



Petroleum Act 1998

1998 CHAPTER 17

PART III

SUBMARINE PIPELINES

[^{F1}17GA] Controlled petroleum pipeline subject to Norwegian access system

- (1) This section applies to any controlled petroleum pipeline which, under the terms of the Framework Agreement, is subject to a system whereby any terms or conditions on which persons who are not the owner of the pipeline are entitled to have things conveyed by it are determined according to the law of, or by the relevant authority of, the Kingdom of Norway.
- (2) Where—
 - (a) under the terms of the Framework Agreement, any term or condition on which a person who is not the owner of a pipeline is entitled to have conveyed by the pipeline any petroleum originating wholly or partly from an area designated under section 1(7) of the Continental Shelf Act 1964 has been determined according to the law of, or by the relevant authority of, the Kingdom of Norway, and
 - (b) a dispute has arisen between the person mentioned in paragraph (a) and the owner as to whether the owner has complied with any term or condition so determined,the person mentioned in paragraph (a) may apply to the [^{F2}OGA] for a determination under subsection (6).
- (3) An application under subsection (2) shall specify the terms and conditions in dispute and the applicant's reasons for considering that the owner has failed to comply with them.
- (4) The applicant shall give notice of the application to the owner of the pipeline.
- (5) Where a person applies to the [^{F3}OGA] under subsection (2), the [^{F3}OGA] shall—
 - (a) give notice to the owner of the pipeline and the applicant that [^{F4}it] proposes to consider the application; and

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- (b) after the expiry of 21 days beginning with the date on which notice under paragraph (a) was served, but before considering the application, give them an opportunity of being heard with respect to the application.
- (6) The [^{F5}OGA] shall determine whether or not the owner has complied with the terms and conditions in question, and shall give notice of that determination to the owner and the applicant.
- (7) Where the [^{F6}OGA] determines that the owner has not so complied, the notice shall state what the owner is required to do (or as the case may be, to refrain from doing) in order to comply with the terms and conditions in question.
- (8) Where [^{F7}the Framework Agreement so requires, the OGA shall make its] determination and issue the notice under subsection (6) jointly with the relevant authority of the Kingdom of Norway.
- (9) In this section and section 17GB “the Framework Agreement” means the Framework Agreement concerning cross-boundary petroleum co-operation dated 4th April 2005 and made between the government of the United Kingdom and the government of the Kingdom of Norway.]

Textual Amendments

- F1** Ss. 17GA, 17GB inserted (8.2.2007) by [The Petroleum Act 1998 \(Third Party Access\) Order 2007 \(S.I. 2007/290\)](#), art. 1, **Sch. para. 2**
- F2** Word in s. 17GA(2) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 20(2)**; S.I. 2016/920, reg. 2(a)
- F3** Word in s. 17GA(5) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 20(3)(a)**; S.I. 2016/920, reg. 2(a)
- F4** Word in s. 17GA(5)(a) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 20(3)(b)**; S.I. 2016/920, reg. 2(a)
- F5** Word in s. 17GA(6) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 20(4)**; S.I. 2016/920, reg. 2(a)
- F6** Word in s. 17GA(7) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 20(5)**; S.I. 2016/920, reg. 2(a)
- F7** Words in s. 17GA(8) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 20(6)**; S.I. 2016/920, reg. 2(a)

Changes to legislation:

There are currently no known outstanding effects for the Petroleum Act 1998, Section 17GA.