
STATUTORY INSTRUMENTS

1997 No. 2703

HEALTH AND SAFETY

**SECTION 7 OF THE PETROLEUM (PRODUCTION)
ACT 1934 AND SECTION 2(1)(a) OF THE PETROLEUM
ACT 1987 (MODIFICATION) REGULATIONS 1997**

Made - - - - *11th November 1997*
Laid before Parliament *13th November 1997*
Coming into force - - *8th December 1997*

Whereas it appears to the Secretary of State that the modification of section 7 of the Petroleum (Production) Act 1934(1) is expedient in consequence of, or in connection with—

- (a) regulation 2(1)(a) of the Mines and Quarries Act 1954 to 1971 (Repeals and Modifications) Regulations 1974(2), so far as it repealed section 145 of the Mines and Quarries Act 1954(3), and
- (b) regulation 41(1) of the Management and Administration of Safety and Health at Mines Regulations 1993(4), so far as it repealed section 17 of the said Act of 1954:

And whereas it appears to her that the modification of section 2(1)(a) of the Petroleum Act 1987(5) is expedient in consequence of, or in connection with, regulation 3(1) of the Offshore Safety (Repeals and Modifications) Regulations 1993(6), so far as it repealed section 2 of the Mineral Workings (Offshore Installations) Act 1971(7):

Now, therefore, in exercise of the powers conferred on her by subsections (1), (2)(a) and (c) and (4) of section 80 of the Health and Safety at Work etc. Act 1974(8), and after consulting such bodies as appear to her appropriate, the Secretary of State hereby makes the following Regulations:—

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- (1) 1934 c. 36. Section 7 was amended by Schedule 4 to the Mines and Quarries Act 1954 (c. 70) and modified by regulation 6 of the Mines and Quarries Acts 1954 to 1971 (Repeals and Modifications) Regulations 1974 (S.I.1974/2013).
 - (2) S.I. 1974/2013.
 - (3) 1954 c. 70.
 - (4) S.I. 1993/1897.
 - (5) 1987 c. 12.
 - (6) S.I. 1993/1823.
 - (7) 1971 c. 61.
 - (8) 1974 c. 37. Section 80 was amended by paragraph 19 of Schedule 15 to the Employment Protection Act 1975 (c. 71) and by paragraph 17 of Schedule 16 to the Employment Protection (Consolidation) Act 1978 (c. 44).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Section 7 of the Petroleum (Production) Act 1934 and Section 2(1)(a) of the Petroleum Act 1987 (Modification) Regulations 1997 and shall come into force on 8th December 1997.

(2) Nothing in these Regulations affects the law in force in Northern Ireland.

Modification of section 7 of the Petroleum (Production) Act 1934

2. For section 7 of the Petroleum (Production) Act 1934 (power to inspect plans of mines) there shall be substituted the following section—

(1) For the purpose of ascertaining on behalf of the Secretary of State the position of the workings, actual and prospective, of any mines or abandoned mines through or near which it is proposed to sink any borehole for the purpose of searching for or getting petroleum, any officer appointed by the Secretary of State shall have the same powers with respect to the production and inspection and the taking of copies of relevant documents as may under section 20 of the Health and Safety at Work etc. 1974 be exercised by an inspector acting for the purpose mentioned in subsection (1) of that section.

(2) For the purposes of subsection (1)—

- (a) “relevant documents” means plans, sections, drawings or other similar documents which, by virtue of paragraph 16 of Schedule 3 to that Act of 1974, are required to be kept;
- (b) “an inspector” means an inspector appointed under section 19 of that Act; and
- (c) subsections (2) and (3) of section 19 of that Act shall be disregarded.”.

Modification of section 2(1)(a) of the Petroleum Act 1987.

3. In section 2(1)(a) of the Petroleum Act 1987 (persons who may be required to submit abandonment programmes) the words preceding “the person having the management” shall be omitted.

11th November 1997

John Battle,
Minister for Science, Energy and Industry,
Department of Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make modifications to section 7 of the Petroleum (Production) Act 1934 and to section 12(1)(a) of the Petroleum Act 1987 which appear to the Secretary of State expedient as a result of the repeal by regulations under Part I of the Health and Safety at Work etc. Act 1974 of section 17 and 145 of the Mines and Quarries Act 1954 (keeping of plans and general powers of inspectors) and of section 2 of the Mineral Workings (Offshore Installations) Act 1971 (registration of offshore installations).

The keeping of plans etc. of mines is now required by regulations made under the 1974 Act (the current provision is regulation 29 of the Management and Administration of Safety and Health at Mines Regulations 1993 -S.I. [1993/1897](#)). Mines are now inspected by inspectors appointed under that Act who have the powers conferred thereby. Section 7 of the 1934 Act, as modified by regulation 2, refers to relevant provisions of the 1974 Act instead of to the Mines and Quarries Act 1954.

Regulation 3 provides for the omission from section 2(1)(a) of the 1987 Act of the reference to a person who registers an offshore installation under section 2 of the Mineral Workings (Offshore Installations) Act 1971.

The Regulations impose no new burdens on business.