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STATUTORY INSTRUMENTS

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**2023 No. 228**

**The Oil and Gas Authority (Levy and Fees) Regulations 2023**

**PART 2**

**The Oil and Gas Authority Levy**

**Repayment or credit of the levy under these Regulations**

- 9.—(1) This regulation applies where the total amount of levy exceeds the leviable costs.
- (2) The OGA must, by 31st December 2024, credit to each licensee the difference between—
- (a) the amount paid by or on behalf of that licensee in accordance with the payment notice (including any interest paid by or on behalf of that licensee in accordance with regulation 7), and
  - (b) the recalculated amount of levy payable by that licensee.
- (3) Any payment notice in respect of which sums remain outstanding shall be construed as referring to the recalculated amount of levy payable by the relevant licensee (and regulation 7 shall be construed accordingly).
- (4) In this regulation—
- “leviable costs” means the sum of the costs incurred by the OGA and the Lord Chancellor in exercising the functions referred to in section 13(2)(a) of the Energy Act 2016, excluding any costs incurred in exercising the functions referred to in section 13(2)(b) of that Act, in respect of the relevant charging period;
- “recalculated amount of levy payable” means the sum of—
- (a) the amount of levy payable by a licensee in accordance with the notice given under regulation 6, and
  - (b) any amount of interest which became payable by that licensee in accordance with regulation 7,
- multiplied by the relevant multiplier;
- “relevant multiplier” means the figure calculated by dividing the leviable costs by the total amount of levy, expressed to three decimal places.