



Energy Act 2004

2004 CHAPTER 20

PART 4

MISCELLANEOUS AND SUPPLEMENTAL

International agreements relating to pipelines and offshore installations

189 Power to modify Petroleum Act 1998

- (1) Her Majesty may by Order in Council make any modifications of the Petroleum Act 1998 (c. 17) that Her Majesty considers appropriate for the purpose of securing that effect is given to an international agreement to which this section applies.
- (2) This section applies to an international agreement (whether entered into before or after the passing of this Act) which relates in whole or in part to the construction, operation, use, decommissioning or abandonment of a pipeline or offshore installation.
- (3) The power under this section to modify the Petroleum Act 1998 includes—
 - (a) power to provide for provision made by or under that Act to have effect (with or without modifications) in relation to a foreign area;
 - (b) power to provide for provisions of that Act having effect (with or without modifications) in relation to a foreign area, so far as they apply to individuals, to apply to them whether or not they are British citizens;
 - (c) power to provide for provisions of that Act having effect (with or without modifications) in relation to a foreign area, so far as they apply to bodies corporate, to apply to them whether or not they are incorporated under the law of a part of the United Kingdom; and
 - (d) power to provide for modifications of that Act to come into force before the coming into force of the international agreement to which they relate.
- (4) An Order in Council under this section may—
 - (a) modify powers under the Petroleum Act 1998 to make subordinate legislation;

Changes to legislation: Energy Act 2004, Section 189 is up to date with all changes known to be in force on or before 21 April 2024. 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) View outstanding changes

- (b) make provision for a reference in a modification made by the Order to a specified document to operate as a reference to that document as revised or re-issued from time to time; and
 - (c) provide for the delegation of powers exercisable by virtue of modifications made by the Order.
- (5) The power to make an Order in Council containing provision authorised by this section is subject to the affirmative resolution procedure.
- (6) In this section—
- “construction” and “pipeline” have the same meanings as in Part 3 of the Petroleum Act 1998;
 - “foreign area” means an area which is not within any of the following—
 - (a) the United Kingdom;
 - (b) the territorial sea adjacent to the United Kingdom; or
 - (c) an area designated under section 1(7) of the Continental Shelf Act 1964 (c. 29);
 - “international agreement” means—
 - (a) any international treaty, convention or protocol to which the United Kingdom is a party; or
 - (b) any other agreement between the United Kingdom and another country or territory;
 - “offshore installation” has the same meaning as in Part 4 of the Petroleum Act 1998 (c. 17).

Modifications etc. (not altering text)

C1 Ss. 171-196 power to apply (with modifications) conferred (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), s. 334(2)(1), [Sch. 18 para. 50](#)

Commencement Information

II S. 189 in force at 5.10.2004 by [S.I. 2004/2575](#), art. 2(1), [Sch. 1](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 137(3)(c)-(e) inserted by [2011 c. 16 s. 117\(b\)](#)
- s. 173(2C) inserted by [2023 c. 52 Sch. 14 para. 10](#)
- Sch. 22 para. 4(1A) inserted by [2023 c. 52 Sch. 14 para. 11\(2\)\(b\)](#)