
DRAFT STATUTORY INSTRUMENTS

2011 No.

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

Compulsory modifications

Variation of notices under sections 12 and 13

14.—(1) A modification notice or a notice under regulation 12(8) may be varied or set aside by the agreement of all the persons on whom it was served.

(2) The authority may vary a notice under regulation 12(8) on the application of one of the persons on whom the notice was served.

(3) But the authority may do so only if satisfied that the variation is necessary to resolve a dispute that has arisen in connection with the notice between the persons on whom it was served.

(4) In considering whether to vary a notice the authority must give an opportunity to be heard to—

- (a) the persons on whom the notice was served;
- (b) any person with a right to have anything conveyed by the relevant pipeline concerned or stored in the relevant storage site concerned;
- (c) the Health and Safety Executive or the Health and Safety Executive for Northern Ireland, as appropriate; and
- (d) such other persons as the authority considers appropriate.

(5) For the purposes of this regulation, a modification notice or a notice under regulation 12(8) is to be treated as having been served on a person (“P”) if there has been assigned to P a right which is secured by the notice or a duty which is imposed by the notice.