



# Petroleum Act 1998

## 1998 CHAPTER 17

### PART III

#### SUBMARINE PIPELINES

#### 18 Termination of authorisations.

- (1) An authorisation shall cease to be in force at the earliest of the following—
  - (a) where the duration of the authorisation is not expressed to be unlimited, the time at which that duration expires as specified by or ascertained under the terms of the authorisation;
  - (b) the time (if any) agreed in writing by the holder and the [F1OGA] as the time at which the authorisation is to cease to be in force; and
  - (c) the time specified in a notice under subsection (2) or (6).
- (2) If it appears to the [F2OGA] that the execution of works authorised by a works authorisation has not been begun at the expiry of the period specified in subsection (3), [F3it] shall serve on the holder a notice stating that the authorisation is to cease to be in force at a time specified in the notice.
- (3) The period referred to in subsection (2) is—
  - (a) the period of three years beginning with the date when the authorisation is expressed to come into force; or
  - (b) such longer period beginning with that date as the [F4OGA] has, on the application of the holder, specified in a notice served under this paragraph on the holder during the period mentioned in paragraph (a).
- (4) For the purpose of subsection (2), the [F5OGA] shall disregard the execution of any of the works which [F6it] considers should be disregarded for that purpose.
- (5) The [F7OGA] shall not serve a notice under subsection (3)(b) unless—
  - (a) [F8it] is satisfied that notice of the application under that provision has been served on—

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- (i) the persons on whom, in accordance with Schedule 2, notice of the application for the authorisation was served or such of them as the [F7OGA] considers appropriate in the circumstances; and
  - (ii) such other persons, if any, as [F8it] considers appropriate in the circumstances; and
- (b) [F8it] has considered any written representations about the application under subsection (3)(b) made during such a period as [F8it] considers reasonable by any of the persons on whom notice of the application was served in accordance with paragraph (a).
- (6) Subject to subsections (7) and (8), if the [F9OGA] considers that the holder of an authorisation—
- (a) has contravened a term of the authorisation; or
  - (b) has contravened any provision of a notice which, under [F10section 16, 17 or 17F(9)] [F11of this Act or section 82(11) of the Energy Act 2011], was served on him in his capacity as the owner of the pipeline (or the proposed owner of the proposed pipeline) to which the authorisation relates,
- the [F9OGA] may serve on the holder a notice stating that the authorisation is to cease to be in force at a time specified in the notice.
- (7) The [F12OGA] shall not serve a notice under subsection (6) without first giving the holder of the authorisation an opportunity to make written representations to [F13it].
- (8) The [F14OGA] shall not serve a notice under subsection (6) in consequence of a contravention if the [F14OGA] considers that—
- (a) having regard to the nature and consequences of the contravention and to any previous contravention, it would be unreasonable to terminate the authorisation in consequence of the contravention; and
  - (b) the holder has taken adequate steps to prevent similar contraventions in future.
- (9) When an authorisation ceases to be in force the [F15OGA] shall publish in the London and Edinburgh and Belfast Gazettes, or in such of them as [F16it] considers appropriate, a notice stating that it has ceased to be in force.

#### Textual Amendments

- F1** Word in s. 18(1)(b) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 22\(2\); S.I. 2016/920, reg. 2\(a\)](#)
- F2** Word in s. 18(2) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 22\(3\)\(a\); S.I. 2016/920, reg. 2\(a\)](#)
- F3** Word in s. 18(2) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 22\(3\)\(b\); S.I. 2016/920, reg. 2\(a\)](#)
- F4** Word in s. 18(3)(b) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 22\(4\); S.I. 2016/920, reg. 2\(a\)](#)
- F5** Word in s. 18(4) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 22\(5\)\(a\); S.I. 2016/920, reg. 2\(a\)](#)
- F6** Word in s. 18(4) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 22\(5\)\(b\); S.I. 2016/920, reg. 2\(a\)](#)
- F7** Word in s. 18(5) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 22\(6\)\(a\); S.I. 2016/920, reg. 2\(a\)](#)
- F8** Word in s. 18(5) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 22\(6\)\(b\); S.I. 2016/920, reg. 2\(a\)](#)

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- F9** Word in s. 18(6) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), **Sch. 1 para. 22(7)**; S.I. 2016/920, reg. 2(a)
- F10** Words in s. 18(6)(b) substituted (10.8.2000) by S.I. 2000/1937, reg. 2(4), **Sch. 4 para. 5**
- F11** Words in s. 18(6)(b) inserted (21.3.2012) by Energy Act 2011 (c. 16), s. 121(1), **Sch. 2 para. 14**; S.I. 2012/873, art. 2(b)(i)
- F12** Word in s. 18(7) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), **Sch. 1 para. 22(8)(a)**; S.I. 2016/920, reg. 2(a)
- F13** Word in s. 18(7) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), **Sch. 1 para. 22(8)(b)**; S.I. 2016/920, reg. 2(a)
- F14** Word in s. 18(8) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), **Sch. 1 para. 22(9)**; S.I. 2016/920, reg. 2(a)
- F15** Word in s. 18(9) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), **Sch. 1 para. 22(10)(a)**; S.I. 2016/920, reg. 2(a)
- F16** Word in s. 18(9) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), **Sch. 1 para. 22(10)(b)**; S.I. 2016/920, reg. 2(a)

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