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## SCHEDULES

### SCHEDULE 1

Section 5.

#### MODEL CLAUSES INCORPORATED IN LICENCES WHEN GRANTED

- 1 The model clauses (other than the model clause entitled “Right to search and bore for and get petroleum”) set out in Parts I and III of Schedule 2 to the <sup>M1</sup>Petroleum (Production) Regulations 1935 as amended by the <sup>M2</sup>Petroleum (Production) (Amendment) Regulations 1954 and the <sup>M3</sup>Petroleum (Production) (Amendment) Regulations 1957 (mining licences).

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**Marginal Citations**

- M1** S.R.& O. 1935/426.  
**M2** S.I. 1954/1378.  
**M3** S.I. 1957/1697.

- 2 The model clauses (other than model clause 2) set out in Schedule 2 to the <sup>M4</sup>Petroleum (Production) (Continental Shelf and Territorial Sea) Regulations 1964 (production licences for areas in controlled waters).

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**Marginal Citations**

- M4** S.I. 1964/708.

- 3 The model clauses (other than model clause 2) set out in Schedule 3 to the <sup>M5</sup>Petroleum (Production) Regulations 1966 (production licences for landward areas).

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**Marginal Citations**

- M5** S.I. 1966/898.

- 4 The model clauses (other than model clause 2) set out in Schedule 4 to the Petroleum (Production) Regulations 1966 (production licences for seaward areas).

- 5 The model clauses (other than model clause 2) set out in Schedule 4 to the Petroleum (Production) Regulations 1966 as amended by the <sup>M6</sup>Petroleum (Production) (Amendment) Regulations 1971 (production licences for seaward areas).

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**Marginal Citations**

- M6** S.I. 1971/814.

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- 6 The model clauses (other than model clause 2) set out in Part II of Schedule 2 to the <sup>M7</sup>Petroleum and Submarine Pipe-lines Act 1975 (production licences for seaward areas).

**Marginal Citations**

**M7** [1975 c. 74.](#)

- 7 The model clauses (other than model clause 2) set out in Schedule 4 to the <sup>M8</sup>Petroleum (Production) Regulations 1976 (production licences for landward areas).

**Marginal Citations**

**M8** [S.I. 1976/1129.](#)

- 8 The model clauses (other than model clause 2) set out in Schedule 4 to the <sup>M9</sup>Petroleum (Production) Regulations 1976 as amended by the Oil and Gas (Enterprise) Act 1982 (production licences for landward areas).

**Marginal Citations**

**M9** [1982 c. 23.](#)

- 9 The model clauses (other than model clause 2) set out in Schedule 5 to the Petroleum (Production) Regulations 1976 (production licences for seaward areas).

- 10 The model clauses (other than model clause 2) set out in Schedule 5 to the Petroleum (Production) Regulations 1976 as amended by the <sup>M10</sup>Petroleum (Production) (Amendment) Regulations 1978 (production licences for seaward areas).

**Marginal Citations**

**M10** [S.I. 1978/929.](#)

- 11 The model clauses (other than model clause 2) set out in Schedule 5 to the Petroleum (Production) Regulations 1976 as amended by the Petroleum (Production) (Amendment) Regulations 1978 and the <sup>M11</sup>Petroleum (Production) (Amendment) Regulations 1980 (production licences for seaward areas).

**Marginal Citations**

**M11** [S.I. 1980/721.](#)

- 12 The model clauses (other than model clause 2) set out in Schedule 5 to the Petroleum (Production) Regulations 1976 as amended by the Petroleum (Production) (Amendment) Regulations 1978, the <sup>M12</sup>Petroleum (Production) (Amendment) Regulations 1980 and the <sup>M13</sup>Oil and Gas (Enterprise) Act 1982 (production licences for seaward areas).

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**Marginal Citations**

**M12** [S.I. 1980/721](#).

**M13** [1982 c. 23](#).

- 13 The model clauses (other than model clause 2) set out in Schedule 4 to the <sup>M14</sup>Petroleum (Production) Regulations 1982 (production licences for landward areas).

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**Marginal Citations**

**M14** [S.I. 1982/1000](#).

- 14 The model clauses (other than model clause 2) set out in Schedule 5 to the Petroleum (Production) Regulations 1982 (production licences for seaward areas).
- 15 The model clauses (other than model clause 2) set out in Schedule 5 to the Petroleum (Production) Regulations 1982 as amended by the <sup>M15</sup>Petroleum Act 1987 (production licences for seaward areas).

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**Marginal Citations**

**M15** [1987 c. 12](#).

- 16 The model clauses (other than model clause 2) set out in Schedule 8 to the Petroleum (Production) Regulations 1982 (methane drainage licences).
- 17 The model clauses (other than model clause 2) set out in Schedule 5 to the <sup>M16</sup>Petroleum (Production) (Landward Areas) Regulations 1984 as amended by the Petroleum Act 1987 (development licences).

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**Marginal Citations**

**M16** [S.I. 1984/1832](#).

- 18 The model clauses (other than model clause 2) set out in Schedule 4 to the <sup>M17</sup>Petroleum (Production) (Seaward Areas) Regulations 1988 (production licences for seaward areas).

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**Marginal Citations**

**M17** [S.I. 1988/1213](#).

- 19 The model clauses (other than model clause 2) set out in Schedule 4 to the Petroleum (Production) (Seaward Areas) Regulations 1988 as amended by the <sup>M18</sup>Offshore Safety Act 1992 (production licences for seaward areas).

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**Marginal Citations**

**M18** [1992 c. 15](#).

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- 20 The model clauses (other than model clause 2) set out in Schedule 4 to the Petroleum (Production) (Seaward Areas) Regulations 1988 as amended by the Offshore Safety Act 1992 and the <sup>M19</sup>Petroleum (Production) (Seaward Areas) (Amendment) Regulations 1995 (production licences for seaward areas).

**Marginal Citations**

**M19** [S.I. 1995/1435](#).

- 21 The model clauses (other than model clause 2) set out in Schedule 4 to the Petroleum (Production) (Seaward Areas) Regulations 1988 as amended by the Offshore Safety Act 1992, the Petroleum (Production) (Seaward Areas) (Amendment) Regulations 1995 and the <sup>M20</sup>Petroleum (Production) (Seaward Areas) (Amendment) Regulations 1996 (production licences for seaward areas).

**Marginal Citations**

**M20** [S.I. 1996/2964](#).

- 22 The model clauses (other than model clause 2) set out in Schedule 5 to the Petroleum (Production) (Seaward Areas) Regulations 1988 (exploration licences for seaward areas and landward areas below the low water line).
- 23 The model clauses (other than model clause 2) set out in Schedule 5 to the Petroleum (Production) (Seaward Areas) Regulations 1988 as amended by the Offshore Safety Act 1992 (exploration licences for seaward areas and landward areas below the low water line).
- 24 The model clauses (other than model clause 2) set out in Schedule 5 to the Petroleum (Production) (Seaward Areas) Regulations 1988 as amended by the Offshore Safety Act 1992 and the Petroleum (Production) (Seaward Areas) (Amendment) Regulations 1995 (exploration licences for seaward areas and landward areas below the low water line).
- 25 The model clauses (other than model clause 2) set out in Schedule 3 to the <sup>M21</sup>Petroleum (Production) (Landward Areas) Regulations 1991 (exploration licences for landward areas).

**Marginal Citations**

**M21** [S.I. 1991/981](#).

- 26 The model clauses (other than model clause 2) set out in Schedule 5 to the Petroleum (Production) (Landward Areas) Regulations 1991 (appraisal licences for landward areas).
- 27 The model clauses (other than model clause 2) set out in Schedule 6 to the Petroleum (Production) (Landward Areas) Regulations 1991 (development licences for landward areas).

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## SCHEDULE 2

Section 15.

