



# Petroleum Act 1998

## 1998 CHAPTER 17

### PART III

#### SUBMARINE PIPELINES

#### 18 Termination of authorisations.

- (1) An authorisation shall cease to be in force at the earliest of the following—
  - (a) where the duration of the authorisation is not expressed to be unlimited, the time at which that duration expires as specified by or ascertained under the terms of the authorisation;
  - (b) the time (if any) agreed in writing by the holder and the Secretary of State as the time at which the authorisation is to cease to be in force; and
  - (c) the time specified in a notice under subsection (2) or (6).
- (2) If it appears to the Secretary of State that the execution of works authorised by a works authorisation has not been begun at the expiry of the period specified in subsection (3), he shall serve on the holder a notice stating that the authorisation is to cease to be in force at a time specified in the notice.
- (3) The period referred to in subsection (2) is—
  - (a) the period of three years beginning with the date when the authorisation is expressed to come into force; or
  - (b) such longer period beginning with that date as the Secretary of State has, on the application of the holder, specified in a notice served under this paragraph on the holder during the period mentioned in paragraph (a).
- (4) For the purpose of subsection (2), the Secretary of State shall disregard the execution of any of the works which he considers should be disregarded for that purpose.
- (5) The Secretary of State shall not serve a notice under subsection (3)(b) unless—
  - (a) he is satisfied that notice of the application under that provision has been served on—

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*Status: Point in time view as at 10/08/2000. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Petroleum Act 1998, Section 18. (See end of Document for details)*

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- (i) the persons on whom, in accordance with Schedule 2, notice of the application for the authorisation was served or such of them as the Secretary of State considers appropriate in the circumstances; and
    - (ii) such other persons, if any, as he considers appropriate in the circumstances; and
  - (b) he has considered any written representations about the application under subsection (3)(b) made during such a period as he considers reasonable by any of the persons on whom notice of the application was served in accordance with paragraph (a).
- (6) Subject to subsections (7) and (8), if the Secretary of State considers that the holder of an authorisation—
- (a) has contravened a term of the authorisation; or
  - (b) has contravened any provision of a notice which, under [<sup>F1</sup>section 16, 17 or 17F(9)], was served on him in his capacity as the owner of the pipeline (or the proposed owner of the proposed pipeline) to which the authorisation relates, the Secretary of State may serve on the holder a notice stating that the authorisation is to cease to be in force at a time specified in the notice.
- (7) The Secretary of State shall not serve a notice under subsection (6) without first giving the holder of the authorisation an opportunity to make written representations to him.
- (8) The Secretary of State shall not serve a notice under subsection (6) in consequence of a contravention if the Secretary of State considers that—
- (a) having regard to the nature and consequences of the contravention and to any previous contravention, it would be unreasonable to terminate the authorisation in consequence of the contravention; and
  - (b) the holder has taken adequate steps to prevent similar contraventions in future.
- (9) When an authorisation ceases to be in force the Secretary of State shall publish in the London and Edinburgh and Belfast Gazettes, or in such of them as he considers appropriate, a notice stating that it has ceased to be in force.

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**Textual Amendments**

**F1** Words in s. 18(6)(b) substituted (10.8.2000) by [S.I. 2000/1937, reg. 2\(4\)](#), [Sch. 4 para. 5](#)

**Status:**

Point in time view as at 10/08/2000. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Petroleum Act 1998, Section 18.