



North Sea
Transition
Authority

Guidance on Information and Samples Plans

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Contents

Scope and purpose of this guidance	4
Introduction	5
Context	6
The Energy Act 2016: Information and Samples	7
Information and samples plans (ISPs)	8
Objectives of an ISP	8
What are information and samples?	9
What are ISPs?	9
Who should prepare an ISP?	10
When is an ISP required?	11
By which criteria will the OGA agree an ISP?	12
ISP templates	13
When should an ISP be prepared?	13
Submission of an ISP to the OGA	14
Imposition of an ISP by the OGA	14
Sanctions for non-compliance	15
Changing the ISP	15
Contact	15
Appendix A: Energy Act 2016	16
Appendix B: Common licence event scenarios	17
Appendix C: Definitions	20

Scope and purpose of this guidance

1. This guidance explains the provisions made in Chapter 3 of the Energy Act 2016 (the 2016 Act) in relation to the preparation of information and samples plans in connection with licence events and describes the Oil and Gas Authority's (OGA's) expectations with regard to such information and samples plans.
2. The guidance is not a substitute for any regulation or law and is not legal advice.
3. The guidance will be kept under review and be revised as appropriate in the light of further experience and developing law and practice, and any change to the OGA's powers and responsibilities. If the OGA changes its guidance in a material way, it will publish a revised document.
4. Chapter 3, sections 30 to 33 of the 2016 Act impose obligations on a responsible person to prepare an information and samples plan in connection with licence events. The information and samples plan must be agreed with the OGA.
5. Guidance on the requirement for relevant persons to appoint an information and samples coordinator is dealt with in a separate OGA guidance document 'Guidance on the role of Information and Samples Coordinators'.¹

¹ <https://www.ogauthority.co.uk/news-publications/publications/>

Introduction

On 24 February 2014, Sir Ian Wood published the UKCS Maximising Recovery Review Final Report (the Wood Review²). Subsequently, the 2016 Act received Royal Assent on 12 May 2016.

Chapter 3 of the 2016 Act contains provisions related to information and samples, including provisions related to information and samples plans.

It is anticipated that provisions will commence in October 2017 requiring a responsible person to prepare and agree an information and samples plan in connection with a 'licence event'.

This guidance sets out the obligations placed on responsible persons in connection to information and samples plans.

These measures support the OGA in safeguarding information and samples that are required to achieve the principle objective established in the Petroleum Act 1998 of maximising the economic recovery of UK petroleum.

² https://www.ogauthority.co.uk/media/1014/ukcs_maximising_recovery_review.pdf

Context

The Wood Maximising Recovery Review, published in February 2014, made recommendations to maximise economic recovery from the UKCS. The Review noted the need to ensure greater access to timely and transparent data necessary for a competitive market.

The Wood Maximising Recovery Review recommendations were the subject of a consultation process and a response from government that was published in November 2014 under the title 'Implementing the Wood Review Recommendations'.

Subsequently, the 2016 Act sets out provisions that place obligations on responsible persons to prepare information and samples plans in connection with licence events as set out in Chapter 3 of the 2016 Act.

The Energy Act 2016: Information and Samples

Chapter 3 of the 2016 Act makes provisions in relation to petroleum-related information and petroleum-related samples, including:

- the retention of petroleum-related information and petroleum-related samples by relevant persons (regulations are yet to be put in place)
- the preparation and agreement of information and samples plans in connection with licence events (anticipated to commence in October 2017)
- the power of the OGA to require a relevant person to provide it with petroleum-related information or petroleum-related samples
- the appointment of information and samples coordinators (anticipated to commence in October 2017)

Information and samples plans (ISPs)

Objectives of an ISP

The objective of an information and samples plan (ISP) is to help to ensure that the risks associated with the transfer of information and samples at the time of a licence event are minimised. Well prepared and executed ISPs are therefore critical for continuing safe operations and to support the principal objective established in the Petroleum Act 1998 of maximising the economic recovery of UK petroleum (MER UK).

