



Oil & Gas
Authority

Consultation on proposed regulations for the retention and disclosure of information and samples

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The consultation can be found on the OGAs website: [C&EA will add the link on publication].

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General Information

Responding to this consultation

Issued: 30/06/2017

Respond by: 25/08/2017

Territorial extent: United Kingdom

The OGA invites written views and comments on the proposals, to be made by 25 August 2017. Your response will be most useful if it is framed in direct response to the questions posed, though further comments and evidence are also welcome.

Please submit your response by email or post.

The OGA has produced a coversheet for responses (see Annex C) and asks that you complete and include it with your response, which should speed up the processing of responses, and help to maintain confidentiality where appropriate.

Written responses to the consultation should be sent to:

Email: informationandsamples@ogauthority.co.uk

The Oil and Gas Authority
21 Bloomsbury Street
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Representative groups are asked to give a summary of the persons or organisations they represent when they respond.

Additional copies

Other versions of the document in Braille, large print, audio or Welsh can be made available on request. Please contact us using the 'enquiries' details to request alternative versions.

Confidentiality and data protection

The OGA will aim to publish its response to this consultation by 17 November 2017.

Please note that copyright and all other intellectual property in responses will be assumed to be licensed to the OGA to use for its regulatory remit.

Quality assurance

This consultation has been carried out in principle with the government's consultation principles.

If you have any complaints about the consultation process (as opposed to comments about the issues which are the subject of the consultation) please address them to:

OGA consultation co-ordinator
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Overview

On 24 February 2014, Sir Ian Wood published the UKCS Maximising Recovery Review Final Report (the Wood Review), following which, government introduced the Energy Act 2016 (“the Act”) which brought into law key recommendations from the Wood Review. The Act contains a number of provisions in relation to the retention by industry, reporting to the Oil and Gas Authority (OGA) and subsequent disclosure by the OGA of petroleum-related information and samples. These provisions include the ability for regulations to be made by the Secretary of State for Business, Energy and Industrial Strategy (the Secretary of State) relating to the retention and disclosure of information and samples.

The purpose of this consultation is to seek views on the OGA’s proposals for two sets of regulations relating to the retention, and to the public disclosure by the OGA, of petroleum-related information and samples pursuant to the Act:

- (i) regulations that will set out what information and samples industry will be required to **retain**, how and for how long
- (ii) regulations that will set out which information and samples the OGA will **disclose** publicly, and the time period after which disclosure can take place.

The OGA aims for the regulations to complete the Wood Review recommendations on transparency, while minimising burden on industry and seeks views on the proposals to that effect.

Retention

The Secretary of State may make regulations that require specified persons to retain specified petroleum-related information or samples. The regulations may specify which classes of information and samples are required to be retained, the form or manner in which information and samples are to be retained, the period for which they are to be retained, and the event that triggers the commencement of a retention period.

Part 1 of this consultation seeks views from industry on the OGA’s proposals for what the retention regulations should contain.

A summary of the proposals in this part can be found in Annex A on page [53](#).

Disclosure

The Secretary of State may also make regulations setting out which information and samples may be published or made available to the public by the OGA, and after what time period.

Part 2 of this consultation seeks views from industry on the OGA’s proposals for the information and samples that should be published or made available to the public, and the time after which disclosure should take place.

A summary of the proposals in this part can be found in Annex B on page [58](#).

Introduction

Background

1. Sir Ian Wood's 2014 review "UKCS Maximising Recovery Review Final Report" (the Wood Review) recommended the creation of the Oil and Gas Authority (the OGA) which was formed in April 2015, initially as an executive agency of the Department of Energy and Climate Change, now the Department for Business, Energy and Industrial Strategy (BEIS). In October 2016 the OGA became a government company, limited by shares under the Companies Act 2006, with the Secretary of State for BEIS as the sole shareholder. The OGA's role is to regulate, influence and promote the UK oil and gas industry in order to achieve the principal objective of maximising the economic recovery of the UK's oil and gas resources¹.
2. In addition to the creation of the OGA), the Wood Review's² key recommendations for maximising economic recovery from the UK Continental Shelf (MER UK) included the new body taking additional powers to facilitate implementation of MER UK – one of the aims of these recommended powers was to "ensure greater access to the timely and transparent data necessary for a competitive market".
3. Following the recommendations of the Wood Review, the Energy Act 2016 ("the Act") includes a number of provisions in relation to the retention (by industry), reporting (to the OGA) and subsequent disclosure (by the OGA) of information and samples. These provisions include:
 - allowing regulations to be made setting out what should be **retained** by industry, how, and for how long
 - providing the OGA with the power to require the **reporting** of information and samples by issuing written notices including the ability to set out when information and samples should be reported to them
 - allowing regulations to be made setting out how and when (after what time period of confidentiality) information and samples should be published (**disclosed**) by the OGA
 - the requirement to appoint **information and samples coordinators**
 - the requirement for **information and samples plans** to be provided at certain licence events.

¹ The OGA also regulates offshore carbon dioxide storage and offshore gas storage and unloading activities.

² <https://www.gov.uk/government/groups/wood-review-implementation-team>

Purpose of consultation

4. The purpose of this consultation is to seek industry's views on the OGA's proposals for the two sets of regulations relating to the retention by industry, and the public disclosure by the OGA, of petroleum-related information and samples:
 - **Part 1** of this document contains the proposals for regulations that will set out what information and samples should be **retained** by industry, how and for how long (under section 28 of the Act)
 - **Part 2** of this document contains the proposals for regulations that will set out when specified information and samples can be **disclosed** by the OGA (under section 66 of the Act).
5. Data, including information and samples, play a significant role in the UK oil and gas industry and access to high quality data by the OGA and industry will help to deliver more effective and efficient ways to maximise economic recovery from the UKCS across the whole oil and gas lifecycle.
6. The proposals for the retention requirements for industry and subsequent public disclosure by the OGA of information and samples that have been reported to it are designed to support maximising the economic recovery of petroleum from the UKCS through greater access to the timely and transparent data necessary for a competitive market, as recommended by the Wood Review.
7. Timely and transparent access to data has been repeatedly asked for by industry and the OGA consider that earlier transparent access to information and samples is likely to stimulate investment and lead to the discovery and development of a number of significant oil and gas fields and stimulate uplift in investment in the UKCS.
8. Wider and more open data availability will also allow the UK oil and gas supply chain to promote optimal concepts for the development and operations of UKCS fields, and the development of new techniques, software tools and other intellectual property that will be highly exportable. Higher education institutions will also benefit from easy access to the globally significant datasets that exist within the UKCS, enhancing learning opportunities and research that will extend beyond oil and gas into new domains, such as carbon capture and storage and environmental science.
9. The OGA's proposals for the regulations relating to retention are designed to support MER UK by:
 - **ensuring that a vital national asset of information and samples is preserved for use** – placing into regulations an obligation to retain important information and samples
 - **setting out clearly identifiable retention obligations** – placing into regulations obligations with respect to what information and samples are required to be retained and by whom
 - **minimising burden on industry** – setting out proposals for how the requirement to retain should end.
10. The OGA's proposals for the public disclosure of information and samples by the OGA are designed to support MER UK by:
 - **maximising the transparent and timely access to information and samples from the UKCS for industry** – making information and samples publically available as soon as is reasonable.

Part 1: Retention

Introduction

11. The OGA's proposals for the retention requirements to be set out in regulations are designed to support maximising the economic recovery of petroleum from the UK Continental Shelf (UKCS) by:
- **ensuring important information and samples from the UKCS are not lost or destroyed** – the proposals place an obligation to retain important information and samples into regulations
 - **setting out clearly identifiable retention obligations** – placing into regulations obligations with respect to what information and samples are required to be retained and by whom
 - **minimising industry burden** – it is the OGA's intention that the requirement to retain important information and samples does not place undue burden on industry. These proposals therefore set out the means by which the obligation to retain should end.

Scope of proposals

12. Part 1 of this consultation relates to section 28 of the Act, which provides for regulations to be made by the Secretary of State for BEIS (the Secretary of State), to require specified persons to **retain** specified petroleum-related information and samples.
13. "Petroleum-related information" and "petroleum-related samples" are defined in section 27 of the Act in the following way:
- (1) ... "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"*
- (2) "petroleum-related information" and "petroleum-related samples" include information or samples acquired or created as mentioned in subsection (1) which are relevant to activities carried out under a carbon dioxide storage licence.
- (3) *In subsection (2) "carbon dioxide storage licence" means a licence granted under section 18 of the Energy Act 2008.*

- 14.** Relevant persons are defined in section 18 the Act as being those persons listed in section 9A(1)(b) of the Petroleum Act 1998. These 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.*
- 15.** This means that information acquired or created in the course of carrying out activities that are relevant to the fulfilment of the principal objective of maximising the economic recovery of UK petroleum, as well as information and samples acquired in the course of carrying out activities under an offshore licence, can be required to be retained; and that the obligation to retain can apply to any of the relevant persons listed.
- 16.** The regulations can impose an obligation to retain information and samples, however they cannot impose an obligation to create information and samples, nor is imposing such an obligation the OGA's intention. The OGA's intention is for the regulations to ensure the long-term curation of important information and samples that have been created or acquired.
- 17.** The OGA intends for the regulations to apply not only to any new petroleum-related information or samples which are created after the coming into force date of the regulations, but also to any petroleum-related information or samples that were created beforehand and are held at the time of the coming into force of the regulations.
- 18.** It should also be noted that any other requirement to retain information, such as in the model clauses of offshore licences will not lapse as a result of the regulations coming into force.
- 19.** Where licences are referred to, this includes both exploration and production licences.
- 20.** This consultation sets out:
- **what** petroleum-related information and samples should be required to be retained. This is set out in descriptive categories of information and sample types that the OGA proposes should be captured by the requirement to retain
 - **who** is required to retain the information and samples. For each category of information or samples described, this consultation document sets out the OGA's proposals for who should be required to retain that information
 - the **form or manner** in which the information or samples are required to be retained. The OGA's proposal for how any information or samples should be retained is set out
 - the **period** for which the information and samples are required to be retained. The consultation sets out how, and under what circumstances, the OGA proposes that the requirement to retain any particular piece of information or sample reaches its end point
 - the **trigger event** which commences that period. The OGA's proposal for how the requirement to retain any information or samples should be commenced is set out.
- 21.** This consultation seeks views on the OGA's proposals for these retention requirements, and invites industry to provide views on the proposals.

