



Energy Act 2016

2016 CHAPTER 20

PART 3

INFRASTRUCTURE AND INFORMATION

Decommissioning

73 Duty to act in accordance with strategy: decommissioning and alternatives

- (1) Part 1A of the Petroleum Act 1998 (maximising economic recovery of UK petroleum) is amended as follows.
- (2) In section 9A (the principal objective and the strategy), in subsection (1)(b), after subparagraph (iv) insert—
 - “(v) owners of relevant offshore installations.”
- (3) In section 9C (carrying out of certain petroleum industry activities)—
 - (a) omit subsection (3), and
 - (b) after subsection (4) insert—
 - “(5) A person who is the owner of—
 - (a) a relevant offshore installation, or
 - (b) upstream petroleum infrastructure,must act in accordance with the current strategy or strategies when planning and carrying out the activities mentioned in subsection (6).
 - (6) Those activities are—
 - (a) the person's activities as the owner of the installation or infrastructure (including the development, construction, deployment and use of the infrastructure or installation);
 - (b) the abandonment or decommissioning of the installation or infrastructure.

*Changes to legislation: There are currently no known outstanding effects
for the Energy Act 2016, Section 73. (See end of Document for details)*

- (7) For the purposes of subsection (5), planning the activities mentioned in subsection (6)(b) includes the preliminary stage of—
- (a) deciding whether or when to proceed with the proposed abandonment or decommissioning, and
 - (b) considering alternative measures to abandonment or decommissioning such as re-use or preservation.”

(4) After section 9H insert—

“9HA Relevant offshore installations” and their owners

- (1) For the purposes of this Part an offshore installation is a relevant offshore installation if and in so far as it is used in relation to petroleum within subsection (2) (including such petroleum after it has been got).
- (2) Petroleum is within this subsection if it is petroleum which for the time being exists in its natural condition in strata beneath—
 - (a) the territorial sea adjacent to Great Britain, or
 - (b) the sea in any area designated under section 1(7) of the Continental Shelf Act 1964.
- (3) In this Part “owner”, in relation to a relevant offshore installation, means—
 - (a) a person in whom the installation is vested, and
 - (b) a lessee and any person occupying or controlling the installation.”

(5) In section 9I (other definitions), at the appropriate place insert—

““offshore installation” has the same meaning as in Part 4 (see section 44);”;

““owner”, in relation to a relevant offshore installation, has the meaning given in section 9HA;”;

““relevant offshore installation” has the meaning given in section 9HA;”;

““submarine pipeline” has the meaning given in section 45;”.

Commencement Information

II S. 73 in force at 1.10.2016 by S.I. 2016/920, reg. 2(c)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2016, Section 73.