



# Energy Act 2016

## 2016 CHAPTER 20

### PART 2

#### FURTHER FUNCTIONS OF THE OGA RELATING TO OFFSHORE PETROLEUM

### CHAPTER 2

#### DISPUTES

#### **23 Procedure for consideration of disputes**

- (1) This section applies where the OGA—
  - (a) accepts a reference of a dispute under section 21(1), or
  - (b) decides to consider a dispute under section 22(1).
- (2) The OGA must—
  - (a) consider the dispute, and
  - (b) make a recommendation for resolving it.
- (3) The OGA—
  - (a) must draw up a timetable for performing its duties under subsection (2), and
  - (b) may give directions with which the relevant parties to the dispute are to comply in order to enable the OGA to carry out those duties.
- (4) The OGA's recommendation must be one which it considers will enable the dispute to be resolved in a way which best contributes to the fulfilment of the principal objective whilst having regard to the need to achieve an economically viable position for the parties to the dispute.
- (5) The procedure for considering the dispute and making a recommendation is the procedure that the OGA considers most appropriate.
- (6) Where the OGA makes a recommendation under this section, the OGA may publish—
  - (a) the recommendation or any part of it;

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*Status: This is the original version (as it was originally enacted).*

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- (b) a summary of the recommendation or of any part of it.
- (7) Before publishing anything under subsection (6), the OGA must give an opportunity to be heard to each relevant party to the dispute.
- (8) The OGA must issue guidance about the matters to which it will have regard when performing its duties under this section.
- (9) Requirements imposed by directions under subsection (3)(b) are sanctionable in accordance with Chapter 5.