### AUTHORISATIONS UNDER SECTION 14

#### PART I

##### WORKS AUTHORISATIONS

- 1 (1) The Secretary of State may by regulations make provision as to—
- (a) the manner in which an application for a works authorisation is to be made; and
  - (b) the information to be included in or provided in connection with an application.
- <sup>F1</sup>(2) .....
- (3) A statutory instrument containing regulations under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### Textual Amendments

- F1** Sch. 2 para. 1(2) omitted (1.10.2016) by virtue of [Energy Act 2016 \(c. 20\)](#), s. 84(3), [Sch. 1 para. 32\(2\)](#); S.I. 2016/920, reg. 2(a)

- 2 The [<sup>F2</sup>OGA] shall, on receiving an application for a works authorisation—
- (a) decide whether the application is to be considered further or rejected; and
  - (b) serve notice of [<sup>F3</sup>its] decision on the applicant and—
    - (i) in the case of a decision that the application is to be considered further, shall give the applicant such directions with respect to the application as the [<sup>F2</sup>OGA] considers appropriate for the purposes of paragraph 3; and
    - (ii) in the case of a decision to reject the application, shall include in the notice a statement of the reasons for the decision except any reason which in the opinion of the [<sup>F2</sup>OGA] it would be against the national interest to state.

#### Textual Amendments

- F2** Word in [Sch. 2 para. 2](#) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), [Sch. 1 para. 32\(3\)\(a\)](#); S.I. 2016/920, reg. 2(a)
- F3** Word in [Sch. 2 para. 2\(b\)](#) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), [Sch. 1 para. 32\(3\)\(b\)](#); S.I. 2016/920, reg. 2(a)

- 3 Where the [<sup>F4</sup>OGA] serves on an applicant notice under paragraph 2 that the application is to be considered further, the applicant shall—
- (a) publish, in such manner as the [<sup>F4</sup>OGA] directs, a notice which—
    - (i) contains such particulars of the application as the [<sup>F4</sup>OGA] directs; and

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- (ii) states that representations with respect to the application may be made in writing to the [F4OGA] within the period of 28 days beginning with the date on which the notice is first published in accordance with this paragraph or within such longer period beginning with that date as is specified in the notice in accordance with a direction of the [F4OGA]; and
  - (iii) states where the map mentioned in sub-paragraph (b) may be inspected during the period specified in the notice under paragraph (ii);
  - (b) secure that a map of such scale and containing such particulars as the [F4OGA] directs is available for inspection by the public free of charge from 10 a.m. to 4 p.m. on each weekday during the period so specified; and
  - (c) serve a copy of the notice on such persons as the [F4OGA] directs;
- and the [F4OGA] shall defer [F5:its] further consideration of the application until [F6:it] is satisfied that the applicant has complied with this paragraph.

#### Textual Amendments

- F4** Word in Sch. 2 para. 3 substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 32(4) (a); S.I. 2016/920, reg. 2(a)
- F5** Word in Sch. 2 para. 3 substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 32(4) (b); S.I. 2016/920, reg. 2(a)
- F6** Word in Sch. 2 para. 3 substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 32(4) (c); S.I. 2016/920, reg. 2(a)

- 4 (1) [F7Subject to sub-paragraph (1A),] this paragraph applies where the [F8OGA] decides that an application for a works authorisation is to be considered further and is of the opinion, either on [F9:its] own initiative (except in relation to the purpose mentioned in paragraph 6(b)) or in consequence of representations made to [F10:it] by the applicant or any other person,—
- (a) that the route proposed for the pipeline or part of it in the application ought to be altered in a particular manner for any of the purposes mentioned in paragraph 6; or
  - (b) that the capacity proposed for the pipeline or part of it in the application ought to be increased for any of the purposes mentioned in paragraph 6(b) or (d).
- [F11(1A)] This paragraph does not apply to the extent that the powers conferred by regulation 7 of the Storage of Carbon Dioxide (Access to Infrastructure) Regulations 2011 are exercisable in relation to the matters mentioned in sub-paragraph (1)(a) or (b).]
- (2) Where this paragraph applies, the [F12OGA] shall, before deciding whether to issue an authorisation in consequence of the application, serve notice of [F13:its] opinion—
- (a) on the applicant; and
  - (b) where the opinion relates to an alteration of the route proposed for the pipeline or part of it on—
    - (i) any persons whom the [F12OGA] considers are likely to be affected by the alteration; or
    - (ii) any person appearing to the [F12OGA] to represent such persons.

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- (3) In any notice of [F14:its] opinion served under this paragraph the [F15:OGA] shall state the reasons for [F14:its] opinion except any reason which [F16:it] considers that it would be against the national interest to state.

#### Textual Amendments

- F7** Words in Sch. 2 para. 4(1) inserted (16.9.2011) by [The Storage of Carbon Dioxide \(Access to Infrastructure\) Regulations 2011 \(S.I. 2011/2305\), reg. 1, Sch. para. 12\(a\)](#)
- F8** Word in Sch. 2 para. 4(1) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 33\(2\)\(a\); S.I. 2016/920, reg. 2\(a\)](#)
- F9** Word in Sch. 2 para. 4(1) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 33\(2\)\(b\); S.I. 2016/920, reg. 2\(a\)](#)
- F10** Word in Sch. 2 para. 4(1) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 33\(2\)\(c\); S.I. 2016/920, reg. 2\(a\)](#)
- F11** Sch. 2 para. 4(1A) inserted (16.9.2011) by [The Storage of Carbon Dioxide \(Access to Infrastructure\) Regulations 2011 \(S.I. 2011/2305\), reg. 1, Sch. para. 12\(b\)](#)
- F12** Word in Sch. 2 para. 4(2) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 33\(3\)\(a\); S.I. 2016/920, reg. 2\(a\)](#)
- F13** Word in Sch. 2 para. 4(2) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 33\(3\)\(b\); S.I. 2016/920, reg. 2\(a\)](#)
- F14** Word in Sch. 2 para. 4(3) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 33\(4\)\(b\); S.I. 2016/920, reg. 2\(a\)](#)
- F15** Word in Sch. 2 para. 4(3) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 33\(4\)\(a\); S.I. 2016/920, reg. 2\(a\)](#)
- F16** Word in Sch. 2 para. 4(3) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 33\(4\)\(c\); S.I. 2016/920, reg. 2\(a\)](#)

- 5 (1) Where under paragraph 4 the [F17:OGA] serves on the applicant notice of [F18:its opinion it] shall give him an opportunity of being heard with respect to the opinion; and where the applicant is heard the [F17:OGA] may give such other persons, if any, as [F19:it thinks] fit an opportunity to be heard at the hearing.
- (2) Where under paragraph 4 the [F20:OGA] serves on any person other than the applicant notice of [F21:its opinion, it] shall state in the notice that representations in writing with respect to the opinion may be made to the [F20:OGA] within a period specified in the notice.

#### Textual Amendments

- F17** Word in Sch. 2 para. 5(1) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 34\(2\)\(a\); S.I. 2016/920, reg. 2\(a\)](#)
- F18** Words in Sch. 2 para. 5(1) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 34\(2\)\(b\); S.I. 2016/920, reg. 2\(a\)](#)
- F19** Words in Sch. 2 para. 5(1) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 34\(2\)\(c\); S.I. 2016/920, reg. 2\(a\)](#)
- F20** Word in Sch. 2 para. 5(2) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 34\(3\)\(a\); S.I. 2016/920, reg. 2\(a\)](#)
- F21** Words in Sch. 2 para. 5(2) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\), s. 84\(3\), Sch. 1 para. 34\(3\)\(b\); S.I. 2016/920, reg. 2\(a\)](#)

- 6 The purposes referred to in paragraph 4(1) are—

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- (a) the purpose of avoiding or reducing danger to navigation, to persons engaged in and vessels and equipment used for fishing, to some structure or apparatus (which may be the pipeline) or to marine flora or fauna;
- (b) the purpose of facilitating the use of the pipeline by persons other than the applicant where it appears to the [F22 OGA] that such persons desire to use the pipeline;
- (c) the purpose of avoiding or reducing interference with fishing or the exploitation of mineral resources;
- (d) any other purpose which the [F22 OGA] considers proper.

#### Textual Amendments

**F22** Words in Sch. 2 para. 6 substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 35; S.I. 2016/920, reg. 2(a)

- 7 Where the [F23 OGA]—
- (a) is satisfied that an applicant for a works authorisation has complied with paragraph 3; and
  - (b) has considered any representations relating to the application which were made to the [F23 OGA]—
    - (i) within the period specified in the notice published in respect of the application under paragraph 3(a);
    - (ii) at a hearing held under paragraph 5(1); and
    - (iii) in accordance with a notice served by the [F23 OGA] in respect of the application under paragraph 5(2),
- [F24:it] shall decide whether to issue an authorisation in consequence of the application.

