



Seabed Minerals Authority

Runanga Takere Moana

COOK ISLANDS

S01: Interim Standard for Expedition Planning and Reporting

Prepared by the Cook Islands Seabed Minerals Authority

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1. Purpose

This Standard is issued by the Cook Islands Seabed Minerals Authority (**Authority**) pursuant to section 11(e) of the Seabed Minerals Act 2019 (**Act**) and regulation 50 of the Seabed Minerals (Exploration) Regulations 2019 (**Exploration Regulations**).

This Standard sets out the information that Licence Holders must provide to the Authority for Exploration Expeditions. The Authority will use this information to fulfill its statutory function of monitoring the compliance and performance of Licence Holders under the terms and conditions of their Exploration Licence and in accordance with the Act and Exploration Regulations.¹

The purpose of these reporting requirements is to ensure that:

- a) Expeditions are well planned and that activities are carried out with due diligence and efficiency and according to good industry practice;
- b) The Authority can assess exploration activities conformity with the Approved Work Plan (**AWP**) programme of activities and other plans attached to their licence;
- c) Exploration activities will be conducted safely using best management practices and in accordance with the terms and conditions of the applicable Exploration Licence;
- d) Any vessels or equipment used to undertake exploration activities are in good working order and meet relevant international certification requirements where applicable;
- e) Expedition personnel are suitably qualified to undertake their roles.

This Standard should be read in conjunction with “SG: An Operating Framework for Standards and Guidelines relating to Seabed Minerals Activities”

2. Legislative Context

The following legislative and licence provisions are relevant to this Standard:

- a) Regulation 50 of the Exploration Regulations, together with clause 5.1(b) of the Exploration Licences, makes this Standard legally binding on the Licence Holder.
- b) Regulation 53(a) of the Exploration Regulations requires a Licence Holder to notify the Authority of the proposed schedule for an Expedition Leg at least 20 days before the Expedition Leg commences.
- c) Clause 5.7 of an Exploration Licence requires a Licence Holder to notify the Authority in writing of certain information relating to the vessel(s) being used to conduct the regulated activity no less than 20 working days before each Expedition Leg commences.

¹ Section 11(b)(i) of the Act

3. Scope

This Standard sets out the reporting requirements for each Expedition Leg. Licence Holders are required to submit the following information to the Authority:

- a) **Expedition Objectives Plan (EOP):** The EOP sets out the objectives of planned expeditions.
- b) **Project Execution Plan (PEP):** the PEP is a report that must be provided prior to each Expedition Leg setting out its parameters and objectives.
- c) **Expedition leg progress reporting:** during an Expedition Leg, the Licence Holder must submit Daily Progress Reports to the Authority, report any incidents that occur, and provide access to the vessels management system to allow the Authority to track the vessel.
- d) **Post-expedition Leg Report (PELR):** This report provides the Authority with information about whether the Expedition Leg's objectives were met; the samples and data collected; and any incidents that occurred and how they were managed.
- e) **Post-expedition Report (PER):** This report provides the Authority with information about how the Expedition performed against the objectives set out in the EOP.

4. Expedition Objectives Plan

Licence Holders must submit an EOP to the Authority at least 20 working days prior to each Expedition commencing.

The expedition objectives should be set out clearly, and include how it contributes to achieving the objectives of the AWP. EOPs should not exceed one page and may be incorporated into a PEP or submitted separately.

5. Project Execution Plan

The PEP provides the Authority with information about an Expedition Leg before it takes place.

The PEP covers information on the following areas: the proposed Expedition Leg work plan; the vessel and equipment to be used; personnel and their training to undertake their role/roles on the Expedition; insurance coverage; and some administrative components. See further details below.

Licence Holders are required to submit a PEP to the Authority at least 20 working days before an Expedition Leg takes place. Amendments to a PEP may be considered by the Authority as necessary. The Authority encourages earlier submissions where practicable to ensure there is sufficient time for the Authority to consider the completeness of the PEP and obtain any further information if required. Late applications may be considered in exceptional circumstances.

