of explosives, which shall include a shot hole drilling

programme and document adequate liability insurance in accordance with these Regulations.

(3) For the purpose of this regulation, the conditions for consent may be stipulated by the Authority.

General
safety requirements of
explosives.

107.-(1) The Right holder shall ensure that persons subject to Right holder's control or supervision shall have knowledge on how to carry out the various activities involving explosives during a geophysical survey.

(2) The knowledge referred under sub -regulation (1) shall include training measures to reduce risk of damage to the peoples and properties caused by the explosives.

(3) The direct access to handle explosives shall only be allowed for authorized person or person under the supervision of authorized person.

Risk
Management
and Internal
Control for
handling of
explosives.

108.-(1) The Right holder shall have a documented system for risk management and internal control for handling of explosives used in geophysical surveys.

(2) During the acquisition of geophysical survey, the Right holder shall take necessary measures to avoid accidental detonation, fire due to use of explosives and protection from the potential effects of explosions and fires.

(3) The Right holder shall have Material Safety Data Sheet (MSDS) for particular explosives to be distributed to the all personnel associated with explosives during the geophysical survey operation containing the:

- (a) composition;
- (b) physical & chemical risks & threats;
- (c) associated hazards, such as fire & explosion;
- (d) health hazards, such as sign of exposure;

- (e) routes of exposure & exposure limits;
- (f) precautions for safe handling, use & disposal;
- (g) emergency & first aid procedures; and
- (h) control measures.

109.-(1) The Right holder shall request the Authority for storage and transportation of explosives on the shores to be carried out under the supervision of the Tanzania People's Defence Force (TPDF) or other competent Government agency as directed by the Authority. Storage and transportation of explosives.

(2) The explosives which are not being prepared for immediate use shall either be stored at a secure storage site within the premises of a TPDF camp or other camp site as approved by the Authority in consultation with TPDF.

(3) The secured storage facility shall have a good access by road to allow easier transfer of the explosives to minimize the risk of accidents.

110.-(1) Any storage site for explosives shall be guarded and kept at sufficient distance to minimize damage and incidental impact during detonation. Distance of the stored explosives.

(2) The larger quantity of explosives stored shall be kept distance in case of:

- (a) a public road, railroad, airfield or airport, park, tourist area, other recreational area or the work area or camp of the geophysical survey, the least distance from the storage site prescribed in the Third Schedule based on the corresponding quantity of explosives; and
- (b) any building or storage area for inflammable substances in bulk, the least distance shall be twice the distance prescribed in the Third Schedule based on the corresponding quantity of explosives.

Transportation by vehicle.

111. The vehicles used for transportation of explosives shall be suitable for such purpose, be escorted and marked in with inter alia red flag and red light to indicate danger.

Standards for explosive handling.

112.-(1) The Right holder may propose to the Authority a specific required standard for handling explosives which include the minimum requirements prescribed in these Regulations.

(2) The proposed standard by the Right holder shall be acceptable with geophysical survey under Best International Petroleum Industry Practice.

Specific safety requirements for geo-physical surveys on the onshore.

113. A Right holder carrying out onshore geophysical surveys and shall ensure that any seismic energy source is properly located when activated and the energy source does not cause damage to any wells, pipelines, mines, excavations, buried utilities, buildings, plants or dams.

Distance from roads and cables.

114. The distance from any road, buried telephone cable or other communication cable shall be at least five (5) meters, irrespective of the energy source used.

Distance from various constructions.

115. An energy source, other than explosives, shall be placed at least:

- (a) 100 meters from any dam;
- (b) 30 meters from any oil or gas well or the centre line of any oil or gas pipeline (including downstream);
- (c) 50 meters from any dwelling or housing, structure with a concrete base or area of public congregation; and
- (d) 100 meters from any water well if the energy source is vibroseis, otherwise the distance shall be 50 meters.

Distance from constructions and objects when using explosives.

116. Where the Right holder use of explosives as energy source, the distance to be retained and shall follow the:

- (a) in case of oil or gas well, or oil or gas pipeline (including downstream), least distance, measured from the centreline for pipelines, is set out in Fourth Schedule; and
- (b) in case of a dam, dwelling or housing, area of public congregation or water well, least distance shall be twice the distance as prescribed under the Fourth Schedule of these Regulations.

