

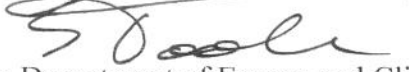
Open Permission (Creation of Security Rights over Licences)

Open Permission granted by the Secretary of State on 6 February 2012.

- 1) Subject to paragraphs (2) to (5), the Secretary of State, in exercise of powers conferred by the Act, consents to a licensee charging by way of a security the licensee's interest in the licence.
- 2) The consent given by paragraph (1) does not apply where, under the terms of the security or by operation of law, the licensee's interest in the licence is assigned on entering into that security.
- 3) The consent given by paragraph (1) does not apply unless the licensee notifies the Secretary of State in writing within ten days of creation of the security of:
 - a) the date the security was created;
 - b) the amount of money or other liabilities secured;
 - c) the licences affected; and
 - d) the identity of the chargee and any attorney for, or other representative of, the chargee.
- 4) The consent given by paragraph (1) does not apply for any other purpose (whether under the licence or otherwise) than provided under paragraph (1).
- 5) Where the creation of a charge is consented to under paragraph (1) and rights under the security are subsequently enforced, that consent does not extend any assignment of the licensee's interest in the licence to any person.
- 6) This document comes into effect on 13 February 2012 and may be referred to as the Open Permission (Creation of Security Rights over Licences) dated 6 February 2012.
- 7) The Open Permission (Creation of Security Rights over Licences) dated 19 March 2004 is revoked.

Interpretation

- 8) In this document:
 - a) "the Act" means the Petroleum Act 1998;
 - b) "chargee" means any person entitled to the benefit of the charge created by a security;
 - c) "licence" means a licence granted by the Secretary of State, pursuant to section 3 of the Act or any licence having effect as if so granted and "licensee" means a holder of a licence;
 - d) "security" means a document which contains any fixed or floating charge or debenture, the creation of which by a licensee requires the prior consent of the Secretary of State under the provisions of the licensee's licence.

Signed by  X
an official of the Department of Energy and Climate Change

Date: 6/2/12

Note

- (1) The exclusion in paragraph (2) applies, inter alia, to forms of security governed by the Law of Scotland which contain an assignation in security.
- (2) A licensee seeking to enter into a security to which this Open Permission does not apply may nevertheless apply to the Department of Energy and Climate Change for an individual consent.