
STATUTORY INSTRUMENTS

2016 No. 912

The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016

Petroleum Licensing (Exploration and Production) (Landward Areas) Regulations 2014

23.—(1) The Petroleum Licensing (Exploration and Production) (Landward Areas) Regulations 2014(1) are amended as follows.

(2) After regulation 2 (model clauses), insert—

“Review

3.—(1) The Secretary of State must from time to time—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

(2) The report must in particular—

- (a) set out the objectives intended to be achieved by these Regulations;
- (b) assess the extent to which those objectives are achieved;
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved in a less burdensome way.

(3) The first report under this regulation must be published before the end of the period of five years beginning with the day on which this regulation comes into force.

(4) Subsequent reports under this regulation must be published at intervals not exceeding five years.”.

(3) Schedule 2 (model clauses for petroleum exploration and development licences) is amended as follows.

(4) In clause 1(1) (interpretation)—

- (a) in the definition of “Block” for “Department of Energy and Climate Change, London, SW1” substitute “Oil and Gas Authority, Aberdeen, AB10”;
- (b) omit the definition of “the Minister”;
- (c) after the definition of “Methane Drainage Licence” insert—
““the OGA” means the Oil and Gas Authority;”.

(5) In clause 2 (right to search and bore for and get petroleum)—

- (a) for “Minister” (in both places), substitute “OGA”;
- (b) for “him” substitute “it”.

(6) In clause 4(1) (determination of licence during initial term where a drill-or-drop period is specified)—

- (a) for “Minister” substitute “OGA”;
 - (b) for “his” substitute “its”.
- (7) In clause 5 (option to continue licence as to part of the licensed area)—
- (a) in the words after paragraph (1)(b), for “Minister” substitute “OGA”;
 - (b) in paragraph (2), for “Minister” substitute “OGA”;
 - (c) in paragraph (5)—
 - (i) for “Minister” substitute “OGA”;
 - (ii) for “him” substitute “the OGA”.
- (8) In clause 6 (extension of the initial or second term)—
- (a) in paragraph (2), for “Minister” substitute “OGA”;
 - (b) in paragraph (3)—
 - (i) for “Minister” substitute “OGA”;
 - (ii) for “his” substitute “its”;
 - (c) in paragraph (4) for “Minister” substitute “OGA”.
- (9) In clause 7 (continuance of licence after the second term)—
- (a) in paragraph (1), for “Minister” substitute “OGA”;
 - (b) in paragraph (2)(a)—
 - (i) for “Minister” substitute “OGA”;
 - (ii) for “him” substitute “it”;
 - (c) in paragraph (2)(b), for “Minister” substitute “OGA”;
 - (d) in paragraph (2)(c), for “Minister” substitute “OGA”;
 - (e) in paragraph (4)—
 - (i) for “Minister” substitute “OGA”;
 - (ii) for “he” substitute “it”.
- (10) In clause 8 (power further to extend term of licence)—
- (a) for “Minister” (in each place) substitute “OGA”;
 - (b) for “him” substitute “it”.
- (11) In clause 9 (right of licensee to determine licence or surrender part of licensed area), for “Minister” (in both places) substitute “OGA”.
- (12) In clause 11 (provision of contact details)—
- (a) in the heading, for “Minister” substitute “OGA”;
 - (b) for “Minister” (in each place) substitute “OGA”.
- (13) In clause 12 (payment of consideration for licence), for “Minister” (in both places) substitute “OGA”.
- (14) In clause 13 (measurement of petroleum obtained from the licensed area)—
- (a) in paragraph (1), for “Minister” substitute “OGA”;
 - (b) in paragraph (2), for “Minister” substitute “OGA”;
 - (c) in paragraph (3), for “Minister” substitute “OGA”;
 - (d) in paragraph (4), for “Minister” (in each place) substitute “OGA”;
 - (e) in paragraph (5)—

