



Oil and Gas (Enterprise) Act 1982

1982 CHAPTER 23

PART III

PETROLEUM LICENCES

18 Amendment of enabling powers etc.

- (1) The ^{M1}Petroleum (Production) Act 1934 (in this Act referred to as “the 1934 Act”) shall have effect, and be deemed always to have had effect, as if in subsection (2) of section 1 (vesting of property in petroleum) were renumbered as subsection (4) of that section and for subsection (1) of that section there were substituted the following subsections—

“(1) The property in petroleum to which subsection (2) of this section applies at the commencement of this Act, so far as it is not already so vested, is hereby vested in His Majesty ; and His Majesty shall at any time have the exclusive right of searching and boring for and getting petroleum to which that subsection applies at that time.

(2) Subject to subsection (3) of this section, this section applies at any time to petroleum which at that time exists in its natural condition in strata in Great Britain or beneath the territorial waters of the United Kingdom adjacent to Great Britain ; and it so applies notwithstanding that the land in which any such petroleum so exists belongs to His Majesty or the Duchy of Cornwall, belongs to a Government department or is held in trust for His Majesty for the purposes of a government department.

(3) Subsection (2) of this section does not apply to petroleum which at the commencement of this Act may be lawfully gotten under a licence in force under the Petroleum (Production) Act 1918, being a licence specified in the Schedule to this Act, so long as that licence remains in force.”

- (2) The 1934 Act shall also have effect, and be deemed always to have had effect, as if in subsection (1) of section 2 (power to grant licences) after the word “shall” there were

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inserted the words “ at any time ” and at the end of that subsection there were added the words “ to which subsection (2) of section 1 of this Act applies at that time ”.

Modifications etc. (not altering text)

C1 The text of ss. 8(3), 18, 24, 25(1)–(3)(5), 26(1)(2), 30(2), 31, 37 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.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

M1 1934 c. 36.

19 Modification of model clauses in existing licences.

- (1) Where a licence granted under section 2 of the 1934 Act before the coming into force of section 20 below incorporates—
- (a) the model clauses set out in Part II of Schedule 2 to the 1975 Act (clauses relating to production licences for seaward areas);
 - (b) the model clauses set out in Part II of Schedule 3 to that Act (clauses relating to production licences for landward areas);
 - (c) the model clauses set out in Schedule 4 to the ^{M2}Petroleum (Production) Regulations 1976 (clauses relating to production licences for landward areas);
 - (d) the model clauses set out in Schedule 5 to the said Regulations of 1976 as originally made or as amended by the ^{M3}Petroleum (Production) (Amendment) Regulations 1978 (clauses relating to production licences for seaward areas); or
 - (e) the model clauses set out in Schedule 5 to the said Regulations of 1976 as amended by the said Regulations of 1978 and the ^{M4}Petroleum (Production) (Amendment) Regulations 1980,
- those model clauses as so incorporated shall have effect with the amendments provided for by whichever is appropriate of paragraphs 1 to 5 of Schedule 2 to this Act.
- (2) It is hereby declared that any provisions of a licence which are amended by subsection (1) above may be altered or deleted by an instrument under seal executed by the Secretary of State and the licensee.
- (3) Any reference in any document to provisions of a licence which are amended by subsection (1) above shall, except so far as the nature of the document or the context otherwise requires, be construed as a reference to those provisions as so amended.

Marginal Citations

M2 S.I. 1976/1129.

M3 S.I. 1978/929.

M4 S.I. 1980/721.

20 Modification of model clauses for incorporation in future licences.

The following model clauses, namely—

- (a) the model clauses set out in Schedule 4 to the said Regulations of 1976; and

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(b) the model clauses set out in Schedule 5 to those regulations as amended by the said Regulations of 1978 and the said Regulations of 1980, shall have effect with the amendments provided for by paragraphs 3 and 5 respectively of Schedule 2 to this Act.

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