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STATUTORY INSTRUMENTS

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**2011 No. 2305**

**The Storage of Carbon Dioxide (Access  
to Infrastructure) Regulations 2011**

*General*

**Meaning of “authority”**

4.—(1) For the purposes of regulation 7 and of regulations 9, 10 and 12 in so far as they relate to variation conditions the authority is that one of—

- (a) the Secretary of State;
- (b) the Infrastructure Planning Commission’s Council or a Panel of the Infrastructure Planning Commission, appointed under section 65 of the Planning Act 2008; or
- (c) the Scottish Ministers,

that has the function of deciding the application for consent in respect of the relevant infrastructure.

(2) For the purposes of regulation 8 and of regulations 9, 10 and 12 in so far as they relate to pipeline variation notices, the authority is—

- (a) the Scottish Ministers, in relation to pipelines which begin and end in Scotland;
- (b) the Secretary of State, in relation to any other pipeline.

(3) Subject to paragraphs (1) and (2), for the purposes of regulations 12 to 15 and regulation 20(3) the authority is—

- (a) the licensing authority for the relevant storage site, pursuant to section 18(2) of the Energy Act 2008;
- (b) the Scottish Ministers, in relation to so much of a relevant pipeline as is—
  - (i) in Scotland; or
  - (ii) in, under or over so much of the internal waters or the territorial sea of the United Kingdom as are adjacent to Scotland;
- (c) the Secretary of State, in relation to so much of a relevant pipeline as is—
  - (i) in England or Wales; or
  - (ii) in, under or over so much of the internal waters of the United Kingdom as are adjacent to England or Wales;
  - (iii) in, under or over controlled waters other than the territorial sea adjacent to Scotland.

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**Commencement Information**

**II** Reg. 4 in force at 16.9.2011, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Storage of Carbon Dioxide (Access to Infrastructure) Regulations 2011, Section 4.