- (i) for “Minister” (in each place) substitute “OGA”;
 - (ii) for “Minister’s” substitute “OGA’s”;
- (f) in paragraph (6), for “Minister” substitute “OGA”.
- (15) In clause 14 (keeping of accounts), for “Minister” (in each place) substitute “OGA”.
- (16) In clause 15 (working obligations)—
 - (a) in paragraph (3), for “Minister” (in both places) substitute “OGA”;
 - (b) in paragraph (4), for “Minister” substitute “OGA”;
 - (c) in paragraph (5), for “Minister” (in both places) substitute “OGA”;
 - (d) in paragraph (6)—
 - (i) in the words before sub-paragraph (a)—
 - (aa) for “Minister” substitute “OGA”;
 - (bb) for “him” substitute “it”;
 - (ii) in sub-paragraph (a), for “he” substitute “it”;
 - (iii) in sub-paragraph (b)—
 - (aa) for “he” (in both places) substitute “it”;
 - (bb) for “his” substitute “its”;
 - (e) in paragraph (7)—
 - (i) in sub-paragraph (b), for “Minister” substitute “OGA”;
 - (ii) in the words after sub-paragraph (b), for “Minister” substitute “OGA”;
 - (f) in paragraph (8), for “Minister” (in each place) substitute “OGA”;
 - (g) in paragraph (9)—
 - (i) for “Minister” substitute “OGA”;
 - (ii) for “he” (in each place) substitute “it”;
 - (h) in paragraph (10), for “Minister” substitute “OGA”.
- (17) In clause 16 (retention areas), for “Minister” (in each place) substitute “OGA”.
- (18) In clause 17 (development and production programmes)—
 - (a) in paragraph (1), for “Minister” substitute “OGA”;
 - (b) in paragraph (2), for “Minister” (in each place) substitute “OGA”;
 - (c) in paragraph (3), for “Minister” substitute “OGA”;
 - (d) in paragraph (4)—
 - (i) in the words before sub-paragraph (a)—
 - (aa) for “Minister” substitute “OGA”;
 - (bb) for “him” substitute “it”;
 - (cc) for “he” substitute “it”;
 - (ii) in sub-paragraph (a), for “Minister” (in both places) substitute “OGA”;
 - (iii) in sub-paragraph (b), for “Minister” (in both places) substitute “OGA”;
 - (iv) in sub-paragraph (c), for “Minister” (in each place) substitute “OGA”;
 - (v) in the words after sub-paragraph (c), for “Minister” substitute “OGA”;
 - (e) in paragraph (5)—

- (i) in the words before sub-paragraph (a), for “Minister” substitute “OGA”;
 - (ii) in sub-paragraph (a), for “he” (in both places) substitute “it”;
 - (iii) in sub-paragraph (b), for “he” (in both places) substitute “it”;
 - (iv) in sub-paragraph (c), for “Minister” substitute “OGA”;
 - (f) in paragraph (6)—
 - (i) for “Minister” (in each place) substitute “OGA”;
 - (ii) for “him” (in the first and third places) substitute “it”;
 - (iii) for “he” substitute “it”;
 - (g) in paragraph (7)—
 - (i) in the words before sub-paragraph (a)—
 - (aa) for “Minister” substitute “OGA”;
 - (bb) for “he” substitute “it”;
 - (ii) in sub-paragraph (a), for “Minister” substitute “OGA”;
 - (iii) in sub-paragraph (b), for “him” substitute “it”;
 - (h) in paragraph (8), for “Minister” (in both places) substitute “OGA”.
- (19) In clause 18 (provisions supplementary to clause 17)—
- (a) in paragraph (1), for “Minister” (in each place) substitute “OGA”;
 - (b) in paragraph (3)—
 - (i) in the words before sub-paragraph (a)—
 - (aa) for “Minister” substitute “OGA”;
 - (bb) for “he” substitute “it”;
 - (ii) in sub-paragraph (a), for “Minister” substitute “OGA”;
 - (iii) in sub-paragraph (b), for “him” substitute “it”;
 - (iv) in the words after sub-paragraph (b)—
 - (aa) for “Minister” (in both places) substitute “OGA”;
 - (bb) for “he” substitute “it”;
 - (c) in paragraph (4), for “Minister” (in both places) substitute “OGA”;
 - (d) in paragraph (5), for “Minister” substitute “OGA”;
 - (e) in paragraph (7), for “Minister” (in each place) substitute “OGA”;
 - (f) in paragraph (8)—
 - (i) in the words before sub-paragraph (a)—
 - (aa) for “Minister” substitute “OGA”;
 - (bb) for “he” (in both places) substitute “it”;
 - (ii) in sub-paragraph (a), for “he” (in both places) substitute “it”;
 - (iii) in sub-paragraph (b), for “he” (in both places) substitute “it”;
 - (iv) in the words after sub-paragraph (b), for “Minister” substitute “OGA”.
- (20) In clause 19 (development areas)—
- (a) in paragraph (1), for “Minister” substitute “OGA”;
 - (b) in paragraph (2)—

