

Energy Act 2008

CHAPTER 32

ENERGY ACT 2008

PART 1

GAS IMPORTATION AND STORAGE

CHAPTER 1

GAS IMPORTATION AND STORAGE ZONES

1 Exploitation of areas outside the territorial sea for gas importation and storage

CHAPTER 2

IMPORTATION AND STORAGE OF COMBUSTIBLE GAS

Activities requiring a licence

- 2 Prohibition on unlicensed activities
- 3 Exception for activities carried on partly on land etc
- 3A Exception for unloading to an installation in certain circumstances

Licensing

- 4 Licences
- 5 Applications
- 6 Terms and conditions
- 7 Model clauses

Enforcement

- 8 Offence to carry on unlicensed activities
- 9 Offences relating to licences
- 10 OGA's power of direction
- 11 Failure to comply with a direction under section 10
- 12 Injunctions restraining breaches of section 2(1)
- 13 Inspectors
- 14 Criminal proceedings

Supplementary

15 Interaction with the petroleum licensing requirements

Interpretation

16 Chapter 2: interpretation

CHAPTER 3

STORAGE OF CARBON DIOXIDE

Activities requiring a licence

17 Prohibition on unlicensed activities

Licensing

- 18 Licences
- 19 Requirements relating to grant of licences
- 20 Terms and conditions
- 21 Content of licences: regulations

Enforcement

- 22 Offence to carry on unlicensed activities
- 23 Offences relating to licences
- 24 Licensing authority's power of direction
- 25 Failure to comply with a direction under section 24
- 26 Injunctions restraining breaches of section 17(1)
- 27 Inspectors
- 28 Criminal proceedings

Registration

29 Requirement for public register

Information about change in control of licence holder

29A OGA's power to require information about change in control of licence holder

Abandonment of offshore infrastructure

- 30 Abandonment of installations
- 30A Change of use relief for certain installations
- 30B Change of use relief: carbon storage network pipelines

30C Relief under sections 30A and 30B: supplem

Termination of the licence

Termination of licence: regulations

Miscellaneous

- 32 Safety zones
- 33 Enhanced petroleum recovery: power to make orders
- Power of Secretary of State etc to transfer functions 34
- Cooperation with economic regulator 34A
- 34B Information sharing with economic regulator

Interpretation

35 Chapter 3: interpretation

CHAPTER 4

GENERAL PROVISIONS ABOUT GAS IMPORTATION AND STORAGE

36 Chapters 2 and 3: consequential amendments

PART 2

ELECTRICITY FROM RENEWABLE SOURCES

The renewables obligation

- 37 The renewables obligation
- 38 Section 37: supplemental provision
- 39 Existing savings relating to section 32 of the Electricity Act 1989
- 40 The Northern Ireland renewables obligation

Feed-in tariffs for small-scale generation of electricity

- 41 Power to amend licence conditions etc: feed-in tariffs
- 42 Power to amend licence conditions etc: procedure
- 43 Feed-in tariffs: supplemental

Offshore electricity transmission

44 Offshore electricity transmission

PART 3

DECOMMISSIONING OF ENERGY INSTALLATIONS

CHAPTER 1

NUCLEAR SITES: DECOMMISSIONING AND CLEAN-UP

Funded decommissioning programmes

- Duty to submit a funded decommissioning programme 45
- 45A Costs incurred in considering proposed programmes
 - 46 Approval of a programme

47	D 1 '1 '.'	С.		C	1
47	Prohibition	on like of si	te in ahçer	ice of annro	ved programme
T /	1 IOIIIOIIIOII	on use or si	ic ili absci	ice or appro	ved programme

Modification of approved programmes

- 48 Modification of approved programme
- 49 Procedure for modifying approved programme
- 50 Power to disapply section 49
- 51 Time when modification takes effect

Information

- 52 Provision of information and documents
- 53 Power to review operation of programme

Regulations and guidance

- Nuclear decommissioning: regulations and guidance
- 55 Funded decommissioning programmes: verification of financial matters

Protection of decommissioning funds

56 Protection of security under approved programme

Enforcement

- 57 Offence to fail to comply with approved programme
- 58 Secretary of State's power of direction
- 59 Offence of further disclosure of information
- 60 Offence of supplying false information
- 61 Restriction on prosecutions under this Chapter

