



Crown Minerals (Petroleum) Amendment Regulations 2025

Cindy Kiro, Governor-General

Order in Council

At Wellington this 25th day of August 2025

Present:

The Right Hon Christopher Luxon presiding in Council

These regulations are made under section 105 of the Crown Minerals Act 1991 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Crown Minerals (Petroleum) Amendment Regulations 2025.

2 Commencement

These regulations come into force on 25 September 2025.

3 Principal regulations

These regulations amend the Crown Minerals (Petroleum) Regulations 2007.

4 Regulation 3 amended (Interpretation)

In regulation 3(1), insert in their appropriate alphabetical order:

associated party, in relation to an NPP, has the meaning given in regulation 5AA

NPO, in relation to an application for a permit, means the person nominated in the application as the permit operator

NPP, in relation to an application for a permit,—

- (a) means a person nominated in the application as a person who will hold a participating interest in the permit if the application is granted; and
- (b) includes the NPO

5 New regulation 5AA inserted (Definition of associated party)

After regulation 5, insert:

5AA Definition of associated party

- (1) Entities are associated parties of an NPP if the entities directly or through 1 or more intermediaries exercise control over the NPP or are controlled by, or are under common control with, the NPP. Such entities may include, but are not limited to, holding companies and subsidiaries.
- (2) Individuals are associated parties of an NPP if they own, directly or indirectly, an interest in the voting power of the NPP that gives them significant influence over the NPP.
- (3) Key management personnel are associated parties of an NPP if they have authority and responsibility for planning, directing, and controlling the activ-

ities of the NPP. Such key management personnel may include, but are not limited to, directors and officers of the NPP.

- (4) Entities are associated parties of an NPP if a substantial interest in their voting power is owned, directly or indirectly, by any person described in subclause (2) or (3) who is able to exercise significant influence over the entities. Such entities may include, but are not limited to, entities owned by directors or major shareholders of the NPP and entities that have a member of key management in common with the NPP.

6 New regulation 18 inserted (Application for exploration permit (unless allocated by public tender))

After regulation 17, insert:

18 Application for exploration permit (unless allocated by public tender)

- (1) An application to the chief executive under section 23A of the Act for an exploration permit must be in the form prescribed by the chief executive and signed by the applicant.
- (2) The application must be accompanied by—
 - (a) the prescribed fee or evidence of it having been paid; and
 - (b) the information described in Part 1A of Schedule 2.
- (3) This regulation does not apply to any process under section 24 of the Act by which a permit is offered for allocation by public tender.

7 Regulation 24 amended (Application and notices to transfer, deal with, etc, permit)

- (1) Replace regulation 24(1)(b) with:
 - (b) a notice of change of control of a prospecting permit for petroleum under section 41AG of the Act:
 - (ba) a notice of change of control of a guarantor under section 41A of the Act:
- (2) In regulation 24(3)(b), after “section 41,”, insert “41AG,”.

8 Regulation 24A amended (Application for consent to change of control of permit operator of Tier 1 permit)

- (1) In the heading to regulation 24A, replace “**permit operator of Tier 1 permit**” with “**certain permit operators and permit participants**”.
- (2) In regulation 24A(1), delete “of a permit operator”.
- (3) Replace regulation 24A(5) with:
- (5) In subclause (2)(a), **relevant person** has the meaning given in section 41AC of the Act.

9 Schedule 2 amended

- (1) In the Schedule 2 heading, after “17,”, insert “18.”
- (2) In Schedule 2, after Part 1, insert the Part 1A set out in Schedule 1 of these regulations.
- (3) In Schedule 2, Part 4, clause 2, replace—
 - (a) “(i)” with “(a)”; and
 - (b) “(ii)” with “(b)”; and
 - (c) “(iii)” with “(c)”; and
 - (d) “(iv)” with “(d)”.

10 New Schedule 2A inserted

After Schedule 2, insert the Schedule 2A set out in Schedule 2 of these regulations.

