



Petroleum and Submarine Pipe-lines Act 1975

1975 CHAPTER 74

PART II

PETROLEUM PRODUCTION LICENCES

17 Modification of model clauses for incorporation in petroleum production licences

- (1) The model clauses set out in Schedule 4 to the Petroleum (Production) Regulations 1966 as amended by the Petroleum (Production) (Amendment) Regulations 1971 (which are clauses relating to production licences for seaward areas within the meaning of the regulations) shall have effect subject to the provisions of Part I of Schedule 2 to this Act; and in accordance with the preceding provisions of this subsection the said Schedule 4 shall have effect, after the coming into force of this subsection and the said Schedule 2, as set out in Part II of the said Schedule 2 (which reproduces the said Schedule 4 as further amended by the said Part I and with consequential adjustments in the numbering of the model clauses).
- (2) The model clauses set out in Schedule 3 to the Petroleum (Production) Regulations 1966 as amended by the Petroleum (Production) (Amendment) Regulations 1972 (which are clauses relating to production licences for landward areas within the meaning of the regulations) shall have effect subject to the provisions of Part I of Schedule 3 to this Act; and in accordance with the preceding provisions of this subsection Schedule 3 to the said Regulations of 1966 shall have effect, after the coming into force of this subsection and Schedule 3 to this Act, as set out in Part II of Schedule 3 to this Act (which reproduces Schedule 3 to the said Regulations as further amended by the said Part I and with consequential adjustments in the numbering and side-notes of the model clauses).
- (3) It is hereby declared that the provisions of the Schedule 4 set out in Part II of Schedule 2 to this Act and the provisions of the Schedule 3 set out in Part II of Schedule 3 to this Act may be varied, revoked, modified or excluded as if those provisions were

contained in regulations in force by virtue of section 6 of the Petroleum (Production) Act 1934.

18 Incorporation of modified model clauses into existing licences

- (1) Each licence under the Petroleum (Production) Act 1934 incorporating—
- (a) model clauses set out in Schedule 2 to the Petroleum (Production) (Continental Shelf and Territorial Sea) Regulations 1964 (which relates to production licences for areas in controlled waters); or
 - (b) model clauses set out in Schedule 4 to the Petroleum (Production) Regulations 1966 (which relates to production licences in seaward areas within the meaning of the regulations); or
 - (c) model clauses set out in the said Schedule 4 as amended by the Petroleum (Production) (Amendment) Regulations 1971,
- shall have effect, subject to subsections (3) and (4) of this section, as if in the place of those model clauses the licence incorporated all the clauses set out in Part II of Schedule 2 to this Act (which reproduces the model clauses mentioned in paragraph (c) of this subsection with the amendments of them made by Part I of Schedule 2 to this Act and with consequential adjustments in the numbering of the clauses).
- (2) Each licence under the said Act of 1934 incorporating model clauses set out in Schedule 3 to the Petroleum (Production) Regulations 1966 (which relates to production licences for landward areas within the meaning of the regulations) shall have effect, subject to subsection (3) of this section, as if in the place of those model clauses the licence incorporated all the clauses set out in Part II of Schedule 3 to this Act (which reproduces the model clauses set out in Schedule 3 to the said Regulations of 1966 with the amendments of them made by the Petroleum (Production) (Amendment) Regulations 1972 and Part I of Schedule 3 to this Act and with consequential adjustments in the numbering and side-notes of the clauses).
- (3) Clause 2 of the clauses set out in Part II of Schedule 2 to this Act or in Part II of Schedule 3 to this Act is excluded from the clauses incorporated in a licence by virtue of subsection (1) or subsection (2) of this section ; and—
- (a) clause 3 of the clauses incorporated in a licence by virtue of the said subsection (1) shall have effect as if it specified, as the date following which the term of the licence began, the date specified in clause 3 of the clauses replaced by virtue of that subsection ; and
 - (b) nothing in the preceding subsection affects clauses 1 and 3 to 7 of the model clauses set out in Schedule 3 to the said Regulations of 1966 as incorporated in a licence granted before the passing of this Act.
- (4) A licence under the Petroleum (Production) Act 1934 incorporating some but not all of the model clauses mentioned in paragraph (c) of subsection (1) of this section shall have effect as if there were excluded from the model clauses set out in Part II of Schedule 2 to this Act such of those clauses as correspond to the clauses mentioned in the said paragraph (c) which immediately before the coming into force of that paragraph were not incorporated in the licence; and for the purposes of this subsection a clause mentioned in the said paragraph (c) is incorporated in a licence immediately before the coming into force of that paragraph if any of its provisions is then stated in the licence to be incorporated in the licence with or without modifications.
- (5) It is hereby declared that—

- (a) any alteration of the model clauses set out in Part II of Schedule 2 or Part II of Schedule 3 to this Act which is made after the passing of this Act by virtue of section 6 of the said Act of 1934 does not affect any model clauses as incorporated in a licence by virtue of the preceding provisions of this section; and
- (b) any model clauses as incorporated in a licence by virtue of those provisions may be altered or deleted by an instrument under seal executed by the Secretary of State and the licensee.

19 Provisions supplementary to s. 18

- (1) In Schedule 2 to each such licence as is mentioned in subsection (1) of the preceding section, sub-paragraphs (1) and (3) of paragraph 3 (which relate to royalties and are superseded by provisions included in Part I of Schedule 2 to this Act) shall cease to have effect; and in Schedule 2 to each such licence as is mentioned in subsection (2) of the preceding section, sub-paragraphs (1) and (3) to (5) of paragraph 2 (which relate to royalties and are superseded by provisions included in Part I of Schedule 3 to this Act) shall cease to have effect.
- (2) Any information which the Commissioners of Inland Revenue possess in connection with petroleum won by virtue of a licence granted under the Petroleum (Production) Act 1934—
 - (a) may be disclosed by the Commissioners to the Secretary of State, or to an officer of his who is authorised by him to receive such information, in connection with provisions of the licence relating to royalty payments; but
 - (b) shall not be disclosed by a person to whom it is disclosed in pursuance of this subsection except as authorised by the licence or to a person to whom it could have been disclosed in pursuance of the preceding paragraph or for the purposes of proceedings (which may be arbitration proceedings) in connection with the licence.
- (3) Any act or omission which occurred at a time before a licence was altered by virtue of the preceding section shall not be treated as contravening the provisions of the licence as so altered or as authorising the revocation of the licence if at that time it did not contravene the provisions of the licence or authorise the revocation of it.
- (4) Any reference in any document to provisions of a licence which is altered by virtue of the preceding section shall, except so far as the nature of the document or the context requires otherwise, be construed as a reference to the corresponding provisions of the licence as so altered.
- (5) The issue of an authorisation within the meaning of Part III of this Act shall be deemed not to derogate from a licence.
- (6) If, immediately before the date when clause 22 of the clauses set out in Part II of Schedule 2 or Part II of Schedule 3 to this Act is incorporated in a licence by virtue of the preceding section, a person is exercising in connection with the licence such a function as is mentioned in that clause, he shall be deemed to be approved on that date by the Secretary of State in pursuance of that clause as respects that function in connection with the licence.
- (7) In subsections (3) to (6) of this section " a licence " means a licence for the time being in force by virtue of the Petroleum (Production) Act 1934.