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**Changes to legislation:** There are currently no known outstanding effects for the Petroleum Act 1998, SCHEDULE 3. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 3

Section 49.

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### PART I

##### GENERAL

- 1 (1) The repeal (or revocation) and re-enactment of provisions in this Act does not affect the continuity of the law.
- (2) Any subordinate legislation made or other thing done, or having effect as if made or done, under or for the purposes of any provision repealed, or revoked, and re-enacted by this Act shall, if in force or effective immediately before the commencement of the corresponding provision of this Act, have effect thereafter as if made or done under or for the purposes of that corresponding provision.
- (3) Any reference (express or implied) in this Act or any other enactment or in any instrument or document—
- (a) to any provision of this Act, or
  - (b) to things done or falling to be done under or for the purposes of any provision of this Act,
- shall (so far as the context permits) be construed as including, in relation to times, circumstances or purposes in relation to which the corresponding provision repealed, or revoked, by this Act had effect, a reference—
- (i) to that corresponding provision, or
  - (ii) to things done or falling to be done under or for the purposes of that corresponding provision,
- as the case may be.
- (4) Any reference (express or implied) in any enactment or in any instrument or document—
- (a) to any provision repealed, or revoked, and re-enacted by this Act, or
  - (b) to things done or falling to be done under or for the purposes of any such provision,
- shall (so far as the context permits) be construed as including, in relation to times, circumstances or purposes in relation to which the corresponding provision of this Act has effect, a reference—
- (i) to that corresponding provision, or
  - (ii) to things done or falling to be done under or for the purposes of that corresponding provision,
- as the case may be.

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- (5) Without prejudice to the generality of sub-paragraph (4), where a power conferred by an Act is expressed to be exercisable in relation to enactments contained in Acts passed before or in the same Session as the Act conferring the power, the power is also exercisable in relation to provisions of this Act which reproduce such enactments.
- (6) Sub-paragraphs (1) to (5) have effect instead of section 17(2) of the <sup>M1</sup>Interpretation Act 1978 (but are without prejudice to any other provision of that Act).

**Marginal Citations**

**M1** 1978 c. 30.

- 2 The repeal by this Act of an enactment previously repealed subject to savings does not affect the continued operation of those savings.

**PART II**

SPECIFIC PROVISIONS

*Property in petroleum*

- 3 The repeal by this Act of section 1(1) of the <sup>M2</sup>Petroleum (Production) Act 1934 does not affect the vesting in Her Majesty of property in petroleum which is so vested immediately before the commencement of this Act.

**Marginal Citations**

**M2** 1934 c. 36.

*Existing licences*

- 4 Nothing in section 2 or 3 shall be taken to prejudice any right conferred by any licence granted under section 2 of the Petroleum (Production) Act 1934 which is in force immediately before the commencement of this Act so long as the licence remains in force.
- 5 (1) Nothing in this Act affects the validity of the licence granted on 26th March 1923 under the <sup>M3</sup>Petroleum (Production) Act 1918 to the Duke of Devonshire relating to an area near Hardstoft in the county of Derbyshire.
- (2) Without prejudice to the generality of paragraph 1(2), that licence shall, if in force immediately before the commencement of this Act, have effect as if granted under this Act.
- (3) So long as that licence remains in force, section 2 shall not apply to petroleum which at the commencement of the Petroleum (Production) Act 1934 might lawfully be got under that licence.

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**Marginal Citations**

**M3** 1918 c. 52.

- 6 (1) Where, immediately before the commencement of this Act—
- (a) a person is exercising a function of a kind mentioned in clause 22 of the clauses set out in Part II of Schedule 2, or Part II of Schedule 3, to the <sup>M4</sup>Petroleum and Submarine Pipe-lines Act 1975 in connection with a licence granted under section 2 of the Petroleum (Production) Act 1934; and
  - (b) by virtue of section 19(6) of the <sup>M5</sup>Petroleum and Submarine Pipe-lines Act 1975, he is deemed to be approved by the Secretary of State as respects that function in connection with that licence,
- he shall continue to be deemed to be so approved.
- (2) Any act or omission which occurred at a time before a licence was altered by virtue of section 18 of the Petroleum and Submarine Pipe-lines Act 1975 shall not be treated as contravening the provisions of the licence as so altered or as authorising the revocation of the licence if at that time it did not contravene the provisions of the licence or authorise the revocation of it.

