



Oil & Gas  
Authority

# Meetings: statutory notice

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# Introduction

1. The Energy Act 2016 (the **Act**) gives the OGA the power to attend certain external meetings, including videoconferences and teleconferences, between different companies operating in the UK Continental Shelf (**UKCS**). This power is not about the OGA intervening in everyday conversations or attending internal meetings.
  2. This Notice sets out the powers given to the OGA by the Act and the related obligations that the Act places on industry.
  3. The OGA wishes to use the powers it has been given in a manner that is appropriate to its needs and does not place undue burdens upon industry. The main purpose of the Notice is to limit the external meetings that the OGA may wish to participate in and thus to which the obligations on industry apply. The Notice also sets out how companies are to supply to the OGA the information they are obliged to provide under the Act.
- a “**relevant meeting**” is defined in section 37 of the Act as a meeting at which two or more “relevant persons” are represented, including an employee or a person acting on their behalf, at which there is discussion of “relevant issues”
  - “**relevant issues**” are defined in section 37 of the Act as issues which are either relevant to the fulfilment of the ‘Principal Objective’ of maximising the economic recovery of UK petroleum (as set out in section 9A (1) of the Petroleum Act 1998), or relate to activities under an offshore licence – but do not include anything in respect of which a claim to legal professional privilege (or in Scotland, to confidentiality of communications) could be maintained in any legal proceedings
  - a “**relevant person**” is a person listed in section 9A (1) (b) of the Petroleum Act 1998.
5. Section 37 of the Act gives the OGA the power to issue a statutory “**notice**” to provide that a meeting specified, or of a description specified, is not a relevant meeting for the purposes of Chapter 4 or that an issue specified, or of a description specified, is not a relevant issue for the purposes of Chapter 4.

## The OGA’s powers

4. Section 39 of the Act provides the OGA with the power to attend and participate in “**relevant meetings**”, or such parts of a relevant meeting as cover “**relevant issues**”, between “**relevant persons**” and persons acting on their behalf, though it does not confer on the OGA a power to vote at such meetings if any matter is decided on by a vote:

### Obligations on industry

6. In summary, sections 38 to 40 of the Act set out the obligations on industry (in other words, ‘relevant persons’):

- to inform the OGA, in writing, of all relevant meetings and provide sufficient details to enable us to participate in the meeting, at least 14 days before the day of the meeting, or as soon as is practicable (and inform us as soon as is practicable to any changes to this information)
- if it is not practicable to inform the OGA of the meeting and/or details of participation at least 14 days before the day of the meeting, to provide the OGA with a written explanation as to why
- to provide the OGA with any information that is provided to other attendees (that relates to relevant issues), at the same time or, if not possible, as soon after that time as is reasonably practicable, including, in particular, the agenda and any other documents relevant to the meeting
- if the OGA does not attend the meeting, to provide it with a written summary of the relevant part(s) of the meeting and any decisions.

7. Section 38 of the Act also gives the OGA the power to use a statutory notice to set out how it wishes to receive the written information that industry is obliged to send.

### Statutory notice to limit the obligations on industry

8. The OGA wishes to use the powers it has been given in a manner that is appropriate to its needs and does not

place undue burdens upon industry. It is, therefore, limiting the meetings in scope of Chapter 4 through this Notice.

9. A meeting between two or more relevant persons or involving discussion of relevant issues is **not** a relevant meeting for the purposes of Chapter 4 **unless it is a meeting of one of the descriptions specified below:**

- **Operator Committee Meetings (OCMs):** meetings which are designated under a joint operating agreement (JOA) where operational matters pertinent to the conditions of that JOA will be discussed, where the JOA is operating one of the following priorities identified in accordance with the OGA’s opportunity matrix (as listed below):

#### **Field developments**

Lancaster Field  
Penguin Fields  
Rosebank Field  
Jackdaw Field  
Perth Field  
Dolphin Field  
Lowlander Field  
Columbus Field and Arran Field  
Bentley Field  
Bressay Field

#### **Producing fields**

Bruce Field  
Rhum Field  
Buzzard Field phase 2

#### **Infrastructure**

Forties Pipeline System  
Sullom Voe Terminal  
Shetland Gas Plant  
Theddlethorpe Gas Terminal

### **Decommissioning**

Brae Field

Dunlin Field

- **Technical Committee Meetings (TCMs):** meetings which are designated under a joint operating agreement (JOA) where operational matters pertinent to the conditions of that JOA will be discussed, where the JOA is operating one of the following priorities identified in accordance with the OGA's opportunity matrix (as set out above)
- **Exploration and Appraisal Well Pre-investment Meetings:** meetings where there is technical peer review on prospects and undeveloped discoveries, with the intent that this will lead to an investment decision regarding Exploration and Appraisal (E&A) wells
- **Major Project Review Meetings:** decision-gate meetings between joint venture (JV) partners for major investment projects (of £300 million or more) for greenfield, brownfield and decommissioning projects.

10. This means that if a relevant meeting is not one of the above specifications, then relevant persons are not required to inform the OGA of a meeting, secure the right to OGA participation, provide the OGA with information about the meeting, or provide it with a written summary of the meeting.

11. Notifications of meetings of the above specifications that are in scope of the Chapter 4 obligations, as set out above at paragraph 9, and all associated written information that relevant persons are obliged to send the OGA, should be sent to the email address:  
**meetings@ogauthority.co.uk.**

### **Application of Notice**

12. Under section 41 of the Act, this Notice may be varied or revoked by a further notice at any time. Should the OGA vary or revoke this Notice, it will publish it in such manner as it considers appropriate for bringing it to the attention of those persons the OGA consider are likely to be affected.
13. Failure to comply with the obligations imposed under Chapter 4 of the Act is sanctionable in accordance with Chapter 5 of that Act.