



Continental Shelf Act 1964

CHAPTER 29

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ELIZABETH II



1964 CHAPTER 29

An Act to make provision as to the exploration and exploitation of the continental shelf; to enable effect to be given to certain provisions of the Convention on the High Seas done in Geneva on 29th April 1958; and for matters connected with those purposes.

[15th April 1964]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Any rights exercisable by the United Kingdom outside territorial waters with respect to the sea bed and subsoil and their natural resources, except so far as they are exercisable in relation to coal, are hereby vested in Her Majesty.

Exploration and exploitation of continental shelf.

(2) In relation to any coal with respect to which those rights are exercisable the Coal Industry Nationalisation Act 1946 shall apply as it applies in relation to coal in Great Britain, but with the modification that the National Coal Board shall not engage in any operations for the purpose of working or getting the coal without the consent of the Minister of Power, which may be given on such terms and subject to such conditions as he thinks fit.

(3) In relation to any petroleum with respect to which those rights are exercisable sections 2 and 6 of the Petroleum (Production) Act 1934 (which relate to the granting of licences to search and bore for, and get, petroleum) shall apply as they apply in relation to petroleum in Great Britain, and section 3 of that Act (which enables persons holding licences under that Act to acquire

ancillary rights) and section 5 of that Act (which makes provision as to receipts and expenditure under that Act) shall have effect as if this subsection were part of that Act.

(4) Model clauses prescribed under section 6 of the Petroleum (Production) Act 1934 as applied by the preceding subsection shall include provision for the safety, health and welfare of persons employed on operations undertaken under the authority of any licence granted under that Act as so applied.

(5) The Minister of Power shall for each financial year prepare and lay before Parliament a report stating—

- (a) the licences under the said Act of 1934 granted in that year in respect of areas beyond low-water mark and the persons to whom and the areas in respect of which they were granted, and the like information as respects such licences held at the end of that year;
- (b) the total amount of natural gas and of other petroleum gotten in that year in pursuance of licences held in respect of such areas; and
- (c) the method used for arriving at the amounts payable by way of consideration for such licences.

(6) The general duty of the Minister of Power of securing the effective and co-ordinated development of such resources in Great Britain as are mentioned in section 1(1) of the Ministry of Fuel and Power Act 1945 shall extend to any such resources outside Great Britain with respect to which the said rights are exercisable.

(7) Her Majesty may from time to time by Order in Council designate any area as an area within which the rights mentioned in subsection (1) of this section are exercisable, and any area so designated is in this Act referred to as a designated area.

(8) In this section “coal” has the same meaning as in the Coal Industry Nationalisation Act 1946 and “petroleum” has the same meaning as in the Petroleum (Production) Act 1934.

Protection of installations in designated areas.

2.—(1) The Minister of Power may for the purpose of protecting any installation in a designated area by order made by statutory instrument prohibit ships, subject to any exceptions provided by the order, from entering without his consent such part of that area as may be specified in the order.

(2) If any ship enters any part of a designated area in contravention of an order under this section its owner or master shall be liable—

- (a) on summary conviction, to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both;

(b) on conviction on indictment, to a fine, or to imprisonment for a term not exceeding one year, or to both; unless he proves that the prohibition imposed by the order was not, and would not on reasonable inquiry have become, known to the master.

(3) Any order under this section may be varied or revoked by a subsequent order, and any statutory instrument containing such an order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

3.—(1) Any act or omission which—

Application
of criminal
and civil law.

(a) takes place on, under or above an installation in a designated area or any waters within five hundred metres of such an installation; and

(b) would, if taking place in any part of the United Kingdom, constitute an offence under the law in force in that part, shall be treated for the purposes of that law as taking place in that part.

(2) Her Majesty may by Order in Council make provision for the determination, in accordance with the law in force in such part of the United Kingdom as may be specified in the Order, of questions arising out of acts or omissions taking place in a designated area, or in any part of such an area, in connection with the exploration of the sea bed or subsoil or the exploitation of their natural resources, and for conferring jurisdiction with respect to such questions on courts in any part of the United Kingdom so specified.

(3) Any jurisdiction conferred on any court under this section shall be without prejudice to any jurisdiction exercisable apart from this section by that or any other court.

(4) Any Order in Council under this section may be varied or revoked by a subsequent Order in Council and any statutory instrument containing such an Order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

4.—(1) Part II of the Coast Protection Act 1949 (which requires the consent of the Minister of Transport to the carrying out of certain works on the sea shore if obstruction or danger to navigation is likely to result) except section 34(1)(b) (which restricts the deposit of materials) shall apply in relation to any part of the sea bed in a designated area as it applies in relation to the sea shore; and section 46 of that Act (local inquiries) shall extend to any matter arising under this section.

(2) Any person guilty of an offence under the said Part II as applied by this section shall be liable, on summary conviction to a fine not exceeding one hundred pounds, and on conviction on indictment to a fine.

Discharge
of oil.

5.—(1) If any oil to which section 1 of the Oil in Navigable Waters Act 1955 applies or any mixture containing not less than one hundred parts of such oil in a million parts of the mixture is discharged or escapes into any part of the sea—

(a) from a pipe-line; or

(b) (otherwise than from a ship) as the result of any operations for the exploration of the sea bed and subsoil or the exploitation of their natural resources in a designated area,

the owner of the pipe-line or, as the case may be, the person carrying on the operations shall be guilty of an offence unless he proves, in the case of a discharge from a place in his occupation, that it was due to the act of a person who was there without his permission (express or implied) or, in the case of an escape, that he took all reasonable care to prevent it and that as soon as practicable after it was discovered all reasonable steps were taken for stopping or reducing it.

(2) A person guilty of an offence under this section shall be liable, on summary conviction to a fine not exceeding one thousand pounds, and on conviction on indictment to a fine.