- Sections 30 to 33 of the 2016 Act lay out the provisions in relation to the preparation by a **responsible person** of an **information and samples plan**, in connection with a **licence event** and agreement of such plan with the OGA
- A **'responsible person'** is defined in section 30(5) of the 2016 Act as meaning, in relation to a licence event, the person who is or was, or the persons who are or were, the licensee in respect of the relevant licence immediately before the licence event
- An **'information and samples plan'** is defined in section 30(6) of the 2016 Act as meaning, in relation to a licence event, a plan dealing with what is to happen, following the event, to:
 - petroleum-related information held by the responsible person before the event, and
 - petroleum-related samples held by that person before the event

- A **'licence event'** is defined in section 30(3) of the 2016 Act as meaning:
 - a) a transfer of rights under an offshore licence, whether in relation to all or part of the area in respect of which the licence was granted
 - b) a surrender of rights under an offshore licence in relation to all of the area in respect of which the licence was granted, or in relation to so much of that area in respect of which the licence continues to have effect
 - c) the expiry of an offshore licence, or
 - d) the revocation of an offshore licence by the OGA

The ISP must be agreed with the OGA. Section 31(2) of the 2016 Act states:

The responsible person **must** agree the ISP with the OGA:

- a) in the case of a licence event mentioned in section 30(3)(a), (b) or (c) (transfer, surrender or expiry), **before** the licence event takes place, or
- b) in the case of a licence event mentioned in section 30(3)(d) (revocation), **within a reasonable period** after the revocation of the relevant licence

What are information and samples?

In this guidance ‘information and samples’ means ‘petroleum-related information’ and ‘petroleum-related samples’, both of which are terms defined in section 27 of 2016 Act as follows:

‘petroleum-related information’ means—

- a) in relation to any relevant person, information acquired or created by or on behalf of the person in the course of carrying out activities which are relevant to the fulfilment of the principal objective, and
- b) in relation to a relevant person who is an offshore licensee, information acquired or created by or on behalf of the person in the course of carrying out activities under the licensee's licence, which is not information falling within paragraph (a);

‘petroleum-related samples’ means samples of substances acquired by, or on behalf of, an offshore licensee in the course of carrying out activities under the licensee's licence.

A prime consideration in the preparation of an ISP is to define what information and samples are relevant to the licence event, so that the effort expended in development and delivery of the plan is proportionate to the value of the information and samples at risk. The use of OGA's ISP templates will support licensees in making decisions that ensure that the appropriate information and samples are included.

What are ISPs?

Section 30(6) of the 2016 Act provides the following definition of an ISP:

‘a plan dealing with what is to happen, following the event, to—

- a) petroleum-related information held by the responsible person before the event; and
- b) petroleum-related samples held by that person before the event’

The preparation and execution of an ISP helps to ensure that the transfer of information and samples between outgoing and incoming licensees, or when a licence expires or is surrendered or revoked, is conducted effectively and efficiently, resulting in successful and complete transfers.

The OGA expects that ISPs should be no more onerous than the existing plans made to facilitate the transfer of information and samples between two parties, who are following commonly accepted industry best practice. Those best practices have been promoted by organisations such as Oil and Gas UK for over a decade³.

The requirements to transfer information and samples will vary with the complexity of the licence event and hence so will the plans. The volume and complexity of information and samples associated with each licence is influenced by the age of the licence, age of any infrastructure, the stage in the exploration and production cycle of any assets (e.g. fields), the data management practices of existing or former licensees etc.

ISPs document what information and samples are to be transferred or retained, and how and when that transfer will take place. The OGA expects that an ISP will determine:

³ <https://oilandgasuk.co.uk/product/guidelines-for-best-practice-for-managing-information-transfer-at-the-time-of-asset-sales/>

- What ‘types’ of information and samples are associated with the licence and therefore in scope
- What information and samples exist within each information and samples ‘type’
- On occasion, which information and samples are not in scope of the ISP⁴
- Where the information and samples are currently physically / virtually located and whether that is a location under the control of the outgoing licensee (their premises) or under the control of a third party (physical records storage provider / IT provider / engineering contractor etc.)
- Which information and samples are to be transferred and which are to be retained
- How the information and samples will be transferred to the incoming licensee (or reported / transferred to the OGA)
- What opportunities exist for rationalisation, such as removing duplicate copies or out-dated versions
- That all information stored on digital media is readable and recoverable
- If the information and samples will be physically moved – or if entitlements (within a catalogue, index or database) will be changed to affect the transfer
- When the transfer of information and samples will take place
- Contact details of key personnel, involved in the execution of the ISP, in the outgoing licensee and, where relevant, the incoming licensee

Who should prepare an ISP?

