
DRAFT STATUTORY INSTRUMENTS

2010 No.

The Offshore Petroleum Activities (Oil Pollution Prevention and Control) (Amendment) Regulations 2010

Amendment of the 2005 Regulations

9. After regulation 5 insert—

“Publicity for permit applications

5A.—(1) Except where the permit application is one to which paragraph (5) applies, for a period of not less than four weeks immediately following the publication of the notice referred to in paragraph (2) (or last publication, where it is published in more than one newspaper or on more than one occasion), a permit applicant shall—

- (a) having regard to the general whereabouts of any persons likely to be interested in, or affected by, the discharge of oil to which the application relates, make a copy of the application available for public inspection between the hours of 10 am and 4 pm on business days at an address in the United Kingdom; and
- (b) subject to paragraph (4), supply a copy of the application to any person on request.

(2) A permit applicant shall publish in such newspapers on such occasions as to be likely to come to the attention of any persons likely to be interested in, or affected by, the discharge of oil to which the application relates, a notice which—

- (a) describes the application;
- (b) gives the address at which a copy of the application may be inspected;
- (c) gives the address from which a copy of the application may be requested and specifies the amount of any payment required in accordance with paragraph (4); and
- (d) states a date not less than four weeks after the date on which the notice is to be last published by which any person may make representations in relation to the application to the Secretary of State and specifies the address to which any such representations are to be sent.

(3) The permit applicant shall provide the Secretary of State with copies of the newspapers in which the notice appeared.

(4) Where a copy of the application is demanded in accordance with paragraph (1)(b), the permit applicant—

- (a) must supply a copy as soon as reasonably practicable; and
- (b) may make the supply of a copy conditional on the payment of a sum reflecting the cost of printing and distribution, subject to a maximum of £10 per copy.

(5) This regulation does not apply to applications made—

- (a) in connection with a relevant project for which the Secretary of State gives a direction, pursuant to regulation 6 of the Offshore Petroleum Production and

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Pipe-lines (Assessment of Environmental Effects) Regulations 1999(1), that no environmental statement need be prepared;

- (b) in connection with a discharge from a pipeline, being a discharge to which the Secretary of State gives consent pursuant to an authorisation issued under Part 3 of the Petroleum Act 1998(2); or
- (c) in connection with activities carried out in accordance with an abandonment programme approved by the Secretary of State under Part 4 of the Petroleum Act 1998(3).”

(1) [S.I. 1999/360](#), amended by [S.I. 2007/933](#).

(2) [1998 c.17](#). Relevant amendments to sections 26 and 28 of Part 3 were made by sections 36, 78 and 108 of, and Schedules 1 and 6 to the Energy Act [2008 \(c.32\)](#), and by [S.I. 2000/1937](#) and [2004/2043](#).

(3) Part 4 of the Petroleum Act 1998 was amended by sections 36, 72 to 74, 107 and 108 of, and Schedules 1, 5 and 6 to, the Energy Act 2008, and by section 112 of, and Schedule 8 to, the Marine and Coastal Access Act [2009 \(c.23\)](#).