



# Energy Act 2004

## 2004 CHAPTER 20

### PART 2

#### SUSTAINABILITY AND RENEWABLE ENERGY SOURCES

### CHAPTER 2

#### OFFSHORE PRODUCTION OF ENERGY

##### *Renewable Energy Zones*

#### **84 Exploitation of areas outside the territorial sea for energy production**

- (1) The rights to which this section applies shall have effect as rights belonging to Her Majesty by virtue of this section.
- (2) This section applies to the rights under Part V of the Convention that are exercisable by the United Kingdom in areas outside the territorial sea—
  - (a) with respect to the exploitation of those areas for the production of energy from water or winds;
  - (b) with respect to the exploration of such areas in that connection; or
  - (c) for other purposes connected with such exploitation.
- (3) The other purposes so connected include, in particular, the transmission, distribution and supply of electricity generated in the course of such exploitation.
- [<sup>F1</sup>(4) The area within which the rights to which this section applies are exercisable (the “Renewable Energy Zone”)—
  - (a) is any area for the time being designated under section 41(3) of the Marine and Coastal Access Act 2009 (exclusive economic zone), but
  - (b) if Her Majesty by Order in Council declares that the Renewable Energy Zone extends to such other area as may be specified in the Order, is the area resulting from the Order.]

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- (5) The Secretary of State may by order designate the whole or a part of a Renewable Energy Zone as an area in relation to which the Scottish Ministers are to have functions.
- (6) Orders in Council under this section, and orders under subsection (5), are subject to the negative resolution procedure.
- (7) In this section—
- “the Convention” means the United Nations Convention on the Law of the Sea 1982 (Cmnd 8941) and any modifications of that Convention agreed after the passing of this Act that have entered into force in relation to the United Kingdom;
- “exploration” includes the doing of anything (whether by way of investigations, trials or feasibility studies or otherwise) with a view to ascertaining whether the exploitation of an area is, in a particular case, practicable or commercially viable, or both.

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**Textual Amendments**

- F1** S. 84(4) substituted (31.3.2014) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), [Sch. 4 para. 4\(2\)](#); S.I. 2013/3055, art. 2
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**Commencement Information**

- I1** S. 84 in force at 5.10.2004 by [S.I. 2004/2575](#), art. 2(1), [Sch. 1](#)

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