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STATUTORY INSTRUMENTS

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**2002 No. 1355**

**The Offshore Chemicals Regulations 2002**

**Appeal to High Court, Court of Session or High Court in Northern Ireland**

17.—(1) Subject to paragraph (6), any permit applicant or any operator aggrieved by a decision of the Secretary of State made under these Regulations may appeal to the court.

(2) Subject to paragraph (4), the expression “the court” means—

- (a) in respect of a decision relating to the use or discharge of an offshore chemical in the English area, the High Court;
- (b) in respect of a decision relating to the use or discharge of an offshore chemical in the Scottish area (excluding Scottish controlled waters), the Court of Session;
- (c) in respect of a decision relating to the use or discharge of an offshore chemical in the Northern Irish area, the High Court in Northern Ireland.

(3) In this regulation the expressions “the English area”, “the Scottish area” and “the Northern Irish area” shall have the same meanings as in the Civil Jurisdiction (Offshore Activities) Order 1987<sup>(1)</sup>.

(4) Where an offshore chemical is used or discharged or is to be used or discharged in more than one of the areas referred to in paragraphs (2) and (3), any of the courts having jurisdiction in the area or areas where the offshore chemical is used or discharged or is to be used or discharged shall have jurisdiction in relation to the decision in question.

(5) Unless the court otherwise orders, any decision of the Secretary of State which is the subject of an appeal under paragraph (1) shall remain in force pending a final disposal of that appeal.

(6) An appeal under this regulation shall be made within 28 days of written notification of the decision in question.