#### Textual Amendments

**F23** Word in Sch. 2 para. 7 substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 36(a); S.I. 2016/920, reg. 2(a)

**F24** Word in Sch. 2 para. 7 substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 36(b); S.I. 2016/920, reg. 2(a)

- 8 (1) Where the [F25 OGA] decides not to issue a works authorisation in consequence of an application [F26:it] shall serve on—
- (a) the applicant; and
  - (b) each person on whom a copy of notice of the application was required to be served under paragraph 3(c),
- a notice stating the decision and, in the case of the notice served on the applicant, stating also the reasons for the decision except any reason which the [F25 OGA] considers that it would be against the national interest to state.
- (2) Where the [F27 OGA] decides to issue a works authorisation in consequence of an application [F28:it] shall—
- (a) serve notice of the decision on—
    - (i) the applicant;

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- (ii) each person mentioned in sub-paragraph (1)(b); and
  - (iii) any other person who made representations as mentioned in paragraph 7(b)(ii) or (iii); and
- (b) publish a copy of the notice in [<sup>F29</sup>such manner as it considers appropriate].

#### Textual Amendments

- F25** Word in Sch. 2 para. 8(1) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 37(2)(a); S.I. 2016/920, reg. 2(a)
- F26** Word in Sch. 2 para. 8(1) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 37(2)(b); S.I. 2016/920, reg. 2(a)
- F27** Word in Sch. 2 para. 8(2) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 37(3)(a); S.I. 2016/920, reg. 2(a)
- F28** Word in Sch. 2 para. 8(2) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 37(3)(b); S.I. 2016/920, reg. 2(a)
- F29** Words in Sch. 2 para. 8(2)(b) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 37(3)(c); S.I. 2016/920, reg. 2(a)

- 9 (1) Sub-paragraphs (2) and (3) apply where the [<sup>F30</sup>OGA] issues a works authorisation.
- (2) The [<sup>F31</sup>OGA] shall serve on the persons on whom notice in respect of the authorisation was required to be served by paragraph 8(2)(a)(ii) and (iii) a notice stating that the authorisation has been issued and containing—
- (a) the name and address of the person to whom it was issued;
  - (b) such particulars as the [<sup>F31</sup>OGA] considers appropriate of—
    - (i) the route of the pipeline;
    - (ii) its authorised capacity;
    - (iii) the things authorised to be conveyed by it; and
    - (iv) the persons authorised to use it; and
  - (c) such other information (if any) about the pipeline as the [<sup>F31</sup>OGA] considers appropriate.
- [<sup>F32</sup>(3) The OGA shall publish a copy of the notice in such manner as it considers appropriate.]

#### Textual Amendments

- F30** Word in Sch. 2 para. 9(1) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 38(2); S.I. 2016/920, reg. 2(a)
- F31** Word in Sch. 2 para. 9(2) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 38(3); S.I. 2016/920, reg. 2(a)
- F32** Sch. 2 para. 9(3) substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 38(4); S.I. 2016/920, reg. 2(a)

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## PART II

### OTHER AUTHORISATIONS

- 10 Where the [<sup>F33</sup>OGA] issues an authorisation other than a works authorisation, [<sup>F34</sup>it shall publish, in such manner as it] considers appropriate, a notice stating that the authorisation has been issued and containing—
- (a) the name and address of the person to whom it was issued;
  - (b) such particulars as the [<sup>F33</sup>OGA] considers appropriate of—
    - (i) the route and capacity of the relevant pipeline;
    - (ii) the things authorised to be conveyed by it; and
    - (iii) the persons authorised to use it; and
  - (c) such other information (if any) about the pipeline as the [<sup>F33</sup>OGA] considers appropriate.

#### Textual Amendments

- F33** Word in Sch. 2 para. 10 substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 39(a); S.I. 2016/920, reg. 2(a)
- F34** Words in Sch. 2 para. 10 substituted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), Sch. 1 para. 39(b); S.I. 2016/920, reg. 2(a)

## SCHEDULE 3

Section 49.

### TRANSITIONAL PROVISIONS AND SAVINGS

#### PART I

##### GENERAL

- 1 (1) The repeal (or revocation) and re-enactment of provisions in this Act does not affect the continuity of the law.
- (2) Any subordinate legislation made or other thing done, or having effect as if made or done, under or for the purposes of any provision repealed, or revoked, and re-enacted by this Act shall, if in force or effective immediately before the commencement of the corresponding provision of this Act, have effect thereafter as if made or done under or for the purposes of that corresponding provision.
- (3) Any reference (express or implied) in this Act or any other enactment or in any instrument or document—
- (a) to any provision of this Act, or
  - (b) to things done or falling to be done under or for the purposes of any provision of this Act,
- shall (so far as the context permits) be construed as including, in relation to times, circumstances or purposes in relation to which the corresponding provision repealed, or revoked, by this Act had effect, a reference—
- (i) to that corresponding provision, or

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- (ii) to things done or falling to be done under or for the purposes of that corresponding provision,  
as the case may be.
- (4) Any reference (express or implied) in any enactment or in any instrument or document—
- (a) to any provision repealed, or revoked, and re-enacted by this Act, or
- (b) to things done or falling to be done under or for the purposes of any such provision,  
shall (so far as the context permits) be construed as including, in relation to times, circumstances or purposes in relation to which the corresponding provision of this Act has effect, a reference—
- (i) to that corresponding provision, or
- (ii) to things done or falling to be done under or for the purposes of that corresponding provision,  
as the case may be.
- (5) Without prejudice to the generality of sub-paragraph (4), where a power conferred by an Act is expressed to be exercisable in relation to enactments contained in Acts passed before or in the same Session as the Act conferring the power, the power is also exercisable in relation to provisions of this Act which reproduce such enactments.
- (6) Sub-paragraphs (1) to (5) have effect instead of section 17(2) of the <sup>M22</sup>Interpretation Act 1978 (but are without prejudice to any other provision of that Act).

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**Marginal Citations**

**M22** 1978 c. 30.

- 2 The repeal by this Act of an enactment previously repealed subject to savings does not affect the continued operation of those savings.

## PART II

### SPECIFIC PROVISIONS

#### *Property in petroleum*

- 3 The repeal by this Act of section 1(1) of the <sup>M23</sup>Petroleum (Production) Act 1934 does not affect the vesting in Her Majesty of property in petroleum which is so vested immediately before the commencement of this Act.

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**Marginal Citations**

**M23** 1934 c. 36.

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### *Existing licences*

- 4 Nothing in section 2 or 3 shall be taken to prejudice any right conferred by any licence granted under section 2 of the Petroleum (Production) Act 1934 which is in force immediately before the commencement of this Act so long as the licence remains in force.
- 5 (1) Nothing in this Act affects the validity of the licence granted on 26th March 1923 under the <sup>M24</sup>Petroleum (Production) Act 1918 to the Duke of Devonshire relating to an area near Hardstoft in the county of Derbyshire.
- (2) Without prejudice to the generality of paragraph 1(2), that licence shall, if in force immediately before the commencement of this Act, have effect as if granted under this Act.
- (3) So long as that licence remains in force, section 2 shall not apply to petroleum which at the commencement of the Petroleum (Production) Act 1934 might lawfully be got under that licence.

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#### **Marginal Citations**

**M24** 1918 c. 52.

- 6 (1) Where, immediately before the commencement of this Act—
- (a) a person is exercising a function of a kind mentioned in clause 22 of the clauses set out in Part II of Schedule 2, or Part II of Schedule 3, to the <sup>M25</sup>Petroleum and Submarine Pipe-lines Act 1975 in connection with a licence granted under section 2 of the Petroleum (Production) Act 1934; and
- (b) by virtue of section 19(6) of the <sup>M26</sup>Petroleum and Submarine Pipe-lines Act 1975, he is deemed to be approved by the Secretary of State as respects that function in connection with that licence,
- he shall continue to be deemed to be so approved.
- (2) Any act or omission which occurred at a time before a licence was altered by virtue of section 18 of the Petroleum and Submarine Pipe-lines Act 1975 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.

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#### **Marginal Citations**

**M25** 1975 c. 74.

**M26** 1975 c. 74.

- 7 Without prejudice to paragraph 1, any reference in any enactment to a licence under the <sup>M27</sup>Petroleum (Production) Act 1934 (or under section 2 of that Act) shall (except where the context otherwise requires) include a reference to a licence granted, or treated as granted, under section 3 of this Act.

