
STATUTORY INSTRUMENTS

2019 No. 439

The Oil and Gas Authority (Levy) and Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2019

PART 2

The Oil and Gas Authority Levy

Liability to pay non-production levy

4.—(1) Subject to any discount to be applied in accordance with paragraphs (2) and (3), a licensee is liable to pay the non-production levy in respect of each of the following kinds of licence held by the licensee at the relevant time—

- (a) an offshore exploration licence;
- (b) an offshore production licence in respect of which the criterion at regulation 3(2) is not satisfied.

(2) A licensee which at the relevant time—

- (a) is a micro-enterprise; and
- (b) holds an innovate licence in phase B of its initial term,

is liable to pay the non-production levy discounted by 80 per cent in respect of that licence.

(3) A licensee which at the relevant time—

- (a) is a micro-enterprise; and
- (b) holds either—
 - (i) a promote licence in its promote period; or
 - (ii) an innovate licence in phase A of its initial term,

is liable to pay the non-production levy discounted by 90 per cent in respect of that licence.

(4) Where the licensee is more than one person—

- (a) the liability under this regulation is joint and several; and
- (b) the licensee is only a micro-enterprise for the purposes of paragraphs (2) and (3) if every person who is the licensee is a micro-enterprise.

(5) In this regulation—

“innovate licence” means an offshore production licence in which, in accordance with the model clauses, the initial term of the licence (within the meaning of the licence) is divided into phases;

“micro-enterprise” has the meaning given in article 2(3) of the Annex to Commission Recommendation 2003/361/EC of 6th May 2003 concerning the definition of micro, small and medium-sized enterprises^{M1};

Changes to legislation: There are currently no known outstanding effects for the The Oil and Gas Authority (Levy) and Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2019, Section 4. (See end of Document for details)

“model clauses” means model clauses prescribed by the Petroleum Licensing (Production) (Seawards Areas) Regulations 2008 ^{M2};

“promote licence” means an offshore production licence in which, in accordance with the terms of the licence—

- (a) a “promote period” is specified, and
- (b) a clause is included concerning the effect of the expiry of the promote period in relation to the continuation of that licence beyond that period.

Commencement Information

II Reg. 4 in force at 1.4.2019, see [reg. 1](#)

Marginal Citations

M1 OJ L 124, 20.5.2003, p36.

M2 [S.I. 2008/225](#). This instrument is amended by [S.I. 2009/3283](#), [S.I. 2016/912](#), [S.I. 2017/426](#) and [S.I. 2017/855](#).

Changes to legislation:

There are currently no known outstanding effects for the The Oil and Gas Authority (Levy) and Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2019, Section 4.