Schedule 1
New Part 1A inserted into Schedule 2

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Part 1A

**Information to accompany exploration permit application under
regulation 18 (unless allocated by public tender)**

- 1 If the application is on behalf of 2 or more persons,—
 - (a) an explanation of each NPP's interest in the permit; and
 - (b) a statement identifying which of them is the NPO.
- 2 A proposal in relation to the duration of the permit.
- 3 A map of the permit area.
- 4 A document that sets out the geographic co-ordinates of the turning points used to construct the permit area map (even if that data is included in the map provided under clause 3).
- 5 A description of the geology of the permit area that—
 - (a) demonstrates the applicant's geological understanding of the area; and
 - (b) uses figures, maps, and cross-sections (where appropriate) to convey the information; and
 - (c) identifies any reports, surveys, or other information that the applicant has reviewed; and
 - (d) includes the following information (if any):
 - (i) a description of studies by the applicant using geophysical data from the permit area:
 - (ii) the applicant's interpretation of seismic data of the permit area:
 - (iii) the applicant's interpretation of well data in the permit area:
 - (iv) the applicant's interpretation of the stratigraphy of the permit area:
 - (v) the applicant's interpretation of the structural geology of the permit area:
 - (vi) a description of the hydrocarbon systems within the permit area:
 - (vii) a play fairway analysis of the permit area.
- 6 A summary of the petroleum potential of the permit area, including—
 - (a) details of the applicant's understanding of the permit area (including associated risks); and

- (b) details of the plays, leads, and prospects to be progressed as part of the proposed work programme that include—
 - (i) maps of leads and prospects showing their spatial distribution within or adjacent to the permit area; and
 - (ii) any estimated volumes of petroleum; and
 - (iii) a discussion of the basis for those estimates, including any uncertainty about the inputs to the calculations.
- 7 A summary of the results of any previous prospecting and exploration work in relation to the permit area.
- 8 A statement of the proposed work programme that includes the information described in Part 1 of Schedule 2A.
- 9 A statement of the applicant’s technical capabilities—
 - (a) to deliver the proposed work programme; and
 - (b) to comply with the relevant obligations imposed on a permit holder under subparts 2 and 3 of Part 1B of the Act—that includes the information described in Part 2 of Schedule 2A.
- 10 A statement of the applicant’s financial capabilities to—
 - (a) deliver the proposed work programme; and
 - (b) comply with the financial obligations imposed on a permit holder under subparts 2 and 3 of Part 1B of the Act; and
 - (c) comply with the financial obligations imposed on a permit holder relating to payment of fees and royalties under the Act—that—
 - (a) takes into account all associated costs (for example, mobilisation and demobilisation costs associated with exploration drilling); and
 - (b) where relevant, is supported by credible evidence (for example, costing from suppliers); and
 - (c) includes the information described in Part 3 of Schedule 2A.
- 11 A statement of each NPP’s compliance history—
 - (a) in relation to any current permit in which the NPP or an associated party holds a participating interest or an equivalent interest (if a permit from another jurisdiction); and
 - (b) in relation to any permit in which the NPP or an associated party held a participating interest or an equivalent interest (if a permit from another jurisdiction) within the 10 years before the date of the permit application—

that includes the information described in Part 4 of Schedule 2A.

(See the definition of permit in clause 20 of Schedule 2A.)

12 A statement of the NPO's health and safety and environmental capabilities and systems—

(a) for the types of activities proposed under the permit; and

(b) for the purposes of meeting the requirements of the specified Acts—

that includes the information described in Part 5 of Schedule 2A.

Schedule 2

New Schedule 2A inserted

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Schedule 2A

Further information to accompany exploration permit application (unless allocated by public tender)

Part 1A of Schedule 2

- 1 In this schedule,—
- commit or surrender date**, in relation to contingent work, means the date (expressed as a number of months from the commencement date of the permit) by which a decision will be made to commit to the contingent work or apply to surrender the permit
- committed work** means an activity that an applicant commits to undertake as part of the work programme if their permit application is granted
- contingent work** means an activity—
- (a) that an applicant commits to undertake as part of the work programme if their permit application is granted; and
 - (b) that is subject to a commit or surrender date.

Part 1

Information relating to proposed work programme

- 2 A statement identifying all committed work that, for each work,—
- (a) specifies the timing for the work (expressed as a number of months from the commencement date of the permit); and
 - (b) identifies whether the applicant considers the work to be crucial or not crucial to the success of the permit.
- 3 A statement identifying any contingent work that, for each work,—
- (a) specifies its commit or surrender date; and
 - (b) identifies whether the applicant considers the work to be crucial or not crucial to the success of the permit.
- 4 A quantified spatial distribution of each committed work to be undertaken within the permit area, for example,—
- (a) the length of any two-dimensional geophysical survey expressed in kilometres and identified on a map; or

(b) the area of any three-dimensional geophysical survey expressed in square kilometres and identified on a map.

