
STATUTORY INSTRUMENTS

1995 No. 1436

The Petroleum (Production) (Landward Areas) Regulations 1995

Citation and commencement

1. These Regulations may be cited as the Petroleum (Production) (Landward Areas) Regulations 1995 and shall come into force on 30th June 1995.

Commencement Information

I1 [Reg. 1](#) in force at 30.6.1995, see [reg. 1](#)

Interpretation

2. In these Regulations, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the Act” means the Petroleum (Production) Act 1934;

“blocks” has the meaning assigned thereto in regulation 7(2);

“landward areas” has the meaning assigned thereto in regulation 3 and “seaward areas” (when used in Schedule 1 to these Regulations) means areas on the seaward side of the lines there referred to;

“low water line” has the same meaning as it has in Schedule 1 to these Regulations;

“methane drainage licence” means a licence to get natural gas in the course of operations for making and keeping safe mines whether or not disused;

“Official Journal” means the Official Journal of the European Communities;

“petroleum exploration and development licence” means a licence granted pursuant to these Regulations to search and bore for and get petroleum in a landward area;

“principal licence” means a licence of any description under the Act other than a methane drainage licence or a supplementary seismic survey licence.

“supplementary seismic survey licence” means a licence to search for petroleum by undertaking seismic surveys in an area adjacent to an area to which a principal licence relates; and

“work programme” means a scheme of prospecting including any geological survey by any physical or chemical means and any test drilling.

Commencement Information

I2 [Reg. 2](#) in force at 30.6.1995, see [reg. 1](#)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Petroleum (Production) (Landward Areas) Regulations 1995. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Application of the Regulations

3.—(1) These Regulations shall have effect in relation to applications for, and (unless the Secretary of State thinks fit to modify or exclude them in any particular case) the model clauses to be prescribed for inclusion in, licences to search and bore for, and get, petroleum in strata in the areas of Great Britain and beneath the waters adjacent thereto which lie on the landward side of lines drawn in accordance with the provisions of Schedule 1 to these Regulations (in these Regulations referred to as “landward areas”).

(2) The Petroleum (Production) (Landward Areas) Regulations 1991⁽¹⁾ shall cease to have effect in relation to—

- (a) applications made after the date of coming into force of these Regulations for any licence in respect of a landward area; and
 - (b) the model clauses to be incorporated in any such licence to be granted after the date of coming into force of these Regulations in pursuance of an application lodged after that date.
- (3) The Petroleum (Production) Regulations 1982⁽²⁾ shall cease to have effect in relation to—
- (a) applications made after the date of coming into force of these Regulations for a methane drainage licence; and
 - (b) the model clauses to be incorporated in any such licence to be granted after the date of coming into force of these Regulations in pursuance of an application lodged after that date.

Commencement Information

I3 [Reg. 3](#) in force at 30.6.1995, see [reg. 1](#)

Applicants for licences

4.—(1) Any person may apply in accordance with these Regulations for—

- (a) a petroleum exploration and development licence in respect of a landward area; or
- (b) a methane drainage licence.

(2) A person who holds a principal licence may apply in accordance with these Regulations for a supplementary seismic survey licence in respect of a landward area contiguous to the area to which the principal licence relates.

Commencement Information

I4 [Reg. 4](#) in force at 30.6.1995, see [reg. 1](#)

Applications for licences

5.—(1) Every application for a licence shall—

- (a) be made in writing and sent to Oil and Gas Division, Department of Trade and Industry, London, SW1; and
- (b) be accompanied by the appropriate fee.

(1) S.I.1991/981.

(2) S.I. 1982/1000 to which there are amendments not relevant to these Regulations.

(2) Every application for a licence which relates to an area bounded by any of the lines specified in Schedule 1 to these Regulations shall be accompanied by two copies of an Ordnance Survey map on a scale of 1:25,000, or such other map or chart as the Secretary of State may allow, upon which the boundaries of the area in relation to which the licence is sought are clearly defined.

(3) An application for a licence other than a petroleum exploration and development licence may be made at any time.

Commencement Information

I5 [Reg. 5](#) in force at 30.6.1995, see [reg. 1](#)

Applications for petroleum exploration and development licences

6.—(1) An application for a petroleum exploration and development licence shall include the information specified in Schedule 2 hereto, accompanied by such evidence and particulars or documents in support thereof as are referred to in that Schedule and are appropriate to that application.

(2) In respect of each applicant for a petroleum exploration and development licence which is a body corporate there shall accompany the application two copies of the most recent audited accounts of such applicant and two copies of the most recent audited accounts of any body corporate having control of such applicant.