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#### **Marginal Citations**

**M27** 1934 c. 36.

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- 8 (1) In relation to any time after the commencement of this Act, section 1 of the <sup>M28</sup>Petroleum Royalties (Relief) Act 1983 and sections 1 and 2 of the <sup>M29</sup>Petroleum Royalties (Relief) and Continental Shelf Act 1989 shall have effect as if each reference (whether direct or indirect) in any of those provisions to model clauses set out in—
- (a) the Petroleum and Submarine Pipe-lines Act 1975; or
  - (b) regulations made under section 6 of the Petroleum (Production) Act 1934,
- were a reference to the corresponding model clauses set out in the order under section 5.
- (2) This paragraph is without prejudice to the generality of section 5(10).

**Marginal Citations**

**M28** 1983 c. 59.

**M29** 1989 c. 1.

*Submarine pipelines: safety regulations etc.*

- 9 Any reference in—
- (a) section 20 to Part III of this Act; or
  - (b) section 22 or 23 to regulations made under Part III of this Act,
- includes a reference to regulations made under section 26 of the Petroleum and Submarine Pipe-lines Act 1975 which are in force immediately before the commencement of this Act.
- 10 Without prejudice to the generality of paragraph 2, the repeal of Part III of the Petroleum and Submarine Pipe-lines Act 1975 shall not affect any instrument to the extent that, immediately before the commencement of this Act, it applies section 26 of the Petroleum and Submarine Pipe-lines Act 1975.
- 11 (1) The substitution by this Act of paragraph (b) of section 1(3) of the Offshore Safety Act 1992 and the repeal by this Act of the reference in paragraph (c) of that provision to section 11(2)(a) of the Petroleum Act 1987 so far as relating to safety requirements shall not affect the power conferred by section 1(2)(b) of that Act of 1992.
- (2) The substitution by this Act of paragraph (b) of Article 3(3) of the Offshore, and Pipelines, Safety (Northern Ireland) Order 1992 and the repeal by this Act of the reference in paragraph (c) of that provision to section 11(2)(a) of the Petroleum Act 1987 so far as relating to safety requirements shall not affect the power conferred by Article 3(2)(b) of that Order.

*Submarine pipelines: authorisations granted before 1st October 1982*

- 12 Where, immediately before the commencement of this Act, an authorisation granted before 1st October 1982 under Part III of the <sup>M30</sup>Petroleum and Submarine Pipe-lines Act 1975 is in force in relation to any pipeline, that pipeline shall not be regarded for the purposes of section 18(6) to (8) or 19(1) as comprising any such associated apparatus as is mentioned in section 26(1)(b).

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#### Marginal Citations

**M30** 1975 c. 74.

#### *Fatal Accidents Act 1976: deaths before 1st September 1976*

- 13 The reference in section 23(2)(a) to the <sup>M31</sup>Fatal Accidents Act 1976 includes a reference to the <sup>M32</sup>Fatal Accidents Act 1846.

#### Marginal Citations

**M31** 1976 c. 30.

**M32** 1846 c. 93.

## SCHEDULE 4

Section 50.

### CONSEQUENTIAL AMENDMENTS

#### *The Mining Industry Act 1926 (c. 28)*

- 1 At the end of section 23 of the Mining Industry Act 1926 (facilities to be given to National Environment Research Council) there shall be added—
- “(6) In subsection (1) above, the expression “minerals” includes petroleum within the meaning of Part I of the Petroleum Act 1998.”.

#### *The Continental Shelf Act 1964 (c. 29)*

- 2 (1) The Continental Shelf Act 1964 shall be amended as follows.
- (2) In section 1 (exploration and exploitation of continental shelf), subsection (3) and, in subsection (8), the words from “and “petroleum”” to the end shall be omitted.
- (3) In <sup>F35</sup>... section 7 (radioactive substances) for “section 23 of the Oil and Gas (Enterprise) Act 1982” there shall be substituted “ section 11 of the Petroleum Act 1998 ”.
- (4) At the end of section 8 (submarine cables and pipe-lines) there shall be added—
- “(1A) It is hereby declared that the reference in subsection (1) of this section to pipe-lines under the high seas includes pipe-lines under the territorial sea adjacent to the United Kingdom.”.

#### Textual Amendments

**F35** Words in *Sch. 4 para. 2(3)* repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by *Communications Act 2003 (c. 21), s. 411(2), Sch. 19(1)* Note 1 (with *Sch. 18*); *S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1* (with art. 3) (as amended by *S.I. 2003/3142, art. 1(3)*); *S.I. 2003/3142, art. 3(2)* (with art. 11)

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*The Miscellaneous Financial Provisions Act 1968 (c. 75)*

- 3 In section 2 of the Miscellaneous Financial Provisions Act 1968 (Northern Ireland and Isle of Man shares of revenue from continental shelf), in subsection (5) for the words following “under” there shall be substituted “ section 3 of the Petroleum Act 1998 by virtue of subsection (2)(b) of that section ”.

*The Prevention of Oil Pollution Act 1971 (c. 60)*

- 4 For section 23 of the Prevention of Oil Pollution Act 1971 there shall be substituted—

**“23 Power of Secretary of State to grant exemptions.**

The Secretary of State may exempt any discharge of, or of a mixture containing, oil from any of the provisions of this Act or of any regulations made thereunder, either absolutely or subject to such conditions as he thinks fit.”.

*The Finance Act 1973 (c. 51)*

F365 .....

**Textual Amendments**

**F36** Sch. 4 para. 5 repealed (with effect in accordance with s. 381(1) of the amending Act) by [Taxation \(International and Other Provisions\) Act 2010 \(c. 8\)](#), s. 381(1), [Sch. 10 Pt. 12](#) (with [Sch. 9 paras. 1-9, 22](#))

*The Offshore Petroleum Development (Scotland) Act 1975 (c. 8)*

- 6 In section 20 of the Offshore Petroleum Development (Scotland) Act 1975 (short title, interpretation and extent), in the definition of “petroleum” in subsection (2), for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.

*The Oil Taxation Act 1975 (c. 22)*

- 7 (1) The Oil Taxation Act 1975 shall be amended as follows.
- (2) In section 1 (petroleum revenue tax), in subsection (1) for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.
- (3) In section 12 (interpretation of Part I), in the definition of “licence” in subsection (1), for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.
- (4) In section 21 (citation, interpretation and construction), subsection (5) shall cease to have effect.
- (5) In Schedule 1 (determination of oil fields), in paragraph 1(2)(a) for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.

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- (6) In Schedule 2 (management and collection of petroleum revenue tax), in paragraph 2(2)(c) for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.
- (7) In Schedule 3 (petroleum revenue tax: miscellaneous provisions), in paragraph 4 for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.

PROSPECTIVE

*The Sex Discrimination Act 1975 (c. 65)*

- 8 In section 10 of the Sex Discrimination Act 1975 (employment at establishment in Great Britain), in subsection (5)—
- (a) for the words from “exploration” to “natural resources” there shall be substituted “ any activity within section 11(2) of the Petroleum Act 1998 ”; and
  - (b) after “1964” there shall be inserted “ or specified under section 10(8) of the Petroleum Act 1998 ”.

*The Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 (c. 14)*

F37F389 .....

**Textual Amendments**

- F37** Sch. 4 para. 9 repealed (S.) (15.6.2017) by [Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(asp 2\)](#), s. 42(2), **Sch. 2 para. 7**; S.S.I. 2017/155, reg. 2 (with regs. 4(2), 5)
- F38** Sch. 4 para. 9 repealed (E.W.N.I.) (15.6.2017) by [The Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1142\)](#), art. 1(2), **Sch. para. 7** (with art. 7(2)); S.S.I. 2017/155, reg. 2

PROSPECTIVE

*The Fair Employment (Northern Ireland) Act 1976 (c. 25)*

F3910 .....

**Textual Amendments**

- F39** Sch. 4 para. 10 repealed (1.3.1999) by [S.I. 1998/3162 \(N.I. 21\)](#) art. 105(4), Sch. 5 (with art. 78); [S.R. 1999/81](#), **art. 3(1)**

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PROSPECTIVE

*The Race Relations Act 1976 (c. 74)*

- 11 In the Race Relations Act 1976, in sections 8(5) (employment at establishment in Great Britain) and 9(3) (exception for seamen recruited abroad)—
- (a) for the words from “exploration” to “natural resources” there shall be substituted “ any activity within section 11(2) of the Petroleum Act 1998 ”; and
  - (b) after “1964” there shall be inserted “ or specified under section 10(8) of the Petroleum Act 1998 ”.