5 A proposal in relation to the relinquishment obligations the Minister may impose under section 35C of the Act.

Part 2

Information relating to applicant's technical capabilities

6 For each NPP, the names, qualifications, professional experience, and length of tenure of—

(a) its directors (as defined in section 6 of the Financial Markets Conduct Act 2013); and

(b) its key management staff, including the chief executive and those managers responsible for health and safety and environment, operations, geoscience, engineering, drilling, and research and development.

7 For each NPP, the technical details of any previous operating experience undertaken in physical conditions similar to those in the permit area—

(a) within the last 10 years; and

(b) whether in New Zealand or internationally—

including any examples of acquiring seismic data, exploration drilling, and petroleum production.

8 A description of, and a chart that shows, the NPO's management structure, including any assigned hierarchical decision-making responsibilities in relation to technical decisions.

9 A description of, and a chart that shows, the NPO's systems (whether in place or being prepared) for supervising operations under the permit, in accordance with good industry practice, that identifies—

(a) the operational management activities the NPO is proposing to perform itself; and

(b) the operational management activities the NPO is proposing to be performed by a third party; and

(c) what systems exist (or will exist) to cover the interface between, and control of, those third parties.

10 A list of any current vacancies within the structure or systems described in clauses 8 and 9 and the NPO's intended process to fill those vacancies.

11 Details of the NPO's risk management system for the activities to be carried out under the permit.

- 12 A description of the NPO's technical capabilities in relation to the following:
- (a) exploration geology and geophysics;
 - (b) reservoir geology and engineering;
 - (c) exploration well design, drilling, and completion;
 - (d) decommissioning.
- 13 If the NPO is reliant on 1 or more other persons for the technical capabilities referred to in clause 12 (for example, an associated party or a contractor), a description of—
- (a) how they will be used to supplement the NPO's own capabilities; and
 - (b) how they will be managed by the NPO.
- 14 Details of the NPO's—
- (a) policy for employing new or advanced technology in relation to the proposed work programme; and
 - (b) track record (if any) in introducing new technology to exploration operations.

Part 3

Information relating to applicant's financial capability

- 15 A statement of the estimated costs of—
- (a) all committed work; and
 - (b) any contingent work; and
 - (c) any decommissioning costs that may arise from the obligations imposed on a permit holder under subpart 2 of Part 1B of the Act.
- 16 Subject to clause 17, for each NPP, its annual cashflow forecast for the duration of the permit, including—
- (a) any costs (including decommissioning costs) arising from any participating interest in other permits held or applied for in New Zealand; and
 - (b) any costs (including decommissioning costs) arising from any interest equivalent to a participating interest in any permit held or applied for in any other jurisdiction; and
 - (c) details of the key assumptions used to construct the forecast, including funding assumptions (for example, if the NPP is proposing to borrow money for infrastructure, the forecast must identify any amounts to be borrowed, including interest rates and repayment schedules).
- 17 The information required under clause 16(a) and (b) is not required to be provided if the information—

- (a) was prepared at any time within the 18-month period before the date of the application; and
 - (b) has already been provided to the Minister before the application date.
- 18 For each NPP,—
- (a) details of any current credit rating it may have; and
 - (b) its most recent audited financial statements (but in any case, those issued no earlier than 18 months immediately before the date of the permit application); and
 - (c) interim (unaudited) financial statements if more than 6 months have elapsed since the balance date of the statements referred to in paragraph (b); and
 - (d) evidence of its financial capability for its share of the costs of the proposed work programme, for example, evidence of any—
 - (i) share of future cash flows from any petroleum permit currently in production; or
 - (ii) loans from banks or other financial institutions, and its capability to repay them; or
 - (iii) loans from any other person, including its own directors (as defined in section 6 of the Financial Markets Conduct Act 2013), the lender’s capacity to make such loans, and the NPP’s capability to repay them; and
 - (e) if another NPP will be responsible for some or all of its share of the costs of the proposed work programme, evidence of any legally binding agreement in relation to that arrangement (for example, a deed of guarantee); and
 - (f) if an associated party of the NPP will be responsible for some or all of its share of the costs of the proposed work programme, evidence of any legally binding agreement in relation to that arrangement (for example, a deed of guarantee).
- 19 If an associated party of an NPP will be responsible for some or all of the NPP’s share of the costs, the NPP must also provide the following information as if the associated party were an NPP:
- (a) the information required under clause 16:
 - (b) the information required under clause 18(a) to (d).

