



Recipients according to address list

Our executive officer
Trond Gjertsen

Your ref.

Our ref. (please quote in correspondence)
OD /TG/IMM

Date
1.11.2012

“Commercially available data” - information to the Norwegian Petroleum Directorate pursuant to Section 85, fourth subsection of the Petroleum Regulations, cf. Section 6, eighth subsection

In the event of survey activity in accordance with an exploration and/or production licence, pursuant to Section 85, fourth subsection of the Petroleum Regulations, the licensee must inform the Norwegian Petroleum Directorate (NPD) as to whether the data from a survey is commercially available or not. It also emerges from the same provision that the NPD can determine what is considered commercially available data. The distinction is mainly significant for the length of the duty of secrecy pursuant to Section 85, second subsection of the Petroleum Regulations.

Section 6, eighth subsection of the Petroleum Regulations stipulates requirements for reporting data from an exploration activity within an indicated deadline. The reporting must indicate whether the results from the survey should be commercially available (Section 6, eighth subsection of the Regulations).

Currently, information on the category “commercial availability” is reported at the same time as the survey is reported (5 weeks before start-up). In practice, this takes place by the information being entered into the NPD’s electronic notification system (Section 4, No. 1, litera p of the Resource Management Regulations) together with other information. Here, one confirms whether the data should be commercially available or not.

The authorities have assessed whether the regulations have functioned according to their intention and have concluded that they will not amend the regulations in this case. However, they see the need to clarify the commercial availability requirement, and that licensees who normally do not acquire data for the purpose of further sale must document the basis for reporting that a survey is “commercially available”.

Commercially available data will be data that is only acquired for the purpose of submitting the data for sale to a third party. It is a precondition that the data must be commercially available from the time when they are available to the owner. This means that the data must be available for everyone at market price from when the data are available to the owner and

ready for use. Data acquired for internal use in one or more production licences are not considered “commercially available”.

Licensees who do not normally carry out surveys with the purpose of selling the data, must document their basis for reporting a survey as commercially available at the same time as they report data pursuant to Section 6, eighth subsection of the Petroleum Regulations, cf. the final subsection.

Regards

Jan Bygdevoll, by authority
Director

Trond Gjertsen
Legal Adviser

Appendices: 1

Copy: Ministry of Petroleum and Energy (MPE)

Appendix 1 – address list:

Address list	Postal address	Postal code	Location
4Sea energy as	P.O. Box 1243	9504	Alta
A/S Norske Shell	P.O. Box 40	4098	Tananger
Agora Oil & Gas AS	P.O. Box 400 Sentrum	4002	Stavanger
Bayerngas Norge AS	P.O. Box 73	0216	Oslo
Bayerngas Produksjon Norge AS	P.O. Box 73	0216	Oslo
BG Norge AS	P.O. Box 780 Sentrum	4004	Stavanger
BP Norge AS	P.O. Box 197 Forus	4065	Stavanger
Bridge Energy AS	P.O. Box 9	1371	Asker
Centrica Resources (Norge) AS	P.O. Box 520	4003	Stavanger
Chevron Norge AS	P.O. Box 97, Skøyen	0212	Oslo
Concedo ASA	Torvveien 1	1383	Asker
ConocoPhillips Skandinavia AS	P.O. Box 3	4064	Stavanger
Core Energy AS	P.O. Box 1489 Vika	116	Oslo
Dana Petroleum Norway AS	P.O. Box 260	216	Oslo
Det norske oljeselskap ASA .	Føniks - Munkegata 26	7011	Trondheim
Dong E&P Norge AS	P.O. Box 450 Sentrum	4002	Stavanger
E.ON E&P Norge AS	P.O. Box 640 Sentrum	4003	Stavanger
Edison International Norway Branch	P.O. Box 130 Forus	4065	Stavanger
Eni Norge AS	P.O. Box 101 Forus	4064	Stavanger
Enterprise Oil Norge AS	P.O. Box 40	4098	Tananger
ExxonMobil Exploration and Production Norway AS	P.O. Box 60 Forus	4064	Stavanger
Faroe Petroleum Norge AS	P.O. Box 309 Sentrum	4002	Stavanger
Fortis Petroleum Norway AS			
Front Exploration AS	P.O. Box 690	9257	Tromsø
GDF SUEZ E&P Norge AS	P.O. Box 242 Forus	4066	Stavanger
Hess Norge AS	P.O. Box 130	4065	Stavanger
Idemitsu Petroleum Norge as	P.O. Box 2035 Vika	0125	Oslo
Lotos Exploration and Production Norge AS	P.O. Box 132	4065	Stavanger
Lundin Norway AS	Strandv 50D	1366	Lysaker
Maersk Oil Norway AS	P.O. Box 8014	4068	Stavanger
Marathon Oil Norge AS	P.O. Box 480 Sentrum	4002	Stavanger
Nexen Exploration Norge AS	P.O. Box 2043 Vika	252	Oslo
Norske AEDC A/S	P.O. Box 207	4001	Stavanger
North Energy ASA	P.O. Box 1243	9504	Alta
Noreco Norway AS	P.O. Box 550 Sentrum	4003	Stavanger
OMV (Norge) AS	P.O. Box 130	4065	Stavanger
Petoro AS	P.O. Box 300 Sentrum	4002	Stavanger
PGNiG Norway AS	P.O. Box 344	4067	Stavanger
Premier Oil Norge AS	P.O. Box 800 Sentrum	4004	Stavanger
Repsol Exploracion Norge AS	Stortingsgate 8	0161	Oslo
Rocksource ASA	P.O. Box 994 Sentrum	5808	Bergen

RWE-DEA Norge AS	P.O. Box 243 Skøyen	0213	Oslo
Skagen44 AS	P.O. Box 332 sentrum	4002	Stavanger
Skeie Energy AS	Luramyrveien 29	4313	Sandnes
Spring Energy Norway AS	Tordenskioldsgate 6B	0160	Oslo
Statoil Petroleum AS		4035	Stavanger
Suncor Energy Norge AS	P.O. Box 269 Sentrum	4002	Stavanger
Svenska Petroleum Exploration AS	P.O. Box 153	0216	Oslo
Talisman Energy Norge AS	P.O. Box 649 Sentrum	4003	Stavanger
Total E&P Norge AS	P.O. Box 168 Sentrum	4001	Stavanger
VNG Norge AS	P.O. Box 720 Sentrum	4003	Stavanger
Wintershall Norge AS	P.O. Box 230 Sentrum	4001	Stavanger
Norsk olje og gass	P.O. Box 8065	4068	Stavanger
IAGC v/Steinar Åsheim	P.O. Box 490, Skøyen	0213	Oslo