*The Energy Act 1976 (c. 76)*

F40 12 .....

**Textual Amendments**

**F40** Sch. 4 para. 12 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(r), [Sch. 23 para. 17\(c\)](#)

PROSPECTIVE

*The Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))*

- 13 In Article 13(5) of the Sex Discrimination (Northern Ireland) Order 1976 (employment at establishment in Northern Ireland)—
- (a) for the words from “exploration” to “natural resources” there shall be substituted “ any activity within section 11(2) of the Petroleum Act 1998 ”; and
  - (b) after “1964” there shall be inserted “ or specified under section 10(8) of the Petroleum Act 1998 ”.

*The Patents Act 1977 (c. 37)*

- 14 In section 132 of the Patents Act 1977 (application of Act), in subsection (4)—
- (a) for “section 22(5) of the Oil and Gas (Enterprise) Act 1982” there shall be substituted “ section 10(8) of the Petroleum Act 1998 ”; and
  - (b) for “section 23(2)” there shall be substituted “ section 11(2) ”.

*The Gas Levy Act 1981 (c. 3)*

- 15 In section 1 of the Gas Levy Act 1981 (gas levy), in subsection (3) for the definition of “petroleum production licence” there shall be substituted—
- ““petroleum production licence” means a licence granted under section 3 of the Petroleum Act 1998;”.

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*The Finance Act 1981 (c. 35)*

- 16 In section 118 of the Finance Act 1981 (licence payments other than royalties), in subsection (2)(c) for “section 41(3) of the Petroleum and Submarine Pipe-lines Act 1975” there shall be substituted “ section 6(1) of the Petroleum Act 1998 ”.

*The Civil Jurisdiction and Judgments Act 1982 (c. 29)*

- 17 In the Civil Jurisdiction and Judgments Act 1982, in—
- (a) paragraph 9 of Schedule 5 (proceedings excluded from Schedule 4); and
  - (b) paragraph 10 of Schedule 9 (proceedings excluded from Schedule 8),
- for “section 23 of the Oil and Gas (Enterprise) Act 1982” there shall be substituted “ section 11 of the Petroleum Act 1998 ”.

*The Petroleum Royalties (Relief) Act 1983 (c. 59)*

- 18 In section 1 of the Petroleum Royalties (Relief) Act 1983 (royalty exemption for petroleum from certain new offshore fields), in the definition of “petroleum” in subsection (3), for “the said Act of 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.

*The Telecommunications Act 1984 (c. 12)*

F41 19 .....

**Textual Amendments**

**F41** Sch. 4 para. 19 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), Sch. 19(1) Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

*The Food and Environment Protection Act 1985 (c. 48)*

- 20 After section 7 of the Food and Environment Protection Act 1985 there shall be inserted—

**“7A Application of Part II: further provisions.**

Nothing in this Part of this Act shall apply to anything done—

- (a) for the purpose of constructing or maintaining a pipeline as respects any part of which an authorisation (within the meaning of Part III of the Petroleum Act 1998) is in force; or
- (b) for the purpose of establishing or maintaining an offshore installation within the meaning of Part IV of that Act.”.

*The Oil and Pipelines Act 1985 (c. 62)*

- 21 In section 6 of the Oil and Pipelines Act 1985 (interpretation), for the definition of “petroleum” there shall be substituted—
- ““petroleum” has the same meaning as in Part I of the Petroleum Act 1998;”.

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*The Gas Act 1986 (c. 44)*

F42 22 .....

**Textual Amendments**

**F42** Sch. 4 para. 22 repealed (1.3.2005) by [The Competition Act 1998 \(Transitional, Consequential and Supplemental Provisions\) Order 2000 \(S.I. 2000/311\)](#), arts. 1, **34**

*The Petroleum Act 1987 (c. 12)*

23 In section 24 of the Petroleum Act 1987 (safety zones: supplementary), in subsection (1)(b) for “section 33 of the Petroleum and Submarine Pipe-lines Act 1975” there shall be substituted “ section 26 of the Petroleum Act 1998 ”.

*The Territorial Sea Act 1987 (c. 49)*

24 In section 2 of the Territorial Sea Act 1987 (enactments and instruments not affected), in subsection (4)—

- (a) in paragraph (a), after “1934” there shall be inserted “ or section 4 of the Petroleum Act 1998 ”; and
- (b) in paragraph (b), after “1934” there shall be inserted “ or Part I of the said Act of 1998 ” and for “that section” there shall be substituted “ either of those sections ”.

*The Income and Corporation Taxes Act 1988 (c. 1)*

F43 25 .....

**Textual Amendments**

**F43** Sch. 4 para. 25 repealed: (with effect in accordance with s. 381(1) of the amending Act) by [Taxation \(International and Other Provisions\) Act 2010 \(c. 8\)](#), s. 381(1), **Sch. 10 Pt. 6** (with Sch. 9 paras. 1-9, 22) and (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), **Sch. 3 Pt. 2** (with Sch. 2)

*The Petroleum Royalties (Relief) and Continental Shelf Act 1989 (c. 1)*

26 In section 1 of the Petroleum Royalties (Relief) and Continental Shelf Act 1989 (royalty exemption: Southern Basin and landward areas), in the definition of “petroleum” in subsection (3), for “the said Act of 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.

*The Capital Allowances Act 1990 (c. 1)*

F44 27 .....

**Textual Amendments**

**F44** Sch. 4 para. 27 repealed (22.3.2001 with effect as mentioned in s. 579(1)) by [2001 c. 2](#), s. 580, **Sch. 4**

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*The Food Safety Act 1990 (c. 16)*

- 28 In section 58 of the Food Safety Act 1990 (territorial waters and the continental shelf)—
- (a) in subsection (2) for “section 23 of the Oil and Gas (Enterprise) Act 1982” there shall be substituted “ section 11 of the Petroleum Act 1998 ”;
  - (b) in the definition of “installation” in subsection (4), for “section 23” there shall be substituted “ section 11 ”.

*The Aviation and Maritime Security Act 1990 (c. 31)*

- 29 In section 14 of the Aviation and Maritime Security Act 1990 (ancillary offences), in subsection (3) for “section 22 of the Oil and Gas (Enterprise) Act 1982” there shall be substituted “ section 10 of the Petroleum Act 1998 ”.

*The Social Security Contributions and Benefits Act 1992 (c. 4)*

- 30 In section 120 of the Social Security Contributions and Benefits Act 1992 (employment at sea: continental shelf operations), in subsection (2) for “subsection (6) of section 23 of the Oil and Gas (Enterprise) Act 1982” there shall be substituted “ subsection (8) of section 11 of the Petroleum Act 1998 ”.

*The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)*

- 31 In section 166 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (special classes of persons), in subsection (3) for “section 23 of the Oil and Gas (Enterprise) Act 1982” there shall be substituted “ section 11 of the Petroleum Act 1998 ”.

*The Taxation of Chargeable Gains Act 1992 (c. 12)*

- 32 (1) The Taxation of Chargeable Gains Act 1992 shall be amended as follows.
- (2) In section 193 (roll-over relief not available for gains on oil licences), in subsection (1) for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.
  - (3) In section 196 (interpretation of sections 194 and 195), in the definitions of “oil” and “overseas petroleum” in subsection (5), for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.
  - (4) In Schedule 3 (assets held on 31st March 1982), in paragraph 7(2)(c) for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.

