



Oil and Gas (Enterprise) Act 1982

1982 CHAPTER 23

An Act to make further provision with respect to the British National Oil Corporation; to abolish the National Oil Account; to make further provision with respect to the British Gas Corporation; to make provision for and in connection with the supply of gas through pipes by persons other than the Corporation; to amend the Petroleum (Production) Act 1934 and to make further provision about licences to search for and get petroleum; to repeal and re-enact with amendments sections 2 and 3 of the Continental Shelf Act 1964; to extend the application of the Mineral Workings (Offshore Installations) Act 1971 and the Offshore Petroleum Development (Scotland) Act 1975; to amend the Miscellaneous Financial Provisions Act 1968, the Petroleum and Submarine Pipe-lines Act 1975 and the Participation Agreement Act 1978; and for connected purposes. [28th June 1982]

Annotations:

Amendments (Textual)

- F1** Act repealed (15.2.1999) except ss. 24, 26, 31, 37 and 38 and, in Sch. 3, paras. 1, 3, 4, 8 (so far as relating to sections 3 and 9 of the Mineral Workings (Offshore Installations) Act 1971), 11, 34, 37 and 39 by 1998 c. 17, s. 51, **Sch. 5 Pt. I** (with Sch. 3 para. 5(1)); S.I. 1999/161, **art. 2(1)**

PART I

OIL

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PART II

GAS

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Changes to legislation: Oil and Gas (Enterprise) Act 1982 is up to date with all changes known to be in force on or before 05 October 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART III

PETROLEUM LICENCES

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PART IV

OFFSHORE ACTIVITIES

24 Extended meaning of “offshore installation” in the 1971 Act.

For section 1 of the ^{M5}Mineral Workings (Offshore Installations) Act 1971 (in this Act referred to as “the 1971 Act”) there shall be substituted the following section—

“1 Application of Act.

- (1) This Act shall apply to any activity mentioned in subsection (2) below which is carried on from, by means of or on an installation which is maintained in the water, or on the foreshore or other land intermittently covered with water, and is not connected with dry land by a permanent structure providing access at all times and for all purposes.
- (2) The activities referred to in subsection (1) above are—
 - (a) the exploitation or exploration of mineral resources in or under the shore or bed of controlled waters ;
 - (b) the storage of gas in or under the shore or bed of controlled waters or the recovery of gas so stored ;
 - (c) the conveyance of things by means of a pipe, or system of pipes, constructed or placed on, in or under the shore or bed of controlled waters ; and
 - (d) the provision of accommodation for persons who work on or from an installation which is or has been maintained, or is intended to be established, for the carrying on of an activity falling within paragraph (a), (b) or (c) above or this paragraph.
- (3) Her Majesty may by Order in Council provide that, in such cases and subject to such exceptions and modifications as may be prescribed by the Order, this Act shall have effect as if—
 - (a) any reference to controlled waters included a reference to waters in any area specified under section 22(5) of the Oil and Gas (Enterprise) Act 1982 ; and
 - (b) in relation to installations which are or have been maintained, or are intended to be established, in controlled waters, any reference in subsection (2) above to controlled waters included a reference to waters in a foreign sector of the continental shelf which are adjacent to such waters.

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(4) In this Act—

“controlled waters” means

- (a) tidal waters and parts of the sea in or adjacent to the United Kingdom up to the seaward limits of territorial waters ;
- (b) waters in any area designated under section 1(7) of the Continental Shelf Act 1964 ; and
- (c) such inland waters as may for the time being be specified for the purposes of this paragraph by Order in Council ;

“foreign sector of the continental shelf” means an area which is outside the territorial waters of any state and within which rights are exercisable by a state other than the United Kingdom with respect to the sea bed and subsoil and their natural resources ;

“offshore installation” means an installation which is or has been maintained, or is intended to be established, for the carrying on of any activity to which this Act applies.

(5) In this section—

“exploration” means exploration with a view to exploitation ;

“inland waters” means waters within the United Kingdom other than tidal waters and parts of the sea ;

“installation” includes—

- (a) any floating structure or device maintained on a station by whatever means ; and
- (b) in such cases and subject to such exceptions as may be prescribed by Order in Council, any apparatus or works which are by virtue of section 33 of the Petroleum and Submarine Pipe-lines Act 1975 to be treated as associated with a pipe or system of pipes for the purposes of Part III of that Act,

but, subject to paragraph (b) above, does not include any part of a pipe-line within the meaning of that section ;

“modifications” includes additions, omissions and alterations.

(6) The fact that an installation has been maintained for the carrying on of an activity falling within subsection (2) above shall be disregarded for the purposes of this section if, since it was so maintained, the installation—

- (a) has been outside controlled waters or, where it was so maintained in a part of a foreign sector of the continental shelf adjacent to those waters, the area consisting of those waters and that part ; or
- (b) has been maintained for the carrying on of an activity not falling within that subsection.