Section 31(1) of the 2016 Act states: The responsible person must prepare an information and samples plan in connection with a licence event.

A ‘responsible person’ is defined in section 30(5) of the 2016 Act as meaning: “in relation to a licence event, the person who is or was, or the persons who are or were, the licensee in respect of the relevant licence immediately before the licence event”.

Where more than one of the licensees holding a licence is affected by a licence event, then all such licensees are the ‘responsible person’ with an obligation to prepare the ISP.

- For example, where the entire licence group is surrendering or transferring all or part of its rights under an offshore licence or where an offshore licence is expiring

Where a licence event relates to one licensee, that licensee is the responsible person.

- For example, where a sole licensee is surrendering or transferring all or part of its rights under an offshore licence or where an offshore licence is expiring, or where only one licensee in a licence group is transferring its rights under an offshore licence

For a ‘revocation of an offshore licence by the OGA’, the responsible person would

⁴ In cases where a well or a survey fall within the geographical bounds of the licence, but are not included in the scope of the transfer (maybe because they relate to a previous licence over the same geographical area), it would be prudent to acknowledge the existence of the well / survey and explain why it is not included in the ISP scope.

depend on which licensees have their licence revoked, since a revocation notice can be served on one or more licensee.

Section 33(1) of the 2016 Act states that an ISP may provide for:

- the responsible person to continue to retain information and samples;
- the transfer of the information and samples to the new licensee; or
- the appropriate storage of such information or samples

Section 33(1) states:

- (1) An information and samples plan, in relation to a licence event, may provide as appropriate for—
- a) the retention, by the responsible person, of any petroleum-related information or petroleum-related samples held by or on behalf of that person before the licence event,
 - b) the transfer of any such information or samples to a new licensee or to a person holding a carbon dioxide storage licence, or
 - c) appropriate storage of such information or samples

Where an ISP provides for a person other than the responsible person to hold information and samples, section 33(3) of the 2016 Act provides that an ISP may, with consent of the other person, impose requirements on such other persons in connection with that ISP, and any such requirements are sanctionable in accordance with Chapter 5 of the 2016 Act⁵.

Section 33(3) of the 2016 Act states:

Where an ISP makes provision under subsection (1) for a person, other than the responsible person, to hold information or samples in accordance

with the plan—

- a) the plan may, with the consent of that other person, impose requirements on that person in connection with the information and samples, and
- b) any such requirements are sanctionable in accordance with Chapter 5

When is an ISP required?

ISPs must be prepared in connection with the specific licence events set out in section 30(3) of the 2016 Act.

For all licence events except revocation of a licence by the OGA, an ISP must be prepared and agreed with the OGA before the licence event takes place. In the case of licence revocation, the ISP should be prepared within a reasonable period after the event.

The 2016 Act requires the responsible person to prepare an ISP in connection with all occurrences of licence events.

Clearly not all licence events present the same risk with respect to data loss. For example, a transfer of rights from one licensee to another, where both licensees are controlled by the same company group, and information and samples are managed within common systems, would present a relatively low risk.

Conversely; in the case of a licensee who has a large equity share in a licence, and is also the operator of that licence:

if the licence to be transferred covers a producing field and the licensee is

⁵ <http://www.legislation.gov.uk/ukpga/2016/20/part/2/chapter/5/enacted>

transferring its right to a new licensee, who will also be assuming the role of operator, then the potential risk of data loss may be greater.

Responsible persons should contact the OGA with respect to the requirements for an ISP when a licence event is being planned.

A responsible person can inform the OGA of a planned licence event and discuss the requirements for an ISP before the OGA is officially notified of the event via the PEARS system.

