



# Energy Act 2008

## 2008 CHAPTER 32

### PART 1

#### GAS IMPORTATION AND STORAGE

### CHAPTER 2

#### IMPORTATION AND STORAGE OF COMBUSTIBLE GAS

#### *Supplementary*

#### **15 Interaction with the petroleum licensing requirements**

- (1) This section applies where there is a licence for the recovery of gas stored in a controlled place.
- (2) The Secretary of State may give a direction in respect of the place or any part of it (“the relevant stratum”).
- (3) The effect of the direction is that any operations under the licence to recover gas from the relevant stratum are not to be regarded as resulting in the boring for or getting of petroleum for the purposes of Part 1 of the Petroleum Act 1998 (c. 17).
- (4) A direction may be given only if the Secretary of State is satisfied that the amount of petroleum which exists in its natural condition in the relevant stratum is so small that it ought to be disregarded for the purposes of that Part.
- (5) Where a direction has effect, if the Secretary of State ceases to be satisfied as mentioned in subsection (4), the Secretary of State must give the licence holder a notice revoking the direction and specifying a time for the purposes of subsection (6).
- (6) Where a notice is given under subsection (5), the revocation of the direction takes effect—

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*Status: This is the original version (as it was originally enacted).*

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- (a) if an application for a petroleum licence in respect of the relevant stratum is made by the licence holder before the specified time, immediately before the time the application is determined or withdrawn, and
  - (b) in any other case, at the specified time.
- (7) Before giving or revoking a direction, the Secretary of State must consult the licence holder.
- (8) In this section—
- “petroleum” means petroleum to which section 3 of the Petroleum Act 1998 (c. 17) applies;
  - “petroleum licence” means a licence under that section authorising a person to bore for and get petroleum.