
STATUTORY INSTRUMENTS

2020 No. 1497

**The Offshore Oil and Gas Exploration, Production,
Unloading and Storage (Environmental
Impact Assessment) Regulations 2020**

Fees

- 22.**—(1) The Secretary of State may charge fees in respect of the following—
- (a) deciding whether, and providing advice as to whether, an environmental impact assessment is required under regulation 5(1);
 - (b) regarding screening directions—
 - (i) deciding whether, and providing advice as to whether, a screening direction is required under regulation 5(2);
 - (ii) providing advice regarding the content of an application for a screening direction under regulation 6(1);
 - (iii) requiring further information regarding the application for a screening direction under regulation 6(2) and providing advice regarding the information required;
 - (iv) deciding whether an environmental impact assessment is required under regulation 6(3);
 - (v) serving a screening direction under regulation 6(4);
 - (vi) notifying a developer that extra time is needed under regulation 6(7);
 - (vii) publishing the screening direction under regulation 6(8);
 - (c) regarding projects for which the Secretary of State may decide that an environmental impact assessment is not required without undertaking a screening direction—
 - (i) deciding whether, and providing advice as to whether, regulation 7 applies to a project;
 - (ii) requiring information under regulation 7(1) and providing advice regarding the information required;
 - (iii) deciding whether an environmental impact assessment is required under regulation 7(2);
 - (iv) serving the decision under regulation 7(3);
 - (d) regarding the preparation of environmental statements—
 - (i) providing advice regarding the content of an environmental statement;
 - (ii) providing advice regarding an application for a scoping opinion under regulation 9(1) and (2);
 - (iii) consulting relevant authorities under regulation 9(3) to (5);
 - (iv) providing a scoping opinion under regulation 9(6);
 - (v) providing advice regarding applications for information under regulation 10(1) and (2);

- (vi) providing information to the developer under regulation 10(3);
- (vii) serving a notice under regulation 10(4) (requesting information from authorities);
- (e) regarding the public consultation process—
 - (i) serving a notice on the developer under regulation 11(1) (consultation requirements);
 - (ii) providing advice to the developer with respect to its obligations under regulation 11(2) to (7);
 - (iii) publishing the notice, environmental statement, and summary of the project under regulation 11(8);
- (f) regarding the provision of further information and related public consultation requirements—
 - (i) requiring a developer to provide further information under regulation 12(1) and (2);
 - (ii) providing advice to the developer regarding its obligations under regulation 12(1) and (2) (provision of further information);
 - (iii) notifying the developer under regulation 12(3);
 - (iv) revoking the Secretary of State's agreement to the grant of consent under regulation 12(4), and notifying the developer of this;
 - (v) providing advice to the developer with respect to its obligations under regulation 12(5) to (9) (consultation);
 - (vi) publishing the notice and further information under regulation 12(10);
- (g) regarding consultation with other countries, providing information and consulting under regulation 13;
- (h) regarding the decision on whether to agree to the grant of consent—
 - (i) reaching a conclusion under regulation 14(1) and (2) (conclusion on the significant effects of the project on the environment);
 - (ii) deciding whether to agree to the grant of consent and providing notice of the decision under regulation 14(3) to (5);
- (i) regarding publication of the decisions of the Secretary of State and the OGA—
 - (i) publishing a notice under regulation 16(1);
 - (ii) publishing and providing information under regulation 16(3);
 - (iii) providing a copy of the notice to the authorities under regulation 16(4);
- (j) regarding regulation 17 (exempt projects – defence and civil emergencies)—
 - (i) deciding whether, and providing advice as to whether, regulation 17 applies;
 - (ii) serving a direction under regulation 17;
- (k) regarding regulation 18 (exempt projects – adverse effect on the project purpose)—
 - (i) deciding whether, and providing advice as to whether, regulation 18 applies;
 - (ii) serving a direction under regulation 18(1);
 - (iii) providing information and consulting under regulation 18(2);
 - (iv) providing advice with respect to the developer's obligations under regulation 18(3);
 - (v) publishing a direction under regulation 18(4);
 - (vi) deciding whether to agree to the grant of consent and providing notice under regulation 18(5);

- (l) notifying the OGA of the Secretary of State's decision whether to agree to the grant of consent or refuse to agree to the grant of consent;
 - (m) regarding regulation 20 (confidentiality), deciding whether any information is confidential;
 - (n) regarding compliance, monitoring compliance with these Regulations and any conditions attached to the Secretary of State's agreement to the grant of consent.
- (2) A fee charged under paragraph (1) is—

$$(A \times B) + (C \times D)$$

where—

A is the number of hours' work carried out by specialist officers;

B is £190;

C is the number of hours' work carried out by non-specialist officers;

D is £101.

(3) For the purposes of paragraph (2), the number of hours' work may be expressed as a fraction where—

(a) less than one hour's work has been carried out; or

(b) the total amount of time worked is more than one hour but cannot be expressed as a whole number in hours.

(4) Any fee must be paid on demand.

(5) In this regulation, "specialist officers" means persons engaged on behalf of the Secretary of State to carry out the functions of the Secretary of State referred to in paragraph (1) and "non-specialist officers" means any other persons engaged on behalf of the Secretary of State to provide administrative support to those specialist officers.