Q1. Do you agree with the OGA's intention for the regulations to apply to both existing information and samples held at the date the regulations come into force as well as any new information and samples created after that date?

Detailed proposals

What information is required to be retained

22. Section 28 of the Act sets out that the regulations may require the retention of “specified petroleum-related information” and “specified petroleum related samples”, where specified can mean “specified or of a description specified” in the regulations.
23. The OGA considers that it would be neither practical nor desirable for the regulations to list every single specific type of information and sample that may be created, acquired or held by the relevant persons. The heterogeneous nature of data, information and samples gathered across the UKCS means that specifying with sufficient clarity everything that should be captured would be impractical and create unnecessary complexity for industry as to how to comply with the requirements. Further, there would be a significant risk that information or samples types that are valuable to the UKCS would be omitted from the requirements, increasing the risk of their loss.
24. The OGA proposal is that the regulations should make use of the provision in the Act that specified information or samples can mean “a description specified”. The OGA’s proposals, below, therefore describe which categories of petroleum-related information and samples should be included in the regulations as being required to be retained.
25. The approach taken is to classify information and sample types into categories that are well known to industry, and to describe within those categories the information or samples that are proposed to fall in scope. The information or samples required to be retained are described by relation to specific activities carried out across the UK oil and gas lifecycle (i.e. exploration, testing, drilling, production, transportation via pipeline and decommissioning) including the planning of such activities.

26. The categories of information are separated into two broad types of petroleum-related information or samples:

- i. Licence information and samples: information or samples which were created or acquired by or on behalf of a licensee or an operator under a licence (who may or may not be a holder of the licence) in the course of carrying out activities under the licence;
- ii. Other petroleum-related information: information which was created by or on behalf of an owner of owners of upstream petroleum infrastructure; persons planning and carrying out the commissioning of upstream petroleum infrastructure; or owners of relevant offshore installations in the course of carrying out activities which are relevant to the fulfilment of the principal objective.

Licence information and samples

Well information

27. The lifecycle of a well consists of the planning, drilling, operation, maintenance, testing, completion for production, production, suspension (where applicable) and finally abandonment of the well.
28. Throughout all of these processes, information will be created or acquired in order to carry out safe and efficient operations, and to properly evaluate any formations encountered in a well.
29. This information is of value as it can be used to help the OGA, or wider industry, develop an understanding of the strata and any formations encountered, and provide more information around the mechanical and engineering considerations necessary for safe and efficient operations. This information helps support the principal objective of MER UK by providing better understanding of the strata, formation and fluids, and how to maximise safe and efficient engineering operations of wells.

30. The OGA's proposal is that:

- i. **all information relating to the engineering of the well, the equipment used and the activities undertaken for the drilling, testing, operation, completion for production, production, suspension or abandonment of the well is required to be retained**
- ii. **all information relating to the strata, formations and fluids encountered that is created or acquired during the planning, drilling, operation, completion for production, production, maintenance, suspension or abandonment of the well is required to be retained.**

31. As an indication, the following would fall within the scope of the proposals above, as would any other such information which may be created falling within those descriptions:

- i. well reports related to the engineering, drilling, construction, operation and abandonment of the wellbore
- ii. well reports related to the expected and actual geology of the wellbore
- iii. analyses of any core or other samples and any related reports
- iv. wellbore seismic data (seismic data that is collected in the wellbore)
- v. deviation data that describes the position and path of the wellbore
- vi. well logs (physical measurement of strata, rock and fluid properties or visual record of strata and rocks encountered in a wellbore)
- vii. joined well logs (formed by splicing together well logs of the same type to make a continuous record)
- viii. composited well logs (a selection of several types of joined well logs displayed together graphically)
- ix. geochemical reports and analyses of rocks and fluids encountered.

Q2. Do you agree with the OGA's proposal to require all information related to the engineering of the well, equipment used and activities undertaken across the lifecycle of a well to be required to be retained due to its value in maximising safe and efficient operations?
Please answer yes or no.

If your answer is no please provide detail of what you think should be out of scope and why.

Q3. Do you agree with the OGA's proposal that all information about the strata, formations and fluids encountered across the lifecycle are required to be retained due to their value for understanding of the strata?
Please answer yes or no.

If your answer is no please provide detail of what you think should not be required to be retained and why.

Q4. Are there any other types of well information that you think should be included?
Please answer yes or no.

If your answer is yes, please detail what you think should be required to be retained and why.

Samples

- 32.** As with well information about the strata, formation and fluids, physical samples that are obtained are of value in helping further the understanding of the rocks and strata encountered and beneficial to the principal objective of MER UK.
- 33.** Physical samples that are obtained during the drilling of the well (which includes any coring and well testing) provide valuable information on the strata and fluids encountered and therefore the OGA's intention is for these samples to be required to be retained. These samples consist of both physical samples of the rocks and strata, and any hydrocarbon fluids encountered within the strata.
- 34.** The OGA considers that any additional samples taken during the production phase are not necessary to further understand the strata encountered and therefore the OGA does not consider it necessary to require industry to retain any sample taken during production.

35. There are also other physical samples that may be obtained outside of the process of drilling the well, for instance seabed samples during site surveys (which are inspections of the seabed and the shallow sub-surface in the vicinity of a proposed oil and gas activity to detect any potential hazards). These samples have more limited long-term use for the purposes of understanding the strata and so the OGA does not propose requiring that these physical samples are retained.
36. **The OGA proposes that any physical samples of the strata, and any samples of petroleum within the strata, encountered during the drilling of a well (including any coring or well testing taking place during the drilling) are required to be retained.**
37. It is anticipated that “petroleum” will have the same meaning as in section 1 of the Petroleum Act 1998, i.e. “includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata; but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation”.
38. As an indication, the following samples would fall within the scope of the proposals above:
- i. core samples
 - ii. core plugs
 - iii. drill cuttings
 - iv. sidewall cores
 - v. oil and gas fluid samples.
39. When considering this proposal, it is important to note the proposals set out in paragraphs 91-93 for when the obligation to retain samples may end.

Q5. Do you agree with the OGA's proposal that all samples, as set out above, should be required to be retained?
Please answer yes or no.

If your answer is no please provide detail of what you think should not be required to be retained and why.

Q6. Are there any other types of samples that you think should be included?
Please answer yes or no.

If your answer is yes, please detail what you think should be required to be retained and why.

Geophysical survey information

40. There are numerous techniques utilised for the purposes of imaging and mapping the subsurface. These include seismic surveys (2D, 3D, 4D and ocean bottom seismic); gravity; induced polarisation; magnetic; gravity gradiometric; and electromagnetic.
41. All of these techniques provide geophysical information that can be used for the imaging of the subsurface and therefore the information gathered from, and associated with, these surveys is of significant value for the purposes of understanding the subsurface and therefore for MER UK.
42. The retention of data gathered from the surveys (raw data) is valuable as it enables the processing of the data to be carried out using alternative methods to those the original owner used; any processed data is valuable as it provides imaging information of the subsurface; and any associated reports of the raw data or the processed data provides further valuable insight to the subsurface, which the OGA does not intend to be lost. Any positional or navigation data which shows where a survey was acquired is important supplementary information.
43. Regardless of whether the information was obtained for proprietary purposes (obtained for the purposes of getting petroleum) or for commercial purposes (obtained for the purposes of selling), the OGA intends for the information to be required to be retained.
44. During site surveys (which, as described above under samples are inspections of the seabed and the shallow sub-surface in the vicinity of a proposed oil and gas activity to detect any potential hazards), some geophysical information about the sea bed may be obtained, such as side scan sonar or echo sounder information. However, these surveys do not provide subsurface imaging information the OGA considers of value as they are primarily focussed on the seabed rather than the subsurface. Seismic surveys which may be carried out during site surveys do however contain valuable sub-surface information and so the OGA intends for this information to be retained.

45. The OGA proposes that any raw data (and associated reports); any navigation data (and associated reports); any processed data (and associated reports); and any reprocessed data (and associated reports) arising from geophysical surveys that measure the physical properties of strata and/or the rock types of which they are comprised in order to map, image or model the subsurface are required to be retained.

