

*These notes refer to the Energy Act 2008 (c.32)
which received Royal Assent on 26 November 2008*

ENERGY ACT 2008

EXPLANATORY NOTES

Chapter 3: Storage of Carbon Dioxide

Commentary on Sections

Termination of the licence

Section 31: Termination of licence: regulations

86. This section gives the licensing authority the power to make regulations (subject to negative resolution procedure – see section 105) setting out the circumstances under which a licence may be terminated (which may be in addition to any termination provisions already contained in the licence). The regulations would also be able to require the licensing authority (or an authority to which the relevant function has been transferred under section 34) to take on the responsibility (including any financial liability) for the management of a carbon dioxide store on or after the termination of a licence. The intention is that regulations will, in particular, set out the conditions (in addition to any licence provisions) that must be met before the Secretary of State, or the said authority, can consent to the termination of a licence.
87. *Subsection (3)* ensures that any provisions of a licence granted under section 18 which relate to the termination of the licence are subject to the provisions made by such regulations.