Wireless
telegraphy.

6. An Order in Council under section 3 of this Act may make provision for treating for the purposes of the Wireless Telegraphy Act 1949 and any regulations made thereunder any installation in an area or part with respect to which provision is made under that section and any waters within five hundred metres of such an installation as if they were situated in such part of the United Kingdom as may be specified in the Order.

Radioactive
substances.

7. An Order in Council under section 3 of this Act may make provision for treating for the purposes of the Radioactive Substances Act 1960 and any orders and regulations made thereunder any installation in an area or part with respect to which provision is made under that section and any waters within five hundred metres of such an installation as if they were situated in such part of the United Kingdom as may be specified in the Order, and for modifying the provisions of that Act in their application to such an installation or waters.

Submarine
cables and
pipe-lines.

8.—(1) Section 3 (punishment for damaging cables) of the Submarine Telegraph Act 1885 and Article IV and paragraph 1 of Article VII (liability to pay compensation for damage to cables and for loss of gear sacrificed to avoid such damage) of the Convention set out in the Schedule to that Act (which by virtue of section 2 thereof has the force of law) shall apply in relation to all submarine cables under the high seas (and not only to those to which that Convention applies) and to pipe-lines under the high seas; and the said section 3 shall be construed as referring to telephonic as well as telegraphic communication,

and, in relation to high-voltage power cables and to pipe-lines, as if the words from "in such manner" to the end of subsection (1) were omitted.

(2) Sections 6(3) (limitation of proceedings) and 13 (cesser of Act on cesser of Convention) of that Act are hereby repealed.

9.—(1) The following provisions of this section shall have effect with respect to the use and supply of any natural gas gotten in pursuance of a licence under the Petroleum (Production) Act 1934 as applied by section 1(3) of this Act, and section 52 of the Gas Act 1948 shall not apply to any such gas. Use and supply of natural gas.

(2) The holder of the licence shall not without the consent of the Minister of Power use the gas in Great Britain and no person shall without that consent supply the gas to any other person at premises in Great Britain.

(3) The Minister of Power shall not give his consent under this section to the supply of gas at any premises unless satisfied—

(a) that the supply is for industrial purposes and that the Area Board in whose area the premises are situated has been given an opportunity of purchasing the gas at a reasonable price; or

(b) that the supply is for such purposes as are mentioned in subsection (4) of this section;

but shall give his consent under this section to the supply or use of any gas if satisfied that it is for the purposes mentioned in that subsection.

(4) The said purposes are industrial purposes which do not consist of or include the use of the gas as a fuel except in so far as the gas is used to provide heat or other energy required—

(a) for a process in which the gas is used otherwise than as a fuel; or

(b) where such a process is one of a series, for any further process in the same series, not being a process in which a bulk product is converted into manufactured articles;

and in determining whether any industrial purposes are as mentioned in this subsection the use of any gas derived, otherwise than as a by-product, from any natural gas shall be treated as the use of that natural gas.

(5) For the purposes of this section gas provided by a company for the use of any subsidiary or holding company thereof, or of any subsidiary of such a holding company shall be deemed to be used by that company.

(6) This section shall not affect the supply of gas by any person otherwise than through pipes or the supply of gas by or to an Area Board.

(7) In this section “Area Board” has the same meaning as in the Gas Act 1948 and “holding company” and “subsidiary” have the same meanings as in the Companies Act 1948.

Modification
of National
Insurance
Acts.

10.—(1) The Minister of Pensions and National Insurance may by regulations make provision—

(a) for treating as insurable employment for the purposes of the National Insurance (Industrial Injuries) Acts 1946 to 1963 any prescribed employment which is employment in connection with the exploitation of the resources mentioned in section 1(1) of this Act or with the exploration of the sea bed and subsoil in any designated area; and

(b) for modifying the provisions of those Acts in their application in relation to persons who are insured persons by virtue of this subsection and in particular, but without prejudice to the generality of this paragraph, for treating accidents arising out of and in the course of any such employment as happening while those persons are in Great Britain and for treating as accidents so arising accidents happening while those persons are proceeding to or from their work or in any other prescribed circumstances.

(2) The Minister of Pensions and National Insurance may by regulations make provision for modifying the provisions of the National Insurance Acts 1946 to 1963 in their application in relation to persons in any prescribed employment (whether under a contract of service or not) in connection with the exploitation or exploration mentioned in subsection (1) of this section, and in particular, but without prejudice to the generality of this subsection, for the insurance under those Acts of persons in such employment notwithstanding that they do not fulfil the conditions of section 1 of the National Insurance Act 1946.

(3) Subsection (1) of this section shall be construed as one with the National Insurance (Industrial Injuries) Act 1946 and subsection (2) of this section as one with the National Insurance Act 1946.

Prosecution
of offences,
etc.

11.—(1) Proceedings for any offence under this Act (including an offence under another Act as applied by or under this Act and anything that is an offence by virtue of section 3(1) of this Act) may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.

(2) Where a body corporate is guilty of such an offence and the offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the

body corporate or any person who was purporting to act in any such capacity he, as well as the body corporate, shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

In this subsection, "director" in relation to a body corporate established for the purpose of carrying on under national ownership any industry or part of an industry or undertaking, being a body corporate whose affairs are managed by its members, means a member of that body corporate.

(3) A constable shall on any installation in a designated area have all the powers, protection and privileges which he has in the area for which he acts as constable.

12. Nothing in this Act shall be taken to restrict the powers Northern of the Parliament of Northern Ireland to make laws; and Ireland. any laws made by that Parliament with respect to any matter with respect to which it has that power shall have effect notwithstanding anything in this Act.

13. This Act may be cited as the Continental Shelf Act 1964. Short title.

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