Q7. Do you agree with the proposal that all geophysical survey information, as set out above, should be required to be retained? **Please answer yes or no.**

If your answer is no please provide detail of what you think should not be required to be retained and why.

Q8. Are there any other types of geophysical survey information that you think should be included? **Please answer yes or no.**

If your answer is yes, please detail what you think should be required to be retained.

Production information

- 46.** Production efficiency is an important indicator for the OGA; it is a core element of production optimisation within the asset stewardship framework and a focus area for the OGA.
- 47.** In order for the OGA to have access to UKCS data to carry out reviews, including the benchmarking of assets for production efficiency, recovery factor and operating cost, the production information produced by licensees needs to be available to be reported to the OGA when required.
- 48.** Licensees provide monthly consolidated data by field and terminal for the Petroleum Production and Reporting System (PPRS). The OGA consider that the non-consolidated information obtained with more granularity, both spatially (e.g. by well) and temporally (e.g. daily production data) is valuable as it enables further investigation into, for example, any dips in production.
- 49.** Any measured quantitative production information that is acquired, including all measurements taken of oil and gas production, water production and injection, gas injection, other chemical injection, gas flaring and fuel gas used, provides valuable information on production efficiency.

50. The OGA proposes that:

- i. **any quantitative and compositional information on the petroleum, water, or other fluids, produced or injected into a reservoir or otherwise used in a field or flowed through, vented or flared at a terminal pursuant to an approved field development plan is required to be retained**
- ii. **any quantitative and compositional information on the gas flared, vented or used in the field is required to be retained.**

Q9. Do you agree with the proposal that all production information as set out above should be required to be retained? **Please answer yes or no.**

If your answer is no please provide detail of what you think should not be required to be retained and why.

Q10. Are there any other types of production information that you think should be included? **Please answer yes or no.**

If your answer is yes, please detail what you think should be required to be retained and why.

Other licence area information

- 51.** Beyond the categories of licence information already set out in this chapter, various types of information are currently required to be provided to the OGA including: field and discovery header records; field development plans; production forecasts; and applications (for production consents, flaring consents, vent consents and for the cessation of production).
- 52.** As this is information that is already provided to and held by the OGA, there is no intention to create an additional requirement on industry to retain this information.
- 53.** However, in addition to this information, reports are created from studies carried out on the sub-surface; geology of the strata; structure of the reservoir; the chemistry of the petroleum; how the petroleum may behave in the reservoir, and how it may be trapped and migrated from source. Information from these reports can give further interpretations, insights and context into the sub-surface of a field or licensed area, and therefore can contribute towards MER UK.

54. In addition to these reports, models of the sub-surface strata and petroleum may be created. The models can either be geological models, which are a computerised static spatial representation of the distribution of sediments and rocks in the subsurface; or reservoir simulation models, which are computerised models that simulate the flow of fluids in reservoirs. The insight into the subsurface and flow of fluids is highly valuable for MER UK.

55. The OGA proposes that:

- i. **any computerised model which provides a spatial representation of the distribution of sediments and rocks in the subsurface is required to be retained**
- ii. **any computerised model that simulates the flow of fluids (liquid or gas) in reservoirs is required to be retained**
- iii. **any report from a study into the sub-surface; geology of the strata; structure of the reservoir; the chemistry of the petroleum; how the petroleum may behave in the reservoir, or how it may be trapped and migrated from source is required to be retained.**

Q11. Do you agree with the proposal above that models and reports of the sub-surface strata and petroleum in licence areas should be required to be retained? **Please answer yes or no.**

If your answer is no please provide detail of what you think should not be required to be retained and why.

Q12. Are there any other types of licence information that you think should be included? **Please answer yes or no.**

If your answer is yes, please detail what you think should be required to be retained and why.

Other petroleum-related information

Upstream infrastructure (excluding pipelines and offshore installation information)

- 56.** Information about offshore installations and upstream petroleum infrastructure is important for the strategic understanding of regional infrastructure hubs. The spatial information (where the infrastructure is) helps build an overall understanding of infrastructure across the UKCS and how best to maximise efficiencies.
- 57.** Physical and structural information about the infrastructure and installations themselves is important to help build an understanding of potential future life, structural integrity and operational efficiency.
- 58. The OGA proposes that all structural, engineering, maintenance and inspection information that is created or acquired in relation to a piece of upstream petroleum infrastructure or a relevant offshore installation during planning, consents, construction, operation, or decommissioning is required to be retained.**
- 59.** Upstream petroleum infrastructure and offshore installations are anticipated to have the same meaning as in sections 9H and 9Ha of the Petroleum Act 1998 respectively³.

Q13. Do you agree with the proposal that all upstream infrastructure (excluding pipelines) and offshore installation information, as set out above, should be required to be retained? **Please answer yes or no.**

If your answer is no please provide detail of what you think should not be required to be retained and why.

Q14. Are there any other types of upstream infrastructure (excluding pipelines) and offshore installation information that you think should be included? **Please answer yes or no.**

If your answer is yes, please detail what you think should be required to be retained and why.

³ "upstream petroleum infrastructure" defined in s.9H Petroleum Act 1998 as meaning: "anything that for the purposes of section 82(1) of the Energy Act 2011 is –

a) a relevant upstream petroleum pipeline
b) a relevant oil processing facility, or
c) a relevant gas processing facility

"relevant offshore installations" are defined in s9HA as "an offshore installation is a relevant offshore installation if and in so far as it is used in relation to petroleum within subsection (2) (including such petroleum after it has been got)).

(2) Petroleum is within this subsection if it is petroleum which for the time being exists in its natural condition in strata beneath –

a) the territorial sea adjacent to Great Britain, or
b) the sea in any area designated under section 1(7) of the Continental Shelf Act 1964.

Upstream Infrastructure (Pipelines)

- 60.** Pipeline information, along with other infrastructure and installations, is important for the strategic understanding of regional infrastructure hubs. Information on pipelines is particularly important in relation to tying in other developments present and contributing towards MER UK.
- 61.** It is important to understand any spatial information about the pipelines, any structural or engineering information about the pipelines and the information contained within any reports around the maintenance, surveying or cleaning of the pipelines.
- 62. The OGA proposes that the following are required to be retained:**
- i. **any engineering reports relating to the construction of the pipeline**
 - ii. **any spatial information or drawings relating to the pipeline as constructed and installed (including relating to any subsea junctions and riser connections)**
 - iii. **any reports created in relation to any petroleum pipeline surveys or “pigging” operations carried out for cleaning, surveying or maintenance of the pipeline**
 - iv. **any reports created in relation to any chemical treatment of or chemical usage within the pipeline.**

Q15. Do you agree with the proposal that all pipeline installation information, as set out above, should be required to be retained? **Please answer yes or no.**

If your answer is no please provide detail of what you think should not be required to be retained.

Q16. Are there any other types of pipeline information that you think should be included? **Please answer yes or no.**

If your answer is yes, please detail what you think should be required to be retained.

Activities under a carbon dioxide storage licence

- 63.** Section 27(2) of the Act specifies that ““petroleum-related information” and “petroleum-related samples” include information or samples acquired or created as mentioned in subsection (1) which are relevant to activities carried out under a carbon dioxide storage licence.”
- 64.** Subsection (1) referred to in section 27(2) contains the definition of petroleum-related information and petroleum-related samples.⁴

Q17. Are there any additional categories of petroleum-related information or samples not discussed in the proposals above which are relevant to activities carried out under a carbon dioxide storage licence and which you think should be required to be retained? **Please answer yes or no.**

If your answer is yes, please detail what you think should be required to be retained.

⁴ “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 on behalf of an offshore licensee in the course of carrying out activities under the licensee’s licence.

Who is required to retain

65. The Act sets out that the regulations may require “specified relevant persons” to retain specified petroleum-related information. “Relevant persons” are defined in the Act as being those persons listed in section 9A(1)(b) of the Petroleum Act 1998, these are:
- a) *Holders of petroleum licences*
 - b) *Operators under petroleum licences*
 - c) *Owners of upstream petroleum infrastructure*
 - d) *Persons planning and carrying out the commissioning of upstream petroleum infrastructure*
 - e) *Owners of relevant offshore installations.*
66. The intention of the OGA is that, each relevant person that created or acquired the information or samples (or for whom the information or samples were created on behalf of), should be required to retain those information or samples.

Licence information and samples

67. Licence information and samples, as set out in paragraph 26, are any information or samples created or acquired by or on behalf of any holder of a licence, or any operator under a licence (who may or may not be a holder of the licence) in the course of carrying out activities under the licence.⁵
68. The OGA’s intention is for the obligation to retain to apply to every relevant person (i.e. the holder of the licence or operator under the licence) for whom petroleum-related information or petroleum-related samples is acquired or created by or on behalf of, in accordance with the definition of petroleum-related information or petroleum-related samples.

69. **The OGA proposes for all categories of licence information and samples required to be retained, that the persons responsible for their retention are:**

- **the holder of a licence and/or the operator under a licence who has created or acquired such information, or for whom the information or samples was created or acquired on behalf of in the course of carrying out activities under the licence.**

70. Under this proposal, where information or samples are created by or on behalf of the licensee, which may constitute numerous individual holders of the licence, the responsibility for retention would fall on the licensee, therefore every holder of the licence would each have joint and several liability for the retention of such information or samples.

