

- (3) In subsection (10)—
- (a) before the definition of “petroleum licence” insert—
- ““appropriate authority” means—
- (a) in relation to a person who has drilled, or commenced drilling, a well in the Scottish onshore area in pursuance of a petroleum licence, the Scottish Ministers;
- (b) otherwise, the OGA;”;
- (b) after the definition of “petroleum licence” insert—
- ““Scottish onshore area” has the meaning given in section 8A(3);”.

Section 45A of the Petroleum Act 1998, Wales

- 3.**—(1) Section 45A of the Petroleum Act 1998 is amended as follows.
- (2) In subsection (9), at the beginning, insert “Subject to subsection (9A),”.
- (3) After subsection (9), insert—
- “(9A) Where an offence under this section relates to a notice given to a person who has drilled, or commenced drilling, a well in the Welsh onshore area in pursuance of a petroleum licence, subsection 41(1)(a) applies in relation to its prosecution as though each reference to “the Secretary of State” were a reference to “the Welsh Ministers”.”.
- (4) In subsection (10)—
- (a) in the definition of “appropriate authority”, as inserted by regulation 2(6)(a), after subparagraph (a) insert—
- “(aa) in relation to a person who has drilled, or commenced drilling, a well in the Welsh onshore area in pursuance of a petroleum licence, the Welsh Ministers;”;
- and
- (b) after the definition of “well” insert—
- ““Welsh onshore area” has the meaning given in section 8A(5).”.

	<i>Name</i>
	Minister of State for Energy and Clean Growth
Date	Department for Business, Energy and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make consequential amendments necessary to give effect to the devolution of certain onshore petroleum matters to the Scottish and Welsh Ministers, respectively.

Regulations 1 and 2 come into force on the twenty-first day after the day on which these Regulations are made. Regulation 3 comes into force on the later of the twenty-first day after the day on which these Regulations are made or 1st October 2018.

Regulation 2 makes amendments to section 45A of the Petroleum Act 1998 (c. 20) relating to information and security for abandoned wells consequential on the devolution of onshore petroleum licensing functions to Scottish Ministers under section 48 of the Scotland Act 2016 (c. 11).

Regulation 3 makes similar provision for the devolution of onshore petroleum licensing functions to Welsh Ministers under section 23 of the Wales Act 2017 (c.4), and additionally transfers to Welsh Ministers the functions of the Secretary of State relating to the prosecution of offences under section 45A in respect of onshore petroleum licences in Wales.

A full regulatory impact assessment has not been produced for these Regulations as no impact on the private or voluntary sectors is foreseen.

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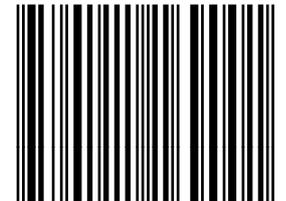
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