



Energy Act 2016

2016 CHAPTER 20

PART 2

FURTHER FUNCTIONS OF THE OGA RELATING TO OFFSHORE PETROLEUM

CHAPTER 5

SANCTIONS

Power to give sanction notices

42 Power of OGA to give sanction notices

- (1) If the OGA considers that a person has failed to comply with a petroleum-related requirement imposed on the person, it may give the person a sanction notice in respect of that failure.
- (2) If the OGA considers that there has been a failure to comply with a petroleum-related requirement imposed jointly on two or more persons, it may give a sanction notice in respect of that failure—
 - (a) to one only of those persons,
 - (b) jointly to two or more of them, or
 - (c) jointly to all of them,but it may not give separate sanction notices to each of them in respect of the failure.
- (3) In this Chapter “petroleum-related requirement” means—
 - (a) a duty imposed under section 9C of the Petroleum Act 1998 to act in accordance with the current strategy or strategies produced under section 9A(2) of that Act for enabling the principal objective to be met,
 - (b) a term or condition of an offshore licence, or
 - (c) a requirement imposed on a person by or under a provision of this Act which, by virtue of the provision, is sanctionable in accordance with this Chapter.

Status: This is the original version (as it was originally enacted).

- (4) In this Chapter “sanction notice” means—
- (a) an enforcement notice (see section 43),
 - (b) a financial penalty notice (see sections 44 to 46),
 - (c) a revocation notice (see section 47), or
 - (d) an operator removal notice (see section 48).
- (5) Sanction notices, other than enforcement notices, may be given in respect of a failure to comply with a petroleum-related requirement even if, at the time the notice is given, the failure to comply has already been remedied.
- (6) Where the OGA gives a sanction notice to a person in respect of a particular failure to comply with a petroleum-related requirement—
- (a) it may, at the same time, give another type of sanction notice to the person in respect of that failure to comply;
 - (b) it may give subsequent sanction notices in respect of that failure only in accordance with section 54 (subsequent sanction notices).
- (7) The OGA’s power to give sanction notices under this section is subject to section 49 (duty of OGA to give sanction warning notices).