

MEMORANDUM FOR THE CABINET
BY THE HON. THE PRIME MINISTER

Amendment to the Petroleum (Production) Act, 1958

The Convention on the Continental Shelf, which broadly governs the exercise of sovereign rights by a coastal State over the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, was ratified by the U.K. on the 11th May, 1964 and, in accordance with Article 11 of the Convention, came into force on the 10th June, 1964. It also became binding, as from the same date, on overseas dependent territories of the United Kingdom.

As the Convention was ratified by the United Kingdom before the 21st September, 1964, it was automatically accepted by Malta under the "blanket" arrangements regarding Treaty succession.

It is now proposed to amend the Petroleum (Production) Act, 1958 so as to provide for extending the reference to Malta in the principal law to cover the "continental shelf", in conformity with the Convention above referred to. The proposed Bill is annexed hereto

Article 2 of the Convention clearly states that the rights of the coastal State over the "continental shelf" do not depend on occupation, effective or notional, or any express proclamation. It is for this reason that the proposed amendment makes reference exclusively to rights conferred by international law.

Hon. Ministers are invited to agree to the annexed Bill entitled "An Act further to amend the Petroleum (Production) Act, 1958".

25th February, 1965.

A BILL
entitled

AN ACT further to amend the Petroleum (Production)
Act, 1958.

BE IT ENACTED by the Queen's most Excellent
Majesty, by and with the advice and consent of the
House of Representatives of Malta, in this present
Parliament assembled, and by the authority of the
same, as follows:-

Short
title

1. This Act may be cited as the Petroleum
(Production) (Amendment) Act, 1965, and shall be read
and construed as one with the Petroleum (Production)
Act, 1958, hereinafter referred to as "the principal
Act".

Amendment
of section
2 of the
principal
Act.

2. Section 2 of the principal Act shall be
amended as follows:-

- (a) immediately after the words "In this Act"
there shall be added the words "unless the
context otherwise requires" and the
following definition -

"the continental shelf" means that
part of the seabed and subsoil of the
submarine areas adjacent to the coast of
Malta but outside territorial waters over
which Malta is entitled by international
law to exercise sovereign rights for the
purpose of exploring it and exploiting its
natural resources;"

- (b) for the definition of "Malta" there shall be
substituted the following -

"Malta" means the Island of Malta,
the Island of Gozo, the other islands of the
Maltese Archipelago, the land underlying
territorial waters and the continental shelf;"

Amendment
of section
3 of the
principal
Act.

3. In subsection (2) of section 3 of the
principal Act, immediately after the words "or gets
petroleum", there shall be added the words "on, under
or from any lands in Malta."

/Amendment....

Amendment
of section
4 of the
principal
Act.

4. In subsection (1) of section 4 of the principal Act, immediately after the words "and get petroleum", there shall be added the words "on, under or from any lands in Malta".

Amendment
of section
5 of the
principal
Act.

5. In subsection (1) of section 5 of the principal Act, immediately after the words "and mining for petroleum", there shall be added the words "in Malta".

Regulations

6. Any regulations made under section 5 of the principal Act shall be deemed to have been made under the principal Act as amended by this Act.

Objects and Reasons

The object of this Bill is to extend the reference to Malta in the Petroleum (Production) Act, 1958 to cover the continental shelf. It conforms with the provisions of the Geneva Convention on the Continental Shelf.