
STATUTORY INSTRUMENTS

2016 No. 898

The Petroleum (Transfer of Functions) Regulations 2016

PART 2

Provisions transferring the Secretary of State's licensing functions under the Petroleum Act 1998 to the OGA until the transfer of certain functions to the Scottish Ministers

Petroleum Act 1998

2.—(1) Until the commencement of section 48 of the Scotland Act 2016, Part 1 of the Petroleum Act 1998(1) has effect as if it were amended as follows.

(2) Section 3 (licences to search and bore for and get petroleum) has effect as if—

(a) in subsection (1)—

(i) for “Secretary of State” there were substituted “OGA”, and

(ii) for “he” there were substituted “it”,

(b) in subsection (3), for “Secretary of State” (in both places) there were substituted “OGA”.

(3) Section 4(1)(e) (licences: further provisions) has effect as if for “he” there were substituted “the OGA”.

(4) Section 5(9)(2) (existing licences) has effect as if for “Secretary of State” (in both places) there were substituted “OGA”.

(5) Section 5A(3) (rights transferred without consent) has effect as if for “Secretary of State” (in each place) there were substituted “OGA”.

(6) Section 5B(1)(4) (information) has effect as if for “Secretary of State” (in both places) there were substituted “OGA”.

(7) Section 7(2) (ancillary rights) has effect as if—

(a) at the end of paragraph (b) “and” were omitted, and

(b) at the end of paragraph (c) there were inserted—

“; and

(d) references to the Secretary of State (or the Minister) in sections 4 and 9 of that Act included references to the OGA”.

(1) 1998 c. 17.

(2) Section 5(9) was amended by the Energy Act 2008 (c. 32), Schedule 5, paragraph 8 and the Land Registration etc. (Scotland) Act 2012 (2012 asp 5), Schedule 5, paragraph 36.

(3) Section 5A was inserted by the Energy Act 2008, section 76.

(4) Section 5B was inserted by the Energy Act 2008, section 76.