



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

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 Secretary of State'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

Abandonment of offshore installations

- 30 Abandonment of installations

Termination of the licence

- 31 Termination of licence: regulations

Miscellaneous

- 32 Safety zones
- 33 Enhanced petroleum recovery: power to make orders
- 34 Power of Secretary of State etc to transfer functions

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

- 45 Duty to submit a funded decommissioning programme
46 Approval of a programme
47 Prohibition on use of site in absence of approved 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

- 54 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"
- 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

CHAPTER 3

OIL AND GAS INSTALLATIONS

- 72 Persons who may be required to submit abandonment programmes
- 73 Financial resources etc
- 74 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 Transfers without the consent of the Secretary of State
- 77 Model clauses of petroleum licences

Third party access

- 78 Third party access to infrastructure
- 79 Modification of pipelines
- 80 Third party access to oil processing facilities
- 81 Directions under section 80: supplemental
- 82 Meaning of “associate”

PART 5

MISCELLANEOUS

Duties of Gas and Electricity Markets Authority

- 83 Duties of the Gas and Electricity Markets Authority

Transmission systems

- 84 Power to amend licence conditions etc: transmission systems
- 85 Section 84: procedure
- 86 Section 84: supplemental

Energy reports

- 87 Energy reports

Smart meters

- 88 Power to amend licence conditions etc: smart meters
- 89 Power to amend licence conditions etc: procedure
- 90 Smart meters: supplemental
- 91 Licensing of activities relating to smart meters

Gas meters

- 92 Gas meters
- 93 Section 92: consequential amendments
- 94 Power to amend licence conditions: gas

Electricity meters

- 95 Electricity meters
- 96 Section 95: consequential amendments
- 97 Power to amend licence conditions: electricity

Connection offer expenses

- 98 Costs connected with making an offer of connection

Electricity safety

- 99 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**

- 1 Food and Environment Protection Act 1985 (c. 48)
- 2 In section 7A (regulation of deposits made in the sea:...
- 3 In section 24 (interpretation)— (a) in subsection (1), after the...
- 4 Petroleum Act 1987 (c. 12)
- 5 Gas (Northern Ireland) Order 1996 (S.I. 1996/275 (N.I.2))
- 6 Petroleum Act 1998 (c. 17)
- 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...
- 13 Energy Act 2004 (c. 20)

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

- 1 Pipe-lines Act 1962 (c. 58)
2 Gas Act 1986 (c. 44)
3 Electricity Act 1989 (c. 29)
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...
7 Petroleum Act 1998 (c. 17)
8 In section 5(9) (alteration of licences) for “an instrument under...
9 In section 31(1) (notices: supplementary provision) omit “(d) or”.
10 In section 34 (revision of programmes)— (a) in subsection (2)(a),...
11 In section 45 (interpretation), in the definition of “submarine pipeline”...
12 Utilities Act 2000 (c. 27)
13 In section 33 (standard conditions of electricity licences), in
subsection...
14 In section 81 (standard conditions of gas licences), in subsection...
15 In section 105 (general restrictions on disclosure of information)—
16 Energy Act 2004 (c. 20)
17 Omit section 105(9) (power to require provision of information in...
18 Omit section 107(5) to (7) (power to require provision of...
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