



Energy Act 2016

2016 CHAPTER 20

PART 2

FURTHER FUNCTIONS OF THE OGA RELATING TO OFFSHORE PETROLEUM

CHAPTER 6

DISCLOSURE

Permitted disclosures

66 Disclosure after specified period

- (1) Section 61 does not prohibit protected material obtained by the OGA under Chapter 3 (information and samples) from being—
 - (a) published, or
 - (b) made available to the public (in a case where the protected material includes samples),by the OGA or a subsequent holder at such time as may be specified in regulations made by the Secretary of State.
- (2) Regulations under subsection (1) may include provision permitting protected material to be published, or made available to the public, immediately after it is provided to a person.
- (3) Before making regulations under subsection (1), the Secretary of State must consult such persons as the Secretary of State considers appropriate.
- (4) Subsection (3) does not apply if the Secretary of State is satisfied that consultation is unnecessary having regard to consultation carried out by the OGA in relation to what time should be specified in regulations under subsection (1).

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- (5) In determining the time to be specified in respect of protected material in regulations under subsection (1), the Secretary of State must have regard to the following factors—
- (a) whether the specified time will allow owners of protected material a reasonable period of time to satisfy the main purpose for which they acquired or created the material;
 - (b) any potential benefits to the petroleum industry of protected material being published or made available at the specified time;
 - (c) any potential risk that the specified time may discourage persons from acquiring or creating petroleum-related information or petroleum-related samples (as defined in section 27);
 - (d) any other factors the Secretary of State considers relevant.
- (6) In balancing the factors mentioned in subsection (5)(a) to (d), the Secretary of State must take into account the principal objective.
- (7) For the purposes of subsection (5)(a), the owner of protected material is the person by whom, or on whose behalf, the protected material was provided to the OGA under Chapter 3 (information and samples).

Commencement Information

- I1** S. 66(1)(2)(5)-(7) in force at 1.10.2016 by [S.I. 2016/920](#), [reg. 2\(b\)](#)
I2 S. 66(3)(4) in force at 24.5.2016 by [S.I. 2016/602](#), [reg. 2\(c\)](#)

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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\(1\)](#)