

Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending Directive 2004/35/EC (Text with EEA relevance)

CHAPTER II

**PREVENTION OF MAJOR ACCIDENTS RELATING TO OFFSHORE OIL AND GAS OPERATIONS**

*Article 5*

**Public participation relating to the effects of planned offshore oil and gas exploration operations on the environment**

1 The drilling of an exploration well from a non-production installation shall not be commenced unless the relevant authorities of the Member State have previously ensured that early and effective public participation on the possible effects of planned offshore oil and gas operations on the environment pursuant to other Union legal acts, in particular Directive 2001/42/EC or 2011/92/EU as appropriate, has been undertaken.

2 Where public participation has not been undertaken pursuant to paragraph 1, Member States shall ensure that the following arrangements are made:

- a the public is informed, whether by public notices or other appropriate means such as electronic media, where it is planned to allow exploration operations;
- b the public concerned is identified, including the public affected or likely to be affected by, or having an interest in, the decision to allow exploration operations, including relevant non-governmental organisations such as those promoting environmental protection, and other relevant organisations;
- c relevant information about such planned operations is made available to the public including, inter alia, information about the right to participate in decision-making, and to whom comments or questions may be submitted;
- d the public is entitled to express comments and opinions at a time when all options are open before decisions to allow exploration are taken;
- e when decisions under point (d) are taken, due account is taken of the results of the public participation; and
- f the Member State in question promptly informs the public, after examining the comments and opinions expressed by them, about the decisions taken and the reasons therefor and considerations upon which those decisions are based, including information about the public participation process.

Reasonable time-frames shall be provided allowing sufficient time for each of the different stages of public participation.

3 This Article does not apply in respect of areas licensed before 18 July 2013.