



Petroleum Act 1998

1998 CHAPTER 17

PART III

SUBMARINE PIPELINES

25 Orders and regulations.

- [^{F1}(1) Before making any order or regulations under this Part of this Act, the Secretary of State must consult—
- (a) the OGA, and
 - (b) in the case of regulations, such organisations in the United Kingdom as the Secretary of State considers are representative of persons who will be affected by the regulations.]
- (2) In making regulations under section 20, the Secretary of State shall have regard to the extent of the jurisdiction which belongs to the United Kingdom under international law.
- (3) Any regulations under this Part of this Act may provide—
- (a) for the creation of offences which, subject to paragraph (b), are punishable on summary conviction by a fine not exceeding the statutory maximum and on conviction on indictment by imprisonment for a term not exceeding two years and a fine;
 - (b) for the maximum punishment for an offence created by the regulations to be less than that authorised by paragraph (a) and for such an offence to be punishable only on summary conviction; and
 - (c) for the matters which are to be a defence to a charge of an offence created by the regulations.
- (4) Regulations under this Part of this Act—
- (a) may be limited so as to apply only in prescribed cases or may exclude prescribed cases from the application of the regulations;
 - (b) may provide for a case to be excluded from the application of the regulations only so long as conditions specified in the regulations are satisfied.

Changes to legislation: There are currently no known outstanding effects for the Petroleum Act 1998, Section 25. (See end of Document for details)

- (5) The Health and Safety Executive may, by directions given to such persons as it considers appropriate, provide for any such regulations not to apply in a case specified in the directions so long as conditions so specified are satisfied.
- (6) In its application to Northern Ireland, subsection (5) shall have effect as if the reference to the Health and Safety Executive were a reference to [^{F2}the Health and Safety Executive for Northern Ireland].
- (7) Any order or regulations under this Part of this Act—
- (a) may make different provision for different circumstances; and
 - (b) may include such incidental, supplemental and transitional provision as the Secretary of State considers appropriate in connection with the order or regulations.
- (8) Without prejudice to the generality of paragraph (b) of subsection (7), provision that may be included in regulations by virtue of that paragraph includes provision for the payment of fees in respect of consents and certificates required by the regulations.
- (9) Section 14 of the ^{M1}Interpretation Act 1978 (implied power to amend) shall not apply in relation to the power conferred by section 24(2).
- (10) Any power conferred by this Part of this Act to make an order or regulations shall be exercisable by statutory instrument.

Textual Amendments

- F1** S. 25(1) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), [Sch. 1 para. 26](#); [S.I. 2016/920](#), reg. 2(a)
- F2** Words in s. 25(6) substituted (1.4.1999) by [S.R. 1999/150](#), reg. 2, [Sch.](#)

Marginal Citations

- M1** 1978 c. 30.

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