
STATUTORY INSTRUMENTS

2017 No. 582

The Offshore Petroleum Production and Pipe-lines (Environmental Impact Assessment and other Miscellaneous Provisions) (Amendment) Regulations 2017

PART 1

Amendment of the 1999 Offshore Regulations

Amendment of regulation 5 (agreement of Secretary of State in respect of relevant projects)

7. In regulation 5—

(a) after paragraph (1), insert—

“(1A) Where in relation to a relevant project there is, in addition to a requirement for an environmental statement to be prepared in accordance with these Regulations, also a requirement to carry out a Habitats Regulations Assessment, the Secretary of State shall where appropriate ensure that the preparation of that assessment and the environmental statement are coordinated.”;

(b) for paragraph (2A), substitute—

“(2A) This paragraph applies to any application for a renewal of a consent to—

- (a) the getting of petroleum in relation to a relevant project (other than as a by-product of the drilling or testing of a well); or
- (b) the carrying on of a storage or unloading activity,

where the Secretary of State has decided that, having regard to the matters set out in Schedule 1, the operation in respect of which the renewal is sought would not be likely to have a significant effect on the environment and that accordingly no environmental statement need be prepared in respect of that project.”;

(c) for paragraph (4), substitute—

“(4) Where an application for consent in respect of a relevant project is accompanied by an environmental statement, the Secretary of State shall not make the decision referred to in regulation 5A(1)(c) in respect of that project unless the Secretary of State is satisfied that the requirements of regulations 9 and 10 have been substantially met, and that, where necessary, advice has been obtained from persons with appropriate expert knowledge who have examined the statement.”;

(d) in paragraph (5)—

- (i) for “member State”, wherever it occurs, substitute “EEA state”;
- (ii) for “shall not agree to the grant of consent”, substitute “shall not make the decision referred to in regulation 5A(1)(c)”;
- (iii) in sub-paragraph (c)(i), after “responsibilities”, insert “or local or regional competence”; and

Changes to legislation: There are currently no known outstanding effects for the *The Offshore Petroleum Production and Pipe-lines (Environmental Impact Assessment and other Miscellaneous Provisions) (Amendment) Regulations 2017, Section 7. (See end of Document for details)*

- (iv) at the end of sub-paragraph (d), insert “and, in respect of those members of the public, the Secretary of State is satisfied that they have had at least 30 days to consider the environmental statement.”;
- (e) for paragraph (6), substitute—

“(6) Where the Secretary of State has made a direction under regulation 6(2) (provision as to directions that no further environmental statements need be prepared where one already prepared) the Secretary of State shall not make the decision referred to in regulation 5A(1)(c) in respect of that project unless the Secretary of State is satisfied that the requirements of regulations 9 and 10 have been substantially met, and that, where necessary, advice has been obtained from persons with appropriate expert knowledge who have examined the statement.”;
- (f) omit paragraphs (8) to (9);
- (g) for paragraph (10)(b), substitute—

“(b) on a public website.”; and
- (h) after paragraph (10), insert—

“(10A) In this regulation, a “Habitats Regulations Assessment” means an assessment under either regulation 5 of the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001(1), or regulation 25 of the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(2).”.

Commencement Information

II Reg. 7 in force at 16.5.2017, see [reg. 1](#)

(1) [S.I. 2001/1754](#); regulation 5 was amended by [S.I. 2007/77](#), [S.I. 2007/1842](#) and [S.I. 2016/912](#).
(2) [S.I. 2007/1842](#); regulation 25 was amended by [S.I. 2007/485](#), [S.I. 2010/490](#), [S.I. 2010/1513](#), [S.I. 2013/755](#) and [S.I. 2016/912](#).

Changes to legislation:

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