117. The maximum amount of explosives in any shot hole or array of shot holes shall not exceed 10 kg of explosives. Maximum load in shot hole.

118.-(1) The Right holder shall ensure that drilling equipment used for shot hole is not used closer than 5 meters to a shot hole containing an explosive charge. Distance to drilling.

(2) Any shot hole prepared with explosive charge shall be flagged and appropriate protection shall be arranged to avoid access to the charged shot holes by the public or fauna.

119. When preparing a shot hole charge, the Right holder shall take all necessary measures to avoid generation of sparks, static or other factors or incidents which may cause accidental ignition or detonation of explosives. Avoidance of igniting objects.

120. The firing of charges shall only be done by the Right holder when he has provided appropriate warnings, cleared and secured the surrounding area by use of guards and signage, protected constructions or infrastructure against potential debris, mud or other materials from the blast. Warnings and protection against effects of explosion.

121.-(1) The misfired charges shall not be removed and shall comply with applicable safety protocol by detonating with a second charge. Misfiring.

(2) Where the attempt fails, the Authority shall be notified and decision on further action shall be made in consultation with TPDF.

Shot hole
preparation.

122. Where an energy source that requires penetration of the surface is used, the Right holder shall take the following measures:

- (a) where any penetration of the surface may interfere with any surface or sub-surface infrastructure or shot hole drilling is to be carried out in the vicinity of any surface or subsurface infrastructure such as a road, rail, bridge, pier, key, well, tank, pipe, cable or other underground infrastructure, an inhabited- or a restricted area, the Right holder shall notify the Authority and a local authority in whose area such infrastructure, an inhabited area or a restricted area is located;
- (b) a penetration of the surface shall not take place in areas with special environmental status, archaeological interest, cultural heritage status and areas identified to have third party economic interest without prior consent by the government agency responsible for such areas and the Authority;
- (c) penetration shall be discontinued if objects which may have archaeological interest are uncovered, before continuing the Right holder shall obtain consent from appropriate Government agency;
- (d) an objects shall not be driven into roads, covered surfaces or subsurface infrastructure in the performance of any geophysical survey;
- (e) as required a permanent marker may be set in place at points of intersection of shot hole lines, at intersections of a shot hole line with any infrastructure, which has been formed or graded, any other Right of way or if no intersection occurs, at intervals on each shot hole line of not more than eight kilometres, and positions of these permanent markers shall be clearly indicated on maps of the operational area to be submitted to the Authority. Alternatively, the Authority may require use of approved global positioning system with sufficient accuracy to replace permanent markers;
- (f) when a shot hole is to be drilled in the vicinity of any petroleum, water, pipe or pipeline, electric cable, transmission

line or other public utility, precaution shall be taken to ensure that such objects or public utilities are not damaged or its use interrupted, and in no case shall the distance from such objects or any other utility be less than fifty metres;

- (g) unless otherwise approved by the Authority in writing, a shot hole shall not be drilled within two hundred meters from a borehole or water source or well, or the foundation of a bridge, pier or key; and
- (h) whenever shot holes are to be drilled within 200 metres of a locality on which is located any building or any public utility of any description, the location of the shot hole shall be approved by the Authority.

123.-(1) After firing the shot holes, the Right holder shall be safely secured and plugged with a plug of solid material, unless specifically exempted by the Authority, and the disturbed area shall be restored as far as is practicable to its original state.

Restoration of shot holes.

(2) Where the Right holder fails to implement the requirement of sub – regulation (1) shall commit an offence.

124.-(1) The Right holder shall restore as far as possible and indemnify persons for any immediate or subsequent damage due to the permitted activity including when caused by vibrations, cave-in or collapse, any penetration of the surface, including the shot holes.

Obligation of restoration and indemnification.

(2) The indemnification of any immediate or subsequent damage to persons and properties referred under sub - regulation (1) of this regulation shall be paid in accordance with Act and law relating to compensation.

125. Where the energy sources for the permitted activity do not require shot hole drilling, the Right holder shall not activate such energy source within fifty (50) meters of any surface or subsurface infrastructure without the written approval of the Authority.

General distance rule.

Storage of
equipment.

126.-(1) All equipment other than explosives used by Right holder for geophysical survey shall be kept in the special areas approved by Authority.

