

ENERGY ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Sustainability and Renewable Energy Sources

Chapter 2: Offshore Production of Energy

Section 103: Other amendments consequential on Chapter 2 of Part 2

263. The [Submarine Telegraph Act 1886 \(c.49\)](#) brought into effect the 1884 Submarine Telegraphs Convention for the protection of submarine telegraph cables. Section 8 of the [Continental Shelf Act 1964 \(c.29\)](#) extended the provisions of the Act to cover other submarine cables and pipelines. Additionally the 1964 Act extended the Submarine Telegraph Act to cover pipelines only in the territorial sea. Subsection (1) extends the Submarine Telegraph Act to all submarine cables under the territorial sea and to waters in an area designated under section 1(7) of the Continental Shelf Act.
264. It may be the case that there is an overlap between sites which are most suitable for the exploration and exploitation of renewable energy sources on the one hand and petroleum resources on the other. Subsection (4) enables the Secretary of State to take the generation of electricity and related activities into account in exercising or performing the powers and duties conferred or imposed on him by or under the Petroleum Act 1998. Conversely the Secretary of State will take into account the exploration for or exploitation of petroleum resources in the exercise of the powers available to him in regard to the generation of electricity from renewable resources, although no legislative changes are necessary in this case.