
STATUTORY INSTRUMENTS

2016 No. 898

The Petroleum (Transfer of Functions) Regulations 2016

PART 3

Consequential amendments to the Petroleum Act 1998 having effect on the transfer of certain functions to the Scottish Ministers

Petroleum Act 1998

- 3.—**(1) Part 1 of the Petroleum Act 1998 is amended as follows.
- (2) In section 3 (licences to search and bore for and get petroleum)—
- (a) in subsection (1)(1), for “Minister” (in both places) substitute “authority”, and
 - (b) in subsection (3)(2)—
 - (i) for “Secretary of State” substitute “OGA”, and
 - (ii) for “Minister” substitute “authority”.
- (3) In section 4 (licences: further provisions)—
- (a) in subsection (1)(e)(3), for “he” substitute “the appropriate authority”, and
 - (b) after subsection (3)(4) insert—

“(3ZA) Before making regulations under this section the Secretary of State must consult the OGA.”.
- (4) In section 5(9)(5) (existing licences), for “Minister” (in both places) substitute “authority”.
- (5) In section 5A(6) (rights transferred without consent), for “Minister” (in each place) substitute “authority”.
- (6) In section 5B(1)(7) (information), for “Minister” (in both places) substitute “authority”.
- (7) In section 7(2)(d)(8) (ancillary rights), for the words following “included references to” substitute—
- “(i) the Scottish Ministers, in relation to licences granted in relation to the Scottish onshore area, and
 - (ii) the OGA, in relation to other licences”.

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- (1) On the commencement of section 48 of the Scotland Act 2016, section 3(1) is amended by section 48(3) of that Act.
- (2) On the commencement of section 48 of the Scotland Act 2016, section 3(3) is amended by section 48(4) of that Act.
- (3) On the commencement of section 48 of the Scotland Act 2016, section 4(1) is amended by section 48(6) of that Act.
- (4) On the commencement of section 48 of the Scotland Act 2016, section 4(3) is amended by section 48(8) of that Act.
- (5) Section 5(9) was amended by the Energy Act 2008, Schedule 5, paragraph 8, the Land Registration etc. (Scotland) Act 2012, Schedule 5, paragraph 36 and on the commencement of section 48 of the Scotland Act 2016, it is amended by section 48(11) of that Act.
- (6) Section 5A was inserted by the Energy Act 2008, section 76 and on the commencement of section 48 of the Scotland Act 2016, it is amended by section 48(12) of that Act.
- (7) Section 5B was inserted by the Energy Act 2008, section 76 and on the commencement of section 48 of the Scotland Act 2016, it is amended by section 48(13) of that Act.
- (8) On the commencement of section 48 of the Scotland Act 2016, section 7 is amended by section 48(14) of that Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(8) In section 8(1)(9) (power to inspect plans of mines), for “Minister” (in both places) substitute “authority”.

(9) In section 8A(10) (interpretation), after subsection (1) insert—

“(1A) The “appropriate authority” means—

- (a) in relation to the Scottish onshore area, the Scottish Ministers;
- (b) otherwise, the OGA.”.

(9) On the commencement of section 48 of the Scotland Act 2016, section 8 is amended by section 48(15) of that Act.
(10) On the commencement of section 48 of the Scotland Act 2016, section 8A is inserted by section 48(16) of that Act.