



Petroleum Act 1998

1998 CHAPTER 17

PART IV

ABANDONMENT OF OFFSHORE INSTALLATIONS

37 Default in carrying out programmes.

(1) If an abandonment programme approved by the Secretary of State is not carried out or a condition to which the approval is subject is not complied with, the Secretary of State may by written notice require any of the persons who submitted the programme to take such remedial action as may be specified in the notice within such time as may be so specified.

[^{F1}(1A) If it appears to the Secretary of State that the proposed remedial action is likely to have an effect on the cost of carrying out the programme, the Secretary of State must—

- (a) consult the OGA before giving a notice under subsection (1), and
- (b) take that effect into account when deciding whether to give the notice.

(1B) When consulted under subsection (1A)(a), the OGA must consider and advise on the likely effect of the proposed remedial action on the cost of carrying out the programme.]

(2) A person who fails to comply with a notice given to him under subsection (1) shall be guilty of an offence unless he proves that he exercised due diligence to avoid the failure.

(3) If a notice under subsection (1) is not complied with, the Secretary of State may carry out the remedial action required by the notice, and may recover any expenditure incurred by him in doing so from the person to whom the notice was given.

(4) A person liable to pay any sum to the Secretary of State by virtue of subsection (3) shall also pay interest on that sum for the period beginning with the day on which the Secretary of State notified him of the sum payable and ending with the date of payment.

Changes to legislation: There are currently no known outstanding effects for the Petroleum Act 1998, Section 37. (See end of Document for details)

- (5) The rate of interest payable in accordance with subsection (4) shall be a rate determined by the Secretary of State as comparable with commercial rates.

Textual Amendments

- F1** S. 37(1A)(1B) inserted (1.10.2016) by Energy Act 2016 (c. 20), s. 84(3), **Sch. 2 para. 9**; S.I. 2016/920, reg. 2(c)

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))
- C2** S. 37(1) modified (1.7.1999) by S.I. 1999/672, arts. 1(2), 5, **Sch. 2**
S. 37(1) modified (1.7.1999) by S.I. 1999/1750 arts. 1(1), 4, Sch. 3

Changes to legislation:

There are currently no known outstanding effects for the Petroleum Act 1998, Section 37.