- (i) in the words before sub-paragraph (a)—
 - (aa) for “Minister” substitute “OGA”;
 - (bb) for “him” substitute “it”;
 - (cc) for “he” substitute “it”;
 - (ii) in sub-paragraph (a), for “he” (in both places) substitute “it”;
 - (iii) in sub-paragraph (b)—
 - (aa) for “he” substitute “it”;
 - (bb) for “his” substitute “its”;
 - (c) in paragraph (3)(b), for “Minister” substitute “OGA”;
 - (d) in paragraph (4), for “Minister” substitute “OGA”;
 - (e) in paragraph (5), for “Minister” (in both places) substitute “OGA”.
- (21) In clause 20 (commencement and abandonment and plugging of wells)—
- (a) in paragraph (1), for “Minister” substitute “OGA”;
 - (b) in paragraph (2), for “Minister” substitute “OGA”;
 - (c) in paragraph (4)—
 - (i) for “Minister” (in each place) substitute “OGA”;
 - (ii) for “Minister’s” substitute “OGA’s”.
 - (d) in paragraph (5), for “Minister” substitute “OGA”;
 - (e) in paragraph (6), for “Minister” substitute “OGA”;
 - (f) in paragraph (10), for “Minister” substitute “OGA”;
 - (g) in paragraph (11), for “Minister” (in both places) substitute “OGA”;
 - (h) in paragraph (12), for “Minister” substitute “OGA”;
 - (i) in paragraph (13), for “Minister” substitute “OGA”.
- (22) In clause 21 (distance of wells from boundaries of licensed area), for “Minister” substitute “OGA”.
- (23) In clause 22 (control of development wells), for “Minister” (in each place) substitute “OGA”.
- (24) In clause 24 (avoidance of harmful methods of working)—
- (a) in paragraph (2), for “Minister” substitute “OGA”;
 - (b) in paragraph (3), for “Minister” substitute “OGA”;
 - (c) in paragraph (4)—
 - (i) for “Minister” (in both places) substitute “OGA”;
 - (ii) for “him” substitute “it”;
 - (d) in paragraph (5), for “Minister” (in both places) substitute “OGA”;
 - (e) in paragraph (6), for “Minister” substitute “OGA”;
 - (f) in paragraph (7)—
 - (i) in the words before sub-paragraph (a)—
 - (aa) for “Minister” (in both places) substitute “OGA”;
 - (bb) for “he” substitute “it”;
 - (ii) in sub-paragraph (a), for “Minister” substitute “OGA”;
 - (iii) in sub-paragraph (b), for “him” substitute “it”.

- (25) In clause 25 (appointment of operators)—
- (a) in paragraph (1), for “Minister” substitute “OGA”;
 - (b) in paragraph (2)—
 - (i) for “Minister” (in both places) substitute “OGA”;
 - (ii) for “his” (in both places) substitute “its”.
- (26) In clause 27 (training)—
- (a) in paragraph (1), for “Minister” substitute “OGA”;
 - (b) in paragraph (2)—
 - (i) for “Minister” substitute “OGA”;
 - (ii) for “he” substitute “it”;
 - (c) in paragraph (3), for “Minister” (in both places) substitute “OGA”.
- (27) In clause 28 (unit development)—
- (a) in paragraph (1), for “Minister” (in both places) substitute “OGA”;
 - (b) in paragraph (2), for “Minister” (in both places) substitute “OGA”;
 - (c) in paragraph (3), for “Minister” (in both places) substitute “OGA”;
 - (d) in paragraph (4)—
 - (i) for “Minister” (in each place) substitute “OGA”;
 - (ii) for “himself” substitute “itself”;
 - (e) in paragraph (5), for “Minister” (in both places) substitute “OGA”.
- (28) In clause 29 (licensee to keep records), for “Minister” (in each place) substitute “OGA”.
- (29) In clause 30 (returns), for “Minister” (in each place) substitute “OGA”.
- (30) In clause 31 (licensee to keep samples)—
- (a) in paragraph (2)—
 - (i) in sub-paragraph (a), for “Minister” substitute “OGA”;
 - (ii) in sub-paragraph (b)—
 - (aa) for “Minister or any person authorised by him” substitute “OGA”;
 - (bb) for “he” substitute “it”;
 - (cc) at the end of the sub-paragraph, for “him” substitute “it”;
 - (b) in paragraph (3)—
 - (i) in the words before sub-paragraph (a), for “Minister or any person authorised by him” substitute “OGA”;
 - (ii) in sub-paragraph (a)—
 - (aa) for “he” (in both places) substitute “it”;
 - (bb) for “him” substitute “it”.
- (31) In clause 32 (reports to be treated as confidential)—
- (a) in paragraph (1), after “employment of the” insert “OGA or the”;
 - (b) in paragraph (2)—
 - (i) for “Minister” (in each place) substitute “OGA”;
 - (ii) in sub-paragraph (d)(ii), for “him” substitute “it”.
- (32) In clause 33(a) (inspection of records)—

