

1978 No. 929

PETROLEUM
CONTINENTAL SHELF
The Petroleum (Production) (Amendment) Regulations 1978

Made - - - - 4th July 1978

Laid before Parliament 5th July 1978

Coming into Operation 26th July 1978

The Secretary of State in exercise of the powers conferred by section 6 of the Petroleum (Production) Act 1934(a) and by that section as applied by section 1(3) of the Continental Shelf Act 1964 (b), and now vested in him (c), hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Petroleum (Production) (Amendment) Regulations 1978 and shall come into operation on 26th July 1978.

(2) The Interpretation Act 1889 (d) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. The Petroleum (Production) Regulations 1976(e) (hereinafter called “the principal Regulations”) shall, save only in relation to the model clauses to be incorporated in any production licence granted pursuant to an application lodged prior to the date of coming into operation of these Regulations, have effect subject to the following amendments:—

(a) in paragraph (1) of Regulation 5 for “and by such evidence in support thereof as is referred to in that Schedule and is” there shall be substituted “and by such evidence and particulars or documents in support thereof as are referred to in that Schedule and are”;

(b) in paragraph (1) of Regulation 11, for the word “£1,000” there shall be substituted the word “£1,250”;

(a) 1934 c.36.

(b) 1964 c.29.

(c) S.R. & O. 1942/1132, the Ministry of Fuel and Power Act 1945 (c.19), S.I. 1969/1498, 1970/1537.

(d) 1889 c.63.

(e) S.I. 1976/1129.

- (c) in paragraph (2) of Regulation 11 for the word “£1,000” there shall be substituted the word “£1,250”;
- (d) Schedule 3 thereto shall be amended in the manner described in Part I of the Schedule hereto; and
- (e) Schedule 5 thereto shall be amended in the manner described in Part II of the Schedule hereto.

J. Dickson Mabon
Minister of State

4th July 1978.

Department of Energy.

SCHEDULE

PART I

Modifications to the form of application for a production licence set out in Schedule 3 to the principal Regulations.

- (1) In Part II after paragraph 5 there shall be inserted the following paragraph:—
“5A. In the case of an application for a production licence for each applicant which is a body corporate there shall accompany the application three copies of the most recent audited accounts of each such applicant and three copies of the most recent audited accounts of any body corporate having control of such applicant. Sub-sections (2) and (4) to (6) of section 302 of the Income and Corporation Taxes Act 1970 shall apply, for the purpose of determining whether for the purposes of this paragraph a body corporate has control of another body corporate, with the following modifications, namely—
- (a) for the words ‘the greater part’ wherever they occur in the said sub-section (2) there shall be substituted the words ‘one-third or more’;
 - (b) in the said sub-section (6), for the word ‘may’ there shall be substituted the word ‘shall’, the words from ‘and such attributions’ onwards shall be omitted and in the other provisions of that sub-section any reference to an associate of a person shall be construed as including only a relative of his (as defined by section 303(4) of that Act), a partner of his and a trustee of a settlement (as defined by section 454(3) of that Act) of which he is a beneficiary.”
- (2) In Part IV, after “annexed to” insert “or accompanying”.

PART II

Modifications to the model clauses for production licences in seaward areas set out in Schedule 5 to the principal Regulations.

For paragraph (1) of Clause 22 there shall substituted the following paragraph:—

“(1) The Licensee shall ensure that another person (including, in the case where the Licensee is two or more persons, any of those persons) does not exercise any function of organising or supervising all or any of the operations of searching or boring for or getting petroleum in pursuance of this licence unless that other person is a person approved in writing by the Minister and the function in question is one to which that approval relates.”

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Petroleum (Production) Regulations 1976 which relate to the making of applications for, and the model clauses to be incorporated in, petroleum production licences.

The Regulations provide for an increase in the fee payable by applicants for production licences for seaward areas, amend the details to be furnished by applicants for production licences for landward and seaward areas, and make a clarification in the model clause to be incorporated in production licences for seaward areas relating to the approval of operators.

SI 1978/929
ISBN 0-11-083929-3



780110 839295