
STATUTORY INSTRUMENTS

2011 No. 2305

**The Storage of Carbon Dioxide (Access
to Infrastructure) Regulations 2011**

Powers to require information and effect of notices

Powers of the authority to require information

15.—(1) The authority may by notice require a person who has made or received an access application to provide the authority with specified information for the purpose of enabling the authority to decide—

- (a) whether to exercise any function conferred on the authority by regulations 12, 13 or 14; and
- (b) if so, how to exercise the function.

(2) Where a person has applied to the authority under regulation 14 for a notice to be varied, the authority may by notice require any person within paragraph (3) to provide the authority with specified information for the purpose of enabling the authority to decide—

- (a) whether to vary the notice; and
- (b) if so, how to vary the notice.

(3) Those persons are—

- (a) the person who applied for the notice to be varied;
- (b) any other person on whom the notice was served;
- (c) any person to whom there has been assigned a right which is secured by the notice or a duty which is imposed by the notice.

(4) The information that may be required under paragraphs (1) and (2) includes financial information.

(5) The authority may not disclose to any person any information obtained under paragraph (1) or (2) unless—

- (a) the person by or on behalf of whom the information was provided consents to the disclosure; or
- (b) the disclosure is required by virtue of an obligation imposed by law.

(6) In this regulation, “specified” means specified in a notice under paragraph (1) or (2).

Commencement Information

II Reg. 15 in force at 16.9.2011, see [reg. 1](#)

Requirements for consents

16.—(1) The use of infrastructure by any person in accordance with a right secured to that person by virtue of these regulations is not a contravention of—

Changes to legislation: There are currently no known outstanding effects for the The Storage of Carbon Dioxide (Access to Infrastructure) Regulations 2011, Cross Heading: Powers to require information and effect of notices. (See end of Document for details)

- (a) section 14(1) of the Petroleum Act 1998; or
 - (b) section 17(1) of the Energy Act 2008.
- (2) Subject to paragraph (3), a modification notice requiring a person to carry out modifications authorises that person to carry out the modifications for the purposes of—
- (a) section 14(1) of the Petroleum Act 1998 (but nothing in Schedule 2 of that Act shall apply to such a notice);
 - (b) section 1 of the Pipe-lines Act 1962⁽¹⁾;
 - (c) section 31 of the Planning Act 2008;
 - (d) section 17(2)(d) of the Energy Act 2008;
 - (e) a storage permit under the Storage of Carbon Dioxide (Licensing etc.) Regulations 2010 or the Storage of Carbon Dioxide (Licensing etc.) (Scotland) Regulations 2010;
 - (f) Part 3 of the Town and Country Planning Act 1990 or Part 3 of the Town and Country Planning (Scotland) Act 1997.
- (3) Paragraph (2) does not apply to the extent that a modification notice has been varied by agreement pursuant to regulation 14⁽¹⁾.

Commencement Information

I2 Reg. 16 in force at 16.9.2011, see [reg. 1](#)

(1) Section 1 was amended by sections 37, 38 and 46 of the Criminal Justice Act 1982 (c. 48), section 36 of, and paragraphs 5 and 6 of Schedule 2 to, the Planning Act 2008 and by paragraph 2(2) of the Schedule to the Deregulation (Pipe-lines) Order 1999 (S.I. 1999/742) and paragraph 4 of the Schedule to the Planning and Compulsory Purchase Act 2004 (Corresponding Amendments) Order 2007 (S.I. 2007/1519).

Changes to legislation:

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