Part 4

Information relating to compliance history of NPP

- 20 In this Part, and in clause 11 of Part 1A of Schedule 2,—

NPP means all of the following:

- (a) the NPP;
- (b) an associated party of the NPP;
- (c) in relation to a permit issued by an authority in another jurisdiction, an equivalent to the entities described in paragraphs (a) and (b)

permit means all of the following:

- (a) a current or previous prospecting permit for any mineral;
- (b) a current or previous mining permit for any mineral;
- (c) a current or previous exploration permit for any mineral;
- (d) a current or previous existing privilege for any mineral;
- (e) any current or previous permit, licence, or other authorisation in relation to any mineral (within the meaning of section 2 of the Act) that—
 - (i) was issued by an authority in another jurisdiction; and
 - (ii) is equivalent or substantially equivalent to a permit or privilege referred to in paragraphs (a) to (d).

21 Details of any permit—

- (a) in relation to which the NPP was a party; and
- (b) that was revoked for non-compliance—
 - (i) with the terms of the permit; or
 - (ii) with any other legal obligations that applied in relation to the permit.

22 Details of any current investigations or other actions being taken by regulators, whether in New Zealand or internationally, for the breach of any permit in relation to which the NPP was a party, including the contact details for the person within the regulator who is dealing with the action.

23 Details of any failure to comply with any permit in relation to which the NPP is or was a party that—

- (a) describe the relevant obligation that has been breached; and
- (b) include details of the non-compliance; and
- (c) give reasons why the obligation was breached—

in circumstances in which **failure to comply with a permit** means any of the following:

- (a) non-compliance with a work programme obligation (or an equivalent obligation, as the case may be);
- (b) non-compliance with a permit condition:

- (c) surrender of the permit before completing committed work (or an equivalent obligation, as the case may be):
 - (d) surrender of the permit before completing decommissioning (or an equivalent obligation, as the case may be):
 - (e) non-compliance in relation to any decommissioning or post-decommissioning obligations of the permit (or any equivalent obligations, as the case may be), including the requirement to provide or maintain financial securities:
 - (f) non-compliance with any reporting requirements relating to the permit:
 - (g) non-compliance with any requirements to pay fees or royalties:
 - (h) any other failure by the NPP to comply with any other obligation associated with the permit or imposed by or under the legislation under which the permit was granted.
- 24 Details of any mining without a permit in breach of section 8 of the Act (or the equivalent legislation if the mining was carried out in another jurisdiction) in relation to which the NPP is or was a party.

Part 5

Information relating to NPO's health and safety and environmental capabilities and systems

- 25 Details of any petroleum exploration activities—
- (a) that the NPO or an associated party is currently carrying out in New Zealand; and
 - (b) that are of a kind similar to those in the proposed work programme.
- 26 If the NPO or an associated party is not currently carrying out any petroleum exploration activities in New Zealand of a similar kind to those in the proposed work programme,—
- (a) details of any similar activities being carried out by the NPO or associated party in any other jurisdiction, and a summary of the health and safety and environmental regulatory framework applying within that jurisdiction; and
 - (b) a statement of the NPO's understanding of the specified Acts and their application to the type of activities in the proposed work programme (including any iwi consultation processes prescribed in that legislation); and
 - (c) details of the health and safety and environmental risks relating to the activities in the proposed work programme; and
 - (d) details of the NPO's systems, processes, and capabilities to—

- (i) meet the requirements referred to in paragraph (b); and
 - (ii) manage the risks referred to in paragraph (c); and
 - (e) a list of the NPO's personnel, and details of their qualifications and experience, that demonstrates that the NPO will be able to—
 - (i) meet the requirements referred to in paragraph (b); and
 - (ii) manage the risks referred to in paragraph (c); and
 - (f) if the NPO does not currently have any of the systems, processes, or capabilities referred to in paragraph (d), the process by which and time frame within which they will be put in place before the relevant activities in the proposed work programme are undertaken; and
 - (g) if the NPO does not currently employ any personnel referred to in paragraph (e), the process by which and time frame within which they will be employed (or contracted) before the relevant activities in the proposed work programme are undertaken.
- 27 Details of the NPO's health and safety policies, particularly in relation to process safety within a hazardous working environment.
- 28 A description of, and a chart that shows, the NPO's management structure in relation to health and safety that—
- (a) identifies the key personnel within that structure with responsibility for process safety within a hazardous working environment; and
 - (b) specifies their previous experience in health and safety, particularly in relation to process safety within a hazardous working environment.
- 29 Details of the NPO's safety management system (as defined in regulation 3 of the Health and Safety at Work (Petroleum Exploration and Extraction) Regulations 2016.
- 30 Details of the NPO's compliance record with the Health and Safety at Work Act 2015 in relation to petroleum exploration and mining activities, for the 10 years immediately before the date of the application, that cover the following matters:
- (a) any enforcement action taken under that Act against the NPO or an associated party; and
 - (b) any incidents involving fatalities, fires, explosions, or loss of containment of hazardous substances, including details of—
 - (i) the NPO's analysis of the causes of, and its contribution (if any) to, causing the incidents; and
 - (ii) the NPO's identification of actions to prevent the recurrence of the same or a similar type of incidents; and

