STATUTORY INSTRUMENTS

2016 No. 529

ENVIRONMENTAL PROTECTION

The Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2016

Made - - - -	*21st April 2016*
Laid before Parliament	*27th April 2016*
Coming into force - -	*1st June 2016*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(**1**), section 302(1) of the Merchant Shipping Act 1995(**2**) and section 67(2) and (3)(b) of the Marine and Coastal Access Act 2009(**3**), and with the consent of the Treasury(**4**):

Citation and commencement

1.—(1) These Regulations may be cited as the Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2016.

(2) These Regulations come into force on 1st June 2016.

Amendment of the Pollution Prevention and Control (Fees) (Miscellaneous Amendments and Other Provisions) Regulations 2015

2.—(1) The Pollution Prevention and Control (Fees) (Miscellaneous Amendments and Other Provisions) Regulations 2015(**5**) are amended as follows.

(2) In regulation 2(2), before sub-paragraph (a) insert—

"(za) providing advice with respect to the preparation of—

(i) an oil pollution emergency plan,

(ii) an amended oil pollution emergency plan, or

(iii) a description of amendments to be made to an oil pollution emergency plan;".

(**1**) 1973 c.51.
(**2**) 1995 c.21.
(**3**) 2009 c.23. The Secretary of State makes these Regulations as the appropriate licensing authority under section 113(2)(a), (4)(a), (6)(a) and (8) of the Marine and Coastal Access Act 2009.
(**4**) The consent of the Treasury is required to make regulations under section 56(1) of the Finance Act 1973 and section 302(1) of the Merchant Shipping Act 1995.
(**5**) S.I. 2015/1431.

(3) In regulation 4(2), after sub-paragraph (a) insert—

"(aa) providing advice with respect to—

(i) labelling requirements under—

(aa) Article 2 (labelling requirements), 3 (form of the label) or 4 (placing of the label) of Commission Regulation 1494/2007, or

(bb) Article 12 (labelling, product and equipment information) of the 2014 Regulation,

(ii) training and certification requirements established under Article 10 (training and certification) of the 2014 Regulation, or

(iii) the reporting requirements established under Article 20 (collection of emissions data) of the 2014 Regulation;".

(4) For regulation 5, substitute—

"**5.**—(1) The Secretary of State may charge fees, calculated in accordance with regulation 7, in respect of—

(a) providing advice with respect to—

(i) an application or potential application for, or

(ii) the modification, transfer, surrender, revocation or refusal of,

a relevant habitats licence;

(b) the modification, transfer, surrender or revocation of, or considering an application for but not granting, a relevant habitats licence; or

(c) monitoring compliance with the conditions of a relevant habitats licence.

(2) In paragraph (1) "a relevant habitats licence" means a licence under regulation 49 (power to grant licences) of the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007(**6**) which relates to an activity falling within the subject matter of—

(a) the Petroleum Act 1998(**7**); or

(b) Part 1 (gas importation or storage), Part 4 (provisions relating to oil and gas storage) or Part 4A (works detrimental to navigation) of the Energy Act 2008(**8**).".

(5) In regulation 7(1)—

(a) for "£167" substitute "£168"; and

(b) for "£72" substitute "£82".

Amendment of the Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999

3. In regulation 17A of the Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999(**9**)—

(a) after paragraph (1)(a) insert—

"(aa) providing advice with respect to—

(i) whether an environmental statement is required under regulation 5 and the content of such an environmental statement;

(**6**) S.I. 2007/1842. Regulation 49 was amended by S.I. 2010/491.
(**7**) 1998 c.17.
(**8**) 2008 c.32.
(**9**) S.I. 1999/360. Regulation 17A was inserted by S.I. 2015/1431.