(2) The area referred under sub - regulation (1) of this regulation shall consider the approved Environmental, Health and Safety Standard applied in storing such equipment.

PART TEN REPORTS, DATA, SAMPLES, RECORDS AND INFORMATION

Submission
of petrol-
eum data.

127.-(1) In accordance with provisions of the Act and these Regulations, the Right holder shall be submitted as soon as available the following petroleum data and information not later than ninety (90) days after the completion of the geoscience data acquisition activity or as provided for in sub-regulation (5):

- (a) seismic and other geophysical field data with the necessary navigational data and observers report information;
- (b) processed seismic data, velocity data and navigational data;
- (c) processed gravimetric, magnetic and electro-magnetic data, with associated navigational data; and
- (d) analysis results, maps and profiles that show the results of other geophysical or geological surveys such as heat flow measurements, radiometric measurements, samples and other related matters.

(2) The obligation to submit materials and documentation pursuant to sub-regulation (1) shall include all petroleum data that is a natural part of the processing sequence and which is stored and distributed to the Right holder.

(3) Where the following routine processing, the petroleum data is processed further, such as in the event of special processing, re-

processing or collation with other data, the results from this work shall be submitted to the Authority at the same time it becomes available to the Right holder.

(4) The Authority may demand the submission of other petroleum data and results in accordance with the Act, these Regulations and guidelines issued by the Authority for this purpose.

(5) The submission of data shall be made as prescribed under Fifth Schedule of these Regulations.

128.-(1) The Right holder shall submit to the Authority copies of all reports of upstream activities undertaken under the Act and these Regulations. Submission of report.

(2) The reports referred to under sub regulation (1) of this regulation shall be submitted to the Authority within the timeframe and format prescribed under these Regulations, guidelines or as determined by Authority.

129.-(1) Where a Right holder has carried out a review of existing data as part of a work programme, he shall immediately after completion of the review, submit a copy of the review report to the Authority. Review of existing data.

(2) The review shall give the name of the author and provide an interpretation of the data reviewed, conclusions drawn supported by maps, geological sections and stratigraphic columns, and any other data relevant to the review.

130.-(1) All records, reports, data, plans, maps, charts, accounts and information which are required to be furnished under the Act or these Regulations shall be supplied at the expense of the Right holder. General obligations relating to reports, data and information.

(2) The Right holder shall carry out an internal quality control to ensure good quality of the data, records, reports, plans, maps, charts, accounts or information before submission to the Authority.

(3) Where the Right holder submits records, reports, data plans, maps, charts, accounts or information with errors, lack of information or ambiguities, the file shall be returned by the Authority to the Right holder with comments.

(4) Where the Authority returns records, reports, data, plans, maps, charts, accounts and information under sub regulation (3) of this regulation, the Right holder shall submit a new updated records, reports, plans, maps, charts, accounts or information or response to the comments within thirty (30) days.

(5) Records, reports, data, plans, maps, charts, accounts and information required under these Regulations to be furnished to the Authority in relation to work done or progress of operations in the contract area shall not be withheld on the grounds that the record, report, data, plan, map, chart, account or information is confidential or under interpretation.

Access to data, reports and technical records by authorized officers.

131.-(1) The Right holder shall allow an authorized officer or consultant, legal officer or other qualified person contracted by the Authority at any time, to have access to and to take notes from documents, data, reports and technical records concerning operational procedures under the permit or matters related to those operations.

(2) The information obtained under sub regulation (1) of this regulation shall be treated as confidential for the duration stated in these Regulations and shall not be used for any purpose other than that allowed by the Act, these Regulations, applicable law or an agreement.

Duration of confidentiality on Petroleum data.

132.-(1) Subject to section 85 of the Act and these Regulations, the Minister shall be considered to have given written consent to apply standardised rules for application of confidentiality to petroleum data acquired by a Right holder where:

- (a) Petroleum data acquired pursuant to a license by the operator or a licensee shall be kept confidential five (5) years from the completion of the geoscience data acquisition;
- (b) Irrespective of sub-regulations (a) and (c), interpreted petroleum data shall be confidential for twenty (20) years; and

- (c) Petroleum data acquired for the purpose of Multi-Client licensing sales pursuant to a reconnaissance permit shall be confidential 10 (ten) years from the completion of the geosciences data acquisition.

