



Energy Act 2008

2008 CHAPTER 32

PART 1

GAS IMPORTATION AND STORAGE

CHAPTER 2

IMPORTATION AND STORAGE OF COMBUSTIBLE GAS

Licensing

4 Licences

- (1) The Secretary of State may grant a person a licence in respect of one or more activities within section 2(3).
- (2) The controlled place in respect of which a licence is granted may be determined by reference to the provisions of a Crown lease which has been or may be granted.
- (3) For this purpose “Crown lease” means a lease of property forming part of the Crown Estate, or an authorisation to exercise rights forming part of that Estate (whether by virtue of section 1 or otherwise).

Commencement Information

- II S. 4 in force at 13.11.2009 for specified purposes by S.I. 2009/2809, art. 2 (with art. 4)

5 Applications

The Secretary of State may by regulations—

- (a) prescribe the persons, or classes of persons, by whom an application for a licence may be made;

Status: Point in time view as at 13/11/2009.

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2008, Cross Heading: Licensing. (See end of Document for details)

- (b) prescribe requirements which must be met by, or in relation to, a person who makes an application;
- (c) prescribe the manner in which an application must be made;
- (d) prescribe the information which an application must contain and any documents which must accompany it;
- (e) require an application to be accompanied by a fee of an amount prescribed by, or determined in accordance with, the regulations.

Commencement Information

I2 S. 5 in force at 13.11.2009 for specified purposes by [S.I. 2009/2809](#), [art. 2](#) (with [art. 4](#))

6 Terms and conditions

- (1) A licence may be granted on such terms and subject to such conditions as the Secretary of State considers appropriate.
- (2) The provisions of a licence may be expressed by reference to provision made in a Crown lease, and, in particular, may provide—
 - (a) for the commencement of the licence to be conditional upon the commencement of a Crown lease which has been or may be granted in respect of the controlled place to which the licence relates or any part of that place;
 - (b) for the period of the licence to be determined by reference to the period of such a Crown lease.
- (3) A licence may authorise, in such circumstances and subject to such conditions as are specified, the transfer of the licence to another person (or the inclusion of another person as a joint licence holder).
- (4) The provisions of a licence may include—
 - (a) provision requiring the licence holder to obtain the prior written consent of the Secretary of State or another person for specified acts or omissions;
 - (b) provision providing that any such consent may be given subject to conditions.
- (5) The conditions imposed on a consent by virtue of subsection (4)(b) may include conditions requiring, or otherwise providing for, the modification of the licence in such manner as the Secretary of State considers appropriate.
- (6) In this section—

“Crown lease” has the same meaning as in section 4;

“specified”, in relation to a licence, means specified in, or determined in accordance with, the licence.

Commencement Information

I3 S. 6 in force at 13.11.2009 for specified purposes by [S.I. 2009/2809](#), [art. 2](#) (with [art. 4](#))

7 Model clauses

- (1) The Secretary of State may make regulations prescribing model clauses for licences.

Status: Point in time view as at 13/11/2009.

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2008, Cross Heading: Licensing. (See end of Document for details)

- (2) Subject to subsection (3), the model clauses, as they have effect at the time a licence is granted, are deemed to be incorporated into the licence.
- (3) The Secretary of State may decide to exclude or modify one or more of those model clauses in the case of a particular licence.

Commencement Information

I4 [S. 7](#) in force at 13.11.2009 for specified purposes by [S.I. 2009/2809](#), [art. 2](#) (with [art. 4](#))

Status:

Point in time view as at 13/11/2009.

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2008, Cross Heading:
Licensing.