Changes to legislation: *The Petroleum Licensing (Applications) Regulations 2015 is up to date with all changes known to be in force on or before 01 May 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

STATUTORY INSTRUMENTS

2015 No. 766

PETROLEUM

The Petroleum Licensing (Applications) Regulations 2015

Made - - - -	*18th March 2015*
Laid before Parliament	*20th March 2015*
Coming into force - -	*30th June 2015*

The Secretary of State, in exercise of the powers conferred by section 4(1) and (2) of the Petroleum Act 1998 [F1], makes the following Regulations:

F1 1998 c. 17.

Modifications etc. (not altering text)

C1 Regulations modified (temp.) (9.2.2018) by The Scotland Act 2016 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018 (S.I. 2018/56), **reg. 10** (with reg. 11)

C2 Regulations modified (temp.) (1.10.2018) by The Scotland Act 2016, Wales Act 2017 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018 (S.I. 2018/980), **reg. 15** (with reg. 16)

Citation and commencement

1. These Regulations may be cited as the Petroleum Licensing (Applications) Regulations 2015, and come into force on 30th June 2015.

Interpretation

2. In these Regulations—

"application notice" means a notice published in the Official Journal of the European Union which—

(a) indicates that the **[**[F2]OGA**]** is prepared to accept applications for petroleum exploration and development licences or seaward area production licences in respect of blocks, and

(b) specifies the web site on which details of the blocks are published;

"block" means an area to which a reference number has been assigned and published on a web site by the **[**[F3]OGA**]**;

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[[F4]"landward area" means an area of Great Britain that is within the baselines established by any Order in Council under section 1(1)(b) of the Territorial Sea Act 1987 (extension of territorial sea);**]**

"landward petroleum exploration licence" means a licence to search for petroleum in a landward area;

[[F5]"low water line" means the line so marked on the Ordnance map on a scale of 1:25,000 in the case of maps relating to Great Britain, and 1:50,000 in the case of maps relating to Northern Ireland, in the edition for the areas to which they respectively relate last published prior to the date on which these Regulations are made;**]**

"methane drainage licence" means a licence to get natural gas in the course of operations for making and keeping safe mines whether or not disused;

"model clauses" in relation to a licence means the model clauses prescribed under section 4(1)(e) of the Petroleum Act 1998 to be incorporated in licences of that type;

[[F6]"multiple phase licence" means a seaward area production licence in which, in accordance with the model clauses or clauses having a similar effect, at least one of Phase A or Phase B (within the meaning given by the model clauses) is specified;**]**

[[F7]"the OGA" means the Oil and Gas Authority;**]**

"petroleum exploration and development licence" means a licence to search and bore for, and get, petroleum in a landward area;

[F8]...

"seaward area" means—

(a) **[**[F9]islands on the seaward side of the baselines around Great Britain established by any Order in Council under section 1(1)(b) of the Territorial Sea Act 1987,**]**

(b) an area in the sea bed and subsoil beneath waters which lie on the seaward side of the said lines but within the outward limit of the territorial sea of the United Kingdom, and

(c) an area in the sea bed and subsoil within any area designated under section 1(7) of the Continental Shelf Act 1964 [F10];

"seaward petroleum exploration licence" means a licence to search for petroleum in any seaward area or landward area below the low water line;

"seaward area production licence" means a licence to search and bore for, and get, petroleum in a seaward area;

"work programme" means a scheme of prospecting including any geological survey by any physical or chemical means and any test drilling.

