
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 388

The Storage of Carbon Dioxide (Access to Infrastructure) Regulations (Northern Ireland) 2015

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(1) applies to these Regulations as it applies to an Act of the Assembly.

(2) In these Regulations—

“access application” has the meaning given to it in regulation 11(1);

“access notice” has the meaning given to it in 11(10);

“associate” has the meaning given to it in regulation 4;

“authorised capacity”, in relation to a storage site, means the total quantity of carbon dioxide authorised to be stored in the storage site in accordance with the storage permit;

“carbon dioxide pipe-line” means—

(a) a pipe-line used to convey carbon dioxide to a storage site; or

(b) a pipe-line which is not being used for any purpose, but which is intended to be used to convey carbon dioxide to a storage site;

“Crown lease” means a lease of any part of the bed of the sea forming part of the Crown Estate, or an authorisation to exercise rights in respect of any such part of that Estate;

“the Department” means the Department of Enterprise, Trade and Investment;

“the Directive” means Directive 2009/31/EC(2) of the European Parliament and of the Council on the geological storage of carbon dioxide, as amended by Directive 2011/92/EU(3) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment;

“diversion” means a lateral diversion of any length of a relevant pipe-line (whether or not that pipe-line has been constructed) that is not an offshore pipe-line or of such part of a relevant pipe-line as is not an offshore relevant pipe-line where the diversion is beyond the lateral limits of deviation permitted by planning permission granted in relation to that pipe-line under Part 3 of the Planning Act (Northern Ireland) 2011(4), and “diverted” is to be construed accordingly;

“holder”, in regulations 8 and 9, has the meaning given to it in regulation 8(1)(a);

“injection” means injection of carbon dioxide into a storage site;

“licence” means a licence granted under section 18(1) of the Energy Act 2008(5), and “licence holder” is to be construed accordingly;

“modification notice” has the meaning given to it in regulation 12(2);

(1) 1954 c. 33 (N.I.).

(2) OJ No L 140, 5.6.2009, p.114.

(3) OJ No L 26, 28.1.2012, p 1.

(4) 2011 c. 25 (N.I.).

(5) 2008 c. 32.

“notice” means notice in writing;

“offshore relevant pipe-line” means so much of any relevant pipe-line as is situated in, under or over so much of the internal waters of the United Kingdom as are adjacent to Northern Ireland;

“offshore relevant storage site” means so much of any relevant storage site (including any associated installations, apparatus and works) as is situated in, under or over so much of the internal waters of the United Kingdom as are adjacent to Northern Ireland;

“operator”, in relation to a storage permit, means the person who carries on or (where different) controls activities at the storage site;

“owner” has the meaning given to it in regulation 3;

“pipe-line” has the meaning given to it in regulation 5;

“pipe-line variation notice” has the meaning given to it in regulation 7(3);

“planning authority” means the Department of the Environment or, as the case may be, the district council that has the function of determining the application for planning permission in respect of the relevant infrastructure;

“planning permission” means permission under Part 3 of the Planning Act (Northern Ireland) 2011;

“relevant infrastructure” means a relevant pipe-line or a relevant storage site;

“relevant pipe-line” means a carbon dioxide pipe-line situated in, under or over Northern Ireland, including so much of the internal waters of the United Kingdom as are adjacent to Northern Ireland;

“relevant storage site” means a storage site situated—

- (a) in Northern Ireland; or
- (b) in, under or over so much of the internal waters of the United Kingdom as are adjacent to Northern Ireland,
and any associated installations, apparatus and works;

“storage permit” means a storage permit within the meaning of the Storage of Carbon Dioxide (Licensing etc.) Regulations (Northern Ireland) 2015(6);

“third party”, in regulations 8 and 9, has the meaning given to it in regulation 8(1)(b);

“variation condition” has the meaning given to it in regulation 6(2).

(3) The following expressions have the meanings given by Article 3 of the Directive—

“CO₂ stream”;

“storage site”.

Commencement Information

II [Reg. 2](#) in operation at 4.1.2016, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Storage of Carbon Dioxide (Access to Infrastructure) Regulations (Northern Ireland) 2015, Section 2.