(7) Orders in Council made under this section may be varied or revoked by a subsequent Order so made ; and any statutory instrument containing an Order under subsection (3) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

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Annotations:

Modifications etc. (not altering text)

- C6** The text of ss. 8(3), 18, 24, 25(1)–(3)(5), 26(1)(2), 30(2), 31, 37 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M5** 1971 c. 61.

26 Extended application of the Offshore Petroleum Development (Scotland) Act 1975.

- (1) In section 1 of the ^{M6}Offshore Petroleum Development (Scotland) Act 1975 (acquisition of land in connection with offshore petroleum)—
- (a) at the end of subsection (1) there shall be inserted the words “ or the storage of gas in or under the sea bed or the recovery of gas so stored ”;
 - (b) at the end of subsection (2)(a) there shall be inserted the words “ or the storage of gas in or under the sea bed or the recovery of gas so stored ” ;
 - (c) at the end of subsection (2)(b) there shall be inserted the words “ or conveying gas to or from the places in or under the sea bed where it is stored or to be stored ” ; and
 - (d) in subsection (2)(c) after the word “despatch” there shall be inserted the words “ or for the reception of gas and for its storage or onward despatch to or from the places in or under the sea bed where it is stored or to be stored and any treatment incidental thereto ”.
- (2) In section 20(2) of that Act (interpretation)—
- (a) after the definition of “harbour authority” there shall be inserted the following definition—

““installation” includes any floating structure or device maintained on a station by whatever means ;” ; and
 - (b) in the definition of “relevant operations” after the word “petroleum” there shall be inserted the words “ or the storage of gas in or under the sea bed or the recovery of gas so stored ”.

Annotations:

Modifications etc. (not altering text)

- C8** The text of ss. 8(3), 18, 24, 25(1)–(3)(5), 26(1)(2), 30(2), 31, 37 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M6** 1975 c. 8.

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PART V

MISCELLANEOUS AND GENERAL

31 Participation agreements as respects onshore petroleum.

In section 1(3) of the ^{M12}Participation Agreements Act 1978 (meaning of “participation agreement”) after the word “petroleum”, in the first place where it occurs, there shall be inserted the words “ existing in its natural condition in strata in the United Kingdom or ”.

Annotations:

Modifications etc. (not altering text)

C10 The text of ss. 8(3), 18, 24, 25(1)–(3)(5), 26(1)(2), 30(2), 31, 37 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M12 1978 c. 1.

37 Amendments and repeals

- (1) The enactments specified in Schedule 3 to this Act shall have effect subject to the amendments specified in that Schedule (being minor amendments or amendments consequential upon the preceding provisions of this Act).
- (2) The enactments specified in Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Annotations:

Modifications etc. (not altering text)

C11 The text of ss. 8(3), 18, 24, 25(1)–(3)(5), 26(1)(2), 30(2), 31, 37 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

38 Short title, commencement and extent.

- (1) This Act may be cited as the Oil and Gas (Enterprise) Act 1982.

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- (2) This Act shall come into force on such day as the Secretary of State may by order appoint, and different days may be so appointed for different provisions or different purposes.
- (3) This Act, except Parts II and III and Schedule 2, extends to Northern Ireland.

Annotations:

Modifications etc. (not altering text)

- C12** Power of appointment conferred by s. 38(2) partly exercised: [S.I. 1982/895](#), 1059, 1431; 1987/2272 (Act wholly in force as regards sections 9–17, 32–36, 38, Sch. 1)
- C13** [S. 38\(2\)](#) extended (16.10.1992) by [Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (c. 52), ss. 300(2), 302, [Sch. 2 para. 29\(4\)](#)

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SCHEDULES

^{F30}SCHEDULE 1

Sections 2 and 10.

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SCHEDULE 2

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SCHEDULE 3

Section 37.

MINOR AND CONSEQUENTIAL AMENDMENTS

The Continental Shelf Act 1964

- 1 At the end of section 1(7) of the 1964 Act (designated areas) there shall be inserted the words “; and the power to make Orders for the purpose of consolidating them.”

Annotations:

Modifications etc. (not altering text)

- C15** The text of Sch. 1, Sch. 3 paras. 1–10, 11(1)(2), 21–25, 30, 31, 34–44, Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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- 3 In section 11(1) of that Act for the words from “under this Act (including” to “section 3(1) of this Act)” there shall be substituted the words “ under another Act as applies by or under this Act ”.

Annotations:

Modifications etc. (not altering text)

- C17** The text of Sch. 1, Sch. 3 paras. 1–10, 11(1)(2), 21–25, 30, 31, 34–44, Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 4 After section 11 of that Act there shall be inserted the following section—

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“11A Interpretation.

In this Act “installation” includes any floating structure or device maintained on a station by whatever means.”

