
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision to increase the fees charged in relation to activities carried out by the Secretary of State relating to the environmental regulation of the offshore oil and gas industry and to charge fees in relation to certain additional activities carried out by the Secretary of State relating to such environmental regulation.

Regulation 2 amends the Pollution Prevention and Control (Fees) (Miscellaneous Amendments and Other Provisions) Regulations 2015. It provides for fees in relation to certain advice given by the Secretary of State and certain activities relating to licences under regulation 49 of the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007.

Regulation 2 also increases the fees set out in the Pollution Prevention and Control (Fees) (Miscellaneous Amendments and Other Provisions) Regulations 2015. These are fees—

- (a) relating to certain activities under the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998, the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 and the Fluorinated Greenhouse Gases Regulations 2015;
- (b) relating to certain licences under regulation 49 of the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007; and
- (c) for applications for certain licences under section 71 of the Marine and Coastal Access Act 2009.

Regulation 3 provides for fees in relation to certain advice given in relation to the Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999, and increases the fees charged in relation to those Regulations.

Regulation 4 provides for fees in relation to certain advice given in relation to the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 and in relation to monitoring compliance with a consent under regulation 4 of those Regulations. Regulation 4 also increases the fees charged in relation to those Regulations.

The fees in each case are calculated by determining the number of hours work carried out by specialist officers and non-specialist officers and multiplying those numbers by a relevant hourly rate. These Regulations increase the hourly rate for specialist officers from £167 to £168 and the hourly rate for non-specialist officers from £72 to £82.

An assessment of the effect that these Regulations will have on the costs of business and the voluntary sector is published alongside these Regulations on www.legislation.gov.uk.