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STATUTORY INSTRUMENTS

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**2001 No. 1754**

**The Offshore Petroleum Activities  
(Conservation of Habitats) Regulations 2001**

**[<sup>F1</sup>Fees**

**20A.**—(1) The Secretary of State may charge fees in respect of—

- (a) granting, rejecting, modifying, transferring, surrendering or revoking consent under regulation 4(1);
  - [ providing advice with respect to—
- <sup>F2</sup>(aa) (i) whether consent is required under regulation 4(1),
  - (ii) the preparation of an application for such consent, or
  - (iii) a proposal to modify, transfer, surrender or revoke such consent;
- (ab) monitoring compliance with a consent under regulation 4(1);]
- (b) making an appropriate assessment under regulation 5(1) where that assessment is made only to support a decision on a specific application for a [<sup>F3</sup>Petroleum Act licence,] consent, authorisation or approval;
- (c) consulting appropriate nature conservation bodies on any matter under these Regulations;
  - [ consulting any person under regulation 6(2)(b);]
- <sup>F4</sup>(ca)
- (d) giving a certification under regulation 6(1)(b);
- (e) determining compensatory measures under regulation 6(3) and securing that such measures are taken;
- (f) giving, modifying or revoking a direction under regulation 7; and
- (g) reviewing the appropriateness of a direction under regulation 8.

(2) A fee charged under paragraph (1) is

$$(A \times B) + (C \times D)$$

where—

A is the number of hours work carried out by specialist officers;

B is [<sup>F5</sup>£201];

C is the number of hours work carried out by non-specialist officers; and

D is [<sup>F6</sup>£104].

(3) For the purposes of paragraph (2), the number of hours work may be expressed as a fraction where—

- (a) less than one hour's work has been carried out; or
- (b) the total amount of time worked is more than one hour but cannot be expressed as a whole number in hours.

(4) Any fee must be paid on demand.

(5) In this regulation, “specialist officers” means persons engaged on behalf of the Secretary of State to carry out the functions of the Secretary of State referred to in paragraph (1) and “non-specialist officers” means any other persons engaged on behalf of the Secretary of State to provide administrative support to those specialist officers.]

#### Textual Amendments

- F1** Reg. 20A inserted (22.7.2015) by The Pollution Prevention and Control (Fees) (Miscellaneous Amendments and Other Provisions) Regulations 2015 (S.I. 2015/1431), regs. 1(2), **9**
- F2** Reg. 20A(1)(aa)(ab) inserted (1.6.2016) by The Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2016 (S.I. 2016/529), regs. 1(2), **4(a)**
- F3** Words in reg. 20A(1)(b) inserted (1.12.2016) by The Pollution Prevention and Control (Fees) (Miscellaneous Amendments) (No. 2) Regulations 2016 (S.I. 2016/1042), regs. 1, **3**
- F4** Reg. 20A(ca) inserted (31.12.2020) by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/579), regs. 1, **78**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Sum in reg. 20A(2) substituted (17.6.2022) by The Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/672), regs. 1(2), **2(a)**
- F6** Sum in reg. 20A(2) substituted (17.6.2022) by The Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/672), regs. 1(2), **2(b)**

#### Modifications etc. (not altering text)

- C1** Reg. 20A applied (16.5.2017) by S.I. 2010/1513, **art. 3(5)** (as substituted by The Offshore Petroleum Production and Pipe-lines (Environmental Impact Assessment and other Miscellaneous Provisions) (Amendment) Regulations 2017 (S.I. 2017/582), regs. 1, 60 (with reg. 58))

**Changes to legislation:**

There are currently no known outstanding effects for the The Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001, Section 20A.