F2 Word in reg. 2 substituted (1.10.2016) by The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016 (S.I. 2016/912), regs. 1(1), **25(2)(a)**

F3 Word in reg. 2 substituted (1.10.2016) by The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016 (S.I. 2016/912), regs. 1(1), **25(2)(b)**

F4 Words in reg. 2 substituted (9.2.2018) by The Scotland Act 2016 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018 (S.I. 2018/56), regs. 1(2), **4(2)(a)** (with reg. 11)

F5 Words in reg. 2 substituted (9.2.2018) by The Scotland Act 2016 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018 (S.I. 2018/56), regs. 1(2), **4(2)(b)** (with reg. 11)

F6 Words in reg. 2 inserted (15.9.2017) by The Petroleum and Offshore Gas Storage and Unloading Licensing (Amendment) Regulations 2017 (S.I. 2017/855), regs. 1, **5(2)(b)**

F7 Words in reg. 2 inserted (1.10.2016) by The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016 (S.I. 2016/912), regs. 1(1), **25(2)(c)**

F8 Words in reg. 2 omitted (15.9.2017) by virtue of The Petroleum and Offshore Gas Storage and Unloading Licensing (Amendment) Regulations 2017 (S.I. 2017/855), regs. 1, **5(2)(a)**

F9 Words in reg. 2 substituted (9.2.2018) by The Scotland Act 2016 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018 (S.I. 2018/56), regs. 1(2), **4(2)(c)** (with reg. 11)

F10 1964 c. 29, amended by section 37 of, and paragraph 1 of Schedule 3 to, the Oil and Gas (Enterprise) Act 1982 (c. 23) and section 103 of the Energy Act 2011 (c. 16).

Application of the Regulations

3.—(1) **[**[F11]Subject to paragraph (1A),**]** these Regulations apply to an application for—

(a) a landward petroleum exploration licence;

(b) a seaward petroleum exploration licence;

(c) a methane drainage licence;

(d) a petroleum exploration and development licence; and

(e) a seaward area production licence.

[[F12](1A) These Regulations do not apply in relation to a landward petroleum exploration licence or a petroleum exploration and development licence in respect of an area within the Scottish onshore area **[**[F13]or the Welsh onshore area**]**.

(1B) In this regulation, "Scottish onshore area" has the meaning given in section 8A(3) of the Petroleum Act 1998 **[**[F14]and "Welsh onshore area" has the meaning given in section 8A(5) of that Act**].]**

(2) The following Regulations cease to have effect, to the extent specified, in relation to an application for a licence mentioned in paragraph (1) made after the date of coming into force of these Regulations—

(a) the whole of the Petroleum (Production) (Seaward Areas) Regulations 1988 [F15];

(b) the Petroleum (Production) (Landward Areas) Regulations 1995 [F16] with the exception of—

(i) regulation 9(2)(c); and

(ii) Schedule 5 to the Regulations.

F11 Words in reg. 3(1) inserted (9.2.2018) by The Scotland Act 2016 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018 (S.I. 2018/56), regs. 1(2), **4(3)** (with reg. 11)

F12 Reg. 3(1A)(1B) inserted (9.2.2018) by The Scotland Act 2016 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018 (S.I. 2018/56), regs. 1(2), **4(4)** (with reg. 11)

F13 Words in reg. 3(1A) inserted (1.10.2018) by The Scotland Act 2016, Wales Act 2017 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018 (S.I. 2018/980), regs. 1(1), **5(2)** (with reg. 16)

F14 Words in reg. 3(1B) inserted (1.10.2018) by The Scotland Act 2016, Wales Act 2017 and Onshore Petroleum (Consequential, Transitional and Saving Provisions and Model Clauses) Regulations 2018 (S.I. 2018/980), regs. 1(1), **5(3)** (with reg. 16)

F15 S.I. 1988/1213, relevant amending instruments are S.I.s 1992/2378,

1995/1435,
1996/2946,
2009/229 and
2009/3283.

F16 S.I. 1995/1436, relevant amending instruments are S.I.s 2009/229 and 2009/3283.

Applications for licences: general

4.—(1) Applications may be made by any person.

