STATUTORY INSTRUMENTS

2017 No. 426

ENERGY

The Oil and Gas Authority (Fees and Petroleum Licensing) (Amendment) Regulations 2017

Made - - - -	*13th March 2017*
Laid before Parliament	*16th March 2017*
Coming into force - -	*6th April 2017*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 12(1), (2), (5) and (6) and 82(2) and (3) of the Energy Act 2016(**1**) and having consulted the Oil and Gas Authority in accordance with section 12(8) of that Act.

Citation and commencement

1. These Regulations may be cited as the Oil and Gas Authority (Fees and Petroleum Licensing) (Amendment) Regulations 2017 and come into force on 6th April 2017.

Amendments to the Oil and Gas Authority (Fees) Regulations 2016

2.—(1) The Oil and Gas Authority (Fees) Regulations 2016(**2**) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the entry for "the 2008 Act", insert—

> ""the Applications Regulations" means the Petroleum Licensing (Applications) Regulations 2015(**3**);
>
> "the Offshore Safety Directive Regulations" means the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015(**4**);";

(b) after the entry for "development and production programme", insert—

> ""development area proposal" means a proposal submitted pursuant to a petroleum exploration and development licence defining the geographic locations within a petroleum field where the licensee proposes to undertake development

(**1**) 2016 c. 20. Section 12(9) of the Act provides that "prescribed" means prescribed by regulations.
(**2**) S.I. 2016/904.
(**3**) S.I. 2015/766, amended by S.I. 2016/912.
(**4**) S.I. 2015/385, amended by paragraph 81 of Schedule 1 to the Energy Act 2016 (c. 20) and S.I. 2017/404.

and production including, where relevant, a plan setting out the activities to be carried out;";

(c) after the entry for "licensee", insert—

""petroleum exploration and development licence" has the meaning given in regulation 2 of the Applications Regulations;";

(d) after the entry for "relevant licence", insert—

""retention area proposal" means a proposal submitted pursuant to a petroleum exploration and development licence defining the geographic locations where the licensee proposes to undertake exploration and appraisal activities;";

(e) after the entry for "well", insert—

""well or installation operator" means a person appointed in accordance with regulation 5 of the Offshore Safety Directive Regulations (appointment of operators by offshore licensees) to conduct the planning or execution of well operations or offshore petroleum operations other than well operations;"; and

(f) after the entry for "well suspension", insert—

""work programme" means a programme set out in a schedule to a petroleum licence which sets out the prospecting to be undertaken during the initial term, including any geological survey by any physical or chemical means and any test drilling.".

(3) In regulation 3(1) (applications prescribed for purposes of section 12(1)(d) of the Energy Act 2016), after sub-paragraph (o) (application for approval of the appointment of an operator under a petroleum licence), insert—

"(p) an application for approval of the appointment of a well or installation operator under regulation 5 of the Offshore Safety Directive Regulations where approval is granted in accordance with paragraph (1)(a) of that regulation;

(q) an application for consent to a retention area proposal where consent is granted;

(r) an application for consent to a development area proposal where consent is granted;

(s) an application for consent to extend the initial, second or final term of a petroleum licence;

(t) an application for consent to extend the final phase of the initial term of a petroleum licence;

(u) an application for consent to amend a work programme.".

(4) In regulation 4 (fees payable for consents and pipeline works authorisations)—

(a) in the heading, omit "Estimated";

(b) in the formula in paragraph (3), for "£500" substitute "£595";

(c) in paragraph (4), omit the words "which the OGA estimates will be";

(d) in paragraph (5), for the words "under regulation 5(3)" substitute "of the application".

(5) Omit regulation 5 (requests to determine fees under regulation 4).

(6) In regulation 6 (fixed fees payable for other consents)—

(a) in paragraph (1), for "(2)" substitute "(3)";

(b) at the beginning of paragraph (2), insert "Subject to paragraph (3),";

(c) after paragraph (2) (but before the table), insert—

"(3) Where the fee payable under paragraph (1) is for one of the following applications, the licensee must pay the fee within 30 days of the OGA notifying the

licensee of the determination of the application unless the OGA notifies the licensee in writing that the licensee may pay the fee at a later date—

(a) an application for consent to extend the initial, second or final term of a petroleum licence;

(b) an application for consent to extend the final phase of the initial term of a petroleum licence;

(c) an application for consent to amend a work programme.”; and

(d) for the table (fees for other consents), substitute the following—

“Activity or matter requiring consent	*Fee payable*
Methodology proposed for the measurement of petroleum	£1,214
Drill a primary well	£729
Drill a sidetrack well branching off from the principal well to a target location different from that of the principal well	£596
Fit or refit equipment in a well for the purpose of enabling hydrocarbon production or injection	£566
Get petroleum from a licensed area	£1,052
Variation of a consent to get petroleum from a licensed area	£1,052
Flare or vent petroleum from a well	£765
Variation of a consent to flare or vent petroleum from a well	£765
Well suspension	£596
Put back into use any well subject to a well suspension	£566
Abandon a well permanently	£566
Change of licensee of a petroleum licence	£401
Change of the beneficiary of rights granted by a petroleum licence	£401
Appointment of an operator under a petroleum licence	£1,201
Extension of the initial, second or final term of a petroleum licence	£1,000
Extension of the final phase of the initial term of a petroleum licence	£1,000
Amendment of a work programme	£1,000”.

(7) After regulation 6, insert—