5.1 Expedition Leg Work Plan

The following components are the minimum requirements for an Expedition Leg Work Plan (ELWP):

- a) Port of origin, destination port and planned dates of entry and departure from Cook Island's jurisdiction and any ports of call;
- b) Duration of the Expedition Leg, co-ordinates within which the exploration activities will take place in the licensed area and a map depicting such;
- c) The objectives of the Expedition Leg against the EOP;
- d) A general description of each exploration activity to be completed and a description the equipment that will be used to undertake the activities;
- e) An Environmental Notice (refer to G03 Exploration Activity Environmental Notice) that includes a general description of the proposed activities, methods to be used and potential environmental impacts;
- f) Expedition Health and Safety Risk Assessment.

5.2 Vessel and Equipment

Licence Holders are required to provide the following information regarding the vessel and equipment to be used during an Expedition:

- a) The name of the Vessel's Master/Captain;
- b) Vessel owner or operating company;
- c) Vessel type and IMO number;
- d) Flag state and vessel class;
- e) Statement of compliance against certification requirements (with certificates to be made available to the Authority upon request);
- f) Vessel management system² details to allow the Authority to track the vessel.

5.3 Expedition Personnel and Training

Licence Holders are required to provide the following information relating to the personnel on the Expedition:

- a) Details of all persons onboard the vessel including their roles and applicable certificates held;
- b) Details of any Cook Islanders on board as part of capacity development;

² Regulation 53(d) requires that all vessels engaged in the regulated activity are fitted with, and maintain in operation, a vessel management system.

- c) A designated responsible person (Expedition Lead) should be identified for the exploration operations, that person normally being one of Chief Scientist/Client Representative or Offshore Manager or Captain/Master.

5.4 Insurance Requirements

The Licence Holder and its associates and affiliates must ensure that they have appropriate and sufficient insurance:

- a) against the types of incidents, casualties, and contingencies consistent with good industry practice; and
- b) with a financially sound and reputable insurer (e.g. hold a Lloyds or International Group membership, or at least a B++ International Rating); and
- c) on the terms and in the amounts (including deductibles, co-insurance, and self-insurance if adequate reserves are maintained for that purpose) consistent with good industry practice; and
- d) for every Expedition Leg before its commencement and that the insurance is maintained throughout the Expedition Leg and afterwards as appropriate.³

5.5 Provision of Insurance Information

The License Holder must maintain and provide to the Authority a list of the insurance policies pertaining to the Expedition Leg personnel, equipment and vessel, which must be included in the PEP unless otherwise agreed to by the Authority. The list must include for each policy:

- a) The insurers (including documents to support that they are reputable);
- b) The insured (policy holder);
- c) Policy title and number;
- d) Date of execution;
- e) Term of contract;
- f) Insured amount;
- g) Excess;
- h) A short explanation of purpose including notable exclusions.

If the Licence Holder elects to self-insure for any key activities/equipment they must provide evidence of sufficient financial resources to meet any potential costs/liabilities that may arise.⁴

³ Schedule 2 of the Act and specific licence conditions (clause 6) require Licence Holders to maintain appropriate insurance

⁴ Section 96 of the Act

The Authority reserves the right to require a financial guarantee or the lodgment of a security deposit if deemed necessary.

5.6 Administrative Components

Licence Holders are required to provide the following:

- a) List of any permits and approvals required and obtained for the proposed activities (to be made available on request);
- b) Contact details for the vessel and for shore-based management.

6. Expedition Leg Progress Reporting

This section sets out a Licence Holder's reporting obligations during an Expedition Leg:

6.1 Vessel Management Systems

As required by the Exploration Regulations, the vessel must be fitted with, and maintain in operation, a vessel management system⁵ the details of which must be provided to allow the Authority to track the vessel.