All enquiries related to the requirements for an ISP should be directed to ISC@OGAAuthority.co.uk

Appendix B refers to several licence event scenarios and explains the ISP preparation requirements in each case.

By which criteria will the OGA agree an ISP?

In accordance with section 31 of the Act, the OGA must agree the ISP before a licence event takes place (with the exception of revocation, where an ISP must be agreed within a reasonable period after the revocation). The OGA's primary considerations, when reviewing ISPs are likely to include, but are not limited to:

- Does the scope of the ISP cover (and only cover) licences relevant to the licence event?
- Are all the information and sample types relevant to the licence event included in the ISP?
- For each information and sample type, are all the information and sample entities that are associated with the licence, included in the ISP? Meaning;
 - does the ISP include (and only include) relevant wellbores, geophysical surveys, offshore platforms, pipelines etc?
- Is the manifest of information and samples detailed in the ISP, relating to each entity, complete? This means that all information and sample items, related to each wellbore, geophysical survey etc. are included?
- Does the ISP confirm that all reporting requirements related to the licence model clauses (as defined in PON9) have been fulfilled?
- Does the manifest use standard industry accepted naming conventions for information and sample entities?
- If information and samples are required to be transferred, is the method of transfer defined? In some cases, information and samples will need to be physically moved. In other cases, data entitlements could be managed to affect the transfer.
- Are the proposed information and samples transfer (physical and virtual) methods acceptable to all parties?
- Is the timing acceptable to all parties?
- Is there an effective project management process in place, with effective governance, communication planning, risk management etc. taking place?
- Are all areas of the responsible persons organisation involved? To include subsurface and where appropriate those responsible for infrastructure, continued operations etc.
- Are all necessary parties involved in the transfer? In particular the incoming licensee, in the case of the transfer

of rights and the OGA, in the case of surrender, expiry, or revocation.

The overarching criteria governing acceptance is that the OGA is satisfied that the objectives of the ISP, as set out in the objectives section of this guidance, are fulfilled.

ISP templates

There is no requirement to use a specific set of templates. Some companies have been transferring information and samples at the time of licence events for many years and may well have tried and tested processes with supporting templates. The OGA can provide template ISPs for certain licence events where requested. However, since the range of information and samples can be extensive, one template would not be suitable for all licence events or all information and sample types.

The OGA templates will be kept under review and revised as required in the light of further experience. The OGA may seek industry input in this regard as appropriate.

A responsible person's own methods, process and templates can be used in the preparation of an ISP. It is recommended that responsible persons collaborate with the OGA at the earliest possible opportunity to understand the OGA's requirements for the specific licence event in question.

A responsible person can inform the OGA of a pending licence event and request the OGA's expectations for agreeing a plan. This can happen before the OGA is officially notified of the event via the PEARS system.

When should an ISP be prepared?

Section 31(2) of the 2016 Act requires, in the case of all licence events, with the exception of licence revocation, that an ISP must be agreed before the licence event takes place. In the event of the revocation of a licence, a plan must be agreed within a reasonable period after the revocation of the relevant licence.

In respect of when a responsible person should commence preparing an ISP, in 2006 Oil and Gas UK first published best practice guidelines⁶ on matters related to the transfer of information and samples resulting from events, including those 'licence events' set out in the 2016 Act. The guidelines state:

"It is acknowledged that there are sensitivities and matters of commercial confidence involved in the sale and purchase of most assets. It is recommended however that both parties involve their respective information management specialists in the planning aspects of the transition at the earliest opportunity."

Ideally, development of an ISP should begin at an early stage to ensure that matters highlighted by an ISP are reflected in the commercial agreements.

Such matters may include, but are not limited to:

- A lack of clarity regarding the ownership and status of wellbores, wellbores included in the event, and related liabilities such as final abandonment

⁶ <https://oilandgasuk.co.uk/product/guidelines-for-best-practice-for-managing-information-transfer-at-the-time-of-asset-sales/>

- Discovery of issues arising from the format on which data is currently stored, as the media is outdated, corrupt or otherwise not easily readable

The OGA recommends that the parties involved in a transfer agree who is responsible for bearing the cost to remedy such matters.