*The Offshore Safety Act 1992 (c. 15)*

- 33 (1) The Offshore Safety Act 1992 shall be amended as follows.
- (2) In section 1 (application of Part I of Health and Safety at Work etc. Act 1974 for offshore purposes)—
    - (a) in subsection (3), for paragraph (b) there shall be substituted—

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- “(b) sections 20 and 25 of the Petroleum Act 1998;”, and in paragraph (c) the words from “section” to “requirements and” shall be omitted;
- (b) in subsection (4), for the definitions of “pipe-line” and “pipe-line works” there shall be substituted—
- ““pipe-line” means, subject to subsection (4A), a controlled pipeline within the meaning of Part III of the Petroleum Act 1998; and
- “pipe-line works” means works of any of the following kinds, namely—
- (a) assembling or placing a pipe-line or length of pipe-line;
- (b) inspecting, testing, maintaining, adjusting, repairing, altering or renewing a pipe-line or length of pipe-line;
- (c) changing the position of or dismantling or removing a pipe-line or length of pipe-line;
- (d) opening the bed of the sea for the purposes of works mentioned in paragraphs (a) to (c), tunnelling or boring for those purposes and other works needed for or incidental to those purposes;
- (e) works for the purpose of determining whether a place is suitable as part of the site of a proposed pipe-line and the carrying out of surveying operations for the purpose of settling the route of a proposed pipe-line.”;
- (c) after subsection (4) there shall be inserted—
- “(4A) In this section “pipe-line” does not include—
- (a) any pipe-line so far as it forms part of the equipment of a vessel or vehicle; or
- (b) any apparatus and works associated with a pipe or system of pipes and prescribed for the purpose of this paragraph by regulations made by the Secretary of State.
- (4B) A statutory instrument containing regulations made by virtue of subsection (4A) shall be subject to annulment in pursuance of a resolution of either House of Parliament; and section 25 of the Petroleum Act 1998 shall apply in relation to any such regulations as it applies in relation to regulations under section 20 of that Act.”; and
- (d) in subsection (5), paragraph (b) and, in paragraph (c), the words “16(1) or” shall be omitted and at the end of paragraph (c) there shall be inserted—
- “; or
- (d) section 14(2) or 45 of the Petroleum Act 1998.”.
- (3) In section 3 (consequential provisions), in subsections (2)(b) and (4) for “section 2 of the Petroleum (Production) Act 1934” there shall be substituted “ section 3 of the Petroleum Act 1998 ”.
- (4) In section 5 (directions for preserving security of petroleum and petroleum products), in the definition of “petroleum” in subsection (7), for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.

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PROSPECTIVE

*The Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)*

34 (1) Section 287 of the Trade Union and Labour Relations (Consolidation) Act 1992 (offshore employment) shall be amended as follows.

(2) For subsection (1) there shall be substituted—

“(1) In this Act “offshore employment” means employment for the purposes of—

- (a) any activities in the territorial sea adjacent to the United Kingdom, and
- (b) any such activities as are mentioned in section 11(2) of the Petroleum Act 1998 in waters within subsection (8)(b) or (c) of that section.”.

(3) Subsection (5) shall be omitted.

*The Offshore, and Pipelines, Safety (Northern Ireland) Order 1992 (S.I. 1992/1728 (N.I. 17))*

35 In Article 3 of the <sup>M33</sup>Offshore, and Pipelines, Safety (Northern Ireland) Order 1992 (application of Part II of the Health and Safety at Work (Northern Ireland) Order 1978 for offshore purposes)—

(a) in paragraph (3), for sub-paragraph (b) there shall be substituted—

“(b) sections 20 and 25 of the Petroleum Act 1998;”, and in sub-paragraph (c) the words from “section” to “requirements and” shall be omitted;

(b) in paragraph (4), for the definitions of “pipe-line” and “pipe-line works” there shall be substituted—

““pipe-line” means, subject to paragraph (4A), a controlled pipeline within the meaning of Part III of the Petroleum Act 1998; and

“pipe-line works” means works of any of the following kinds, namely—

- (a) assembling or placing a pipe-line or length of pipe-line;
- (b) inspecting, testing, maintaining, adjusting, repairing, altering or renewing a pipe-line or length of pipe-line;
- (c) changing the position of or dismantling or removing a pipe-line or length of pipe-line;
- (d) opening the bed of the sea for the purposes of works mentioned in paragraphs (a) to (c), tunnelling or boring for those purposes and other works needed for or incidental to those purposes;
- (e) works for the purpose of determining whether a place is suitable as part of the site of a proposed pipe-line and the carrying out of surveying operations for the purpose of settling the route of a proposed pipe-line.”;

(c) after paragraph (4) there shall be inserted—

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- “(4A) Subsections (4A) and (4B) of section 1 of the Offshore Safety Act 1992 apply in relation to the definition of “pipe-line” in paragraph (4) as they apply in relation to the definition of “pipe-line” in subsection (4) of that section but as if the reference in subsection (4A) to that section were a reference to this Article.”; and
- (d) in paragraph (5), sub-paragraph (b) and, in sub-paragraph (c), the words “16(1) or” shall be omitted and at the end of sub-paragraph (c) there shall be inserted—
- “; or
- (d) section 14(2) or 45 of the Petroleum Act 1998.”.

**Marginal Citations**

**M33** [S.I. 1978/1039 \(N.I. 9\)](#).

*The Finance Act 1993 (c. 34)*

- 36 In section 94A of the Finance Act 1993 (parts of trades: petroleum extraction companies), in subsection (3)(a) for “the Petroleum (Production) Act 1934” there shall be substituted “ Part I of the Petroleum Act 1998 ”.

*The Pension Schemes Act 1993 (c. 48)*

- 37 In section 165 of the Pension Schemes Act 1993 (application of certain provisions to cases with foreign element), in the definition of “continental shelf operations” in subsection (8), for “subsection (6) of section 23 of the Oil and Gas (Enterprise) Act 1982” there shall be substituted “ subsection (8) of section 11 of the Petroleum Act 1998 ”.

*The Coal Industry Act 1994 (c. 21)*

- 38 (1) The Coal Industry Act 1994 shall be amended as follows.
- (2) In section 3 (duties of the Coal Authority with respect to property), in subsection (6) for “section 2 of the Petroleum (Production) Act 1934” there shall be substituted “ section 3 of the Petroleum Act 1998 ”.
- (3) In section 9 (exploitation rights: oil and gas)—
- (a) in subsection (1) for “section 10(2) of the Petroleum (Production) Act 1934” there shall be substituted “ section 9(1) of the Petroleum Act 1998 ”;
- (b) in subsection (1)(b) for “section 2 of that Act of 1934” there shall be substituted “ section 3 of that Act of 1998 ”; and
- (c) in subsection (4) after “section 2 of the Petroleum (Production) Act 1934” there shall be inserted “ or section 3 of the Petroleum Act 1998 ”.
- (4) In section 57 (public access to information held by the Coal Authority), in subsection (4)(a)(ii) for “section 2 of the Petroleum (Production) Act 1934” there shall be substituted “ section 3 of the Petroleum Act 1998 ”.

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*The Merchant Shipping Act 1995 (c. 21)*

- 39 In section 293 of the Merchant Shipping Act 1995 (functions of Secretary of State in relation to marine pollution), in the definition of “pipeline” in subsection (5), for “the Petroleum and Submarine Pipelines Act 1975” there shall be substituted “ the Petroleum Act 1998 ”.

PROSPECTIVE

*The Employment Rights Act 1996 (c. 18)*

- 40 (1) Section 201 of the Employment Rights Act 1996 shall be amended as follows.
- (2) For subsection (1) there shall be substituted—
- “(1) In this section “offshore employment” means employment for the purposes of—
- (a) any activities in the territorial sea adjacent to the United Kingdom, or
- (b) any such activities as are mentioned in section 11(2) of the Petroleum Act 1998 in waters within subsection (8)(b) or (c) of that section.”.
- (3) Subsection (5) shall be omitted.

*The Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I. 6))*

- 41 In Article 69(2) of the Race Relations (Northern Ireland) Order 1997 (power to amend certain provisions of Order)—
- (a) in sub-paragraph (a) for “section 23(2) of the Oil and Gas (Enterprise) Act 1982” there shall be substituted “ section 11(2) of the Petroleum Act 1998 ”; and
- (b) in sub-paragraph (b) for “section 22(5) of the Oil and Gas (Enterprise) Act 1982” there shall be substituted “ section 10(8) of the Petroleum Act 1998 ”.

SCHEDULE 5

Section 51.

