



# Petroleum Act 1998

## 1998 CHAPTER 17

### PART IV

#### ABANDONMENT OF OFFSHORE INSTALLATIONS

#### **31 Section 29 notices: supplementary provisions.**

[<sup>F1</sup>(A1) The Secretary of State may not give a notice under section 29(1) in relation to an offshore installation to a person (“P”) who, in relation to the installation, falls within paragraph (b) or (c) of section 30(1), if—

- (a) P is not entitled to derive, and never has been entitled to derive, any financial or other benefit from any activity within section 30(6)—
  - (i) which has been or is carried on (or is intended to be carried on) from, by means of or on the installation, and
  - (ii) is an activity to which subsection (B1) applies, and
- (b) P is not, and never has been, a person within section 30(1)(a), (ba), (d) or (e) in relation to the installation.

(B1) This subsection applies to an activity if—

- (a) where the activity is the exploitation or exploration of mineral resources, it relates to an oil field for which the installation is or is to be established or maintained;
- (b) where the activity is the conveyance of minerals, the minerals are got, or to be got, from such an oil field;
- (c) where the activity is the unloading, storage or recovery of gas, it relates to a controlled place (within the meaning of Chapter 2 or 3 of Part 1 of the Energy Act 2008) for which the installation is or is to be established or maintained;
- (d) where the activity is the conveyance of gas being stored or recovered, the storage or recovery of the gas relates to such a controlled place;
- (e) where the activity is within section 30(6)(c)—
  - (i) the installation is in an oil field in respect of which P has an interest, or
  - (ii) the installation is in a controlled place in respect of which P has a licence under Part 1 of the Energy Act 2008.

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*Changes to legislation: There are currently no known outstanding effects  
for the Petroleum Act 1998, Section 31. (See end of Document for details)*

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- (C1) For the purposes of subsection (B1)—
- (a) “oil field” means an area which the appropriate authority (within the meaning of paragraph 1(2) of Schedule 1 to the Oil Taxation Act 1975) has determined to be an oil field for the purposes of Part 1 of that Act,
  - (b) P has an interest in an oil field if P is entitled to derive, or has at any time been entitled to derive, any financial or other benefit from activities within section 30(6) (other than paragraph (c)) carried on in the field.
- (D1) The Secretary of State may not give a notice under section 29(1) in relation to an offshore installation to a body corporate if—
- (a) the body corporate falls within paragraph (e) of section 30(1) (and no other paragraph of that section), and
  - (b) the body corporate falls within that paragraph by reason only that it is associated (within the meaning given by section 30(8)) with a person to whom the Secretary of State may not give a notice in relation to the installation by virtue of subsection (A1).]
- (1) Subject to subsection (3), the Secretary of State shall not give a notice under section 29(1) in relation to an offshore installation to a person within paragraph <sup>F2</sup>... (e) of section 30(1) if the Secretary of State has been and continues to be satisfied that adequate arrangements (including financial arrangements) have been made by a person or persons within paragraph (a), (b) or (c) to ensure that a satisfactory abandonment programme will be carried out.
  - (2) Subject to subsection (3), the Secretary of State shall not give a notice under section 29(1) in relation to a submarine pipeline to a person within paragraph (b) or (c) of section 30(2) if the Secretary of State has been and continues to be satisfied that adequate arrangements (including financial arrangements) have been made by a person or persons within paragraph (a) to ensure that a satisfactory abandonment programme will be carried out.
  - (3) Subsections (1) and (2) shall not apply if there has been a failure to comply with a notice under section 29(1) or if the Secretary of State has rejected a programme submitted in compliance with such a notice.
  - (4) The Secretary of State shall not give a notice to a person under section 29(1) without first giving him an opportunity to make written representations as to whether the notice should be given.
  - (5) Where the Secretary of State has given a notice under section 29(1) in relation to an installation or a pipeline, he may at any time before the programme required by it is submitted withdraw the notice or give (subject to the preceding provisions of this section) a further notice under section 29(1) (whether in substitution for or in addition to any notice already given); and if he does so he shall inform the recipients of any other notices which have been given in relation to that installation or pipeline and not withdrawn.
  - (6) Neither the withdrawal of a notice given under section 29(1) nor the giving of a further notice shall relieve the recipient of any other notice of his duty to submit a programme (jointly, in a case where more than one notice is given and not withdrawn, with the recipients of the other notices).

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*Changes to legislation: There are currently no known outstanding effects for the Petroleum Act 1998, Section 31. (See end of Document for details)*

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**Textual Amendments**

- F1** Ss. 31(A1)-(D1) inserted (26.1.2009) by [Energy Act 2008 \(c. 32\)](#), **ss. 72(7)**, 110(2); S.I. 2009/45, art. 2(b)(i)
- F2** Words in s. 31(1) repealed (26.1.2009) by [Energy Act 2008 \(c. 32\)](#), s. 110(2), Sch. 5 para. 9, **Sch. 6**; S.I. 2009/45, art. 2(e)(cc)(iv)(vi)

**Modifications etc. (not altering text)**

- C1** [Pt. 4](#) applied (with modifications) (26.12.2023) by [2008 c. 32](#), **s. 30(1AA)(1AB)** (as inserted by [Energy Act 2023 \(c. 52\)](#), **ss. 95(3)**, 334(3)(b))

**Changes to legislation:**

There are currently no known outstanding effects for the Petroleum Act 1998, Section 31.