Provided that other categories of Reconnaissance permit awarded pursuant these Regulations, may be agreed to be up to ten (10) years, but may not be prolonged.

(2) Subject to the provisions of paragraph (c) of this regulation, the Authority may extend the confidentiality period for five (5) years.

(3) Without prejudice to section 22 of the Act, the confidentiality requirement under sub-regulations (a), (b) and (c) shall apply to anyone employed or engaged by Government who through work or otherwise obtains access to petroleum data. This duty shall also extend to any employee who has left Government service.

PART ELEVEN MISCELLANEOUS PROVISIONS

133.-(1) In accordance with section 138 (2) (f) of the Act, Right Insurance. holder carrying out geophysical or upstream activities shall maintain adequate insurance at all times as stipulated in the applicable laws of Zanzibar and these Regulations.

(2) The Right holder shall ensure that insurance coverage procured outside Zanzibar shall provide coverage in accordance with the Act and these Regulations after the approval of the Authority.

(3) Liability insurance procured by the contractor or Right holder, shall hold the Government harmless from and against all claims resulting from upstream activities or arising out of Rights or obligations granted or contracted pursuant to the Act and these Regulations.

(4) During the procurement of insurance, the contractor or Right holder shall provide insurance coverage, taking into consideration risk exposure and premium costs.

(5) The Authority, with consultation of the Minister, may authorise the Right holder to use an affiliate insurance company provided that the premiums charged shall be at equivalent coverage and prevailing international insurance market rates for comparable insurance coverage.

(6) A Right holder providing insurance coverage for upstream activities in Zanzibar through a company group, global insurance coverage, shall document any saved premium cost reflected in the premium payable by the legal entity in Zanzibar and submit to the Authority.

(7) The Right holder shall notify the Authority about existing insurance agreements to be submitted together at the end of each calendar year.

(8) Where the Right holder's insurance coverage is not satisfactory compared to best international petroleum industry practices, the Authority may require further insurance to be procured.

(9) The Right holder shall submit to the Authority copies of any insurance policies pertaining to upstream activities before commencement of such activities.

Insurance
in onshore
and offshore
areas.

134. A Right holder carrying out geophysical or upstream activities in onshore and offshore areas shall at least take out adequate insurance to cover the following:

- (a) damage to installations, plant and other equipment for upstream activities, as well as pipelines and cables used for upstream activities;
- (b) environmental damage and other liability towards third parties;
- (c) wreck removal and clean-up as a result of accidents; and
- (d) insurance of the Right holder's employees who are engaged in the upstream activities.

135.-(1) The officers of the Authority or other Government ministries, departments and agencies authorized by the Authority or under any other applicable law, shall at all times have access to installations, plant and other equipment for geophysical or upstream activities, as well as pipelines and cables used for activities.

Regulatory supervision.

(2) The right of Government shall include access to petroleum data and material held or controlled by the Right holder.

(3) A officer referred to under sub regulation (1) of this regulation shall have the Right to stay on the facilities for as long as the Authority deems necessary.

(4) The Right holder shall, whenever required by the Authority, provide transportation to the officer to and from the facilities.

136.-(1) The Authority may require a Right holder to provide training of public officers working for the Ministry, the Authority or other Government institutions involved in the upstream activities.

Training of public officers.

(2) In accordance with section 134 (1) (a) of the Act, the Authority may require a Right holder to train vocational and academic trainers and teachers within subject matters relevant for upstream activities.

(3) The persons selected, shall be employed or regularly engaged by recognised private or public schools at secondary or higher education level in Zanzibar.

PART TWELVE OFFENCES AND PENALTIES

137.-(1) A person who:

- (a) carries out a geosciences data acquisition without holding a reconnaissance permit or a license;

Offences and penalties.