Submission of an ISP to the OGA

The form of an ISP will be determined by the nature of the associated licence event (see Appendix B). The OGA will notify the information and samples coordinator (ISC) of the requirement for an ISP to be prepared and submitted. Notifications will be issued by the mailbox ISC@ogauthority.co.uk, citing a unique reference in each case. As part of the notification, the ISC will be directed to the appropriate ISP templates and directed to the latest version of this guidance.

The ISP should be submitted to ISC@ogauthority.co.uk, along with any supporting information. All communications between the responsible person and the OGA, relating to a licence event, must include the unique reference as issued in the original notification.

Any further communications related to the approval of an ISP should be sent to the OGA's ISC@ogauthority.co.uk mailbox.

Imposition of an ISP by the OGA

If an ISP is not agreed with the OGA, the OGA may itself prepare an ISP in connection with the licence event. The OGA may require the responsible person to provide with such information as the OGA requires to prepare the ISP. An ISP prepared by the OGA has

effect as if it had been prepared by the responsible person and agreed with the OGA. The relevant provisions of the 2016 Act are section 31(4) to (6).

Section 31(4) to (6) of the 2016 Act states:

- (4) If an information and samples plan is not agreed with the OGA as mentioned in subsection (2)(a) to (b), the OGA —
 - a) may itself prepare an information and samples plan in connection with the licence event, and
 - b) may require the responsible person to provide it with such information as the OGA may require to enable it to do so.
- (5) The OGA must inform the responsible person of the terms of any information and samples plan it prepares in connection with a licence event.
- (6) Where the OGA—
 - a) prepares an information and samples plan in connection with a licence event, and
 - b) informs the responsible person of the terms of the ISP.

The plan has effect as if it had been prepared by the responsible person and agreed with the OGA.

Where an ISP is prepared by the OGA and makes provision for a person other than the responsible person to hold samples and information, such an ISP may not include the transfer of information and samples to another person (such as a new licensee) without the consent of the responsible person. The following is stated in section 33 (2) of the Act:

- (2) An information and samples plan prepared by the OGA under section 31(4)

may not include provision under subsection (1)(b) for the transfer of information or samples to another person without the consent of the responsible person.

Section 36 of the 2016 Act enables a person affected by decision of the OGA, which results in the preparation of an ISP by the OGA, to appeal against such decision to the First-tier Tribunal on the grounds that the ISP is unreasonable.

Sanctions for non-compliance

The requirements imposed by sections 31(2) and (7) (relating to the agreement of an ISP with the OGA and compliance with such ISP), and under subsection (4) (b) (requirement to provide the OGA with information in connection with the OGA's preparation of an ISP) of the 2016 Act, are sanctionable in accordance with Chapter 5 of the 2016 Act. See the OGA's Sanctions Procedure for information on the sanctions process⁷.

Changing the ISP

Once agreed with the OGA, changes to the ISP may be made, if such changes are agreed with the OGA in accordance with section 32 of the 2016 Act. Where two or more persons are the responsible person in

relation to a licence event and those persons include a company that has, since the licence event, been dissolved, that company is no longer a responsible person for the purpose of agreeing changes to the ISP.

- (1) Where an ISP has effect in relation to a licence event, the OGA and the responsible person may agree changes to the plan.
- (2) Once changes are agreed, the plan has effect subject to those changes.
- (3) Where—
 - a) two or more persons are the responsible person in relation to a licence event, and
 - b) those persons include a company that has, since the licence event, been dissolved, the reference to the responsible person in subsection (1) does not include that company.

