
STATUTORY INSTRUMENTS

2018 No. 980

The Scotland Act 2016, Wales Act 2017 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018

PART 2

Amendments to secondary legislation

Hydrocarbons Licensing Directive Regulations 1995

- 2.—(1) The Hydrocarbons Licensing Directive Regulations 1995(1) are amended as follows.
- (2) In regulation 1A(1), after “the Scottish onshore area” insert “or the Welsh onshore area”.
- (3) In regulation 1A(2), after “the Petroleum Act 1998” insert “and “Welsh onshore area” has the meaning given in section 8A(5) of that Act”(2).
- (4) In regulation 5(2), for “the OGA or the Scottish Ministers invite” substitute “the OGA, the Scottish Ministers or the Welsh Ministers invite”.

Petroleum (Production) (Landward Areas) Regulations 1995

- 3.—(1) The Petroleum (Production) (Landward Areas) Regulations 1995(3) are amended as follows.
- (2) In regulation 2, after the entry for “supplementary seismic survey licence”—
- (a) omit “and”;
- (b) insert ““Welsh onshore area” has the meaning given by section 8A of the Petroleum Act 1998; and”.
- (3) In regulation 3(1A), after “Scottish onshore area” insert “or the Welsh onshore area”.

Petroleum Licensing (Exploration and Production) (Landward Areas) Regulations 2014

- 4.—(1) The Petroleum Licensing (Exploration and Production) (Landward Areas) Regulations 2014(4) are amended as follows.
- (2) After regulation 1A(1), insert—

(1) [S.I. 1995/1434](#), amended by [S.I. 2016/912](#) and [2018/56](#).

(2) Section 8A(5) of the [Petroleum Act 1998 \(c.17\)](#) is inserted by section 23(4) of the [Wales Act 2017 \(c.4\)](#) with effect from 1 October 2018 as provided by regulation 4 of [S.I. 2017/1179](#).

(3) [S.I. 1995/1436](#), revoked by [S.I. 2015/766](#) except in relation to methane drainage licences as specified in regulation 3(2) of that instrument. Regulations 2 and 3 were amended by section 48(21) to (24) of the [Scotland Act 2016 \(c.11\)](#) and by [S.I. 2011/1043](#) and [2016/912](#). There are other amending instruments but none are relevant.

(4) [S.I. 2014/1686](#), amended by [S.I. 2016/912](#), [2016/1029](#), [2017/426](#), [2017/855](#), [2017/1012](#) and [2018/56](#).

“(1A) Except for regulations 1(2) and 2(1A) and Schedules 2B and 3B, these Regulations do not apply in relation to a landward petroleum exploration licence or a petroleum exploration and development licence in respect of an area within the Welsh onshore area.”.

(3) In regulation 1A(2), after “the Petroleum Act 1998” insert “and “Welsh onshore area” has the meaning given in section 8A(5) of that Act”.

(4) For regulation 2(1A) substitute —

“(1A) For the purposes of section 4(1B) of the Petroleum Act 1998—

- (a) the model clauses prescribed for petroleum exploration and development licences granted by the Scottish Ministers are those set out in Schedule 2A;
- (b) the model clauses prescribed for petroleum exploration and development licences granted by the Welsh Ministers are those set out in Schedule 2B;
- (c) the model clauses prescribed for landward petroleum exploration licences granted by the Scottish Ministers are those set out in Schedule 3A; and
- (d) the model clauses prescribed for landward petroleum exploration licences granted by the Welsh Ministers are those set out in Schedule 3B.”.

(5) After Schedule 2A, insert Schedule 2B as set out in Schedule 1 to these Regulations.

(6) After Schedule 3A, insert Schedule 3B as set out in Schedule 2 to these Regulations.

Petroleum Licensing (Applications) Regulations 2015

5.—(1) The Petroleum Licensing (Applications) Regulations 2015⁽⁵⁾ are amended as follows.

(2) In regulation 3(1A), after “the Scottish onshore area” insert “or the Welsh onshore area”.

(3) In regulation 3(1B), after “the Petroleum Act 1998” insert “and “Welsh onshore area” has the meaning given in section 8A(5) of that Act”.

Oil and Gas Authority (Fees) Regulations 2016

6.—(1) The Oil and Gas Authority (Fees) Regulations 2016⁽⁶⁾ are amended as follows.

(2) In regulation 1A(1), after “Scottish onshore area” insert “ or the Welsh onshore area”.

(3) In regulation 1A(2), after “Petroleum Act 1998” insert “ and “Welsh onshore area” has the meaning given in section 8A(5) of that Act”.

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

7.—(1) The Scotland Act 2016 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018⁽⁷⁾ are amended as follows.

(2) For regulation 7(1)(c) substitute—

“(c) clauses or parts of clauses corresponding to clauses 9, 25(5), 31, 32 or 36(2)(a) of the relevant Schedule were omitted;”.

(3) Omit regulation 7(1)(d).

(4) For regulation 9(4)(b)(v) substitute—

“(v) the following were omitted—

- (aa) clause 12;

(5) [S.I. 2015/766](#), amended by [S.I. 2016/912](#), [2017/855](#) and [2018/56](#).

(6) [S.I. 2016/904](#), amended by [S.I. 2017/426](#) and [2018/56](#).

(7) [S.I. 2018/56](#).

- (bb) clause 30(5);
- (cc) clauses 36 and 37;
- (dd) clause 41(2)(a);
- (ee) clause 44(4), and”.