



Petroleum Act 1998

1998 CHAPTER 17

PART IV

ABANDONMENT OF OFFSHORE INSTALLATIONS

[^{F1}45A Abandoned wells

- (1) This section applies in relation to a person who has drilled, or commenced drilling, a well in pursuance of a petroleum licence or a licence under section 4 of the Energy Act 2008 (gas storage and unloading licences).
- (2) The [^{F2}OGA] may give a notice requiring the person—
 - (a) to provide specified information relating to the person's financial affairs, or
 - (b) to supply copies of specified documents, or documents of a specified description, relating to those affairs.
- (3) A notice under subsection (2) must specify the time within which the information or documents must be provided.
- (4) Subsection (5) applies if—
 - (a) the person fails to provide information or documents required by such a notice within the period specified in the notice, or
 - (b) on receiving information or documents required by a notice under subsection (2) the [^{F2}OGA] is not satisfied that the person will be capable of plugging and abandoning the well.
- (5) Where this subsection applies the [^{F2}OGA] may give the person a notice, after consulting the Treasury, requiring the person to take the action specified in the notice within the time so specified.
- (6) The [^{F2}OGA] may not give a notice to a person under subsection (5) without first giving the person an opportunity to make written representations as to whether the notice should be given.

Status: Point in time view as at 01/10/2016. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Petroleum Act 1998, Section 45A. (See end of Document for details)

- (7) It is an offence for a person to fail to comply with a notice under subsection (2) or (5) unless it is proved that the person exercised due diligence to avoid the failure.
- (8) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum, or
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or both.
- (9) Section 41 (other than subsection (5)) applies in relation to prosecutions for offences under this section as it applies in relation to prosecutions for offences under Part 4.
- (10) In this section—
- “petroleum licence” means a licence under section 2 of the Petroleum (Production) Act 1934 or section 3 above;
 - “well” includes a borehole.]

Textual Amendments

- F1** S. 45A inserted (26.1.2009) by [Energy Act 2008 \(c. 32\)](#), **ss. 75, 110(2)**; S.I. 2009/45, art. 2(b)(ii)
- F2** Word in [s. 45A](#) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 28**; S.I. 2016/920, reg. 2(a)

Status:

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Changes to legislation:

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