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 S T A T U T O R Y I N S T R U M E N T S
 

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1976 No. 276

**CONTINENTAL SHELF  
PETROLEUM**
**The Petroleum (Production) (Amendment) Regulations 1976**

<i>Made - - - -</i>	<i>24th February 1976</i>
<i>Laid before Parliament</i>	<i>26th February 1976</i>
<i>Coming into Operation</i>	<i>20th March 1976</i>

The Secretary of State in exercise of the powers conferred by section 6 of the Petroleum (Production) Act 1934(a) and by that section as applied by section 1(3) of the Continental Shelf Act 1964(b), and now vested in him (c), hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Petroleum (Production) (Amendment) Regulations 1976 and shall come into operation on 20th March 1976.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. The Petroleum (Production) Regulations 1966(e), as amended (f), shall have effect with the substitution for Regulation 6 (non-invited applications) of the following regulation:—

“6.—(1) An application for a production licence in accordance with the provisions of this regulation (in these regulations called a “non-invited application”) may, subject to paragraphs (2) to (5), be made in respect of any landward area and may, subject to paragraphs (6) and (7), be made in respect of any seaward area.

(2) No non-invited application may be made in respect of a landward area which is, or is comprised in, an area in respect of which the Secretary of State has published a Gazette notice in accordance with regulation 7(2) unless it is made in respect of any landward area which is, or is comprised in, an area in respect of which the Secretary of State has published a Gazette notice to the effect that he is once more prepared to receive non-invited applications in respect of the area therein described or thereby specified by reference to a map deposited at the principal office of the Department of Energy and at such other places (if any) as may be specified in that notice, being a notice published after the last Gazette notice in accordance with regulation 7(2) comprising that area.

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(a) 1934 c. 36.

(b) 1964 c. 29.

(c) S.R. & O. 1942/1132 (Rev. XV, p. 99), the Ministry of Fuel and Power Act 1945 (c. 19), S.I. 1969/1498, 1970/1537 (1969 III, p. 4797; 1970 III, p. 5293).

(d) 1889 c. 63.

(e) S.I. 1966/898 (1966 II, p. 2109).

(f) S.I. 1971/814, 1972/1522 (1971 II, p. 2327; 1972 III, p. 4477), the Petroleum and Submarine Pipe-lines Act 1975 (c. 74).

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(3) Every landward area in respect of which a non-invited application is made shall be a clearly defined area which shall as far as possible be compact and shall be described in the application which shall be accompanied by two copies of the 1:25,000 Ordnance Survey Map or such other map or chart as may be required by the Secretary of State, upon which shall be delineated the boundaries of the landward area in respect of which a licence is applied for.

(4) No licence shall be granted pursuant to a non-invited application in respect of a landward area of more than 250 square kilometres or less than 10 square kilometres unless the Secretary of State otherwise determines.

(5) Where an applicant desires to make non-invited applications for two or more separate landward areas, a separate application shall be made in respect of each such area, but a licence may be granted in respect of two or more landward areas provided that the sum of such areas shall not exceed 250 square kilometres.

(6) No non-invited application in respect of a seaward area, other than an application which is made by the British National Oil Corporation, the British Gas Corporation or any body corporate which is a wholly owned subsidiary of either of those Corporations, may be made unless—

- (a) the whole of the area to which the application relates is, or has been, comprised in a production licence which was granted in pursuance of an invited application;
- (b) the whole of that area is proposed to be, or has been, surrendered by the holder for the time being of that licence otherwise than by virtue of a provision of that licence requiring the compulsory surrender of part of the licensed area; and
- (c) the Secretary of State has served notice in writing on such persons as appear to him to be concerned that he would be prepared to consider the application in such circumstances as may be specified in the notice.

(7) For the purposes of paragraph (6) the expression “wholly owned subsidiary” shall be construed in accordance with section 150(4) of the Companies Act 1948(a) or section 144(5) of the Companies Act (Northern Ireland) 1960(b).”

24th February 1976.

*John Smith,*  
Minister of State,  
Department of Energy.

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(a) 1948 c. 38.

(b) 1960 c. 22 (N.I.).

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations further amend the provisions of the Petroleum (Production) Regulations 1966 which relate to the making of applications for petroleum production licences.

The Regulations extend the category of licences for which application may be made otherwise than by virtue of the invited application procedure prescribed by Regulation 7 of the 1966 Regulations to include two classes of seaward production licence. These are licences in respect of areas formerly comprised in production licences issued pursuant to invited applications and licences issued to the British National Oil Corporation, the British Gas Corporation or their wholly owned subsidiaries.

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