- (b) without approval of the Authority, commence the geosciences data acquisition in accordance with these Regulations;
- (c) engages in geosciences data acquisition outside time frames or areas approved by Authority as prescribed in the Right holder's notification of the activity;
- (d) recklessly or willfully submits false or misleading information or reports pertaining to geosciences data acquisition to the Authority or other Government institutions;
- (e) fails to submit petroleum data acquired in the manner or within deadlines prescribed under these Regulations;
- (f) fails to comply with any direction given under these Regulations;
- (g) fails to permit any inspection or compliance monitoring activity authorised under these Regulations;
- (h) is required to make a return pursuant to these Regulations and fails to furnish those returns as required, or makes a return which he knows to be false or recklessly makes a false return;
- (i) after the selection of a government liaison officer, fishery liaison officer and marine mammal observer by the Authority in accordance with regulation 73 and 9, fails to have them on board or vessel that carries out geosciences data acquisition;
- (j) conceal necessary information to government liaison officer, fishery liaison officer and marine mammal observer or obstruct them to discharge their duties; or
- (k) contravenes the provisions of regulation 134 of these Regulations,

Commits an offence and shall, upon conviction, be liable to pay a fine to Authority of:

- (i) not less than Ten Thousand United States Dollars (USD 10,000) or its equivalent in Tanzania Shillings in case of an individual; or
- (ii) not less than Fifty Thousand United States Dollars (USD 50,000) or its equivalent in Tanzania Shillings in case of a legal person.

(2) Where there is a continuing contravention, shall be liable to an additional fine of not less than Ten Thousand United States Dollars (USD 10,000) in respect of each day on which the offence continues.

138.-(1) A person who contravenes any provisions of these Regulations for which no specific penalty is provided in the regulation commits an offence and shall, upon conviction, be liable to pay a fine to the Authority of: General penalty.

- (a) not less than Ten Thousand United States Dollars (USD 10,000) or its equivalent in Tanzania Shillings in case of an individual; or
- (b) not less than Thirty Thousand United States Dollars (USD 30,000) or its equivalent in Tanzania Shillings in case of a legal person.

(2) Where there is a continuing contravention, shall liable to an additional fine of not less than Five Hundred United States Dollars (USD 500) in respect of each day on which the offence continues.

FIRST SCHEDULE
APPLICATION FORM FOR RECONNAISSANCE PERMIT
[Made under regulation 27]

APPLICATION FOR A RECONNAISSANCE PERMIT		
APPLICANT INFORMATION		
Name of the applicant:		
Nationality of the applicant:		
Legal status of the applicant (natural person or body corporate)		
Name and address of authorized representative or agent of the applicant in Zanzibar.		
Current address:		
City:	Country:	Website:
Email:	Fax:	
Work phone:	Mobile phone:	
Date of the application:		
INFORMATION ABOUT THE AREA APPLIED FOR		
1. Location (coordinates) and sizes (km ²) of the areas applied for:		
(a)		
(b)		
2. Objectives of the proposed data acquisition/proposed reconnaissance:		
(a)		
(b)		
3. Justification for subsurface coverage applied for.		

4. Priority of the applicant in respect of the areas in case the application relates to more than one area.		
5. Technical understanding of the area/s applied for:		
FINANCIAL CAPACITY OF THE APPLICANT:		
TECHNICAL CAPACITY OF THE APPLICATION		
1. Technical competence and experience		
2. Equipment type and specifications;		
ANTICIPATED TIMING AND DURATION OF THE SURVEY		
Start date:		
End date:		
IMPACT OF THE PROPOSED RECONNAISSANCE ACTIVITIES		
Economical:		
Social:		
Recreational life:		
Cultural:		
Environment:		
Others:		
PROPOSED MEASURES TO PROTECT THE ENVIRONMENT AND CONSERVE NATURAL RESOURCES		

FINANCIAL EVALUATION AND ESTIMATED COSTS	
EVIDENCE OF PAYMENT OF APPLICATION	
ANY OTHER REVELANT INFORMATION	
AUTHORISED SIGNATORY OF THE APPLICATION	
Signature of applicant:	Date
Signature of co-application, if joint application:	Date
FOR OFFICIAL USE ONLY	
Decision on Application (granted or denied):	
Date:	
COMMENTS:	

**APPLICATION FORM FOR SEISMIC SURVEY IN
ZANZIBAR & OTHER GEOPHYSICAL SURVEY**

Made under regulation 69]

SECOND SCHEDULE

Full name (primary contact person)	<input type="text"/>	
Organization/Company	<input type="text"/>	
Address	<input type="text"/>	
		Post Code: <input type="text"/>
Applicant contact numbers	Work <input type="text"/>	Mobile <input type="text"/>
Email address	<input type="text"/>	
Purpose or background to survey (you may continue on separate page)		

