
STATUTORY INSTRUMENTS

2011 No. 1483

**The Storage of Carbon Dioxide
(Termination of Licences) Regulations 2011**

General

Interpretation

3.—(1) In these Regulations—

- (a) any reference to a numbered section is to that section of the Energy Act 2008; and
- (b) subject to paragraph (2), any reference to an EU instrument, or a provision of such an instrument, is to that instrument or provision as amended from time to time.

(2) Paragraph (1)(b) does not apply to the definitions referred to in paragraph (4), regulation 14(3) or regulation 15(3)(c).

(3) In these Regulations—

“abandonment programme”, in respect of a licence, means the abandonment programme (within the meaning of section 29(1) of the Petroleum Act 1998^{M1}) applicable to an installation established or maintained in accordance with that licence for the purposes of an activity mentioned in section 17(2)(a), (b) or (c);

“applicant” means a licence holder who has made a termination application;

[^{F1}“appropriate Minister” means either—

- (a) the Secretary of State, where the OGA is the licensing authority in accordance with section 18(2); or
- (b) the Scottish Ministers, where the Scottish Ministers are the licensing authority in accordance with section 18(2);]

“authority” means either—

- (a) the [^{F2}OGA]; or
- (b) the Scottish Ministers,

as licensing authority in accordance with section 18(2);

“CO₂” means carbon dioxide;

“the Directive” means Directive [2009/31/EC](#) of the European Parliament and of the Council on the geological storage of carbon dioxide and amending Council Directive [85/337/EEC](#), European Parliament and Council Directives [2000/60/EC](#), [2001/80/EC](#), [2004/35/EC](#), [2006/12/EC](#), [2008/1/EC](#) and Regulation [\(EC\) No 1013/2006](#)^{M2};

“licence” has the meaning given to it in the licensing regulations (and “licence holder” is to be construed accordingly);

“licensing regulations” means the Storage of Carbon Dioxide (Licensing etc.) Regulations 2010^{M3} or, in respect of licences issued by the Scottish Ministers, the Storage of Carbon Dioxide (Licensing etc.) (Scotland) Regulations 2011^{M4};

“notice” means notice in writing (and “notification” and “notify” shall be construed accordingly);

“operator”, in relation to a storage permit, means the person who carries on or (where different) controls activities at the storage site or, where a storage permit has been terminated or revoked, the person who carried on or (where different) controlled activities at the storage site immediately before such termination or revocation;

“post-transfer costs” means the costs for which the authority will be liable as a result of the transfer of obligations and liabilities to the authority pursuant to regulations 14 and 15;

“storage permit” has the meaning given to it in the licensing regulations;

“termination application” means an application under regulation 4 for termination of a licence;

“termination notice” means a notice served by the authority as required by regulation 11(2) (a) or regulation 12(2);

“transfer report” means a report that complies with Article 18(2) of the Directive.

(4) In these Regulations, the following expressions have the meanings given by Article 3 of the Directive (and cognate terms shall be construed accordingly)—

“closure”;

“leakage”;

“storage site”.

Textual Amendments

- F1** Words in [reg. 3](#) inserted (1.10.2016) by [The Energy \(Transfer of Functions, Consequential Amendments and Revocation\) Regulations 2016 \(S.I. 2016/912\)](#), regs. 1(1), **19(2)(a)**
- F2** Word in [reg. 3](#) substituted (1.10.2016) by [The Energy \(Transfer of Functions, Consequential Amendments and Revocation\) Regulations 2016 \(S.I. 2016/912\)](#), regs. 1(1), **19(2)(b)**
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Marginal Citations

- M1** 1998 c.17.
- M2** OJ No L 140, 5.6.2009, p 114.
- M3** S.I. 2010/2221.
- M4** S.S.I. 2011/24.

Changes to legislation:

There are currently no known outstanding effects for the The Storage of Carbon Dioxide (Termination of Licences) Regulations 2011, Section 3.