(3) Whether for the purposes of this paragraph a body corporate has control of another body corporate shall be determined as if subsections (2) and (4) to (6) of section 416 of the Income and Corporation Taxes Act 1988(3) applied subject to the following modifications, namely—

- (a) for the words “the greater part” wherever they occur in the said subsection (2) there were substituted the words “one-third or more”;
- (b) in the said subsection (6), for the word “may”, there were substituted the word “shall”, the words from “and such attributions” onwards were omitted, and in the other provisions of the subsection any reference to an associate of a person shall be construed as including only a relative of his (as defined by section 417(4) of that Act), a partner of his and a trustee of a settlement (as defined by section 681(4) of that Act) of which he is a beneficiary.

(4) There shall also accompany the application a list of the bodies corporate whose accounts are submitted pursuant to paragraph (2) above.

(5) Where the most recent audited accounts of a body corporate whose accounts are required to accompany an application are in respect of a period ending on a date more than twelve months before the date of the application, there shall also accompany the application two copies of a balance sheet showing the state of the body corporate’s affairs as at the latest date within that twelve months period in respect of which a balance sheet can be made available.

(6) In the case of each applicant who is not a body corporate there shall accompany the application evidence demonstrating that he will have sufficient resources available to him to undertake the work programme described in the application.

(7) If any of the matters stated in an application or any further information supplied by the applicant shall change after the application is made or after the information is given but before a petroleum exploration and development licence is granted or the Secretary of State informs the applicant that the application is refused, the applicant shall forthwith give notice in writing to the Secretary of State giving particulars of the change.

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7.—(1) Subject to paragraph (5) below, every application for a petroleum exploration and development licence shall relate to a block described in a notice published in the Official Journal or to a number of contiguous blocks so described.

(2) The notice referred to in paragraph (1) above shall describe, by reference to a map deposited at the office of the Department of Trade and Industry specified in the notice and at such other places (if any) as may be specified in the notice, areas (in these Regulations referred to as “blocks”) to which reference numbers shall be assigned, in respect of which the Secretary of State is prepared to receive applications for petroleum exploration and development licences.

(3) Subject to paragraph (4) below, the notice shall provide for applications relating to any of the blocks so described to be made and determined in competition with others, specifying—

- (a) a date before which any such applications are to be made, being a date at least 90 days after the date on which the notice is published; and
- (b) a date on which, or a period within which, licences will be granted to successful applicants.

(4) In the case of any block in respect of which—

- (a) provision for competing applications was made on a previous occasion in a notice published in the Official Journal; and
- (b) that provision did not result in the grant of a licence;

the notice may provide for applications to be made and determined at any time.

(5) Where the Secretary of State decides that geological or production considerations justify the granting of a petroleum exploration and development licence in respect of any area to the holder of a licence in respect of a contiguous area, and notifies him and any other holders of licences in respect of areas contiguous to the area in question accordingly, any of them may apply for a licence in respect of the area in question within whatever period the Secretary of State considers sufficient for this purpose and specifies in the notification.

Commencement Information

- I6 [Reg. 6](#) in force at 30.6.1995, see [reg. 1](#)
- I7 [Reg. 7](#) in force at 30.6.1995, see [reg. 1](#)

Applications for supplementary seismic survey licences

8.—(1) An application for a supplementary seismic survey licence shall relate to a clearly defined area, no part of which is—

- (a) subject to a principal licence;
- (b) more than one kilometre from the boundary of the area to which a principal licence held by the applicant relates; or
- (c) below the low water line.

(2) Every such application shall be accompanied by two copies of a programme in accordance with which the applicant proposes to undertake seismic surveys in both the area to which the principal licence relates and the area to which the supplementary seismic survey licence is to relate.

Commencement Information

- I8 [Reg. 8](#) in force at 30.6.1995, see [reg. 1](#)

Form of licences

9.—(1) Every licence shall incorporate the model clauses respectively prescribed by the next following paragraph for the kind of licence to which that licence belongs unless the Secretary of State thinks fit to modify or exclude, in any particular case, the clauses so prescribed.

(2) The clauses prescribed for incorporation in licences of the following kinds are those set out in the respective Schedules to these Regulations, that is to say—

- (a) for incorporation in petroleum exploration and development licences, the clauses set out in Schedule 3;
- (b) for incorporation in supplementary seismic survey licences, the clauses set out in Schedule 4; and
- (c) for incorporation in methane drainage licences, the clauses set out in Schedule 5.

Commencement Information

I9 [Reg. 9](#) in force at 30.6.1995, see [reg. 1](#)

Fees

10.—(1) With every application for a petroleum exploration and development licence there shall be paid a fee of £1,000.

(2) With every application for a supplementary seismic survey licence there shall be paid a fee of £150.

(3) With every application for a methane drainage licence there shall be paid a fee of £50.

