



Energy Act 2008

2008 CHAPTER 32

[^{F1}PART 4A

WORKS DETRIMENTAL TO NAVIGATION

[^{F1}Supplementary provisions

Textual Amendments

- F1** Pt. 4A inserted (12.11.2009 for specified purposes, 6.4.2011 in so far as not already in force) by Marine and Coastal Access Act 2009 (c. 23), ss. **314(1)**, 324(1)(c), 324(1)(d); S.I. 2011/556, art. 3(2)(c)

^{F2}**82OA** Fees

- (1) The Secretary of State may charge fees in connection with carrying out functions under this Part.
- (2) The fees are to be determined by or in accordance with regulations made by the Secretary of State.
- (3) The regulations may authorise the fees to be determined by or in accordance with a scheme made by the Secretary of State.]

Textual Amendments

- F2** S. 82OA inserted (12.7.2016) by Energy Act 2016 (c. 20), ss. **76(1)**, 84(2)

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

82P Power to extend the application of this Part

- (1) The Secretary of State may by order provide that specified provisions of this Part are to apply, subject to any specified modifications, in relation to the carrying out of specified operations, or operations of a specified description, in the Scottish inshore region.
- (2) The operations must be operations—
 - (a) which either fall within section 82A(4) or are carried on in the course of taking installation abandonment measures (or both),
 - (b) which cause, or are likely to result in, obstruction or danger to navigation (whether while the operation is being carried out or subsequently), and
 - (c) which the Scottish Ministers do not have power to control or regulate for the purpose of preventing such obstruction or danger.
- (3) The reference in subsection (1) to “ the Scottish inshore region ” includes a reference to—
 - (a) the shore adjoining that region, and
 - (b) any land in Scotland adjoining or adjacent to that shore.
- (4) If an order under this section makes provision in relation to the carrying out of an operation in the course of taking installation abandonment measures—
 - (a) section 82A(3)(c) does not apply in relation to the operation, but
 - (b) paragraph (a) is subject to any different modification or other provision to the contrary made by an order under this section.
- (5) For the purposes of this section “ installation abandonment measures ” are any measures taken in connection with the abandonment of—
 - (a) an offshore installation or submarine pipeline, within the meaning of Part 4 of the Petroleum Act 1998, or
 - (b) a carbon storage installation, within the meaning of section 30 of this Act, whether or not the measures are taken in pursuance of an abandonment programme.
- (6) In subsection (5) “ abandonment programme ” means—
 - (a) an abandonment programme under Part 4 of the Petroleum Act 1998;
 - (b) an abandonment programme under that Part, as it applies by virtue of section 30 of this Act.
- (7) In this section “ specified ” means specified in the order.

82Q Interpretation of this Part

In this Part—

- “ authorised exploration or exploitation operation ” has the meaning given by section 82A(8);
- “ consent holder ” means the person to whom a consent under section 82A is given;
- “ emergency safety notice ” is to be read in accordance with section 82F(3);
- “ immediate action notice ” is to be read in accordance with section 82H(3);
- “ regulated zone ” means the area that consists of—
 - (a) the area of sea within the seaward limits of the territorial sea, other than the Scottish inshore region, and
 - (b) the area of sea within the limits of the UK sector of the continental shelf,

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

and includes the bed and subsoil of the sea within those areas, the shore adjoining, and any land adjoining or adjacent to that shore, but does not include any land in Scotland;

“ Scottish inshore region ” has the same meaning as in the Marine and Coastal Access Act 2009 (see section 322 of that Act);

“ sea ” includes—

- (a) any tidal waters; and
- (b) any land covered with water at mean high water spring tide;

“ UK sector of the continental shelf ” means the areas for the time being designated by an Order in Council under section 1(7) of the Continental Shelf Act 1964.]

Changes to legislation:

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