



REVOCATION OF OPEN PERMISSION FOR EMERGENCY PIPELINE DEPOSIT

Revocation of Open Permission granted by the Secretary of State on 18 May 2016

Background

1. An open permission was made by the then Secretary of State on, and effective on, 18 May 2016 in exercise of powers conferred under Part III of the Act and the relevant Pipeline Works Authorisation (the “**Open Permission**”) (Annex 1).
2. Pursuant to paragraph 2 of the Open Permission, the Secretary of State consented to a Deposit by the Holder.
3. Pursuant, *inter alia*, to Section 2(1) and Schedule 1 of the Energy Act 2016, certain functions and powers of the Secretary of State, including those under the Open Permission, transferred to the Oil and Gas Authority, a government company, incorporated under the Companies Act 2006 with registered number 09666504 (the “**OGA**”).

Operative Provisions

4. In this document:
 - (a) defined terms shall have the meaning set out in the Open Permission, unless otherwise defined herein; and
 - (b) headings are included for convenience only.
5. The Open Permission is hereby revoked with effect on and from 21 February 2022 (the “**Effective Date**”); provided that such revocation shall not affect any consent given by the Secretary of State or the OGA pursuant to, or any other action taken in compliance with, the Open Permission prior to the Effective Date.

Signed by: 

Name: Tom Wheeler
Director of Regulation

Date: 11 February 2022

Annex 1

Open Permission for Emergency Pipeline Deposit

Open Permission granted by Secretary of State on 18 May 2016

- 1 This Open Permission is made by the Secretary of State in exercise of the powers conferred under Part III of the Act and the relevant Pipeline Works Authorisation and comes into force on 18 May 2016.
- 2 Subject to paragraphs 3-7, the Secretary of State consents to a Deposit by the Holder.

Conditions of Use

- 3 The consent under paragraph 2 applies only where:
 - a) the Deposit is in relation to a pipeline covered by a Pipeline Works Authorisation;
 - b) the Deposit is required in consequence of an event which the Holder could not reasonably have foreseen;
 - c) it was not reasonably practicable to obtain consent from the Secretary of State before making the Deposit in the time available;
 - d) the Deposit does not cause an obstruction or hazard to other seabed users; and
 - e) the Deposit is necessary in order:
 - i. to avoid or reduce the risk of the pipeline immediately rupturing or leaking; or
 - ii. to avoid or reduce an immediate risk to the continued use of the pipeline.
- 4 The Holder must provide the information required under the Emergency Pipeline Deposit Template to the Secretary of State by 9am the next Working Day following the day the Deposit is made.
- 5 The Secretary of State may, by notice, require any other relevant information to be provided by the Holder by the deadline specified in the notice.
- 6 If the Secretary of State is of the opinion:
 - a) that the conditions set out at paragraph 3 were not fulfilled at the time the materials were deposited; or
 - b) at any time that any of the materials deposited are causing or are likely to cause an obstruction or hazard to other seabed users,the Secretary of State may, by notice, require the removal of those materials, and the materials shall be removed as soon as reasonably practicable thereafter.
- 7 The Secretary of State may, by notice, require all or any of the materials deposited to be removed in the event of the Holder ceasing to use the pipeline, or as soon as is practicable after the pipeline is deemed to be decommissioned.

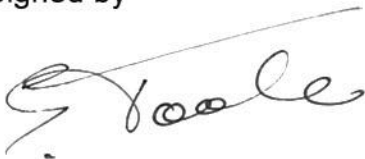
Exclusions

- 8 The consent under paragraph 2 is given pursuant solely to Part III of the Act and the relevant Pipeline Works Authorisation.
- 9 In particular, nothing in this Open Permission conveys any approval for the proposed Deposit under the Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999.

Definitions

- 10 For the purposes of this Open Permission:
- a) "Act" means the Petroleum Act 1998;
 - b) "Deposit" means a deposit of material which is placed on or directly next to a pipeline in order to form a protective cover for or to support the pipeline;
 - c) "Holder" means the person defined as the "Holder" in the Pipeline Works Authorisation for the pipeline which is the subject of the Deposit;
 - d) "Pipeline Works Authorisation" means an authorisation given in accordance with section 14 of the Act; and
 - e) "Working Day" means a day other than a Saturday, a Sunday, Christmas Day, Good Friday or a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.
- 11 References to legislation shall be interpreted to refer to the legislation as amended from time to time, or where the legislation is repealed and re-enacted, to the relevant provision as re-enacted.
- 12 Subject to paragraph 10, words and expressions used in this Open Permission have the same meaning as in the Act.

Signed by



an official in the Department of Energy and Climate Change

Date 18 May 2016