
STATUTORY INSTRUMENTS

2016 No. 912

The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016

Offshore Exploration (Petroleum, and Gas Storage and Unloading) (Model Clauses) Regulations 2009

15.—(1) The Offshore Exploration (Petroleum, and Gas Storage and Unloading) (Model Clauses) Regulations 2009(1) are amended as follows.

(2) In regulation 2(2)(a) (model clauses), for “Secretary of State” substitute “OGA”.

(3) After regulation 3 (application of the Petroleum Licensing (Exploration and Production) (Seaward and Landward Areas) Regulations 2004), insert—

“Review

4.—(1) The Secretary of State must from time to time—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

(2) The report must in particular—

- (a) set out the objectives intended to be achieved by these Regulations;
- (b) assess the extent to which those objectives are achieved;
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved in a less burdensome way.

(3) The first report under this regulation must be published before the end of the period of five years beginning with the day on which this regulation comes into force.

(4) Subsequent reports under this regulation must be published at intervals not exceeding five years.”.

(4) The Schedule (model clauses for exploration licences) is amended as follows.

(5) In clause 1(1) (interpretation), after the definition of “the Minister” insert—

““the OGA” means the Oil and Gas Authority;”.

(6) In clause 2 (grant of licence), for “Minister” (in both places) substitute “OGA”.

(7) In clause 3(1) (prospecting methods), for “Minister” substitute “OGA”.

(8) In clause 4 (term of licence), for “Minister” substitute “OGA”.

(9) In clause 5 (right of licensee to terminate licence), for “Minister” substitute “OGA”.

(10) In clause 6 (provision of contact details)—

- (a) in the heading, for “Minister” substitute “OGA”;

- (b) for “Minister” (in each place) substitute “OGA”.
- (11) In clause 7 (payment of consideration for licence), for “Minister” (in both places) substitute “OGA”.
- (12) In clause 8 (commencement, abandonment and plugging of wells)—
 - (a) in paragraph (1), for “Minister” substitute “OGA”;
 - (b) in paragraph (2), for “Minister” substitute “OGA”;
 - (c) in paragraph (4)—
 - (i) in sub-paragraph (a)—
 - (aa) for “Minister” substitute “OGA”;
 - (bb) for “Minister’s” substitute “OGA’s”;
 - (ii) in sub-paragraph (b), for “Minister” (in both places) substitute “OGA”;
 - (d) in paragraph (5), for “Minister” substitute “OGA”;
 - (e) in paragraph (9), for “Minister” substitute “OGA”;
 - (f) in paragraph (10), for “Minister” substitute “OGA”;
 - (g) in paragraph (11), for “Minister” substitute “OGA”.
- (13) In clause 9 (avoidance of harmful methods of working)—
 - (a) in paragraph (2), after “Minister” insert “or the OGA”;
 - (b) in paragraph (3), for “Minister” substitute “OGA”.
- (14) In clause 11 (licensee to keep records), for “Minister” (in each place) substitute “OGA”.
- (15) In clause 12 (returns), for “Minister” (in each place) substitute “OGA”.
- (16) In clause 13 (licensee to keep samples)—
 - (a) in paragraph (2)—
 - (i) in sub-paragraph (a), for “Minister” substitute “OGA”;
 - (ii) in sub-paragraph (b)—
 - (aa) for “Minister or any person authorised by him” substitute “OGA”;
 - (bb) for “he” substitute “it”;
 - (cc) at the end of the sub-paragraph, for “him” substitute “it”;
 - (b) in paragraph (3)—
 - (i) in the words before sub-paragraph (a), for “Minister or any person authorised by him” substitute “OGA”;
 - (ii) in sub-paragraph (a)—
 - (aa) for “he” substitute “it”;
 - (bb) for “him” substitute “it”.
- (17) In clause 14 (reports to be treated as confidential)—
 - (a) in the words before paragraph (a), after “employment of the” insert “OGA or the”;
 - (b) in paragraph (a), for “Minister” (in both places) substitute “OGA”;
 - (c) in paragraph (b), for “Minister” substitute “OGA”;
 - (d) in paragraph (c), for “Minister” substitute “OGA”;
 - (e) in paragraph (d)—
 - (i) for “Minister” (in each place) substitute “OGA”;

- (ii) in sub-paragraph (iii), for “him” substitute “it”.
- (18) In clause 15(a) (inspection of records)—
 - (a) omit “in the service of employment of the Crown”;
 - (b) for “Minister” (in both places) substitute “OGA”.
- (19) In clause 16 (rights of access)—
 - (a) in the words before paragraph (a), after “Minister” insert “or the OGA”;
 - (b) in paragraph (b), for “Minister” substitute “OGA”.
- (20) In clause 17 (power to execute works), for “Minister” (in both places) substitute “OGA”.
- (21) In clause 18 (indemnity against third-party claims), for “Minister” (in both places) substitute “OGA”.
- (22) In clause 20(1) (power of revocation), for “Minister” substitute “OGA”.
- (23) In clause 21 (power of partial revocation), for “Minister” (in both places) substitute “OGA”.
- (24) In clause 22 (arbitration)—
 - (a) in paragraphs (1) and (2), after “Minister” (in each place) insert “or the OGA”;
 - (b) in paragraph (5), after “Minister” insert “or the OGA (as applicable)”.
- (25) In clause 24 (relationship with fishing industry)—
 - (a) for “Minister” (in each place) substitute “OGA”;
 - (b) in paragraph (2)(b), for “him” substitute “it”.