Annotations:

Modifications etc. (not altering text)

C18 The text of Sch. 1, Sch. 3 paras. 1–10, 11(1)(2), 21–25, 30, 31, 34–44, Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

F31 The General Rate Act 1967

The Mineral Workings (Offshore Installations) Act 1971

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In sections 3(4), 4(1), 6(1) and 9(2) of that Act, for the words “waters to which this Act applies”, wherever they occur, there shall be substituted the words “ controlled waters ”.

Annotations:

Modifications etc. (not altering text)

C22 The text of Sch. 1, Sch. 3 paras. 1–10, 11(1)(2), 21–25, 30, 31, 34–44, Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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- (1) In subsection (1) of section 12 of that Act (interpretation)—
 - (a) for the definition of “concession owner” there shall be substituted the following definition—
 - ““controlled waters” has the same meaning given by section 1(4) of this Act,” ;
 - (b) after the definition of “designated areas” there shall be inserted the following definition—
 - ““foreign sector of the continental shelf” has the meaning as given by section 1(4) of this Act,” ;
 - (c) for the definition of “offshore installation” there shall be substituted the following definition—
 - ““offshore installation” has the meaning given by section 1(4) of this Act,” ; and
 - (d) the definitions of “underwater exploitation” and “underwater exploration” shall be omitted.

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(2) For subsections (2) and (3) of that section there shall be substituted the following subsections—

“(2) A person who has the right to exploit or explore mineral resources in any area, or to store gas in any area and to recover gas so stored, shall be a concession owner for the purposes of this Act in relation to any offshore installation at any time if, at that time, there is carried on from, by means of or on the installation any of the following activities, namely—

- (a) the exploitation or exploration of mineral resources, or the storage or recovery of gas, in the exercise of that right ;
- (b) the conveyance in that area by means of a pipe or system of pipes, of minerals gotten, or gas being stored or recovered, in the exercise of that right ; and
- (c) the provision of accommodation for persons who work on or from an installation which is or has been maintained, or is intended to be established, for the carrying on of an activity falling within paragraph (a) or (b) above or this paragraph.

(3) The fact that an installation has been maintained for the carrying on of an activity falling within subsection (2) above shall be disregarded for the purposes of paragraph (c) of that subsection if, since it was so maintained, the installation—

- (a) has been outside controlled waters or, where it was so maintained in a part of a foreign sector of the continental shelf adjacent to those waters, the area consisting of those waters and that part ; or
- (b) has been maintained for the carrying on of an activity not falling within that subsection.”

Annotations:

Modifications etc. (not altering text)

C25 The text of Sch. 1, Sch. 3 paras. 1–10, 11(1)(2), 21–25, 30, 31, 34–44, Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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The Social Security Act 1975

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Oil Taxation Act 1975

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The Sex Discrimination Act 1975

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The Employment Protection Act 1975

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The Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976

F41 34

Annotations:

Amendments (Textual)

F41 Sch. 3 para. 34 repealed (E.W.N.I.) (15.6.2017) by [The Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1142\)](#), art. 1(2), **Sch. para. 5** (with art. 7(2)); and (S.) (15.6.2017) by [Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(asp 2\)](#), s. 42(2), **sch. 2 para. 3**; S.S.I. 2017/155, reg. 2 (with regs. 4(2), 5)

The Fair Employment (Northern Ireland) Act 1976

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Race Relations Act 1976

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The Energy Act 1976

F42 37

Annotations:

Amendments (Textual)

F42 Sch. 3 para. 37 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(r), **Sch. 23 para. 17(a)**

The Sex Discrimination (Northern Ireland) Order 1976

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The Patents Act 1977

39 In section 132(4) of the ^{M36}Patents Act 1977 (application of Act) for the words from “in connection” to “resources” there shall be substituted the words “ or specified by Order under section 22(5) of the Oil and Gas (Enterprise) Act 1982 in connection with any activity falling within section 23(2) of that Act ”.

Annotations:

Modifications etc. (not altering text)

C33 The text of Sch. 1, Sch. 3 paras. 1–10, 11(1)(2), 21–25, 30, 31, 34–44, Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M36 1977 c. 37.

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The Employment Protection (Consolidation) Act 1978

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The Wages Councils Act 1979

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The Civil Jurisdiction and Judgements Act 1982

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The Social Security and Housing Benefits Act 1982

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^{F46} *Trade Union and Labour Relations (Consolidation) Act 1992 (c.52)*

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Annotations:

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Amendments (Textual)

- F46** Sch. 3 para. 45 added (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(2), 302, Sch. 2 para. 29(3)(4) (which para. 45 is not in force by virtue of Sch. 2 para. 29(4) of that 1992 Act and s. 38(2) of this Act.)

^{F48} *The Employment Rights Act 1996*

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Annotations:

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Amendments (Textual)

- F48** Sch. 3 para. 46 and cross heading added (*prosp.*) by 1996 c. 18, ss. 240, 243, Sch. 1 para. 18(1)(2) (with ss. 191-195, 202)

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Changes and effects yet to be applied to :

- Sch. 3 amended by [1996 c. 18 s. 240 Sch. 1 para. 18](#)