

AUTHORIZATION

Pursuant to sections 138 and 134 of the *Canada-Newfoundland Atlantic Accord Implementation Act*¹ and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*² respectively, the Operator named in the Application is hereby authorized to conduct the described program subject to the following conditions:

1. No change in the program hereby authorized may be made unless it is first approved by the Chairman in writing;
2. Until such date that Occupational Safety and Health Regulations are promulgated under the *Canada-Newfoundland Atlantic Accord Implementation Act*¹ and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*², the Operator shall, during the term of this Authorization, comply with the provisions of the *Petroleum Occupational Safety and Health Regulations - Offshore Newfoundland (Draft)* dated November, 1989;
3. In the event of any conflict or inconsistency between the provisions referred to in condition 2 and the provision of any regulation or any standard incorporated by reference in a regulation proclaimed under law to be in force, the provision of that regulation or standard shall prevail to the extent of resolving such inconsistency or conflict;
4. The Operator shall use the equipment, installations, procedures and personnel qualifications as described in the application unless a change in the equipment, installations, procedures or personnel qualifications is first approved in writing by the Chairman;
5. The Operator shall comply with the requirements and conditions of acceptance respecting the Documentation referred to in the *Proof of Financial Responsibility for Work Authorization* form submitted by the Operator regarding this Authorization;
6. To the extent that the Operator is required by the *Canada-Newfoundland Atlantic Accord Implementation Act*¹ and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*² or any regulation there under to provide to the Board information or documentation respecting any work or activity covered by this Authorization, the Operator shall promptly provide such information or documentation to the Board;
7. The Operator shall satisfy all regulations, requirements, and approvals administered or established by any other regulatory body, government department or agency which has jurisdiction in any way respecting the work or activity relating to this Authorization;
8. The following conditions of indemnity shall apply with respect to the conduct of all work or activity relating to this Authorization:
 - (a) the Operator shall indemnify affected parties for any costs, expenses, damages, claims or losses attributable to the fault or negligence of the Operator, its contractors or subcontractors, in conducting the work or activity;
 - (b) such indemnity will apply to any legal costs or expenses incurred by the Board, CCO, CSO or designate in pursuing or defending any legal proceedings respecting the work or activity, except to the extent a court may otherwise decide; and
 - (c) such indemnity does not suspend or limit:
 - (i) any legal liability or remedy for an act or omission by reason only that the act or omission is an offence or gives rise to liability under the C-NAAIA or C-NLAAINLA,
 - (ii) any recourse, indemnity or relief available at law to a person who is liable under the C-NAAIA or C-NLAAINLA against any other person, or
 - (iii) the operation of any applicable laws or rules of law that is not inconsistent with the C-NAAIA or C-NLAAINLA;
9. This Authorization is issued to the above-named Operator and cannot be transferred or assigned;
10. The Board reserves the right, effective upon written notice to the Operator, to revise, waive, or add any term or condition during the time this Authorization is in effect;
11. For greater certainty and, without affecting any other requirements in law, the Operator shall comply with such requirements respecting employer general duties, occupational health & safety committees, and the refusal to work as appended to this Authorization as *Other Requirements Respecting Health & Safety*;

¹ S.C.1987, c.3

² R.S.N.L.1990, c.C-2

12. The Operator shall comply with the *Newfoundland Offshore Area Petroleum Geophysical Operations Regulations*, (July 1995) and the *Geophysical, Geological, Environmental and Geotechnical Program Guidelines, Newfoundland and Labrador Offshore Area* (C-NLOPB, May 2008);
13. The Operator shall implement, or cause to be implemented, the mitigation measures outlined in the environmental assessment conducted pursuant to the *Canadian Environmental Assessment Act*, in respect of its program.
14. In the event of fishing gear and/or vessel damage resulting from any survey, the Operator will be required to implement a gear and vessel damage compensation contingency plan as per the Board's *Compensation Guidelines, Newfoundland and Labrador Offshore Area* (2002); and
15. The Operator shall comply with such other conditions as may be appended to this Authorization.

Signed: _____ Effective Date: _____

Chairman

Program No.: _____ Expiry Date: _____

Form No: 2007_FM_025
Revised: 20080613

INSTRUCTIONS FOR COMPLETION OF FORM WITH FIELD WORK

Pursuant to the *Geophysical, Geological, Environmental and Geotechnical Program Guidelines, Newfoundland and Labrador Offshore Area (April 2004)*, each Application for the issuance of a Program Approval must fulfill the following:

1. In completing the introductory portion of para.1, the full legal name must be used in identifying the Operator. The appropriate sections for the federal and provincial Acts are s.163 of the *Canada-Newfoundland Atlantic Accord Implementation Act*, s.158 of the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*; and s.168 of the *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act*, s.160 of the *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*.
2. Application must be accompanied by payment to the C-NLOPB for the Cost of Authorization, as stated in s1.Table 1.
3. Application must contain original signatures.
4. Application must not contain correction fluid.
5. Where the Operator is not an interest holder in the applicable licence, a Schedule A describing the interest holders and their relationship with the Operator must be attached.
6. The Operator is encouraged to submit a draft Application prior to submission of the Application to ensure completeness.
7. Where incorrect information is stated on the Application, the Operator will be required to re-submit.
8. Any questions regarding the compliance of the Program Approval or the completion of this form should be addressed to:

Canada-Newfoundland and Labrador Offshore Petroleum Board
Exploration Department
Fourth Floor, TD Place
140 Water Street
St. John's, Newfoundland and Labrador
A1C 6H6

Telephone: (709) 778-1400
Fax: (709) 778-1432