Upstream petroleum infrastructure and owners of relevant offshore installations

71. The Act sets out that either owners or persons planning and carrying out the commissioning of upstream petroleum infrastructure, and owners of relevant offshore installations may be required to retain petroleum-related information.
72. Pipelines are considered upstream petroleum infrastructure, as are some installations, provided they meet the definition in section 9H of the Petroleum Act 1998. Any other installation would be considered a relevant offshore installation.

⁵ Section 27(1)(b) of the Act sets out that petroleum-related information includes “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...” and “petroleum-related samples” are defined in section 27(1) as “samples of substances acquired by or on behalf of an offshore licensee in the course of carrying out activities under the licensee’s licence.”

73. The OGA proposes, for any pipeline information and other upstream petroleum infrastructure, that the persons responsible for their retention are:

- **every owner of upstream petroleum infrastructure and person who has planned and carried out the commissioning of upstream petroleum infrastructure, who has created or acquired such information, or for whom the information was created or acquired on behalf of in the course of carrying out activities which are relevant to the fulfilment of the principal objective.**

74. The OGA also proposes, for other relevant offshore installations that are not upstream petroleum infrastructure, that the persons responsible for their retention are:

- **every owner of a relevant offshore installation who has created or acquired the information, or for whom the information was originally created or acquired on behalf of, in the course of carrying out activities which are relevant to the fulfilment of the principal objective.**

Q18. Do you agree with the proposals above that every relevant person who has created or acquired; or had the information created or acquired on behalf of, should be responsible for the retention of the information or sample? **Please answer yes or no.**

If your answer is no, please explain.

Form or manner in which information or samples are required to be retained

- 75.** The Act sets out that the regulations may include provision about the form or manner in which information or samples are required to be retained.
- 76.** This consultation does not set out detailed proposals for the media in which information should be kept to be put into regulations. It would not be practical to set out the precise media in which each information type should be required to be retained or the precise manner or form in which samples are to be retained. In addition, with continual technological advances, any requirements so specified would likely become dated.

77. It is however the OGA's intention that all information and samples are retained according to good modern practice and that all information is retained in a form that is useable, accessible and reproducible; and that samples are retained in a form or manner that is useable and accessible.

78. The OGA further intends that samples are retained within the UK, as any samples retained outside the UK could lead to difficulties in accessing the samples at a later date.

79. The OGA proposes that no detailed requirement as to the media that information is to be retained should be included in the regulations.

80. The OGA proposes that information and samples should be retained in accordance with good modern practice as is reasonable and prudent within the oil and gas industry. The OGA intends to issue guidance on 'best practice' to assist industry understand how this standard could be met.

81. The OGA also proposes that samples are required to be retained within the UK.

Q19. Do you agree with the proposal that there should be no detailed specific requirements as to the exact form and manner information or samples should be retained?

Q20. Do you agree that information and samples should be retained in a useable, accessible and (in case of information only) reproducible form?

Q21. Do you agree that samples should be required to be retained within the UK?

Period for which information and samples are required to be retained

- 82.** The Act sets out that the regulations may include provision about the period for which information and samples are to be retained.
- 83.** The OGA does not consider that it would be appropriate to set out specific time limits for each category of information and sample after which point the obligation to retain expires. It would not be meaningful to ascribe to each information or sample category a time limit within which the information or sample remains valuable.

84. The OGA's proposals, as set out in paragraph 11 are designed to support maximising the economic recovery of petroleum from the UK Continental Shelf (UKCS) by:
- i. **ensuring important information and samples from the UKCS are not lost or destroyed** – the proposals place an obligation to retain important information and samples into regulations
 - ii. **setting out clearly identifiable retention obligations** – placing into regulations obligations with respect to what information and samples are required to be retained and by whom
 - iii. **minimising industry burden** – it is the OGA's intention that the requirement to retain important information and samples does not place undue burden on industry. These proposals therefore set out the means by which the obligation to retain should end.
85. The OGA considers that the best way to achieve this is for the retention obligation to apply until an event occurs that ends the obligation to retain, while also preserving the curation of the important information or samples. These events are set out below.
- (i) **When the information or sample has been reported to the OGA under a section 34 reporting notice**
86. Section 34 of the Act gives the OGA the power to issue a reporting notice that requires information or samples to be reported to the OGA. A reporting notice must specify the form and manner in which the information, or portion of a sample, must be provided and the time at which, or period within which, it is to be reported.
87. The OGA proposes that, where the requirements under a section 34 reporting notice have been met, there will no longer be an obligation under the regulations to continue to retain the information or sample that has been reported to the OGA under that notice.
88. It should be noted that this proposal relates only to obligations under the proposed regulations, and any other obligation to retain information will not be prejudiced by such regulations.
- (ii) **When the person who is required to retain the information ceases to be a relevant person for the purposes of that information or sample**
89. For relevant persons who are licensees, the Act allows the regulations to provide for the requirement to retain to continue following a termination of rights under the licence (whether by transfer, surrender, expiry or revocation and whether in relation to all or only part of the licence). However, the Act also provides for the requirement to have information and samples plans⁶ agreed with the OGA (and for those plans to be complied with) in connection with any such event. Therefore, information and samples plans can provide for the effective transfer, reporting, or disposal of information and samples, as appropriate, at the time when a licensee ceases to be a relevant person.
90. For relevant persons who are not licensees, the Act only provides for retention obligations to apply while they remain relevant persons. Therefore, when they cease to be a relevant person (i.e. by relinquishing ownership of a piece of upstream petroleum infrastructure or other relevant offshore installation), any obligation on them to retain information no longer applies. The OGA intends to use its reporting powers under section 34 of the Act to ensure that any important information is not lost as a result of persons relinquishing ownership of infrastructure.

Q22. Do you agree with the proposals above for how the requirement to retain should end?

⁶ An information and samples plan in relation to a licence event is defined in section 30(6) of the Energy Act 2016 as:
 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.

Samples

91. In addition to the events set out above which cause the obligation to retain to end, because samples can be costly to retain, the OGA proposes additional circumstances under which the obligation to retain will end. These are set out below.

(i) **For petroleum samples – for non-gas samples: six months after notification is given to the OGA; for gas samples: five days after notice is given to the OGA**

92. These time periods are in line with what is set out in model clauses of petroleum licences for the retention of petroleum samples and the OGA considers that they are reasonable in balancing the burden to industry with the intention to ensure key information and samples are not lost or destroyed. The requirement to notify the OGA before the samples are disposed of provides an opportunity for the OGA to serve a reporting notice, if necessary, for a portion of the sample before it is lost or destroyed.

(ii) **For physical samples – six months after notice is given to the OGA but not less than five years after the “Well Completion Date”**

93. Physical samples of the strata can be burdensome to retain for long periods of time, and it is considered that five years is sufficient time for licensees to secure the valuable information from them. This is consistent with what is set out in model clauses and the OGA proposes that this continues into regulations. The Well Completion Date is the date of the earliest of the following events:

i. when the well has been completed for production (perforation setting of tubing and packers is finished and the well is ready to produce)

ii. when the well has been abandoned (the well is left with permanent barriers to isolate any reservoir or immediate zones and the surface casing wellhead and all other surface components are removed so that the well cannot be re-entered)

iii. when the well has been suspended (the well has been left with permanent or temporary barriers to isolate any reservoir or immediate zones if drilling has reached the reservoir or prospect targeted by the well).

Q23. Do you agree with the proposals above to apply the existing practice in model clauses for the disposal of samples to the regulations?

Trigger event that commences the period in which the information or sample is required to be retained

94. The Act sets out that the regulations may include provision about the event that triggers the commencement of the period for which information or samples are to be retained.

95. The OGA is seeking to ensure the long-term curation of important information and samples, therefore the OGA intends for the requirement to retain to apply as soon as possible where the information or sample has been created or acquired.

96. The OGA proposes that the requirement to retain applies from the point at which the information or sample is created or acquired by or on behalf of a relevant person in the course of the relevant activity (for licensees in the course of carrying out activities under the licence; and for other relevant persons in the course of carrying out activities which are relevant to the fulfilment of the principal objective).

Q24. Do you agree with the proposal for the requirement to retain to apply as soon as the information or samples are created or acquired?

Part 2: Disclosure

Introduction

- 97.** The OGA's proposals for the public disclosure of information and samples by the OGA are designed to support MER UK by:
- **maximising the transparent and timely access to information and samples from the UKCS for industry** – making information and samples publically available as soon as is reasonable.
- 98.** In making the regulations, section 66(5) of the Act requires the Secretary of State to have regard to the following factors :
- a) whether the specified time will allow owners of protected material a reasonable period of time to satisfy the main purpose for which they acquired or created the material
 - b) any potential benefits to the petroleum industry of protected material being published or made available at the specified time
 - c) any potential risk that the specified time may discourage persons from acquiring or creating petroleum-related information or petroleum related samples
 - d) any other factors the Secretary of State considers relevant.
- 99.** In balancing the above factors when making the regulations, the Secretary of State is required to take into account the principal objective of MER UK.
- 100.** The proposals are based on the OGA's judgement of an appropriate balance of the various factors to which the Secretary of State is required to have regard for each information and sample type. This consultation seeks views on whether the proposals do appropriately balance those factors and if there are any other factors that should be considered.
- 101.** The proposals are based on the OGA's judgement of an appropriate balance of the various factors to which the Secretary of State is required to have regard for each information and sample type. This consultation seeks views on whether the proposals do appropriately balance those factors and if there are any other factors that should be considered.

