
STATUTORY INSTRUMENTS

2018 No. 56

**The Scotland Act 2016 and Onshore Petroleum
(Consequential, Transitional and Saving
Provisions and Model Clauses) Regulations 2018**

PART 3

Amendments to existing licences, transitional provision and savings

**Transitional modification of the Petroleum Licensing (Exploration and Production)
(Landward Areas) Regulations 2014**

9.—(1) This regulation applies until the Scottish Ministers exercise section 4(1)(e) of the Petroleum Act 1998 ^{M1}.

(2) Subject to paragraph (3), in relation to any licence granted by the Scottish Ministers under section 3 of the Petroleum Act 1998, the 2014 Regulations have effect as if they had been made by the Scottish Ministers.

(3) Paragraph (2) does not apply for the purposes of regulation 2(1A) and Schedules 2A and 3A as inserted by regulation 3(4), (6) and (7) of these Regulations.

(4) In relation to any licence granted by the Scottish Ministers under section 3 of the Petroleum Act 1998, the 2014 Regulations have effect as if—

- (a) regulation 1A as inserted by regulation 3(2) of these Regulations were omitted;
- (b) in Schedule 2—
 - (i) in clause 1(1)—
 - (aa) in the definition of “Block”, for the words “Aberdeen, AB10” there were substituted “Glasgow, G2 8LU, and
 - (bb) the definition of “the OGA” were omitted;
 - (ii) in clauses 5(1)(a) and 7(1), the words “to payment of those sums hereinafter provided for and” were omitted;
 - (iii) in clause 6(2), the words “to payment of the sums specified in Schedule 2 and” were omitted;
 - (iv) in clause 20(11), the reference to “OGA” were a reference to “Scottish Ministers or the Secretary of State”;
 - [^{F1}(v) the following were omitted—
 - (aa) clause 12;
 - (bb) clause 30(5);
 - (cc) clauses 36 and 37;
 - (dd) clause 41(2)(a);
 - (ee) clause 44(4), and]

Changes to legislation: There are currently no known outstanding effects for the The Scotland Act 2016 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018, Section 9. (See end of Document for details)

- (vi) any other references to “the OGA” were references to “the Scottish Ministers”, and
- (c) in Schedule 3—
 - (i) in clause 1(1), the definition of “the OGA” were omitted;
 - (ii) in clause 2(1), for the words “payments provided for in clause 7” there were substituted “ the sums payable to the Oil and Gas Authority ”;
 - (iii) clauses 7 and 18(2)(a) were omitted;
 - (iv) in clause 20(2)—
 - (aa) for “arbitrator” there were substituted “ arbiter ”, and
 - (bb) for “the Lord Chief Justice of England” there were substituted “ the Lord President of the Court of Session ”, and
 - (v) clause 20(3) were omitted, and
 - (vi) any other references to “the OGA” were references to “the Scottish Ministers”.

(5) In relation to any review under regulation 3 of the 2014 Regulations, regulation 3(1)(a) has effect as if, after “Regulations” there were inserted “, except in so far as they apply to any function exercised by the Scottish Ministers ”.

(6) In this regulation, the “2014 Regulations” means the Petroleum Licensing (Exploration and Production) (Landward Areas) Regulations 2014.

Textual Amendments

- F1** Reg. 9(4)(b)(v) substituted (1.10.2018) by [The Scotland Act 2016](#), [Wales Act 2017](#) and [Onshore Petroleum \(Consequential, Transitional and Saving Provisions and Model Clauses\) Regulations 2018](#) (S.I. 2018/980), regs. 1(1), **7(4)** (with reg. 16)
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Marginal Citations

- M1** Section 8A(2), inserted by s48(16) Scotland Act 2016 (on a date to be appointed), provides that in relation to the Scottish onshore area, the Scottish Ministers are the “appropriate Minister” for purposes of s4(1) (as amended by s48(6) on a date to be appointed).

Changes to legislation:

There are currently no known outstanding effects for the The Scotland Act 2016 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018, Section 9.