**Marginal Citations**

**M4** 1975 c. 74.

**M5** 1975 c. 74.

- 7 Without prejudice to paragraph 1, any reference in any enactment to a licence under the <sup>M6</sup>Petroleum (Production) Act 1934 (or under section 2 of that Act) shall (except where the context otherwise requires) include a reference to a licence granted, or treated as granted, under section 3 of this Act.

**Marginal Citations**

**M6** 1934 c. 36.

- 8 (1) In relation to any time after the commencement of this Act, section 1 of the <sup>M7</sup>Petroleum Royalties (Relief) Act 1983 and sections 1 and 2 of the <sup>M8</sup>Petroleum Royalties (Relief) and Continental Shelf Act 1989 shall have effect as if each reference (whether direct or indirect) in any of those provisions to model clauses set out in—
- (a) the Petroleum and Submarine Pipe-lines Act 1975; or
  - (b) regulations made under section 6 of the Petroleum (Production) Act 1934,
- were a reference to the corresponding model clauses set out in the order under section 5.
- (2) This paragraph is without prejudice to the generality of section 5(10).

**Marginal Citations**

**M7** 1983 c. 59.

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**M8** 1989 c. 1.

*Submarine pipelines: safety regulations etc.*

- 9 Any reference in—
- (a) section 20 to Part III of this Act; or
  - (b) section 22 or 23 to regulations made under Part III of this Act,
- includes a reference to regulations made under section 26 of the Petroleum and Submarine Pipe-lines Act 1975 which are in force immediately before the commencement of this Act.
- 10 Without prejudice to the generality of paragraph 2, the repeal of Part III of the Petroleum and Submarine Pipe-lines Act 1975 shall not affect any instrument to the extent that, immediately before the commencement of this Act, it applies section 26 of the Petroleum and Submarine Pipe-lines Act 1975.
- 11 (1) The substitution by this Act of paragraph (b) of section 1(3) of the Offshore Safety Act 1992 and the repeal by this Act of the reference in paragraph (c) of that provision to section 11(2)(a) of the Petroleum Act 1987 so far as relating to safety requirements shall not affect the power conferred by section 1(2)(b) of that Act of 1992.
- (2) The substitution by this Act of paragraph (b) of Article 3(3) of the Offshore, and Pipelines, Safety (Northern Ireland) Order 1992 and the repeal by this Act of the reference in paragraph (c) of that provision to section 11(2)(a) of the Petroleum Act 1987 so far as relating to safety requirements shall not affect the power conferred by Article 3(2)(b) of that Order.

*Submarine pipelines: authorisations granted before 1st October 1982*

- 12 Where, immediately before the commencement of this Act, an authorisation granted before 1st October 1982 under Part III of the <sup>M9</sup>Petroleum and Submarine Pipe-lines Act 1975 is in force in relation to any pipeline, that pipeline shall not be regarded for the purposes of section 18(6) to (8) or 19(1) as comprising any such associated apparatus as is mentioned in section 26(1)(b).

**Marginal Citations**

**M9** 1975 c. 74.

*Fatal Accidents Act 1976: deaths before 1st September 1976*

- 13 The reference in section 23(2)(a) to the <sup>M10</sup>Fatal Accidents Act 1976 includes a reference to the <sup>M11</sup>Fatal Accidents Act 1846.

**Marginal Citations**

**M10** 1976 c. 30.

**M11** 1846 c. 93.

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