Scope of Proposals

- 102.** Part 2 of this consultation relates to section 66 of the Act, which provides for regulations to be made to allow the public disclosure by the OGA of "protected material" at a time specified in the regulations, where "protected material" is defined as any information or samples obtained by the OGA under Chapter 3 of Part 2 of the Act, either by a section 34 reporting notice or via an information and samples plan.
- 103.** In making these regulations, the Secretary of State is required to have regard to the following factors:
- a) *whether the specified time will allow owners of protected material a reasonable period of time to satisfy the main purpose for which they acquired or created the material;*
 - b) *any potential benefits to the petroleum industry of protected material being published or made available at the specified time;*
 - c) *any potential risk that the specified time may discourage persons from acquiring or creating petroleum-related information or petroleum-related samples (as defined in section 27);*
 - d) *any other factors the Secretary of State considers relevant.*
- 104.** In balancing the factors above, the Secretary of State is required to take into account the principal objective.
- 105.** This consultation sets out the OGA's proposals for:
- **what** petroleum-related information and samples should be able to be disclosed by the OGA (or a subsequent holder)
 - the **time period** after which those information and samples may be disclosed.

- 106.** The proposals are based on the OGA's judgement of an appropriate balance of the various factors to which the Secretary of State is required to have regard for each information and sample type. This consultation seeks views on whether the proposals do appropriately balance those factors and if there are any other factors that should be considered.
- 107.** The proposals below set out:
- i. what information the OGA proposes should be able to be disclosed under the regulations
 - ii. the length of time after a certain "trigger point", based on the information or sample category, after which the OGA proposes it should be able to disclose the information under the regulations
 - iii. what the given "trigger point" is for each information or sample category.
- 108.** It is the OGA's intention that where this "trigger point" for any particular piece of information occurs after the regulations come into force, the new regulations will apply (and therefore the information will be obtained by the OGA under a section 34 reporting notice to enable the regulations to apply).

Detailed proposals

- 109.** The proposals below seek to set out all categories of petroleum-related information and samples that the OGA may wish to disclose, and the time that the OGA proposes the regulations should set out after which the OGA will be able to publicly disclose the information or samples.
- 110.** As with the proposals for the retention requirements in Part 1 of this document, the categories of information are separated into two broad types of petroleum-related information or samples:
- i. Licence information and samples: information or samples which were created or acquired by or on behalf of a licensee or an operator under a licence (who may or may not be a holder of the licence) in the course of carrying out activities under the licence;
 - ii. Other petroleum-related information: information which was created by or on behalf of an owner of owners of upstream petroleum infrastructure; persons planning and carrying out the commissioning of upstream petroleum infrastructure; or owners of relevant offshore installations in the course of carrying out activities which are relevant to the fulfilment of the principal objective.

Licence information and samples

Well information

- 111.** Well information is described in Part 1 of this document as:
- i. all information relating to the engineering of the well, the equipment used and the activities undertaken for the drilling, testing, operation, completion for production, production, suspension or abandonment of the well, and
 - ii. all information relating to the strata, formations and fluids encountered which is created or acquired during the planning, drilling, operation, completion for production, production, maintenance, suspension or abandonment of the well.
- 112.** As set out in Part 1, this information aids the understanding of efficient and safe operations and in developing an understanding of the strata and any formations and fluids encountered and as such supports the principal objective of MER UK. The OGA intends, for the purposes of MER UK, to make this information available as soon as reasonable.
- 113.** The OGA recognises that the licensee who has acquired the well information will typically require a year to produce reports in a format that will be of value and that a period of exclusivity after the reports have been produced would enable the licensee to make use of the reports.
- 114.** If the information were made publicly available too soon after the reports were produced, it would likely act as a disincentive to acquire this valuable information in the first place.
- 115.** The OGA proposes that an appropriate balance of the factors required to be taken into account when specifying the time after which well information may be disclosed is two years after the "Well Completion Date", the date of the earliest of the following events:
- i. **when the well has been completed for production (perforation setting of tubing and packers is finished and the well is ready to produce)**
 - ii. **when the well has been abandoned (the well is left with permanent barriers to isolate any reservoir or immediate zones and the surface casing wellhead and all other surface components are removed so that the well cannot be re-entered)**

- iii. **when the well has been suspended (the well has been left with permanent or temporary barriers to isolate any reservoir or intermediate zones if drilling has reached the reservoir or prospect targeted by the well).**

- 116.** The OGA considers that two years following the first of any of these three events provides an appropriate timeframe for the licensee to prepare reports and to satisfy the purpose for which the well information is acquired. The Well Completion Date provides a clear and unambiguous date on which to base the two-year period after which information is able to be disclosed.
- 117.** Under this proposal, any well information created or acquired after the Well Completion Date would still be subject to the regulations, where it has been reported to the OGA under a section 34 reporting notice, and therefore eligible to be published by the OGA two years after the well completion date (therefore this may be less than two years after that information is created or acquired). It is worth noting however that the regulations will only set out when the information may be disclosed by the OGA and the OGA would consider any representations that any particular information should not be disclosed at the time specified in regulations.

Q25. Do you agree that two years following the Well Completion Date, as defined above, is an appropriate balancing of the factors required to be taken into account?
Please answer yes or no.

Please explain your answer.

Q26. Are there any other factors in deciding the time after which well information can be disclosed that you think need to be taken into account?

Q27. Are there any other pieces of well information that you think there should be provision for the OGA to disclose?
Please answer yes or no.

If your answer is yes, please detail what you think should be included.

Summary well information

- 118.** There is some high-level well information (concerning the well results in particular) that it would be beneficial to make publicly available as soon as possible – to provide more transparency across the UKCS and provide useful information for any analogous prospect or adjacent acreage, the benefit of which the OGA considers outweighs any negative impact to the owner of making the information publicly available. The OGA do not therefore consider that an equivalent exclusivity period to that provided to other well information is necessary or an appropriate balance of the factors required to be taken into account.
- 119. The OGA proposes that an appropriate balance of the factors would be for regulations to set out that the following summary may be disclosed by the OGA immediately after it has been obtained by the OGA:**
- i. **name of well**
 - ii. **position**
 - iii. **licence number**
 - iv. **type of well**
 - v. **depth of water**
 - vi. **name of operator**
 - vii. **strata targeted by the well**
 - viii. **strata information acquired (type of formation, age of rock, thickness of rock)**
 - ix. **the presence or absence of hydrocarbons**
 - x. **any flow test results**
 - xi. **any estimates of recoverable hydrocarbon volumes.**

- 120.** As above it should be noted that the regulations will only set out when the information may be disclosed by the OGA.

Q28. Do you agree that the ability to disclose the above summary well information immediately is an appropriate balance of the factors? **Please answer yes or no.**

Please explain your answer.

Q29. Are there any other factors for summary well information that you think need to be taken into account?

Q30. Are there any other pieces of summary well information that you think should be able to be disclosed immediately? **Please answer yes or no.**

If your answer is yes, please detail what you think should be included.

Samples

- 121.** Physical samples are described in Part 1 of this document as: any physical samples of the strata, and any samples of petroleum within the strata, encountered during the drilling of a well (including any coring or well testing taking place during the drilling).
- 122.** Samples, analysed alongside the associated well information, help to further the understanding of the physical strata encountered and as such the public release of samples is beneficial to the wider petroleum industry for the purposes of MER UK.
- 123.** The same considerations as set out for well information apply to samples in terms of the need to allow sufficient time for the licensee to secure the benefit of having acquired the samples before the OGA has the power to disclose with too short a time period potentially acting as a disincentive to industry to acquire the samples.

- 124.** The OGA proposes that, as with well information, regulations should set out that samples may be disclosed (be available for inspection) two years after the Well Completion Date, the date of the earliest of the following events:

- i. **when the well has been completed for production (perforation setting of tubing and packers is finished and the well is ready to produce)**
- ii. **when the well has been abandoned (the well is left with permanent barriers to isolate any reservoir or immediate zones and the surface casing wellhead and all other surface components are removed so that the well cannot be re-entered)**
- iii. **when the well has been suspended (the well has been left with permanent or temporary barriers to isolate any reservoir or intermediate zones if drilling has reached the reservoir or prospect targeted by the well).**

Q31. Do you agree that the proposal above, that samples should be able to be disclosed two years after the Well Completion Date, is an appropriate balance of the factors? **Please answer yes or no.**

Please explain your answer.

Q32. Are there any other factors for samples that you think need to be taken into account?

Q33. Are there any other samples that you think there should be provision for the OGA to disclose? **Please answer yes or no.**

If your answer is yes, please detail what you think should be included.

Geophysical survey information

- 125.** Geophysical survey information is described in Part 1 of this document as: any raw data (and associated reports); any navigation data (and associated reports); any processed data (and associated reports); and any reprocessed data (and associated reports) arising from geophysical surveys that measure the physical properties of strata and/or the rock types of which they are comprised in order to map, image or model the subsurface.
- 126.** As set out in Part 1, this information can be used for the imaging of the subsurface and the information gathered from geophysical surveys is of significant value for the purposes of understanding the subsurface and therefore is of significant value for the wider petroleum industry for the purposes of MER UK.

