



Seabed Minerals Authority
Runanga Takere Moana
COOK ISLANDS

MEDIA RELEASE

Parliament approve improvements to the Seabed Minerals Act



Parliament unanimously approved the Seabed Minerals Amendment Bill 2024 yesterday.

The purpose of the amendments were to improve the overall seabed minerals regime. This included making the intent of some sections clearer, as well as changes to enable the Seabed Minerals Authority (**SBMA**) to fulfil its functions more effectively.

Addressing the house, Prime Minister Mark Brown said, “We are building a world leading seabed minerals sector based on best principles and practices, with an effective, robust legal framework, to benefit the Cook Islands and our people.”

“In terms of our laws, we have built a comprehensive seabed minerals legislative regime. One that is world leading. One that is adaptive and responsive to the evolving knowledge and modern practices, so that it remains fit for purpose.”



SBMA Senior Policy and Legal Officer Te-Ara Henderson led the policy development for the Bill. SBMA received expert legal and technical advice from the Crown Law Office, within SBMA, as well external consultants, before the Bill was drafted by the New Zealand Parliamentary Council's Office.

The proposed changes were not major policy changes, and SBMA undertook targeted stakeholder consultation with government agencies, non-governmental organisations, exploration companies, and community leaders.

Some of the changes include:

Process for developing Standards and Guidelines

- Standards and Guidelines (**S&Gs**) help support the implementation of the Seabed Minerals Act 2019 (**Act**) and regulations. They were previously set out in the Exploration Regulations.
- The S&Gs have now been moved to the Act and will apply to all SBM activities.
- The development process for standards (which are legally binding) has been refined, now requiring Cabinet approval.

Inclusion of the term Minerals Harvesting

- In response to stakeholder and community feedback, the term “minerals harvesting” has been introduced to specifically refer to the collection of nodules from the sea floor.
- The term “mining” covers a wide range of activities both on land and the sea, ranging from extraction and collection through to digging and cutting.

“Minerals harvesting” is a type of mining, specifically for nodules, and does not require cutting rock or digging mud during the collection process.

Due diligence cost recovery

- The SBMA undertakes due diligence checks whenever a company proposes to make management or governance changes. These due diligence checks are costly, and in the past the SBMA did not charge fees for this service. This amendment makes it clearer that the SBMA can prescribe cost recovery fees.

Information management

- There are some minor refinements to make it clearer how the management and disclosure of information received by the SBMA is administered.

Other changes include:

- Amending the Annual Reporting period to match the dates from which the licences are granted, rather than following a calendar year.
- A process for a company name changes.

Leader of the Opposition Tina Browne spoke in support of the Bill commenting that the policy rationale accompanying the Bill was helpful, and that the amendments would improve the Act’s effectiveness and administrative efficiency.

Member of Parliament Vaitoti Tupa also spoke in support of the amendments.



Seabed Minerals Commissioner Alex Herman shared “We are grateful for the positive feedback from our leaders on the policy developed to support these law changes.”

“Our Policy and Regulatory Oversight division, under the leadership of Director Latishia Maui-Mataora, will continue to progress the development of the Cook Islands Seabed Minerals Legislative framework. This is an iterative process that will require further adjustment and refinements so that we can ensure it remains fit for purpose.”



Senior Licensing and Compliance Officer Te-Ara Henderson, Director Policy and Regulatory Oversight Latishia Mataora and SBM Commissioner Alex Herman

This Friday 23 February will mark the second year of licensed exploration activities.

Prime Minister Brown remarked “As we continue with our exploration minerals programme, the Government will continue to proceed with caution, taking actions based on the best available science, to both manage our seabed mineral resources, while also ensuring that the marine environment is protected.”

“Let me be clear: we are only allowing Exploration to take place. We are not contemplating harvesting at this stage as that decision is some time from now. Anyone who says that the Government is going ahead with harvesting is peddling misinformation.”

Documents relating to this release include:

- [Prime Minister Brown's speech](#)
- [Seabed Minerals Amendment Bill 2024](#)
- [Seabed Minerals Amendment Bill Policy Rationale](#)

Queries regarding this release can be directed to sbma@cookislands.gov.ck

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