



Energy Act 2016

2016 CHAPTER 20

PART 1

THE OGA

Funding

12 Powers of the OGA to charge fees

(1) The OGA may charge fees—

- (a) for making a determination under Schedule 1 to the Oil Taxation Act 1975;
- (b) on an application made to it under section 12A of the Energy Act 1976;
- (c) on an application made to it under section 3, 15, 16 or 17 of the Petroleum Act 1998;
- (d) on an application of a prescribed description made to it by the holder of a licence granted under—
 - (i) section 3 of that Act (searching for, boring and getting petroleum), or
 - (ii) section 2 of the Petroleum (Production) Act 1934 (licences to search for and get petroleum);
- (e) on an application of a prescribed description made to it by the holder of an authorisation issued under section 15 of the Petroleum Act 1998;
- (f) for carrying out or attending any test, examination or inspection of a prescribed description;
- (g) on an application made to it under section 4 or 18 of the Energy Act 2008;
- (h) on an application of a prescribed description made to it by the holder of a licence granted under section 4 or 18 of that Act;
- (i) for the storage by it of samples or information in accordance with an information and samples plan (see section 33(4) of this Act).

(2) The fees—

- (a) are to be determined by or in accordance with regulations made by the Secretary of State, and

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- (b) are to be payable by such persons as the regulations may provide.
- (3) The OGA must pay into the Consolidated Fund any amount which it receives in respect of fees charged by it under this section.
- (4) Subsection (3) does not apply where the Secretary of State, with the consent of the Treasury, otherwise directs.
- (5) Where in relation to any matter the OGA has a function mentioned in subsection (6), that function is treated for the purposes of this section as carried out pursuant to an application made to the OGA (whether or not there is any requirement to make such an application).
- (6) The functions are—
 - (a) extending the term of a licence;
 - (b) giving its consent or approval in relation to any matter;
 - (c) objecting in relation to any matter.
- (7) The OGA may not charge fees under this section for the exercise of any function which it is authorised to exercise by virtue of—
 - (a) an order under section 69 of the Deregulation and Contracting Out Act 1994, or
 - (b) an agreement under section 7(3).
- (8) The Secretary of State must consult the OGA before making regulations under this section.
- (9) In this section “prescribed” means prescribed by regulations made by the Secretary of State.

Commencement Information

II [S. 12](#) in force at 1.10.2016 by [S.I. 2016/920](#), [reg. 2\(a\)](#)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2016/602, art. 3 by [S.I. 2016/710 reg. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act excluded in part by [S.I. 2023/734 art. 6\(1\)](#)