



Energy Act 2016

2016 CHAPTER 20

PART 2

FURTHER FUNCTIONS OF THE OGA RELATING TO OFFSHORE PETROLEUM

CHAPTER 6

DISCLOSURE

Permitted disclosures

63 Disclosure by OGA to certain persons

- (1) Section 61 does not prohibit a disclosure of protected material by the OGA which—
- (a) is made to a person mentioned in column 1 of the table below,
 - (b) is made for the purpose of facilitating the carrying out of that person's functions, and
 - (c) is a disclosure of information obtained by the OGA under a Chapter mentioned in the corresponding entry of column 2 of the table.

<i>Column 1</i>	<i>Column 2</i>
A Minister of the Crown	Chapters 2 to 5
Her Majesty's Revenue and Customs	Chapters 2 to 4
The Competition and Markets Authority	Chapters 2 to 5
The Scottish Ministers	Chapter 3
The Welsh Ministers	Chapter 3
A Northern Ireland Department	Chapter 3
The Coal Authority	Chapter 3

Status: This is the original version (as it was originally enacted).

<i>Column 1</i>	<i>Column 2</i>
The Office for Budget Responsibility	Chapter 3
An enforcing authority	Chapters 2 to 5
The competent authority under article 8 of the Offshore Safety Directive	Chapters 2 to 5
The Statistics Board	Chapters 2 to 5

(2) In the table—

“enforcing authority” has the same meaning as in Part 1 of the Health and Safety at Work etc Act 1974 (see section 18(7)(a) of that Act);

“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;

“Offshore Safety Directive” means Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations.

- (3) Section 61 does not prohibit a disclosure of protected material by the OGA which—
- (a) is a disclosure of protected material obtained by it under Chapter 3 (information and samples),
 - (b) is made to the Natural Environment Research Council, or any other similar body carrying on geological activities, and
 - (c) is made for the purpose of enabling the body to prepare and publish reports and surveys of a general nature using information derived from the protected material.
- (4) A person to whom protected material is disclosed by virtue of subsection (1) or (3) may use the protected material only for the purpose mentioned in subsection (1)(b) or (3)(c) (as the case may be).
- (5) Section 61 does not prohibit such a person from disclosing the protected material so far as necessary for that purpose.
- (6) The Secretary of State may by regulations amend the table in subsection (1)—
- (a) to remove a person from column 1,
 - (b) to add to column 1 a person to whom subsection (7) applies, or
 - (c) to add, remove or change entries in column 2.
- (7) This subsection applies to—
- (a) persons holding office under the Crown;
 - (b) persons in the service or employment of the Crown;
 - (c) persons acting on behalf of the Crown;
 - (d) government departments;
 - (e) publicly owned companies as defined in section 6 of the Freedom of Information Act 2000.