Miscellaneous

- 62 Power to apply this Chapter to other nuclear installations
- 63 Co-operation with other public bodies
- 64 Continuity of obligations
- 65 Amendment of Nuclear Installations Act 1965
- 66 Disposal of hazardous material

General

- 67 Meaning of "associated"
- 67A Meaning of "associated": supplementary
 - 68 Interpretation

CHAPTER 2

OFFSHORE RENEWABLES INSTALLATIONS

- 69 Decommissioning notices relating to offshore renewable energy installations
- 70 Security for decommissioning obligations
- 71 Provision of information to Secretary of State

82J 82K

82L

	CHAPTER 3
	OIL AND GAS INSTALLATIONS
72 73 74	Persons who may be required to submit abandonment programmes Financial resources etc Protection of abandonment funds from creditors
	CHAPTER 4
	WELLS
75	Information about decommissioning of wells
	PART 4
	PROVISIONS RELATING TO OIL AND GAS
	Petroleum licences
76 77	Transfers without the consent of the Secretary of State Model clauses of petroleum licences
	Third party access
78 79 80 81 82	Third party access to infrastructure Modification of pipelines Third party access to oil processing facilities Directions under section 80: supplemental Meaning of "associate"
	PART 4A
	WORKS DETRIMENTAL TO NAVIGATION
	Consent required for carrying out of certain operations
82A 82B 82C 82D	Restriction of works detrimental to navigation Applications for consent under section 82A Determination of applications for consent under section 82A Authorised exploration or exploitation operations: consent conditions
	Directions by the Secretary of State
82E	Secretary of State's power of direction
	Emergency safety requirements
82F 82G 82H	Damage to, or changes in, the works: emergency safety notices Emergency safety notices: supplementary provisions Failure to comply with condition: immediate action notice
	Enforcement
82I 82J	Carrying out operation without consent etc Offences relating to consents

Failure to comply with direction under section 82E Failure to comply with notice under section 82F or 82H

82M 82N 82O	Injunctions restraining breaches of section 82A(1) Inspectors Criminal proceedings					
	Supplementary provisions					
82OA 82P 82Q	Fees Power to extend the application of this Part					
	PART 5					
	MISCELLANEOUS					
	Duties of Gas and Electricity Markets Authority					
83	Duties of the Gas and Electricity Markets Authority					
	Transmission systems					
84 85 86	Power to amend licence conditions etc: transmission systems Section 84: procedure Section 84: supplemental					
	Energy reports					
87	Energy reports					
	Smart meters					
88 89 90 91	Power to amend licence conditions etc: smart meters Power to amend licence conditions etc: procedure Smart meters: supplemental Licensing of activities relating to smart meters					
	Gas meters					
92 93 94	Gas meters Section 92: consequential amendments Power to amend licence conditions: gas					
	Electricity meters					
95 96 97	Electricity meters Section 95: consequential amendments Power to amend licence conditions: electricity					
	Connection offer expenses					
98	Costs connected with making an offer of connection					
99	Electricity safety Electricity safety					
	Renewable heat incentives					
100	Renewable heat incentives					

Nuclear information

101 Security of sensitive nuclear information

Application of general duties

102 Application of general duties to functions relating to licences

PART 6

GENERAL

- 103 Offences by bodies corporate etc
- 104 Subordinate legislation
- 105 Parliamentary control of subordinate legislation
- 106 Interpretation
- 107 Minor and consequential amendments
- 108 Repeals
- 109 Transitional provision etc
- 110 Commencement
- 111 Financial provisions
- 112 Extent
- 113 Short title

SCHEDULES

SCHEDULE 1 — Amendments relating to Chapters 2 and 3 of Part 1

Food and Environment Protection Act 1985 (c. 48)

- 1 The Food and Environment Protection Act 1985 is amended as...
- 2 In section 7A (regulation of deposits made in the sea:...
- 3 In section 24 (interpretation)—(a) in subsection (1), after the...

Petroleum Act 1987 (c. 12)

4 (1) Section 21 of the Petroleum Act 1987 (automatic establishment...

Gas (Northern Ireland) Order 1996 (S.I. 1996/275 (N.I.2))

5 In Article 3(1) of the Gas (Northern Ireland) Order 1996...

Petroleum Act 1998 (c. 17)

- 6 The Petroleum Act 1998 is amended as follows.
- 7 In section 11 (application of civil law)—
- 8 In section 13 (interpretation of Part 2), after the existing...
- 9 In section 28 (interpretation of Part 3), in the definition...
- 10 In section 30 (persons who may be required to submit...
- 11 In section 44 (offshore installations)—(a) in subsection (3), after...
- 12 In section 47A (factors for the Secretary of State to...