Contact

Any questions or comments related to this guidance or ISPs should be directed to ISC@ogauthority.co.uk

⁷ https://www.ogauthority.co.uk/media/2985/oga_sanction_procedure_r.pdf

Appendix A: Energy Act 2016

Chapter 3, section 31 of the 2016 Act states the following in relation to the preparation and agreement of information and samples plans:

- (1) The responsible person must prepare an information and samples plan in connection with a licence event.
- (2) The responsible person must agree the information and samples plan with the OGA—
 - a) in the case of a licence event mentioned in section 30(3)(a), (b) or (c) (transfer, surrender or expiry), before the licence event takes place, or
 - b) in the case of a licence event mentioned in section 30(3)(d) (revocation), within a reasonable period after the revocation of the relevant licence.
- (3) An information and samples plan has effect once it is agreed with the OGA.
- (4) If an information and samples plan is not agreed with the OGA as mentioned in subsection (2)(a) or (b), the OGA—
 - a) may itself prepare an information and samples plan in connection with the licence event, and
 - b) may require the responsible person to provide it with such information as the OGA may require to enable it to do so.
- (5) The OGA must inform the responsible person of the terms of any information and samples plan it prepares in connection with a licence event.
- (6) Where the OGA—
 - a) prepares an information and samples plan in connection with a licence event, and
 - b) informs the responsible person of the terms of the plan, the plan has effect as if it had been prepared by the responsible person and agreed with the OGA.
- (7) Where an information and samples plan has effect in connection with a licence event, the responsible person must comply with the plan.
- (8) The requirements imposed by subsections (2) and (7), or under subsection (4)(b), are sanctionable in accordance with Chapter 5.

Appendix B: Common licence event scenarios

Licence Event Type	Scenario	ISP requirement
Transfer of rights	The transfer of rights is between (from / to) companies (legal entities) that are controlled by the same company group.	<p>Confirm with the OGA via ISC@ogauthority.co.uk if the need is only to provide a letter.</p> <p>The completed template letter will constitute the ISP. It will confirm that no information and samples will need to move / be transferred as a result of the licence event, since information and sample management systems are common across both entities.</p>
Transfer of rights	<p>The transfer of rights is to a company that already holds an interest in that licence</p> <p>and</p> <p>the company having rights transferred to them (and the other licence holders) has confirmed (to both the exiting licensees and the OGA) that a transfer of information and samples from the exiting licensee is not required.</p>	<p>Confirm with the OGA via ISC@ogauthority.co.uk if the need is only to provide a letter.</p> <p>The completed template letter will constitute the ISP. It will confirm that no information and samples will need to move / be transferred as a result of the licence event, since all relevant information and samples are already in the possession / control of the licence group.</p>

Transfer of rights	<p>The transfer of rights is to a company that already holds an interest in that licence</p> <p>and</p> <p>one or more parties in the existing licence group requires a transfer of information and samples from the exiting licensee</p>	<p>An ISP is required.</p> <p>The ISP should specifically describe / identify information and samples that the outgoing licensee is required to transfer to the existing licensees.</p> <p>Contact the OGA via ISC@ogauthority.co.uk to confirm requirements</p>
Transfer of rights	<p>The transfer of rights is to a company that is new licensee. (Licensee is joining the licence group)</p>	<p>An ISP is required.</p> <p>The ISP should specifically describe / identify information and samples that the new licensee(s) require to be transferred to the new licensee.</p> <p>Contact the OGA via ISC@ogauthority.co.uk to confirm requirements</p>
Surrender of rights	<p>The whole licence group is surrendering its rights (a relinquishment / determination) in relation to all of the area in respect of which the licence was granted</p>	<p>An ISP is required.</p> <p>The ISP will be made up of two parts. 1) a relinquishment report 2) a plan regarding how it will be demonstrated that all reporting requirements based on the licence model clauses (PON9) have been or will be met.</p> <p>Contact the OGA via ISC@ogauthority.co.uk to confirm requirements</p>

<p>Expiry of an offshore licence</p>	<p>The licence is expiring</p>	<p>An ISP is required.</p> <p>The ISP will be made up of two parts. 1) a relinquishment report 2) a plan regarding how it will be demonstrated that all reporting requirements based on the licence model clauses (PON9) have been or will be met.</p> <p>Contact the OGA via ISC@ogauthority.co.uk to confirm requirements</p>
<p>Revocation of an offshore licence</p>	<p>The OGA is revoking the licence</p>	<p>The OGA will require an ISP. Full requirements will be determined at the time of the event.</p>

Appendix C: Definitions

Energy Portal – the OGA’s Energy Portal⁸ provides access to a number of transactional IT applications, used by relevant persons and others. Relevant persons can apply for and receive consent or direction on a wide range of activities relating to hydrocarbon exploration, production, development, decommissioning and the protection of the environment