REPEALS AND REVOCATIONS

**Commencement Information**

- II** Sch. 5 partly in force; Sch. 5 not in force at Royal Assent see s. 52(4); Sch. 5 in force for certain purposes at 15.2.1999 by S.I. 1999/161, art. 2(1)(2)(b)

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## PART I

### REPEALS

<b>Chapter</b>	<b>Short title</b>	<b>Extent of repeal</b>
1934 c. 36.	The Petroleum Production Act 1934.	The whole Act.
1954 c. 70.	The Mines and Quarries Act 1954.	In Schedule 4, the paragraph relating to the Petroleum (Production) Act 1934.
1964 c. 29.	The Continental Shelf Act 1964.	In section 1, subsection (3) and, in subsection (8), the words from “and “petroleum”” to the end.
1966 c. 4.	The Mines (Working Facilities and Support) Act 1966.	Section 15(5).  Schedule 2.
1975 c. 22.	The Oil Taxation Act 1975.	Section 21(5).
1975 c. 74.	The Petroleum and Submarine Pipe-lines Act 1975.	The whole Act.
1976 c. 30.	The Fatal Accidents Act 1976.	In Schedule 1, in paragraph 2(2), the reference to section 30(1) of the Petroleum and Submarine Pipe-lines Act 1975.
1978 c. 46.	The Employment (Continental Shelf) Act 1978.	The whole Act.
1982 c. 23.	The Oil and Gas (Enterprise) Act 1982.	The whole Act except sections 24, 26, 31, 37 and 38 and, in Schedule 3, paragraphs 1, 3, 4, 8 (so far as relating to sections 3 and 9 of the Mineral Workings (Offshore Installations) Act 1971), 11, 34, 37 and 39.
1984 c. 12.	The Telecommunications Act 1984.	Section 107(3).
1985 c. 48.	The Food and Environment Protection Act 1985.	Section 15(4)(b).
1987 c. 12.	The Petroleum Act 1987.	Parts I and II.  Section 24(4) to (6).  Section 28.

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		Section 31(2)(a). Schedules 1 and 2.
1987 c. 21.	The Pilotage Act 1987.	In Schedule 2, paragraph 5.
1987 c. 49.	The Territorial Sea Act 1987.	In Schedule 1, paragraph 7(1) and (2).
1992 c. 15.	The Offshore Safety Act 1992.	In section 1, in subsection (3) (c), the words from “section” to “requirements and” and, in subsection (5), paragraph (b) and, in paragraph (c), the words “16(1) or”.
		Section 3(1)(c) and (d).
1992 c. 52.	The Trade Union and Labour Relations (Consolidation) Act 1992.	Section 287(5).
		In Schedule 2, paragraph 29.
1995 c. 7.	The Requirements of Writing (Scotland) Act 1995.	In Schedule 4, paragraphs 48 and 50.
1995 c. 21.	The Merchant Shipping Act 1995.	In Schedule 13, paragraph 65.
1995 c. 40.	The Criminal Procedure (Consequential Provisions) (Scotland) Act 1995.	In Schedule 4, paragraph 40.
1996 c. 18.	The Employment Rights Act 1996.	Section 201(5).
		In Schedule 1, paragraph 18.

## PART II

### REVOCATIONS

Number	Title	Extent of revocation
S.I. 1977/1251 (N.I. 18).	The Fatal Accidents (Northern Ireland) Order 1977.	In Schedule 1, paragraph 8.
S.I. 1992/1972 (N.I. 17).	The Offshore, and Pipelines, Safety (Northern Ireland) Order 1992.	In Article 3, in paragraph (3) (c), the words from “section” to “requirements and” and, in paragraph (5), subparagraph (b) and, in subparagraph (c), the words “16(1) or”.
		Article 5(1)(b).

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S.I. 1993/1823.	The Offshore Safety (Repeals and Modifications) Regulations 1993.	Regulation 4(3).
S.R. (N.I.) 1993 No. 384.	The Offshore Safety (Repeals and Modifications) Regulations (Northern Ireland) 1993.	Regulation 4(2).
S.I. 1997/2703.	The Section 7 of the Petroleum (Production) Act 1934 and Section 2(1)(a) of the Petroleum Act 1987 (Modification) Regulations 1997.	The whole instrument.
S.R. (N.I.) 1997 No. 528.	The Section 2(1)(a) of the Petroleum Act 1987 (Modification) Regulations (Northern Ireland) 1997.	The whole instrument.

PROSPECTIVE

#### TABLE OF DERIVATIONS

Notes:

1. This Table shows the derivation of the provisions of the Act.
2. The following abbreviations are used in the Table:—

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#### *Acts of Parliament*

1934	= The Petroleum (Production) Act 1934 (c.36)
1964	= The Continental Shelf Act 1964 (c.29)
1975	= The Petroleum and Submarine Pipe-lines Act 1975 (c.74)
1982	= The Oil and Gas (Enterprise) Act 1982 (c.23)
1987	= The Petroleum Act 1987 (c.12)
1992	= The Offshore Safety Act 1992 (c.15)

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#### *Subordinate legislation*

*Changes to legislation: Petroleum Act 1998 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

1992 N.I.	= The Offshore, and Pipelines, Safety (Northern Ireland) Order 1992 (S.I. 1992/1728 (N.I. 17))
1993	= The Offshore Safety (Repeals and Modifications) Regulations 1993 (S.I. 1993/1823)
1993 N.I.	= The Offshore Safety (Repeals and Modifications) Regulations (Northern Ireland) 1993 (S.R. (N.I.) 1993 No.384)
1995	= The Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 (S.I. 1995/738)
1995 N.I.	= The Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995 (S.R. (N.I.) 1995 No.340)
<p>3. The functions of the Board of Trade under 1934 were transferred to the Minister of Fuel and Power by the Ministers of the Crown (Minister of Fuel and Power) Order 1942 (S.R. &amp; O. 1942 No. 1132) Art.2(1)(a) and the Ministry of Fuel and Power Act 1945 (c. 19) s.1.</p> <p>4. The style and title of the Minister of Fuel and Power was changed to “the Minister of Power” by the Minister of Fuel and Power (Change of Style and Title) Order 1957 (S.I. 1957/48) Art.1.</p> <p>5. The functions of the Minister of Power under 1934 were transferred to the Minister of Technology by the Minister of Technology Order 1969 (S.I. 1969/1498) Art.2(1).</p> <p>6. The functions of the Minister of Technology under 1934 were transferred to the Secretary of State by the Secretary of State for Trade and Industry Order 1970 (S.I. 1970/1537) Art.2(2).</p> <p>7. The functions of the Minister for the Civil Service under section 27 of 1975 were transferred to the Treasury by the Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670) Art.2(1).</p> <p>8. The functions of the Treasury under section 27 of 1975 were transferred to the Minister for the Civil Service under the Treasury and Minister for the Civil Service) Order 1995 (S.I. 1995/269) Art.2(1).</p>	
<b>Provision</b>	<b>Derivation</b>
1	1934 s.1(4)
2(1)	1934 s.1(1); 1982 s.18(1).
(2), (3)	1934 s.1(2); 1982 s.18(1).
(4)	1934 s.1(3); 1982 s.18(1); drafting.
3(1)	1934 s.2(1); 1982 s.18(3).
(2)	1934 s.2(1); 1964 s.1(3).
(3)	1934 s.2(2).
(4)	Drafting.

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4(1)(a)	1934 s.6(1)(a).
(b)	Drafting.
(c) to (e)	1934 s.6(1)(b) to (d).
(2)	1934 s.6(1).
(3)	1934 s.6(2); Statutory Instruments Act 1946 (c.36) s.5(2).
(4)	1934 s.2(3).
(5)	1975 s.19(2).
5	Drafting.
6(1)	1975 s.41(3).
(2)	1982 s.30(1).
(3)	1975 s.41(3).
7(1)	1934 s.3(1); Mines (Working Facilities and Support) Act 1966 (c.4) Sch.2 para.1(a); 1987 s.19(2).
(2)	1934 s.3(1)(a).
(3)	1934 s.3(1)(b); Mines (Working Facilities and Support) Act 1966 (c.4) Sch.2 para.1(b).
(4)	1934 s.3(2); Railway and Canal Commission (Abolition) Act 1949 (c.11) s.1(1).
8	1934 s.7; Section 7 of the Petroleum (Production) Act 1934 and Section 2(1)(a) of the Petroleum Act 1987 (Modification) Regulations 1997 (S.I. 1997/2703) reg.2.
9(1), (2)	1934 s.10(2), (3).
(3)	1975 s.19(5).
10(1)	1982 s.22(1).
(2), (3)	1982 s.22(2).
(4) to (6)	1982 s.22(3) to (3B); 1987 s.24(5).
(7), (8)	1982 s.22(4), (5).
(9)	1982 s.22(6); Territorial Sea Act 1987 (c.49) Sch.1 para.7(1).
(10)	1982 s.22(7).
(11)	1982 s.32(2).
11(1) to (5)	1982 s.23 (1) to (5).
(6)	1982 s.22(7).
(7)	1982 s.32(2).
(8)	1982 s.23(6).