(2) Applications must—

(a) in the case of an application for—

(i) a petroleum exploration and development licence or

(ii) a seaward area production licence,

be made via the portal provided [F17]... for the purpose of licence applications on a publicly accessible web site;

(b) in the case of an application for a licence other than those mentioned in sub-paragraph (a), be made in writing;

(c) be accompanied by such evidence and particulars or documents in support as are specified in these Regulations in respect of the licence being applied for, and are appropriate to that application;

(d) be accompanied by the appropriate fee, as set out in **[**[F18]the Oil and Gas Authority (Fees) Regulations 2016**]**.

(3) In respect of an application for a petroleum exploration and development licence, regulation 5(2)(b), (5) and Schedule 2 sets out the information and supporting documentation required.

(4) In respect of an application for a seaward area production licence, regulation 5(2)(b), (5) and Schedules 2 and 3 set out the information and supporting documentation required.

(5) An application for a licence other than a petroleum exploration and development licence or a seaward area production licence may be made at any time.

(6) If any of the matters stated in an application or any further information supplied by the applicant changes after the application is made or after the information is supplied but before a licence is granted or the **[**[F19]OGA**]** informs the applicant that the application is refused, the applicant must immediately give notice in writing to the **[**[F19]OGA**]** giving particulars of the change.

(7) Nothing in these Regulations prevents more than one application being made by the same applicant or more than one licence being granted to that applicant.

(8) In this regulation, "in writing" includes transmission by way of an email sent to an address provided by the **[**[F20]OGA**]** for the purpose of receiving applications for licences and related information.

F17 Words in reg. 4(2)(a) omitted (1.10.2016) by virtue of The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016 (S.I. 2016/912), regs. 1(1), **25(3)(a)**

F18 Words in reg. 4(2)(d) substituted (1.10.2016) by The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016 (S.I. 2016/912), regs. 1(1), **25(3)(b)**

F19 Word in reg. 4(6) substituted (1.10.2016) by The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016 (S.I. 2016/912), regs. 1(1), **25(3)(c)**

F20 Word in reg. 4(8) substituted (1.10.2016) by The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016 (S.I. 2016/912), regs. 1(1), **25(3)(d)**

Applications for a petroleum exploration and development licence or a seaward area production licence

5.—(1) This regulation applies to an application for—

(a) a petroleum exploration and development licence; or

(b) a seaward area production licence.

(2) Subject to paragraph (6), every application for a licence must—

(a) be in response to an application notice, and

(b) specify the block or blocks to which it relates.

(3) Subject to paragraph (4), the application notice mentioned in paragraph (2) must provide for applications relating to any of the blocks to be made and determined in competition with others, specifying—

(a) a date on or before which any such applications are to be made, being a date at least 90 days after the date on which the application notice is published; and

(b) a date on which, or a period within which, it is proposed that licences will be granted to successful applicants.

(4) In the case of any block in respect of which—

(a) provision for competing applications was made on a previous occasion in an application notice, and

(b) that provision did not result in the grant of a licence,

the application notice may provide for applications to be made and determined at any time.

(5) If an application specifies more than one block it may indicate an order of preference for some or all of the blocks and it may indicate that blocks are applied for as alternatives.

(6) Where the **[**F21OGA**]** decides that geological or production considerations justify the granting of a licence in respect of any area to the holder of a licence in respect of a contiguous area, and notifies the holders of licences in respect of areas contiguous to the area in question accordingly, any of them may apply for a licence in respect of the area in question within whatever period the **[**F21OGA**]** considers sufficient for this purpose and specifies in the notification.

F21 Word in reg. 5(6) substituted (1.10.2016) by The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016 (S.I. 2016/912), regs. 1(1), **25(4)**

Applications for landward petroleum exploration licences, seaward petroleum exploration licences and methane drainage licences

6. An application for—

(a) a landward petroleum exploration licence,

(b) a seaward petroleum exploration licence, or

(c) a methane drainage licence,

must include in respect of each applicant—

(i) the applicant's name in full;

(ii) where the applicant is a body corporate—