Energy Act 2004 (c. 20)

13 In section 188 of the Energy Act 2004 (power to...

SCHEDULE 2 — Property schemes

- SCHEDULE 3 Petroleum licences: amendments to model clauses
 - Part 1 Petroleum (Production) (Landward Areas) Regulations 1995
- 1 (1) Schedule 3 to the Petroleum (Production) (Landward Areas) Regulations...
 - Part 2 Petroleum (Current Model Clauses) Order 1999
- 2 This Part of this Schedule contains amendments to the Petroleum...
- 3 (1) Part 2 of Schedule 2 (seaward production licences) is...
- 4 (1) Part 2 of Schedule 3 (landward production licences) is...
- 5 (1) Part 2 of Schedule 4 (landward production licences) is...
- 6 (1) Part 2 of Schedule 5 (seaward production licences) is...
- 7 (1) Part 2 of Schedule 6 (seaward production licences) is...
- 8 (1) Part 2 of Schedule 8 (landward development licences) is...
- 9 (1) Part 2 of Schedule 9 (seaward production licences) is...
- 10 (1) Part 2 of Schedule 10 (seaward production licences) is...
- 11 (1) Part 2 of Schedule 11 (seaward exploration licences) is...
- 12 (1) Part 2 of Schedule 12 (landward exploration licences) is...
- 13 (1) Part 2 of Schedule 13 (landward appraisal licences) is...
- 14 (1) Part 2 of Schedule 14 (landward development licences) is...
 - Part 3 Petroleum Licensing (Exploration and Production) (Seaward and Landward Areas) Regulations 2004
- 15 This Part of this Schedule amends the Petroleum Licensing (Exploration...
- 16 (1) Schedule 1 (exploration licences) is amended as follows.
- 17 (1) Schedule 2 (frontier areas: production licences without break clause)...
- 18 (1) Schedule 3 (frontier areas: production licences with break clause)...
- 19 (1) Schedule 4 (production licences for areas other than frontier...
- 20 (1) Schedule 6 (exploration and development licences) is amended as...

SCHEDULE 4 — Smart meters: licensable activities

Part 1 — GAS

- 1 After section 41H of the Gas Act 1986 (c. 44),...
 - Part 2 ELECTRICITY
- 2 After section 56F of the Electricity Act 1989 (c. 29)...

SCHEDULE 5 — Minor and consequential amendments

Pipe-lines Act 1962 (c. 58)

1 In section 54 of the Pipe-lines Act 1962 (offences by...

Gas Act 1986 (c. 44)

2 In section 64(2) of the Gas Act 1986 (orders) after...

Electricity Act 1989 (c. 29)

- 3 In section 25 of the Electricity Act 1989 (orders for...
- 4 In section 47 of that Act (general functions of the...
- 5 In section 106 of that Act (regulations and orders), after...
- 6 In section 106(2)(b) of that Act (regulations and orders) for...

Petroleum Act 1998 (c. 17)

- The Petroleum Act 1998 is amended as follows.
- In section 5(9) (alteration of licences) for "an instrument under...
- In section 31(1) (notices: supplementary provision) omit "(d) or".
- In section 34 (revision of programmes)—(a) in subsection (2)(a),... 10
- In section 45 (interpretation), in the definition of "submarine pipeline"... 11

Utilities Act 2000 (c. 27)

- The Utilities Act 2000 is amended as follows. 12
- 13 In section 33 (standard conditions of electricity licences), in subsection...
- In section 81 (standard conditions of gas licences), in subsection... 14
- 15 In section 105 (general restrictions on disclosure of information)—

Energy Act 2004 (c. 20)

- 16 The Energy Act 2004 is amended as follows.
- 17 Omit section 105(9) (power to require provision of information in...
- Omit section 107(5) to (7) (power to require provision of... 18
- 19 In section 132 (interpretation of Chapter 5 of Part 2),...
- 20 In section 185 (adjustment of transmission charges), in subsection (14),...
- 21 In Schedule 13 (directions given to the Civil Nuclear Police...

SCHEDULE 6 — Repeals

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2008.