Proposed Survey Dates		
Earliest start date	Latest start date	Estimated no. of working days
<input type="text"/>	<input type="text"/>	<input type="text"/>
Proposed Survey Location		
A map (A4 size) should be provided showing the survey and greater working area and, where appropriate, the survey transects lines.		
Survey Location Description	<input type="text"/>	
Minimum distance from the coast	<input type="text"/>	
Appropriate geographical co-ordinates and datum for the survey area		
	Survey area (km ²)	<input type="text"/>
	Greater work area (km ²)	<input type="text"/>
Total estimated transect line length (km) (number of transects X individual lengths)	<input type="text"/>	
Total transect line spacing (m) (if appropriate)	<input type="text"/>	

FOR OFFICIAL USE ONLY

File Ref: **Completion of Application Form**

Please print this form and fill out the relevant fields using block capitals.

You may include additional information on separate pages.

The form must be signed and emailed to info@zpra.go.tz, OR posted to; ZPRA, P.O. Box 4746 Maisara, Zanzibar.

This form must be completed in order to undertake seismic surveys in Zanzibar. It is requested that the applicants intending to conduct other geophysical surveys complete the additional information sections in the application form.

This application form must be submitted at least 60 days prior to proposed start of any seismic or other geophysical survey.

General Information

Type of survey	Details
Type	
Multi-beam and side-scan sonar	<input type="text"/>
Sub-bottom profiling (pingers, boomers, sparkers, chirp)	<input type="text"/>
Reservoir	<input type="text"/>
Regional	<input type="text"/>
Site	
OBC and OBS	<input type="text"/>
Multi-component 4C (shear wave measurement)	<input type="text"/>

Marine vibroseis	
Refraction	
Vertical seismic profile (VSP) or borehole seismic	
Other geographical seabed seismic surveys not covered above	
Magnetic surveys	
Gravity surveys	
Shallow drilling operations	
Details of Survey Equipment Seismic surveys	
Energy source type	
Energy source volume (cubic inches)	
Estimated sound level at 1 meter over frequency band 10Hz to 10kHz	Sound Exposure Level (SEL) <input type="text"/>
	Sound Pressure Level (SPL) <input type="text"/>
Specify dominant frequency band	<input type="text"/>
Brief description of equipment	

Details of Survey Equipment Seismic surveys

Energy source type	<input type="text"/>
Energy source volume (cubic inches)	<input type="text"/>

Estimated sound level at 1 metre over frequency band 10 Hz to 10 kHz Sound exposure level (SEL)

Sound pressure level

specify dominant frequency band

Brief description of equipment

Details of survey equipment (cont.)	
Number of vessels involved	<input type="text"/>
Name (s)	<input type="text"/>
Tonnage (s)	<input type="text"/>
Registration(s)	<input type="text"/>
Call sign (s)	<input type="text"/>
Vessel role (s) (source, guard)	<input type="text"/>
Environmental information	
Will proposed surveys be carried out in or adjacent to marine protected areas (MPA)?	

Marine protected areas include Marine Nature Reserves, Conservation Zones, Fisheries Closed Areas and Fisheries Restricted Areas. If yes, identify MPA, provide brief description and distance to survey operational area.

Does the survey operational areas and timing coincide with any fish or shellfish aggregation, spawning or nursery activities? If yes, please provide details.

Please put X in the box if you have included extra information.

(a) Intensity and frequency of sound

Intensity and frequency characteristics of proposed survey methodology

Extent of area when injury or disturbance thresholds could be exceeded

Have you made arrangements for passive acoustic monitoring? If yes, please state which organization will provide this, how many operators will be provided and a brief outline of the monitoring programme.
Have discussions taken place with fisheries organizations? If yes, please provide details including organizations were involved and when discussions took place.

Have you arranged fisheries liaison? If yes, please state the appointed organization and how many staff will be available.

Declaration

I have read and understand the questions and information requested in this application form. I declare that to the best of my knowledge and belief that the information given in this form and related paper is correct.

