



Energy Act 2004

2004 CHAPTER 20

PART 2

SUSTAINABILITY AND RENEWABLE ENERGY SOURCES

CHAPTER 3

DECOMMISSIONING OF OFFSHORE INSTALLATIONS

Supplementary provisions of Chapter 3 of Part 2

112 Duty to inform Secretary of State

- (1) A person who becomes responsible for a relevant object must notify the Secretary of State that he has become so responsible.
- (2) For the purposes of this section a person becomes responsible for a relevant object if—
 - (a) he makes a proposal to construct the object in waters regulated under this Chapter;
 - (b) he makes a proposal for the extension or decommissioning in such waters of the object;
 - (c) he makes a proposal to operate or use the object on completion of its construction in such waters;
 - (d) he makes a proposal to operate or use the object on completion in such waters of any extension of it;
 - (e) he becomes a party to a proposal mentioned in paragraphs (a) to (d);
 - (f) he begins in such waters to construct, to extend, to operate or use or to decommission the object;
 - (g) he begins to participate in any of the following activities carried on in such waters, the construction, extension, operation or use or decommissioning of the object.

Status: Point in time view as at 01/10/2005. This version of this provision has been superseded.

Changes to legislation: Energy Act 2004, Section 112 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (3) A person is not required to notify the Secretary of State that he has made a proposal, or become a party to a proposal, at any time before at least one of the statutory consents required for enabling effect to be given to the proposal has been given or applied for.
- (4) A person who notifies the Secretary of State under this section that he has made a proposal, or has become a party to a proposal—
 - (a) must specify in the notification what statutory consents required for giving effect to the proposal have been given, and what applications for such consents have been made; and
 - (b) must notify him subsequently whenever such a consent or application is given or made.
- (5) A notification under this section must be given within such period after the obligation to give the notification arises as may be prescribed by regulations made by the Secretary of State.
- (6) A person who contravenes the requirements of this section is guilty of an offence.
- (7) Regulations under this section are subject to the negative resolution procedure.
- (8) A reference in this section to participation in activities does not include a reference—
 - (a) to participation on behalf of another person; or
 - (b) to participation by acting in pursuance of an agreement to provide a service or services to a person carrying on those activities.
- (9) In this section “statutory consent” has the same meaning as in section 105.

Commencement Information

II S. 112 in force at 1.10.2005 by [S.I. 2005/877](#), art. 2(2), [Sch. 2](#)

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