- (a) omit “in the service or employment of the Crown”;
 - (b) for “Minister” (in both places) substitute “OGA”.
- (33) In clause 34 (rights of access), for “Minister” (in both places) substitute “OGA”.
- (34) In clause 35 (power to execute works)—
- (a) for “Minister” (in both places) substitute “OGA”;
 - (b) for “his” substitute “its”.
- (35) In clause 36(2) (right of distress)—
- (a) for “Minister” substitute “OGA”;
 - (b) for “he” substitute “it”.
- (36) In clause 37(2) (diligence)—
- (a) for “Minister” (in both places) substitute “OGA”;
 - (b) for “he” substitute “it”.
- (37) In clause 38 (indemnity against third party claims), for “Minister” (in both places) substitute “OGA”.
- (38) In clause 39 (advertisements, prospectuses), for “Her Majesty or any Government Department or any person or body acting on behalf of Her Majesty has or have” substitute “the OGA has”.
- (39) In clause 40 (restrictions on assignment), for “Minister” (in each place) substitute “OGA”.
- (40) In clause 41 (power of revocation)—
- (a) for “Minister” (in each place) substitute “OGA”;
 - (b) in sub-paragraph (2)(i), for “his” substitute “its”.
- (41) In clause 42 (power of partial revocation), for “Minister” (in both places) substitute “OGA”.
- (42) In clause 43 (power of partial revocation in respect of parts of the licensed area which are not retention areas or development areas)—
- (a) for “Minister” (in each place) substitute “OGA”;
 - (b) in sub-paragraph (2)(b), for “his” substitute “its”;
 - (c) in sub-paragraph (2)(c), for “him” substitute “it”.
- (43) In clause 44 (arbitration), for “Minister” (in each place) substitute “OGA”.
- (44) Schedule 3 (model clauses for landward petroleum exploration licences) is amended as follows.
- (45) In clause 1(1) (interpretation), for the definition of “the Minister” substitute—
- ““the OGA” means the Oil and Gas Authority;”.
- (46) In clause 2(1) (grant of licence), for “Minister” substitute “OGA”.
- (47) In clause 3 (prospecting methods), for “Minister” (in each place) substitute “OGA”.
- (48) In clause 5 (right of licensee to terminate licence), for “Minister” substitute “OGA”.
- (49) In clause 6 (provision of contact details)—
- (a) in the heading, for “Minister” substitute “OGA”;
 - (b) for “Minister” (in each place) substitute “OGA”.
- (50) In clause 7 (payment of consideration for licence), for “Minister” (in both places) substitute “OGA”.
- (51) In clause 8(2) (avoidance of harmful methods of working), for “Minister” substitute “OGA”.

- (52) In clause 10(2) (licensee to keep records), for “Minister” (in both places) substitute “OGA”.
- (53) In clause 11 (returns), for “Minister” (in each place) substitute “OGA”.
- (54) In clause 12 (reports to be treated as confidential)—
- (a) in the words before paragraph (a), after “employment of the” insert “OGA or the”;
 - (b) in paragraph (a), for “Minister” (in both places) substitute “OGA”;
 - (c) in paragraph (b), for “Minister” substitute “OGA”;
 - (d) in paragraph (c), for “Minister” substitute “OGA”;
 - (e) in paragraph (d)—
 - (i) for “Minister” (in each place) substitute “OGA”;
 - (ii) in sub-paragraph (iii), for “him” substitute “it”.
- (55) In clause 13(a) (inspection of records)—
- (a) omit “in the service or employment of the Crown”;
 - (b) for “Minister” (in both places) substitute “OGA”.
- (56) In clause 14 (rights of access), for “Minister” (in both places) substitute “OGA”.
- (57) In clause 15 (power to execute works), for “Minister” (in both places) substitute “OGA”.
- (58) In clause 16 (indemnity against third-party claims), for “Minister” (in both places) substitute “OGA”.
- (59) In clause 17 (no transfer, assignment or sub-licence)—
- (a) in paragraph (1), for “Minister” (in both places) substitute “OGA”;
 - (b) in paragraph (2)—
 - (i) for “Minister” substitute “OGA”;
 - (ii) for “he” substitute “it”;
 - (c) in paragraph (3)—
 - (i) for “Minister” substitute “OGA”;
 - (ii) for “he” substitute “it”.
- (60) In clause 18(1) (power of revocation), for “Minister” substitute “OGA”.
- (61) In clause 19 (power of partial revocation), for “Minister” (in both places) substitute “OGA”.
- (62) In clause 20 (arbitration), for “Minister” (in each place) substitute “OGA”.