6.2 Daily Progress Reports

During an Expedition, a Licence Holder is required by the Exploration Regulations to maintain an electronic log⁶ of its daily activities which must be made available to the Authority. This requirement can be met through the provision (within 48 hours) of Daily Progress Reports (**DPRs**) to the Authority direct from the vessel if it is practicable to do so. The information to be provided to the Authority must contain at least:

- a) Location of vessel;
- b) Brief summary of the weather, the day's forecast, and sea state;
- c) Short log of completed activities;
- d) A short description of any likely effects of the previous day's activity on the marine environment;
- e) Details of any measures taken to avoid, mitigate, or remedy adverse effects on the marine environment;
- f) Details of any encounters with other marine users;

⁵ Regulation 53(d)

⁶ Regulation 39

- g) Summary of occupational health, safety, and environmental hazard observations, incidents, near misses, drills, toolbox meetings, inductions and any Job Hazard Assessments for the day's activities.

6.3 Incident Report

The Licence Holder must immediately report to the Authority any incidents that occur during an Expedition Leg.⁷ The report must be completed using the Authority's template form and include at least:

- a) The nature of the incident, including what or who is being affected and how,
- b) How the incident is being managed and actions taken with reference to the Licence Holder's Incident Response Management Plan,
- c) Who else has been informed of the incident.

7. Post-Expedition Leg Report

Licence Holders are required to submit to the Authority a brief Post-Expedition Leg Report (**PELR**) within five working days of an Expedition Legs completion. This short report must provide information about how the Expedition Leg performed against the Project Execution Plan.

The PELR must be completed, as per Form S01-PELR. The PELR should be no more than two pages, not including any station and/or site lists and sample lists:

8. Post-Expedition Report

Licence Holders are required to submit to the Authority a PER within three months of an Expedition finishing. This report must provide information about how the Expedition performed against the EOP. The Authority will use the information provided to assess the performance of a Licence Holder. The PER must be set out in accordance with the following section headings:

- a) Introduction
- b) Occupational, Health, Safety Environment section
- c) Methods section
- d) Results section
- e) Discussion and conclusions section
- f) Cost and time analysis for the expedition section
- g) Reference list section

⁷ Regulation 59

- h) List of abbreviations used section
- i) Annexes as required

Guidance on the contents of each section are set out in Annex A of this document.

9. Other References

None

Disclaimer: This document, developed by the Seabed Minerals Authority, does not replace or amend the requirements of the Seabed Minerals Act 2019 and associated regulations, and Exploration Licence obligations which should be read in conjunction with this Standard.

It is made available on the understanding that the Cook Islands Government is not thereby engaged in rendering legal or other professional advice. Before relying on this material in any important matter, users should carefully evaluate its accuracy, currency, completeness and relevance for their purposes, and obtain appropriate legal or other professional advice relevant to their particular circumstances.

It is anticipated the Standard will be amended from time to time. The most up-to-date version of the Standard is available at www.sbma.gov.ck.

10. Version Control

Rev	Date
Version 1	7 September 2022

Annex A: Guidance on the contents of a PER

Listed below are the required sections for a PER and guidance on the content for each section which is not mandatory. If the guidance is not followed Licence Holders must explain why.

Introduction

- a) Expedition Objectives and performance against the objectives
- b) Short summary of historical information/context
- c) Makeup of Expedition Legs (with reference to an Annex containing the post expedition leg reports)
- d) Narrative of activities including simple voyage map

Occupational, Health, Safety Environment section

- a) Major weather events
- b) Near misses (reference as needed to annexes)
- c) Incidents (reference as needed to annexes)
- d) Any OHSE lessons learnt

Methods section

- a) Summary of methods used
- b) Reference as needed to annexes with detailed procedures and equipment specifications etc

Results section

- a) List by Expedition Leg and then by method
- b) Summary table of performance against each method with explanations as required
- c) Reference as needed to annexes for detailed information such as logs photo records etc
- d) Maps of sample stations/sites with reference as needed to tabulated results

Discussion and conclusions section

- a) Summary of findings from the results
- b) Planned further analysis of any data or samples
- c) Details of any planned publications, i.e. in scientific literature
- d) Chain of custody actual and planned for samples/data (this can be a reference to an annex)

Cost and time analysis for the expedition section

- a) Short discussion about how the expedition performed against time and cost expectations

- b) Pie chart (or table) of time allocated by task including transits
- c) Pie chart (or table) of cost attributed by task including transits