



Energy Act 2008

2008 CHAPTER 32

PART 1

GAS IMPORTATION AND STORAGE

CHAPTER 3

STORAGE OF CARBON DIOXIDE

Enforcement

26 Injunctions restraining breaches of section 17(1)

- (1) Where the Scottish Ministers consider it necessary or expedient to restrain any actual or apprehended breach of section 17(1) in relation to a controlled place in, under or over the territorial sea adjacent to Scotland, they may apply to the Court of Session for an interdict.
- (2) Where the Secretary of State considers it necessary or expedient to restrain any other actual or apprehended breach of section 17(1), the Secretary of State may apply—
 - (a) to the High Court for an injunction, or
 - (b) to the Court of Session for an interdict.
- (3) An application may be made under this section whether or not the applicant has exercised or is proposing to exercise any of the other powers under this Chapter.
- (4) On an application under this section, the Court of Session may grant such an interdict, or the High Court may grant such an injunction, as it thinks appropriate for the purpose of restraining the breach.
- (5) Rules of court may provide for an injunction or interdict to be issued against a person whose identity is unknown.