Entitlements – are a process where an information owner ‘entitles’ (allows) another party access to information held in an IT application or physical store

Information and samples (see – Petroleum-related information and Petroleum-related samples)

Information and samples coordinator (ISC) – is an individual appointed by a relevant person to be responsible for monitoring the relevant person’s compliance with its obligations under Chapter 3 of the 2016 Act

ISC – see information and samples coordinator

Licence event – referred to in section 30((3) of the 2016 Act as:

- a transfer of rights under an offshore licence, whether in relation to all or part of the area in respect of which the licence was granted;
- a surrender of rights under an offshore licence in relation to all of the area

in respect of which the licence was granted, or in relation to so much of that area in respect of which the licence continues to have effect;

- the expiry of an offshore licence; or
- the revocation of an offshore licence by the OGA

Licence group – the group of companies (legal entities) that hold a petroleum licence

Manifest – is a term used to describe a list of data types, data entities and data objects / items associated with a licence. A responsible person can use their own manifest template or use the template supplied by the OGA

Installation – Section 44(1) to (3) of the Petroleum Act 1998 provides a full definition of offshore installations and includes a platform or other structure, which is offshore and is intended for the purpose of exploring for, or exploiting hydrocarbon resources

Offshore licence – is a petroleum licence which confers on the holder of that licence rights in respect of offshore waters, sometimes referred to as a seaward licence

⁸ https://itportal.ogauthority.co.uk/eng/fox/oga/OGA_LOGIN/login/

Outgoing licensee / incoming licensee – within various licence events one of more licensees may leave the licence group or join the licence group. These terms are used to describe this movement of organisations into or out of the licence group

Petroleum-related information – is defined in section 27 of the 2016 Act as meaning:

- in relation to any relevant person, information acquired or created by or on behalf of the person in the course of carrying out activities which are relevant to the fulfilment of the principal objective, and
- in relation to a relevant person who is an offshore licensee, information acquired or created by or on behalf of the person in the course of carrying out activities under the licensee's licence, which is not information falling within paragraph (a);

‘petroleum-related information’ includes information acquired or created which are relevant to activities carried out under a carbon dioxide storage licence

Petroleum-related samples – defined in section 27 of the 2016 Act as meaning: samples of substances acquired by or on behalf of an offshore licensee in the course of carrying out activities under the licensee's licence.

‘petroleum-related samples’ include samples acquired or created which are relevant to activities carried out under a carbon dioxide storage licence

PEARS – ‘Petroleum E-business Assignments and Relinquishment System’ – is an Energy Portal application that enables licensees and the OGA to deal with casework for petroleum licences – Licence Events

are raised and approved via the PEARS application. PEARS is accessed via the OGA’s Energy Portal⁹

Petroleum licence – means a licence granted under—

- section 3 of the Petroleum Act 1998 (searching for, boring for and getting petroleum), or Energy Act 2016
- section 2 of the Petroleum (Production) Act 1934 (licences to search for and get petroleum)

Relevant person – means a person listed in section 9A(1)(b) of the Petroleum Act 1998. Those persons are:

- holders of petroleum licences
- operators under petroleum licences
- owners of upstream petroleum infrastructure
- persons planning and carrying out the commissioning of upstream petroleum infrastructure
- owners of relevant offshore installations

Relinquish – in the context of this guidance relinquish / relinquishment means an exit from a licence by way of a ‘surrender of rights under an offshore licence’ or the ‘expiry of an offshore licence’

Responsible person – in relation to a licence event, means persons who are or were, the licensee in respect of the relevant licence immediately before the licence event.

⁹ https://itportal.ogauthority.co.uk/eng/fox/oga/OGA_LOGIN/login/

The 2016 Act places obligations upon the responsible person with respect to the preparation and agreement of, and compliance with, the information and samples plan. See section 30(5) of the 2016 Act

Upstream petroleum infrastructure – defined in section 9H of the Petroleum, Act 1998 and includes certain upstream petroleum pipelines and oil and gas processing facilities



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