Commencement Information

I10 [Reg. 10](#) in force at 30.6.1995, see [reg. 1](#)

Plurality of licences

11. Nothing in these Regulations shall prevent more than one application being made by the same person or more than one petroleum exploration and development licence being granted to him

Commencement Information

I11 [Reg. 11](#) in force at 30.6.1995, see [reg. 1](#)

Department of Trade and Industry
25th May 1995

Tim Egger,
Minister for Industry and Energy,

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Changes and effects yet to be applied to :

- Sch. 3 clause 8A inserted by 2008 c. 32 Sch. 3 para. 1(2)
- Sch. 3 clause 17(5A)-(5D) inserted by 2008 c. 32 Sch. 3 para. 1(3)(b)
- Sch. 3 clause 38A inserted by 2008 c. 32 Sch. 3 para. 1(5)
- Sch. 3 clause 37A inserted by 2023 c. 52 Sch. 21 para. 2
- Sch. 3 clause 38(2)(j)(k) inserted by 2023 c. 52 Sch. 21 para. 3(2)(a)
- Sch. 3 clause 38(3)-(5) omitted by 2023 c. 52 Sch. 21 para. 3(3)
- Sch. 3 clause 38A(1) substituted by 2023 c. 52 Sch. 21 para. 4(2)
- Sch. 3 clause 17(6) words inserted by 2008 c. 32 Sch. 3 para. 1(3)(c)
- Sch. 3 clause 38(4) words inserted by 2008 c. 32 Sch. 3 para. 1(4)
- Sch. 3 clause 38(2) words inserted by 2023 c. 52 Sch. 21 para. 3(2)(b)
- Sch. 3 clause 17(2) words substituted by 2008 c. 32 Sch. 3 para. 1(3)(a)
- Sch. 3 clause 38A(2) words substituted by 2023 c. 52 Sch. 21 para. 4(3)
- Sch. 4 words substituted by S.I. 2009/229 Sch. 2 para. 9(3)
- Sch. 5 clause 2 word substituted by S.I. 2016/912 reg. 6(11)
- Sch. 5 clause 4 word substituted by S.I. 2016/912 reg. 6(12)
- Sch. 5 clause 5 word substituted by S.I. 2016/912 reg. 6(13)
- Sch. 5 clause 6 word substituted by S.I. 2016/912 reg. 6(14)
- Sch. 5 clause 7 word substituted by S.I. 2016/912 reg. 6(15)
- Sch. 5 clause 8 word substituted by S.I. 2016/912 reg. 6(16)(b)
- Sch. 5 clause 9 word substituted by S.I. 2016/912 reg. 6(17)
- Sch. 5 clause 10 word substituted by S.I. 2016/912 reg. 6(18)
- Sch. 5 clause 11 word substituted by S.I. 2016/912 reg. 6(19)
- Sch. 5 clause 12 word substituted by S.I. 2016/912 reg. 6(20)
- Sch. 5 clause 13(1) word substituted by S.I. 2016/912 reg. 6(21)(a)
- Sch. 5 clause 13(2) word substituted by S.I. 2016/912 reg. 6(21)(b)
- Sch. 5 clause 13(2A) word substituted by S.I. 2016/912 reg. 6(21)(c)
- Sch. 5 clause 13(2A) Note word substituted by S.I. 2016/912 reg. 6(21)(d)
- Sch. 5 clause 1(1) words inserted by S.I. 2016/912 reg. 6(10)
- Sch. 5 clause 8 words inserted by S.I. 2016/912 reg. 6(16)(a)
- Sch. 5 words substituted by S.I. 2009/229 Sch. 2 para. 9(3)
- Regulations modified in pt. by S.I. 2015/766 reg. 3
- reg. 2 word omitted by S.I. 2018/980 reg. 3(2)(a)
- reg. 2 words inserted by 2016 c. 11 s. 48(22)
- reg. 2 words inserted by S.I. 2016/912 reg. 6(2)
- reg. 2 words inserted by S.I. 2018/980 reg. 3(2)(b)
- reg. 3(1) word substituted by S.I. 2016/912 reg. 6(3)
- reg. 3(1) words inserted by 2016 c. 11 s. 48(23)
- reg. 5(1)(a) words inserted by S.I. 2016/912 reg. 6(4)(a)
- reg. 5(1)(a) words substituted by S.I. 2009/229 Sch. 2 para. 9(1)
- reg. 5(1)(b) words inserted by S.I. 2016/912 reg. 6(4)(b)
- reg. 5(2) word substituted by S.I. 2016/912 reg. 6(5)
- reg. 7(2) words substituted by S.I. 2009/229 Sch. 2 para. 9(2)
- reg. 9(1) word substituted by S.I. 2016/912 reg. 6(6)
- reg. 10(1) sum substituted by S.I. 2009/3283 reg. 2(2)
- reg. 10(3) omitted by S.I. 2016/912 reg. 6(7)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 3(1A) inserted by 2016 c. 11 s. 48(24)
- reg. 3(1A) words inserted by S.I. 2018/980 reg. 3(3)
- reg. 12 inserted by S.I. 2016/912 reg. 6(8)