



Petroleum Act 1998

1998 CHAPTER 17

PART II

OFFSHORE ACTIVITIES

12 Prosecutions.

- (1) Subject to subsection (2), this subsection applies to—
 - (a) any offence alleged to have been committed on, under or above an installation in waters to which section 10 applies or any waters within 500 metres of such an installation; and
 - (b) any offence committed on or as respects an aircraft which is not registered in the United Kingdom which is an offence created by virtue of paragraph 6(5) of Part III of Schedule 13 to the ^{M1}Civil Aviation Act 1982.
- (2) Subsection (1) does not apply to any offence to which subsection (5) applies nor to any offence under, or under any provision which has effect under—
 - (a) the Customs and Excise Acts 1979, or any enactment to be construed as one with those Acts or any of them;
 - (b) except where it is created by virtue of paragraph 6(5) of Part III of Schedule 13 to the Civil Aviation Act 1982, that Act or any enactment to be construed as one with that Act;
 - (c) the ^{M2}Pilotage Act 1987;
 - (d) the ^{M3}Value Added Tax Act 1994 or any enactment to be construed as one with that Act;
 - (e) the ^{M4}Merchant Shipping Act 1995; or
 - (f) Part III or IV of this Act.
- (3) No proceedings for an offence to which subsection (1) applies shall be instituted—
 - (a) in England and Wales, except by or with the consent of the Director of Public Prosecutions unless prosecution of the offence there requires the consent of the Attorney General;

Changes to legislation: There are currently no known outstanding effects for the Petroleum Act 1998, Section 12. (See end of Document for details)

- (b) in Northern Ireland, except by or with the consent of the Director of Public Prosecutions for Northern Ireland unless prosecution of the offence there requires the consent of the Attorney General for Northern Ireland.
- (4) Section 3 of the ^{M5}Territorial Waters Jurisdiction Act 1878 (restriction on prosecutions) shall not apply to any proceedings for an offence to which subsection (1) or (5) applies.
- (5) This subsection applies to—
- (a) any offence under section 23 of the ^{M6}Petroleum Act 1987 (safety zones); and
 - (b) any offence under any provision made under the ^{M7}Mineral Workings (Offshore Installations) Act 1971 which has effect by virtue of—
 - (i) paragraph (1) of regulation 6 (savings) of the ^{M8}Offshore Safety (Repeals and Modifications) Regulations 1993; or
 - (ii) paragraph (1) of regulation 6 (savings) of the ^{M9}Offshore Safety (Repeals and Modifications) Regulations (Northern Ireland) 1993.

Marginal Citations

- M1** 1982 c. 16.
M2 1987 c. 21.
M3 1994 c. 23.
M4 1995 c. 21.
M5 1878 c. 73.
M6 1987 c. 12.
M7 1971 c. 61.
M8 S.I. 1993/1823.
M9 S.R. (N.I.) 1993 No. 384.

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