

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2008,
Cross Heading: Food and Environment Protection Act 1985 (c. 48). (See end of Document for details)

SCHEDULES

SCHEDULE 1

AMENDMENTS RELATING TO CHAPTERS 2 AND 3 OF PART 1

Food and Environment Protection Act 1985 (c. 48)

1 The Food and Environment Protection Act 1985 is amended as follows.

Commencement Information

II Sch. 1 para. 1 in force at 6.4.2009 by S.I. 2009/45, art. 4(a)(iii)

2 In section 7A (regulation of deposits made in the sea: exclusion of certain oil and gas activities)—

- (a) the existing provision becomes subsection (1), and
- (b) after that subsection insert—

“(2) Nothing in this Part of this Act applies to anything done in the course of carrying on an activity for which a licence under section 4 or 18 of the Energy Act 2008 is required (gas unloading, storage and recovery, and carbon dioxide storage).

(3) For this purpose, activities are to be regarded as activities for which such a licence is required if, by virtue of such a licence, they are activities which may be carried on only with the consent of the Secretary of State or another person.

(4) Subsection (2) does not apply in relation to anything done in the course of carrying out an activity for which a licence under section 4 of the Energy Act 2008 is required in, under or over—

- (a) the territorial sea adjacent to Scotland, Wales or Northern Ireland, or
- (b) waters in a Gas Importation and Storage Zone which are United Kingdom controlled waters adjacent to Scotland.

(5) Subsection (2) does not apply in relation to anything done in, under or over the territorial sea adjacent to Wales or Northern Ireland in the course of carrying on an activity for which a licence under section 18 of the Energy Act 2008 is required.”

Commencement Information

I2 Sch. 1 para. 2 in force at 6.4.2009 by S.I. 2009/45, art. 4(a)(iii)

3 In section 24 (interpretation)—

- (a) in subsection (1), after the definition of “Convention State” insert—

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““Gas Importation and Storage Zone” has the meaning given by section 1 of the Energy Act 2008;”, and

(b) after subsection (2) insert—

“(2A) An order or Order in Council made under or by virtue of section 158(3) or (4) of the Government of Wales Act 2006 (apportionment of sea areas) has effect for the purposes of Part 2 of this Act if, or to the extent that, the order or Order in Council is expressed to apply—

- (a) by virtue of this subsection, for the purposes of Part 2 of this Act, or
- (b) if no provision has been made by virtue of paragraph (a), for the general or residual purposes of that Act.”

Commencement Information

I3 Sch. 1 para. 3 in force at 6.4.2009 by S.I. 2009/45, art. 4(a)(iii)

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