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12(1)	1982 s.27(1)(a), (c).
(2)	1982 s.27(2); 1987 s.13(7); Merchant Shipping Act 1995 (c.21) Sch.13 para.65(1); Interpretation Act 1978 (c.30) s.17(2); 1992 s.3(1)(d); 1992 N.I. Art.5(1)(b); Value Added Tax Act 1994 (c.23) Sch.13 para.1(3).
(3)	1982 s.27(3), (4).
(4)	1982 s.27(5).
(5)	1982 s.27(6); 1992 s.3(1)(d); 1992 N.I. Art.5(1)(b); 1993 reg.6; 1993 N.I. reg.6; drafting.
13	1982 s.28(1).
14(1)	1975 s.20(1); Petroleum and Submarine Pipe-lines Act 1975 (Commencement) Order 1975 (S.I. 1975/2120).
(2)	1975 s.20(2).
15(1) to (4)	1975 s.21(1) to (4).
(5) to (8)	1975 s.21(5).
16(1), (2)	1975 s.22(1); 1982 s.25(2).
(3), (4)	1975 s.22(2), (3).
17(1), (2)	1975 s.23(1).
(3), (4)	1975 s.23(2).
(5)	1975 s.23(3); 1982 s.25(3).
(6)	1975 s.23(3).
(7) to (9)	1975 s.23(4) to (6).
18(1)	1975 s.24(1).
(2) to (4)	1975 s.24(2).
(5)	1975 s.24(3).
(6) to (8)	1975 s.24(4).
(9)	1975 s.24(5).
19(1)	1975 s.25(1).
(2), (3)	1975 s.25(2).
20(1)	1975 s.27(1).
(2)	1975 s.27(2).
(3)	1975 s.27(2A); 1993 reg.5(3).
(4)	1993 N.I. reg.5(3).
(5)	1975 s.46(1).

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21(1)	1975 s.28(1); Interpretation Act 1978 (c.30) Sch.1; Magistrates' Courts Act 1980 (c.43) s.32(2); Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40) sch.1 para.2; Criminal Procedure (Scotland) Act 1995 (c.46) s.225(8); Fines and Penalties (Northern Ireland) Order 1984 (S.I. 1984/703 (N.I.3)) Art.4(1).
(2)	1975 s.28(2)(a).
(3) to (5)	1975 s.28(3) to (5).
22(1)	1975 s.29(1); drafting.
(2), (3)	1975 s.29(2).
(4)	1992 s.3(1)(c); 1992 N.I. Art.5(1)(a).
(5)	1975 s.29(3).
(6), (7)	1975 s.29(4).
(8), (9)	1975 s.29(5), (6).
23(1), (2)	1975 s.30(1); Fatal Accidents Act 1976 (c.30) Sch.1 para.2; Fatal Accidents (Northern Ireland) Order 1977 (S.I. 1977/1251 (N.I. 18)) Sch.1 para.8.
(3) to (6)	1975 s.30(2) to (5).
24(1), (2)	1975 s.31(1), (2).
(3), (4)	1975 s.31(3).
(5)	1975 s.46(1).
25(1), (2)	1975 s.32(1), (2).
(3)	1975 s.32(3); Criminal Justice Act 1988 (c.33) s.51(4); Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40) Sch.1 para.7; Criminal Justice (Northern Ireland) Order 1994 (S.I. 1994/2795 (N.I.15)) Art.6(4).
(4)	1975 s.32(4).
(5)	1975 s.32(4); 1993 reg.4(3).
(6)	1993 N.I. reg.4(3).
(7) to (10)	1975 s.46(1); drafting.
26(1), (2)	1975 s.33(1); 1982 s.25(1).
(3)	1975 s.33(2).
27	1975 s.33(3).
28(1)	1975 s.33(5), s.48(1).
(2), (3)	1975 s.33(6), (7).

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(4), (5)	1975 s.48(2).
(6), (7)	1975 s.48(3).
29	1987 s.1.
30(1) to (4)	1987 s.2(1) to (4).
(5) to (7)	Mineral Workings (Offshore Installations) Act 1971 (c.61) s.12(2), (3); 1982 Sch.3 para.11(2).
(8), (9)	1987 s.2(5), (6)
31	1987 s.3(2) to (7).
32	1987 s.4.
33	1987 s.5.
34	1987 s.6.
35	1987 s.7.
36	1987 s.8.
37	1987 s.9.
38	1987 s.10.
39	1987 s.11.
40	1987 s.12.
41	1987 s.13.
42	1987 s.14.
43	1987 s.15.
44	1987 s.16(1); Mineral Workings (Offshore Installations) Act 1971 (c.61) s.1; 1982 s.24; drafting.
45	1987 s.16(1).
46	1982 s.29.
47	1975 s.42.
48(1)	Mineral Workings (Offshore Installations) Act 1971 (c.61) s.1(4); 1982 ss.24(1), 28(1); Territorial Sea Act 1987 (c.49) Sch.1 paras.2, 7.
(2)	Drafting.
(3)	1975 s.33(9); 1982 s.28(2); 1987 s.16(2); drafting.
49 to 51	
52(1)	
(2)	1982 s.38(2).
(3), (4)	

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(5)	1982 s.32(1); drafting.
53	
Sch. 1	Drafting.
Sch. 2	
para.1(1), (2)	1975 Sch.4 para.1.
(3)	1975 s.46(1).
para.2, 3	1975 Sch.4 para.2, 3.
para.4(1), (2)	1975 Sch.4 para.4.
(3)	1975 Sch.4 para.6.
para.5 to 10	1975 Sch.4 para.5 to 10.
Sch. 3	
para.1, 2	Drafting.
para.3	1934 s.1(1); 1982 s.18(1).
para.4	Drafting.
para.5(1), (2)	1934 s.11(2) proviso.
(3)	1934 s.1(3); 1982 s.18(1).
para.6(1)	1975 s.19(6).
(2)	1975 s.19(3).
para.7, 8	Drafting.
para.9	1993 reg.6(1); 1993 N.I. reg.6(1).
para.10, 11	Drafting.
para.12	1982 s.25(4).
para.13	Fatal Accidents Act 1976 (c.30) Sch.1 para.2.
Sch. 4	
para.1	1934 s.9.
para.2(1), (2)	Drafting.
(3)	1982 Sch.3 para.2.
(4)	1975 s.45(1).
para.3	
para.4	1975 s.45(2).
para.5 to 7	
para.8	1982 Sch.3 para.24.
para.9	
para.10, 11	1982 Sch.3 para.35, 36.

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para.12	
para.13	1982 Sch.3 para.38.
para.14 to 19	
para.20	1975 s.45(3).
para.21 to 33	
para.34	Trade Union and Labour Relations (Consolidation) Act 1992 (c.52) Sch.2 para.29.
para.35 to 39	
para.40	Employment Rights Act 1996 (c.18) Sch.1 para.18.
para.41	
Sch. 5	1982 Sch.4 (repeal of Employment (Continental Shelf) Act 1978 (c.46)); remainder drafting.

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**Changes and effects yet to be applied to :**

- s. 17H(1) words repealed by [2004 c. 20 Sch. 23 Pt. 1](#)
- s. 17H(4) words repealed by [2004 c. 20 Sch. 23 Pt. 1](#)
- s. 27(1A) words repealed by [2004 c. 20 Sch. 23 Pt. 1](#)
- s. 28(1) words repealed by [2004 c. 20 Sch. 23 Pt. 1](#)
- s. 29(5) omitted by [2023 c. 52 s. 299\(4\)](#)
- s. 33(4) words substituted by [2023 c. 52 s. 299\(5\)](#)
- s. 34(4) words omitted by [2023 c. 52 s. 299\(6\)](#)
- s. 39(2)(e) omitted by [2023 c. 52 s. 299\(7\)\(a\)](#)
- s. 39(5) words omitted by [2023 c. 52 s. 299\(7\)\(b\)](#)