Proprietary surveys

- 127.** For proprietary geophysical survey information (information from surveys that were carried out for the purposes of getting petroleum under the licence in which the information was acquired), current practice, pursuant to model clauses in petroleum licences, is that this is disclosed publicly by the OGA three or four years after the end of the year of acquisition, depending on the time the licence was granted.
- 128.** The OGA considers that a power to disclose three years following acquisition of the data from the survey is an appropriate balance of the factors to be taken into consideration, taking into consideration the period required for licensees to make use of the surveys and, in particular, the risk that reducing this period could create a disincentive for this vitally important information to be created in the first place.
- 129.** **The OGA proposes that regulations set out that proprietary geophysical survey information (geophysical survey information where the survey was carried out for the purposes of getting petroleum under the licence in which the information was acquired) is able to be disclosed three years after the end of year of acquisition of the raw data.**

Q34. Do you agree that three years following the end of the year of acquisition is an appropriate balancing of the factors required to be taken into account for proprietary geophysical survey information? **Please answer yes or no.**

Please explain your answer.

Q35. Are there any other factors for geophysical survey information that you think need to be taken into account?

Q36. Are there any other pieces of proprietary geophysical survey information that you think there should be provision for the OGA to disclose? **Please answer yes or no.**

If your answer is yes, please detail what you think should be included.

Commercial surveys

- 130.** For commercial geophysical survey information (information from surveys that were carried out in order to sell the information or any associated reports) the period for which they retain value for the original owner for the purpose for which they were obtained is much longer than that for proprietary geophysical survey information.
- 131.** As with proprietary geophysical survey information, commercial geophysical survey information provides highly useful information for the purposes of understanding the subsurface and therefore is of benefit to the wider petroleum industry for the purposes of MER UK.
- 132.** However, for the original owner to secure the benefit of the information for the commercial purposes for which it was obtained, the information is required to remain protected for a longer period of time. This is due to the financial investment and risk required to develop the surveying and processing technologies involved.

- 133.** Further, for commercial geophysical survey information, there is a distinction in value between processed information (information that has been processed and can be rendered into an image that can be readily displayed and interpreted, frequently known as “post-stack, final stack or full stack”) and other raw (otherwise known as field data) or intermediate processed information (any other information in an interim processing stage including datasets actually derived or created during the processing stages, but not fully processed, also known as “pre-stack”). This pre-stack information may include “stacking velocities” as well as pre and post migration gathers which provide context to and assist the interpretation of the processed information.
- 134.** Raw and intermediate processed information can be reprocessed to be interpreted or used in varying ways and is therefore considered to retain its commercial value for a longer period than processed information.
- 135.** In addition to this, reprocessed information (information that has been, following the original processing, subject to further processing). For commercial geophysical information, this information may be of significant commercial value and as such, the OGA considers that the risk of the information being publicly disclosed may discourage persons from creating the reprocessed information.
- 136. The OGA proposes that, for commercial geophysical survey information (geophysical survey information where the survey was carried out for the purposes of selling the information or associated reports), regulations set out that the information may be disclosed after the time periods set out below**
- i. for the original processed data, associated processing reports (otherwise known as post-stack information) and stacking velocities providing context to the post stack information; 10 years after the completion date of processing**
 - ii. for raw data (otherwise known as field data) and any other intermediate processed and derived data (otherwise known as pre-stack) information, including pre and post migration gathers, 15 years after the date of completion of processing**

137. The OGA proposes that the periods proposed above apply where the end of year of acquisition of the data is after the coming into force date of the regulations.

138. It is proposed to use the date of completing processing as the “trigger date” for determining disclosure for commercial seismic surveys as these are surveys acquired using the latest technology where more complex and lengthy processing techniques are required to get optimal results.

139. It is important to note that the minimum periods before disclosure set out above are the earliest that the OGA may disclose this information. Further to this, for raw data and other intermediate processed information from certain surveys that the OGA considers to be “frontier” (those where the data were acquired in areas of little recent or historic activity in areas outside of traditional exploration or field development activity) the OGA may withhold disclosure for a further five years beyond the 15 years proposed to be set out in regulations.

Q37. Do you agree that 10 years after the end of year of acquisition for “post stack”, and 15 years after the end of the year of acquisition for “pre-stack” commercial geophysical survey information is an appropriate balancing of the factors required to be taken into account? **Please answer yes or no.**

Please explain your answer.

Q38. Are there any other factors for commercial geophysical survey information that you think need to be taken into account?

Q39. Are there any other pieces of commercial geophysical survey information that you think there should be provision for the OGA to disclose? **Please answer yes or no.**

If your answer is yes, please detail what you think should be included.

Summary geophysical survey information

- 140.** As with well information, there is high-level summary information about geophysical surveys that is not commercially sensitive but is of value for the wider petroleum industry, to understand the areas where geophysical surveys have taken place and which types of surveys have been done.
- 141. Therefore the OGA proposes that the regulations should set out that the following high-level geophysical survey information may be disclosed immediately after the OGA has obtained that information:**
- i. **the licence(s) the survey was acquired under**
 - ii. **the licensee name(s)**
 - iii. **the contractor name(s)**
 - iv. **start date and end date of acquisition of the data**
 - v. **the type of survey (i.e. whether it was a 2D, 3D, 4D or ocean bottom seismic, gravity, induced polarisation, magnetic, gravity gradiometric or electromagnetic survey)**
 - vi. **the location and spatial extent of the survey.**

Q40. Do you agree that the ability to disclose the above summary geophysical survey information immediately is an appropriate balance of the factors? **Please answer yes or no.**

Please explain your answer.

Q41. Are there any other factors for summary geophysical survey information that you think need to be taken into account?

Q42. Are there any other pieces of summary geophysical survey information that you think should be able to be disclosed immediately? **Please answer yes or no.**

If your answer is yes, please detail what you think should be included.

Production information

- 142.** Production information is described in Part 1 of this consultation as:
- i. any quantitative and compositional information on the petroleum, water, or other fluids, produced or injected into a reservoir or otherwise used in a field or flowed through, vented or flared at a terminal pursuant to an approved field development plan is required to be retained, and
 - ii. any quantitative and compositional information on the gas flared, vented or used in the field.
- 143.** This production information provides useful information to the petroleum industry by enabling them to monitor trends across the UKCS and in different fields. The more up to date this information is, the more useful it is to wider industry in building timely pictures of production in the UKCS.
- 144.** However, the premature release of this information could have a negative impact on the information holders as sufficient time may be required to explain any changes in production that could lead to investor uncertainty.
- 145.** Production information, when provided in more fine detail, either by time (i.e. daily as opposed to monthly) or by space (i.e. production information by well as opposed to by field) may be commercially sensitive, and the risk of release of this information while the field is still in production could lead to a disincentive to produce more detailed production information, which is valuable to the OGA in understanding production across the UKCS.
- 146.** The OGA considers that, after the cessation of production of a field, such production information would no longer be considered commercially sensitive by industry and there would be limited negative impact on industry were this to be disclosed at any time or in any level of detail.

147. The OGA proposes that an appropriate balancing of the factors to be taken into consideration when making regulations would lead to the time periods set out below, after which information may be disclosed:

- i. **production information may be disclosed two months after the end of the month to which the production information relates**
- ii. **this production information may only be disclosed if values are by total in the relevant the month, and by total out of a particular field**
- iii. **after the cessation of production, any production information in any detail may be disclosed immediately after it has been obtained by the OGA.**

Q43. Do you agree with the proposal that, prior to the cessation of production, two months after the end of the month to which the production information relates is an appropriate balancing of the factors for production information to be disclosed? **Please answer yes or no.**

Please explain your answer.

Q44. Do you agree with the proposal that, prior to cessation of production, information should only be able to be disclosed if disclosed by total over the month, or by total over a field? **Please answer yes or no.**

Please explain your answer.

Q45. Do you agree that, after cessation of production, production information may be disclosed at any time? **Please answer yes or no.**

Please explain your answer.

Q46. Are there any other pieces of production information that you think should be able to be disclosed? **Please answer yes or no.**

Please explain your answer.

Other licence area information

148. As Part 1 sets out, beyond the categories of licence information already discussed, the OGA holds various types of discovery and field information that are required to be provided to it under other powers including: field and discovery header records; field development plans; production forecasts; and applications (for production consents, flaring consents, vent consents and for the cessation of production).

Summary discovery and field information

149. As with well information and geophysical survey information, high-level summary field information that is not commercially sensitive may be useful to disclose to assist the petroleum industry in developing a contextual understanding of the UKCS.

150. Therefore the OGA proposes that the following summary discovery and field information may be disclosed immediately after the OGA has obtained the information:

- i. **hydrocarbon composition**
- ii. **any contaminants**
- iii. **determination status (whether the field boundary has been agreed with the OGA)**
- iv. **development status (whether the field is under development, in production, or has ceased production)**
- v. **the licence number**
- vi. **the name of the operator**
- vii. **the date of the discovery**
- viii. **the well number**
- ix. **the production start date**
- x. **the water depth**
- xi. **date of permanent cessation of production**

Q47. Do you agree that the ability to disclose the above summary discovery and field information immediately is an appropriate balance of the factors?
Please answer yes or no.

