



Oil and Gas (Enterprise) Act 1982

1982 CHAPTER 23

PART IV

OFFSHORE ACTIVITIES

24 Extended meaning of “offshore installation” in the 1971 Act.

For section 1 of the ^{M1}Mineral Workings (Offshore Installations) Act 1971 (in this Act referred to as “the 1971 Act”) there shall be substituted the following section—

“1 Application of Act.

- (1) This Act shall apply to any activity mentioned in subsection (2) below which is carried on from, by means of or on an installation which is maintained in the water, or on the foreshore or other land intermittently covered with water, and is not connected with dry land by a permanent structure providing access at all times and for all purposes.
- (2) The activities referred to in subsection (1) above are—
 - (a) the exploitation or exploration of mineral resources in or under the shore or bed of controlled waters ;
 - (b) the storage of gas in or under the shore or bed of controlled waters or the recovery of gas so stored ;
 - (c) the conveyance of things by means of a pipe, or system of pipes, constructed or placed on, in or under the shore or bed of controlled waters ; and
 - (d) the provision of accommodation for persons who work on or from an installation which is or has been maintained, or is intended to

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be established, for the carrying on of an activity falling within paragraph (a), (b) or (c) above or this paragraph.

(3) Her Majesty may by Order in Council provide that, in such cases and subject to such exceptions and modifications as may be prescribed by the Order, this Act shall have effect as if—

- (a) any reference to controlled waters included a reference to waters in any area specified under section 22(5) of the Oil and Gas (Enterprise) Act 1982 ; and
- (b) in relation to installations which are or have been maintained, or are intended to be established, in controlled waters, any reference in subsection (2) above to controlled waters included a reference to waters in a foreign sector of the continental shelf which are adjacent to such waters.

(4) In this Act—

“controlled waters” means

- (a) tidal waters and parts of the sea in or adjacent to the United Kingdom up to the seaward limits of territorial waters ;
- (b) waters in any area designated under section 1(7) of the Continental Shelf Act 1964 ; and
- (c) such inland waters as may for the time being be specified for the purposes of this paragraph by Order in Council ;

“foreign sector of the continental shelf” means an area which is outside the territorial waters of any state and within which rights are exercisable by a state other than the United Kingdom with respect to the sea bed and subsoil and their natural resources ;

“offshore installation” means an installation which is or has been maintained, or is intended to be established, for the carrying on of any activity to which this Act applies.

(5) In this section—

“exploration” means exploration with a view to exploitation ;

“inland waters” means waters within the United Kingdom other than tidal waters and parts of the sea ;

“installation” includes—

- (a) any floating structure or device maintained on a station by whatever means ; and
- (b) in such cases and subject to such exceptions as may be prescribed by Order in Council, any apparatus or works which are by virtue of section 33 of the Petroleum and Submarine Pipe-lines Act 1975 to be treated as associated with a pipe or system of pipes for the purposes of Part III of that Act,

but, subject to paragraph (b) above, does not include any part of a pipe-line within the meaning of that section ;

“modifications” includes additions, omissions and alterations.

(6) The fact that an installation has been maintained for the carrying on of an activity falling within subsection (2) above shall be disregarded for the purposes of this section if, since it was so maintained, the installation—

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- (a) has been outside controlled waters or, where it was so maintained in a part of a foreign sector of the continental shelf adjacent to those waters, the area consisting of those waters and that part ; or
- (b) has been maintained for the carrying on of an activity not falling within that subsection.

(7) Orders in Council made under this section may be varied or revoked by a subsequent Order so made ; and any statutory instrument containing an Order under subsection (3) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

Modifications etc. (not altering text)

C4 The text of ss. 8(3), 18, 24, 25(1)–(3)(5), 26(1)(2), 30(2), 31, 37 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M1 1971 c. 61.

26 Extended application of the Offshore Petroleum Development (Scotland) Act 1975.

- (1) In section 1 of the ^{M2}Offshore Petroleum Development (Scotland) Act 1975 (acquisition of land in connection with offshore petroleum)—
- (a) at the end of subsection (1) there shall be inserted the words “ or the storage of gas in or under the sea bed or the recovery of gas so stored ”;
 - (b) at the end of subsection (2)(a) there shall be inserted the words “ or the storage of gas in or under the sea bed or the recovery of gas so stored ” ;
 - (c) at the end of subsection (2)(b) there shall be inserted the words “ or conveying gas to or from the places in or under the sea bed where it is stored or to be stored ” ; and
 - (d) in subsection (2)(c) after the word “despatch” there shall be inserted the words “ or for the reception of gas and for its storage or onward despatch to or from the places in or under the sea bed where it is stored or to be stored and any treatment incidental thereto ”.
- (2) In section 20(2) of that Act (interpretation)—
- (a) after the definition of “harbour authority” there shall be inserted the following definition—

““installation” includes any floating structure or device maintained on a station by whatever means ;” ; and
 - (b) in the definition of “relevant operations” after the word “petroleum” there shall be inserted the words “ or the storage of gas in or under the sea bed or the recovery of gas so stored ”.

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Marginal Citations

- M2** 1975 c. 8.

Changes to legislation:

There are currently no known outstanding effects for the Oil and Gas (Enterprise) Act 1982, Part IV.