



Petroleum Act 1998

1998 CHAPTER 17

PART IV

ABANDONMENT OF OFFSHORE INSTALLATIONS

44 Meaning of “offshore installation”

- (1) In this Part of this Act, “offshore installation” means any installation which is or has been maintained, or is intended to be established, for the carrying on of any activity to which subsection (2) applies.
- (2) This subsection applies to any activity mentioned in subsection (3) which is carried on from, by means of or on an installation which is maintained in the water, or on the foreshore or other land intermittently covered with water, and is not connected with dry land by a permanent structure providing access at all times and for all purposes.
- (3) The activities referred to in subsection (2) are—
 - (a) the exploitation, or the exploration with a view to exploitation, of mineral resources in or under the shore or bed of relevant waters;
 - (b) the storage of gas in or under the shore or bed of relevant waters or the recovery of gas so stored;
 - (c) the conveyance of things by means of a pipe, or system of pipes, constructed or placed on, in or under the shore or bed of relevant waters; and
 - (d) the provision of accommodation for persons who work on or from an installation which is or has been maintained, or is intended to be established, for the carrying on of an activity falling within paragraph (a), (b) or (c) or this paragraph.
- (4) In this Part of this Act, “relevant waters” means—
 - (a) tidal waters and parts of the sea in or adjacent to the United Kingdom up to the seaward limits of the territorial sea;
 - (b) waters in an area designated under section 1(7) of the Continental Shelf Act 1964; and

Status: This is the original version (as it was originally enacted).

- (c) such inland waters as may for the time being be specified for the purposes of this paragraph by Order in Council;
- but Her Majesty may by Order in Council provide that, in such cases and subject to such exceptions and modifications as may be prescribed by the Order, this Part of this Act shall have effect as if—
- (i) any reference in this Part of this Act to relevant waters included a reference to waters in any area specified under section 10(8); and
 - (ii) in relation to an installation which is or has been maintained, or is intended to be established, in relevant waters, any reference in subsection (3) to relevant waters included a reference to waters in a foreign sector of the continental shelf which are adjacent to such waters.
- (5) For the purposes of this section—
- “inland waters” means waters within the United Kingdom other than tidal waters and parts of the sea;
 - “installation” includes—
 - (a) any floating structure or device maintained on a station by whatever means; and
 - (b) in such cases and subject to such exceptions as may be prescribed by Order in Council, any apparatus or works which are by virtue of section 26 to be treated as associated with a pipe or system of pipes for the purposes of Part III of this Act,but, subject to paragraph (b), does not include any part of a pipeline within the meaning of that section;
 - “modifications” includes additions, omissions and alterations.
- (6) The fact that an installation has been maintained for the carrying on of an activity falling within subsection (3) shall be disregarded for the purposes of this section if, since it was so maintained, the installation—
- (a) has been outside relevant waters or, where it was so maintained in a part of a foreign sector of the continental shelf adjacent to those waters, the area consisting of those waters and that part; or
 - (b) has been maintained for the carrying on of an activity not falling within that subsection.
- (7) Any statutory instrument containing an Order under subsection (4) shall be subject to annulment in pursuance of a resolution of either House of Parliament.