



# Energy Act 2011

## 2011 CHAPTER 16

### PART 2

#### SECURITY OF ENERGY SUPPLIES

### CHAPTER 3

#### UPSTREAM PETROLEUM INFRASTRUCTURE

#### **85 Variation of notices under sections 82 and 84**

- (1) The persons to whom a notice is given under subsection (11) of section 82 or subsection (2) of section 84 may agree to vary or set aside the notice.
- (2) The [F<sup>1</sup>OGA] may vary a notice under subsection (11) of section 82 or subsection (2) of section 84 on the application of one of the persons to whom the notice was given.
- (3) But the [F<sup>1</sup>OGA] may do so only if satisfied that the variation is necessary to resolve a dispute that has arisen in connection with the notice between the persons to whom it was given.
- (4) In considering whether to vary a notice the [F<sup>1</sup>OGA] must give an opportunity to be heard to—
  - (a) the persons to whom the notice was given;
  - (b) any person with a right to have anything conveyed by the pipeline concerned or processed by the facility concerned;
  - (c) the Health and Safety Executive; and
  - (d) such other persons as the [F<sup>1</sup>OGA] considers appropriate.
- (5) For the purposes of this section and section 86, a person is to be treated as having been given a notice if the person has had assigned to him or her a right which is secured by the notice or a duty which is imposed by the notice.

---

**Changes to legislation:** There are currently no known outstanding effects  
for the Energy Act 2011, Section 85. (See end of Document for details)

---

---

**Textual Amendments**

- F1** Words in s. 85 substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 67**; [S.I. 2016/920](#), reg. 2(a)
- 

**Commencement Information**

- I1** S. 85 in force at 21.3.2012 by [S.I. 2012/873](#), **art. 2(b)(i)** (with art. 4)

**Changes to legislation:**

There are currently no known outstanding effects for the Energy Act 2011, Section 85.