- (iii) any reports produced by or for the NPO for itself or any third party in relation to the incidents; and
 - (c) the contact information for any regulator involved in any matter referred to in paragraphs (a) and (b), including the contact details for the person within the regulator who was or is dealing with the action; and
 - (d) details of any civil legal action taken against the NPO or an associated party in relation to any matter referred to in paragraphs (a) and (b) for which the NPO was responsible, whether or not that action has been determined.
- 31 If the NPO or an associated party has undertaken petroleum exploration activities in a jurisdiction other than New Zealand, in a capacity equivalent to that of a permit operator, details of its compliance record in that jurisdiction—
- (a) with any legislation comparable to the Health and Safety at Work Act 2015 for the 10 years immediately before the date of the application; and
 - (b) that includes the matters comparable to those set out in clause 30(a) to (d).
- 32 Details of the NPO's environmental policies, including details of its policies in relation to avoiding, mitigating, or remedying environmental hazards and environmental risks associated with the types of activities in the proposed work programme.
- 33 Details of the NPO's compliance record with the Maritime Transport Act 1994, the Resource Management Act 1991, and the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 in relation to petroleum exploration and mining activities, for the 10 years immediately before the date of the application, that cover the following matters:
- (a) any enforcement action taken under that legislation against it or an associated party; and
 - (b) any oil spills or other pollution of air, water, or land that resulted in a significant environmental incident; and
 - (c) the NPO's analysis of the causes of, and its contribution (if any) to, causing the incident; and
 - (d) the NPO's identification of actions to prevent the recurrence of the same or a similar type of incident; and
 - (e) information about any reports produced by the NPO for itself or any third party in relation to the incident; and
 - (f) the contact information for any regulator involved in any matter referred to in paragraphs (a) and (b), including the contact details for the person within the regulator who was or is dealing with the action; and

- (g) details of any civil legal action taken against, or arbitration proceedings involving, the NPO or an associated party in relation to any environmental incident (including details of the judgment, award, or settlement to the extent that providing the information would not breach any obligation of confidentiality).
- 34 If the NPO or an associated party has undertaken petroleum exploration activities in a jurisdiction other than New Zealand, in a capacity equivalent to that of a permit operator, details of its compliance record in that jurisdiction—
- (a) with any legislation comparable to the Maritime Transport Act 1994, the Resource Management Act 1991, and the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 for the 10 years immediately before the date of the application; and
- (b) that include the matters comparable to those set out in clause 33(a) to (g).

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations but is intended to indicate their general effect.

These regulations amend the Crown Minerals (Petroleum) Regulations 2007 (the **principal regulations**). Among other things, the principal regulations set out the requirements for permit applications.

These regulations come into force on 25 September 2025.

Regulation 6 inserts into the principal regulations *new regulation 18*, which sets out the requirements for applications for exploration permits. Those applications may be made following the repeal of section 23A(2) of the Crown Minerals Act 1991 (the **Act**) by section 14 of the Crown Minerals Amendment Act 2025 (section 23A(2)(a) of the Act prohibited a person from applying for an exploration permit for petroleum). The amendments made by these regulations do not apply to any process under section 24 of the Act by which an exploration permit is offered for allocation by public tender (*see new regulation 18(3)*).

An application must be—

- in the form prescribed by the chief executive; and
- signed by the applicant; and
- accompanied by the prescribed fee or evidence of it having been paid; and
- accompanied by the information described in *new Part 1A of Schedule 2* (as set out in *Schedule 1* of these regulations); and

- accompanied by the further information described in *new Schedule 2A* (as set out in *Schedule 2* of these regulations).

Issued under the authority of the Legislation Act 2019.

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These regulations are administered by the Ministry of Business, Innovation, and Employment.