Please explain your answer.

Q48. Are there any other factors for summary discovery and field information that you think need to be taken into account?

Q49. Are there any other pieces of summary discovery and field information that you think should be able to be disclosed immediately?
Please answer yes or no.

If your answer is yes, please detail what you think should be included.

Geotechnical field development information

- 151.** Field Development Plans contain geotechnical information about the structure and geology of the field and reservoir; the physical properties and petrophysics of the reservoir rocks and fluids; and information on how the field is to be developed in terms of production profiles, planned drilling, production facilities and plans for decommissioning and well abandonment.
- 152.** This information provides insights and valuable interpretation information into the field and the UKCS. The release of this information is of benefit to the petroleum industry in developing insights into the UKCS and how to maximise economic recovery of fields.
- 153.** In the early stages of production, this information is commercially sensitive while the field is being established and its premature release could be damaging to investor confidence and have negative impacts on MER UK.
- 154.** The commercial and financial information within Field Development Plans provides limited benefit to the petroleum industry and is commercially sensitive for the operators and licensees involved.
- 155.** **The OGA propose that the geotechnical information in Field Development Plans, but not the commercial or financial information within those plans, may be released five years after the date of first production (the date the field first produces petroleum).**

- 156.** Note that where Field Development Plans contain geotechnical information for which an alternative disclosure period is proposed (for example seismic information) the proposal for that particular piece of information would take precedence.

Q50. Do you agree that five years after first production represents an appropriate balance of the factors required to be taken into account for geotechnical information contained within Field Development Plans?
Please answer yes or no.

Q51. Are there any other factors for geotechnical field development information that you think need to be taken into account?

Q52. Are there any other pieces of discovery and field information that you think should be able to be disclosed?
Please answer yes or no.

If your answer is yes, please detail what you think should be included.

Other licence area information

- 157.** Other licence area information required to be retained is described in Part 1 of this consultation as:
- i. any computerised model which provides a spatial representation of the distribution of sediments and rocks in the subsurface
 - ii. any computerised model that simulates the flow of fluids (liquid or gas) in reservoirs, and
 - iii. any report from a study into the subsurface; geology of the strata; structure of the reservoir; the chemistry of the petroleum; how the petroleum may behave in the reservoir, and how it may be trapped and migrated from source.
- 158.** This information can provide a great deal of insight into a particular area, field or discovery under licence. They provide highly valuable information that can be interpreted to maximise recovery of the field, and may also provide useful insight into adjacent or analogous fields.

159. This information is highly valuable for the licensee and their primary value is within the licence. There is a risk that early disclosure, which may benefit adjacent or analogous fields, would create a disincentive to produce the information.

160. Therefore the OGA proposes that other licence area information as defined in paragraph 157 above may only be disclosed by the OGA after the determination of the subject licence (i.e. following the surrender, expiry or revocation of a licence) as set out in the general provisions for Licence information in paragraph 162 below.

Q53. Do you agree that the proposal that reservoir and geological model information may only be disclosed following the determination of the subject licence is an appropriate balance of the factors? **Please answer yes or no.**

Please explain your response.

Q54. Are there any other factors for reservoir and geological model information that you think need to be taken into account?

Q55. Is there any additional reservoir or geological model information that you think should be able to be disclosed? **Please answer yes or no.**

If your answer is yes, please detail what you think should be included.

General disclosure proposals for licence information and samples

161. Further to the proposals for above for the times that licence information and samples may be disclosed, the OGA considers that there is no further reason for the owner of the protected material to be required to hold the information exclusively following the surrender, expiry or revocation of a licence.

162. The OGA proposes that any licence information or samples may be disclosed by the OGA immediately after any licence event, as defined in section 30(3) of the Act, other than the transfer of licence under section 30(3)(a) of the Act, i.e after:

b) the surrender of rights under an offshore licence in relation to all of the area in respect of which that 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

d) the revocation of an offshore licence by the OGA.

Q56. Do you agree that the proposal that any licence information or sample be able to be disclosed immediately after any of the licence events listed above is an appropriate balance of the factors? **Please answer yes or no.**

Please explain your answer.

Other petroleum-related information

Upstream petroleum infrastructure (excluding pipelines) and offshore installation information

163. Part 1 of this consultation describes upstream infrastructure (excluding pipelines) and offshore installation information as: all structural, engineering, maintenance and inspection information created or acquired in relation to upstream petroleum infrastructure or a relevant offshore installation, during planning, any consents process, construction, operation or decommissioning – with upstream petroleum infrastructure and offshore installations having the same meaning as in sections 9H and 9Ha of the Act respectively.

164. Summary information about installations provides useful contextual information about the UKCS and is disclosed by the Department for Business, Energy and Industrial Strategy (BEIS). The OGA considers that this information is not commercially sensitive and is unlikely that it being held by the owner exclusively for any length of time will secure the owner any benefit.

165. The OGA proposes that the following summary information on upstream petroleum infrastructure (excluding pipelines) and offshore installations may be disclosed immediately after it has been obtained by the OGA:

- i. **name of installation**
- ii. **identifier numbers**
- iii. **type of installation**
- iv. **name of operator**
- v. **name of owner**
- vi. **description provided in any consents process**
- vii. **operational status**
- viii. **any positional information**
- ix. **the associated pipeline systems.**

Q57. Do you agree that the ability to disclose the above summary information on upstream petroleum infrastructure (excluding pipelines) and offshore installations immediately is an appropriate balance of the factors?
Please answer yes or no.

Please explain your answer.

Q58. Are there any other factors for this summary information that you think need to be taken into account?

Q59. Are there any other pieces of upstream petroleum infrastructure (excluding pipelines) and offshore installations that you think should be able to be disclosed immediately?
Please answer yes or no.

If your answer is yes, please detail what you think should be included.

166. Any further information is considered to be of limited value to the petroleum industry but may be commercially sensitive to the owner up until that installation is decommissioned. Following decommissioning, the OGA consider that the information ceases to be commercially sensitive.

167. The OGA proposes that upstream infrastructure (excluding pipelines) and offshore installation information beyond the summary information described above may only be disclosed after the decommissioning of the upstream infrastructure or offshore installation.

Q60. Do you agree that the proposal that any more detailed information about upstream petroleum infrastructure (excluding pipelines) and offshore installations may only be disclosed after decommissioning is an appropriate balance of the factors?
Please answer yes or no.

Please explain your answer.

Q61. Are there any other factors for upstream infrastructure (Excluding pipelines) and offshore installation information that you think need to be taken into account?

Q62. Are there any other pieces of upstream petroleum infrastructure (excluding pipelines) and offshore installations that you think should be able to be disclosed?
Please answer yes or no.

If your answer is yes, please detail what you think should be included.

Pipeline information

- 168.** Pipeline information is described in Part 1 of this consultation as:
- i. any engineering reports created during the construction of the pipeline
 - ii. any spatial information or drawings relating to the pipeline as constructed and installed (including relating to any subsea junctions and riser connections)
 - iii. any reports created in relation to any petroleum pipeline surveys or “pigging” operations carried out for cleaning, surveying or maintenance of the pipelines
 - iv. any reports created in relation to any chemical treatment of or chemical usage within the pipeline.
- 169.** Summary structural pipeline information that is provided through the Pipeline Works Authorisation and Deposit Consent processes is of value to the petroleum industry to further understand (along with other infrastructure and installation information) regional hubs. They further provide a reference while planning logistical and decommissioning operations.
- 170.** This information has limited commercial sensitivity and the OGA considers that there would be limited negative impact to the information owner making this information available to the public.
- 171.** Conversely, any further detailed pipeline information, such as engineering information and reports, are not likely to provide valuable information to the petroleum industry but may be considered commercially sensitive.
- 172. The OGA proposes that the following structural information (including any subsequent updates provided) included in Pipeline Works Authorisation consents may be disclosed immediately after the OGA has confirmed consent to the Pipeline Works Authorisation:**
- i. **Name of PWA Holder, User(s), Owner(s) and Operator**
 - ii. **Pipeline Number**
 - iii. **Pipeline Components**
 - iv. **Pipeline From and To descriptions**
 - v. **Pipeline From and To Co-ordinates**
 - vi. **Pipeline Length**
 - vii. **Pipeline External Diameter**

viii. Pipeline Internal Diameter

- ix. **Pipeline Wall thickness**
- x. **Pipeline Type of insulation/coating**
- xi. **Pipeline MAOP/Barg**
- xii. **Pipeline contents**
- xiii. **Pipeline Trench Y/N**
- xiv. **Water Depth**

173. Information about deposits that may be placed for the protection or support of the pipeline and summary information around this may also be of use to be disclosed.

174. The OGA also proposes that the following summary information in Deposit Consents may be disclosed immediately after consent to the Deposit Consent has been provided by the OGA:

- i. **Pipeline Number**
- ii. **Start Date (MMM YY)**
- iii. **End Date (MMM YY)**
- iv. **Type and Size of material**
- v. **Quantity**
- vi. **Positional information**

Q63. Do you agree that the proposal for the summary pipeline information to be able to be disclosed immediately after consent is given is an appropriate balance of the factors? **Please answer yes or no.**

Q64. Are there any other factors for pipeline information that you think need to be taken into account?

