
STATUTORY INSTRUMENTS

2011 No. 2305

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

Enforcement

Construction authorisations and pipeline variation notices

19.—(1) For the purposes of sections 1 and 4 of the Pipe-lines Act 1962⁽¹⁾, the works for the construction of a relevant pipeline are deemed to have been executed in contravention of section 1(1) of that Act where the relevant pipeline is constructed—

- (a) pursuant to a construction authorisation to which a variation condition is attached by virtue of regulation 7; and
- (b) without conformity to that condition.

(2) For the purposes of Part 7 of the Town and Country Planning Act 1990⁽²⁾ and Part 6 of the Town and Country Planning (Scotland) Act 1997⁽³⁾, the construction of a relevant pipeline is deemed to have constituted a failure to comply with a condition or limitation subject to which planning permission has been granted where—

- (a) a pipeline variation notice is served under regulation 8⁽²⁾ in respect of the relevant pipeline; and
- (b) the relevant pipeline is constructed without conformity to that notice.

Commencement Information

II Reg. 19 in force at 16.9.2011, see [reg. 1](#)

(1) Section 4 has been amended 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](#)).

(2) Part 7 was amended by sections 1 to 11 of the Planning and Compensation Act 1991.

(3) Part 6 was amended by sections 25 to 27 of the Planning etc. (Scotland) Act 2006.

Changes to legislation:

There are currently no known outstanding effects for the The Storage of Carbon Dioxide (Access to Infrastructure) Regulations 2011, Section 19.