



Energy Act 2016

2016 CHAPTER 20

PART 4

FEES

76 Powers to charge fees

- (1) In Part 4A of the Energy Act 2008 (works detrimental to navigation: oil, gas, carbon dioxide and pipelines), before section 82P insert—

“82OA Fees

- (1) The Secretary of State may charge fees in connection with carrying out functions under this Part.
 - (2) The fees are to be determined by or in accordance with regulations made by the Secretary of State.
 - (3) The regulations may authorise the fees to be determined by or in accordance with a scheme made by the Secretary of State.”
- (2) In Part 4 of the Marine and Coastal Access Act 2009 (marine licences), after section 110 insert—

“Fees

110A Fees: oil and gas activities for which marine licence needed

- (1) The Secretary of State may charge fees in connection with carrying out functions under this Part, so far as relating to oil and gas activities for which a marine licence is needed.
- (2) The fees are to be determined by or in accordance with regulations made by the Secretary of State.

Status: This is the original version (as it was originally enacted).

- (3) The regulations may authorise the fees to be determined by or in accordance with a scheme made by the Secretary of State.
- (4) If the regulations provide for determining fees in connection with functions of the Secretary of State under section 67, the fees are to be those provided for by the regulations, and not those (if any) provided for by regulations under section 67(2) or determined under section 67(5).
- (5) “Oil and gas activities” are activities which relate to operations regulated under any of the provisions listed in subsection (6).
- (6) The provisions are—
 - (a) section 2 of the Petroleum (Production) Act 1934 (searching and boring for, and getting, petroleum);
 - (b) Part 1 of the Petroleum Act 1998 (searching and boring for, and getting, petroleum);
 - (c) Part 3 of the Petroleum Act 1998 (submarine pipelines);
 - (d) Part 4 of the Petroleum Act 1998 (abandonment of offshore installations);
 - (e) Part 1 of the Energy Act 2008 (gas importation and storage);
 - (f) Part 4 of the Energy Act 2008 (oil and gas).
- (7) See Chapter 1 for when a marine licence is needed for activities.”

77 Validation of fees charged

- (1) A fee charged by the Secretary of State at any time before the date on which this Act is passed (“the relevant time”) is taken to have been lawfully charged if the condition in subsection (2) is met.
- (2) The condition is that the fee was charged in connection with carrying out functions under any of the provisions listed in subsection (3), as the provision in question had effect at the relevant time.
- (3) The provisions are—
 - (a) Part 4A of the Energy Act 2008 (works detrimental to navigation: oil, gas, carbon dioxide and pipelines);
 - (b) Part 4 of the Marine and Coastal Access Act 2009 (marine licences), so far as relating to oil and gas activities for which a marine licence under that Part is needed;
 - (c) the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 ([S.I. 1998/1056](#));
 - (d) the Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999 ([S.I. 1999/360](#));
 - (e) the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 ([S.I. 2001/1754](#)).
- (4) “Oil and gas activities” are activities which relate to operations regulated under any of the provisions listed in subsection (5).
- (5) The provisions are—
 - (a) section 2 of the Petroleum (Production) Act 1934 (searching and boring for, and getting, petroleum);

- (b) Part 1 of the Petroleum Act 1998 (searching and boring for, and getting, petroleum);
 - (c) Part 3 of the Petroleum Act 1998 (submarine pipelines);
 - (d) Part 4 of the Petroleum Act 1998 (abandonment of offshore installations);
 - (e) Part 1 of the Energy Act 2008 (gas importation and storage);
 - (f) Part 4 of the Energy Act 2008 (oil and gas).
- (6) See Chapter 1 of Part 4 of the Marine and Coastal Access Act 2009 for when a marine licence under that Part is needed for activities.