Q65. Is there any other pipeline information that you think should be able to be disclosed? **Please answer yes or no.**

If your answer is yes, please provide detail of what you think should be included.

Activities under a carbon dioxide storage licence

175. As set out in paragraph 63 Section 27(2) of the Act specifies that “*petroleum-related information*” and “*petroleum-related samples*” include information or samples acquired or created as mentioned in subsection (1) which are relevant to activities carried out under a carbon dioxide storage licence.”

176. Subsection (1) referred to in section 27(2) contains the definition of petroleum-related information and petroleum-related samples.⁷

Q66. Are there any additional categories of petroleum-related information or samples not discussed in the proposals above relevant to activities carried out under a carbon dioxide storage licence and which you think should be able to be disclosed? Please answer yes or no.

If your answer is yes, please detail what you think should be required to be disclosed and when.

179. However in order to provide clarity it may be beneficial to amend model clauses. Were any amendments to be made to model clauses for future licences, the OGA considers that it would also be beneficial to put in place transitional arrangements so far as possible such that where there is a difference between the provisions for existing licenses and the regulations for retention and disclosure, we seek to give effect to the regulations .

Q67. Do you think that:

a) in order to provide clarity, it would be beneficial for model clauses to be amended so the regulations have primacy in this area

b) if this is done, transitional arrangements should be put in place such that the provisions of the regulations are given effect where possible for existing licences?

Interaction with model clauses

177. The proposed regulations, insofar as they relate to the requirement by industry to retain information and samples, and grant the OGA with the ability to disclose information and samples, may in some cases differ to the provisions of the model clauses.

178. It is the OGA's intention that, as far as is possible, the regulations are the mechanism under which petroleum-related information and samples are required to be retained by industry; and are disclosed by the OGA. The OGA considers that having in place dual regimes is manageable as the regulations would apply where information is provided via a section 34 reporting notice.

⁷ “petroleum-related information” means –

c) 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

d) 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.

Regulatory Impact Assessment and Equality Impact Assessment

This consultation seeks views on the proposals for retention and disclosure regulations and invites views and evidence on the potential impacts (costs and benefits) on business of the regulations.

A Regulatory Impact Assessment is therefore not being published alongside this consultation but one will be published alongside the OGA's response to this consultation.

The OGA has a general duty under the Equality Act 2010 in carrying out its functions to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and,
- foster good relations between different groups.

Further details can be found at <https://www.equalityhumanrights.com/en/equality-act/equality-act-2010>

Annex A:

Summary of retention proposals

Information type	Scope	Document reference	Who retains	Document reference	Retention ends when:	Document reference
Well information	<p>i) all information relating to the engineering of the well, the equipment used and the activities undertaken for the drilling, testing, operation, completion for production, production, suspension or abandonment of the well; and</p> <p>ii) all information relating to the strata, formations and fluids encountered which is created or acquired during the planning, drilling, operation, completion for production, production, maintenance, suspension or abandonment of the well</p>	Paragraphs 27-31	Every holder of a licence and operator under a licence who has created or acquired such information, or for whom the information or samples was created or acquired on behalf of in the course of carrying out activities under the licence.	Paragraphs 67-70	<p>i) information reported to OGA as required under section 34 notice; or</p> <p>ii) When the person who is required to retain the information ceases to be a relevant person for the purposes of that information</p>	Paragraphs 82-90
Samples	Any physical samples of the strata, and any samples of petroleum within the strata, encountered during the drilling (including any coring or well testing taking place during the drilling) of a well.	Paragraphs 32-39	As above	Paragraphs 67-70	<p>As with well information and</p> <p>i) non gas petroleum: six months after notice given to OGA of intention to dispose;</p> <p>ii) gas: five days after notice given to OGA of intention to dispose</p> <p>ii) physical samples of strata: six months after notice is given to the OGA of intention to dispose but not less than five years after the "Well Completion Date"</p>	Paragraphs 82 -90 and 91-93

Information type	Scope	Document reference	Who retains	Document reference	Retention ends when:	Document reference
Geophysical survey information	Any raw data (and associated reports); any navigation data (and associated reports); any processed data (and associated reports) and any reprocessed data (and associated reports) arising from geophysical surveys which measure the physical properties of strata and/or the rock types of which they are comprised in order to map, image or model the subsurface.	Paragraphs 40-45	As above	Paragraphs 67-70	i) information reported to OGA as required under section 34 notice; or ii) When the person who is required to retain the information ceases to be a relevant person for the purposes of that information	Paragraphs 82-90
Production information	a) any quantitative and compositional information on the petroleum, water, or other fluids, produced or injected into a reservoir or otherwise used pursuant to an approved field development plan; and b) any quantitative and compositional information on the gas flared, vented or used in the field.	Paragraphs 46-50	As above	Paragraphs 67-70	As above	Paragraphs 82-90
Other information related to discoveries and fields	i) any computerised model which provides a spatial representation of the distribution of sediments and rocks in the subsurface is required to be retained; and ii) any computerised model which simulates the flow of fluids (liquid or gas) in reservoirs is required to be retained iii) any reports from studies into the sub-surface of the licensed area	Paragraphs 51-55	As above	Paragraphs 67-70	As above	Paragraphs 82-90

Information type	Scope	Document reference	Who retains	Document reference	Retention ends when:	Document reference
Upstream petroleum infrastructure and offshore installation information	All structural, engineering, maintenance and inspection information created or acquired in relation to upstream petroleum infrastructure or relevant offshore installation during planning, any consents process, construction, operation or decommissioning, with upstream petroleum infrastructure and offshore installations having the same meaning as in sections 9H and 9Ha respectively.	Paragraphs 56-59	Every owner of upstream petroleum infrastructure and person who has planned and carried out the commissioning of upstream petroleum infrastructure, who has created or acquired such information, or for whom the information was created or acquired on behalf of in the course of carrying out activities which are relevant to the fulfilment of the principal objective. Or Every owner of a relevant offshore installation who has created or acquired the information, or for whom the information was originally created or acquired on behalf of, in the course of carrying out activities which are relevant to the fulfilment of the principal objective.	Paragraphs 71-74	As above	Paragraphs 82-90
Pipeline information	i) any engineering reports created during the construction of the pipeline; ii) any spatial information or drawings relating to the pipeline as constructed and installed (including relating to any subsea junctions and riser connections); iii) any reports created in relation to any petroleum pipeline surveys or “pigging” operations carried out for cleaning, surveying or maintenance of the pipelines; and iv) any reports created in relation to any chemical treatment of or chemical usage within the pipeline	Paragraphs 60-62	Every owner of upstream petroleum infrastructure and person who has planned and carried out the commissioning of upstream petroleum infrastructure, who has created or acquired such information, or for whom the information was created or acquired on behalf of in the course of carrying out activities which are relevant to the fulfilment of the principal objective.	Paragraphs 71-73	As above	Paragraphs 82-90

Annex B:

Summary of disclosure proposals

Information to be disclosed	Trigger date for commencement of time period	Time period after which information may be disclosed	Document reference
Well information	Completion date of well	Two years	Paragraphs 111-117
Summary well information	Information obtained by the OGA	Immediately	Paragraphs 118-120
Samples	Completion date of well	Two years	Paragraphs 121-124
Proprietary geophysical survey information	End of year of acquisition	Three years	Paragraphs 127-129
Commercial geophysical survey information	Date processing completed	10 years post stack information and reports 15 years raw field and pre-stack information and reports	Paragraphs 130-139
Summary geophysical survey information	Obtained by OGA	Immediately	Paragraphs 140-141
Production Information	End of month information relates to	Two months	Paragraphs 142-147
Summary discovery and field information	Obtained by OGA	Immediately	Paragraphs 149-150
Geotechnical Information from field development plans	Date of 1st production	Five years	Paragraphs 151-156
Other licence area information (including reservoir and geological models any reports from studies)	Licence determination	Immediately	Paragraphs 157-160
Summary petroleum infrastructure and offshore installation information	Obtained by OGA	Immediately	Paragraphs 163-165
Other infrastructure and installation information	Decommissioning	Immediately	Paragraphs 166-167
Summary pipeline and deposits information	Pipeline works authorisation consent date	Immediately	Paragraphs 168-174

Annex C: Response Coversheet

CONSULTATION ON PROPOSED REGULATIONS FOR THE RETENTION AND DISCLOSURE OF INFORMATION AND SAMPLES

To: informationandsamples@ogauthority.co.uk

YOUR DETAILS

Name: _____

Company/organisation: _____

Position: _____

Email address: _____

Address: _____

Representing: _____

CONFIDENTIALITY

Please tick below if you consider any part of your response is confidential, giving your reasons why:

Nothing Name/contact details/position _____

Whole response _____

Part of the response Company/organisation _____

If there is no separate annex, which parts? _____

If you want any part of your response, your name or your organisation to be kept confidential, can the OGA still publish a reference to the contents of your response including (for any confidential parts) a general summary that does not disclose the specific information or enable you to be identified? YES/NO

DECLARATION

I confirm that the correspondence supplied with this coversheet is a formal consultation response that the OGA can publish, except as indicated above.

However, in supplying this response, I understand that the OGA may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations.

If I have sent my response by email, the OGA can disregard any standard email text about not disclosing email contents and attachments.

Name:

Signed (if hard copy):