I understand that work cannot begin until a permit has been issued by the Authority

Print name:

Signature:

Date

PLEASE REMEMBER TO INCLUDE A PROOF OF PAYMENT OF PAYABLE TO AUTHORITY.

THIS APPLICATION WILL NOT BE PROCESSED WITHOUT THE APROPRIATE FEE HAVING BEEN PAID.

THIRD SCHEDULE

**MINIMUM DISTANCE FROM STORAGE SITE:
[Made under regulation 110(2)]**

	Column I	Column II
Item	Net Weight of Explosive (kg)	Distance (m)
1	not more than 200	25
2	more than 200 but not more than 250	30
3	more than 250 but not more than 300	35
4	more than 300 but not more than 400	40
5	more than 400 but not more than 500	45
6	more than 500 but not more than 1,000	70
7	more than 1,000 but not more than 1,500	95
8	more than 1,500 but not more than 2,000	110
9	more than 2,000 but not more than 2,500	125
10	more than 2,500 but not more than 3,000	140
11	more than 3,000 but not more than 4,000	160
12	more than 4,000 but not more than 5,000	180
13	more than 5,000 but not more than 7,500	210
14	more than 7,500 but not more than 10,000	235
15	more than 10,000 but not more than 15,000	265
16	more than 15,000 but not more than 20,000	295
17	more than 20,000 but not more than 25,000	320
18	more than 25,000 but not more than 30,000	345
19	more than 30,000 but not more than 40,000	365
20	more than 40,000 but not more than 50,000	395
21	more than 50,000 but not more than 100,000	510
22	more than 100,000	600

FOURTH SCHEDULE**MINIMUM DISTANCE BETWEEN A CHARGE AND ANY OIL OR GAS WELL OR
THE CENTRE LINE OF ANY OIL OR GAS PIPELINE:****[Made under regulation 116]**

	Column I	Column II
Item	Net Weight of Explosive (kg)	Distance (m)
1	not more than 2	32
2	more than 2 but not more than 4	45
3	more than 4 but not more than 6	55
4	more than 6 but not more than 8	64
5	more than 8 but not more than 10	70
6	more than 10 but not more than 20	100
7	more than 20 but not more than 40	142
8	more than 40 but not more than 100	225
9	more than 100	500

FIFTH SCHEDULE

GEOPHYSICAL DATA SUBMISSION FORM
 [Made under regulation 127(5)]

Petroleum Data Transfer Form

<p>1. Name of company lodging data</p> <p>_____</p> <p>ACN _____</p>	<p>5. Survey Details</p> <p>Name of Survey: _____</p> <p>Location of Survey: _____</p>																					
<p>2. Address and contact number of company</p> <p>_____</p> <p>_____ (Postcode) _____</p> <p>Phone () _____ Fax () _____</p>	<p>6. Summary of Submission</p> <table border="1"> <thead> <tr> <th>Type</th> <th>Medium</th> <th>Quantity</th> </tr> </thead> <tbody> <tr> <td>• Field Seismic Data</td> <td></td> <td></td> </tr> <tr> <td>• Processed Seismic</td> <td></td> <td></td> </tr> <tr> <td>• Observer's Report</td> <td></td> <td></td> </tr> <tr> <td>• Navigation Data</td> <td></td> <td></td> </tr> <tr> <td>• Well logs</td> <td></td> <td></td> </tr> <tr> <td>• Other Material</td> <td></td> <td></td> </tr> </tbody> </table>	Type	Medium	Quantity	• Field Seismic Data			• Processed Seismic			• Observer's Report			• Navigation Data			• Well logs			• Other Material		
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• Navigation Data																						
• Well logs																						
• Other Material																						
<p>3. Name of contact officer</p> <p>_____</p>																						
<p>4. Signature of person authorized to deposit</p> <p>Signature _____ Date ____/____/____</p>																						
<p>Number of boxes (Boxes must weigh no more than 16 kg)</p> <p>_____</p>																						

To be completed by the Designated Authority		Designated Authority Reference <hr/>
Print Name _____		
Position _____		
Phone () _____	Fax () _____	
_____	_____/_____/_____	
Signature	Date	
(Must be signed by Designated Authority Delegate)		

SIGNED on this 28th day of October, 2021.

ABDULLA HUSSEIN KOMBO
Minister for Blue Economy and Fisheries
ZANZIBAR

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