



Energy Act 2008

2008 CHAPTER 32

[^{F1}PART 4A

WORKS DETRIMENTAL TO NAVIGATION

Emergency safety requirements

[^{F1}82G Emergency safety notices: supplementary provisions

- (1) If the consent holder fails to comply with an emergency safety notice within the time allowed, the Secretary of State may—
 - (a) comply with the notice on behalf of the consent holder, or
 - (b) make arrangements for another person to do so.
- (2) For the purposes of subsection (1) “the time allowed” is the period of 24 hours beginning with the time when the emergency safety notice is served on the consent holder or as soon after the end of that period as is reasonably practicable.
- (3) A person taking action by virtue of subsection (1) may—
 - (a) do anything which the consent holder could have done, and
 - (b) recover any reasonable costs incurred in taking the action from such one or more persons falling within subsection (4) as the Secretary of State considers appropriate.
- (4) The persons are—
 - (a) the consent holder;
 - (b) any other person or persons bound by a consent condition by virtue of section 82D(3).
- (5) A person (“P”) liable to pay any sum by virtue of subsection (3)(b) must also pay interest on that sum for the period beginning with the day on which the person taking action by virtue of subsection (1) notified P of the sum payable and ending with the date of payment.

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2008, Section 82G. (See end of Document for details)

- (6) The rate of interest payable in accordance with subsection (5) is a rate determined by the Secretary of State as comparable with commercial rates.
- (7) Once an emergency safety notice has been complied with (whether by the consent holder or otherwise)—
- (a) the requirements of the notice are, subject to subsection (8), to be treated for the purposes of this Part as conditions subject to which the consent was given, but
 - (b) section 82D(2) and (5) are not to apply in the case of those requirements.
- (8) If it appears to the Secretary of State (whether on the application of any person or otherwise) that the circumstances giving rise to the urgent necessity for the imposition of the requirements no longer exist, the Secretary of State must revoke the requirements by notice served on the consent holder.
- (9) Where the Secretary of State has served an emergency safety notice in respect of any particular circumstances, subsection (7) does not preclude the Secretary of State from serving a further such notice in respect of those circumstances.]

Textual Amendments

- F1** Pt. 4A inserted (12.11.2009 for specified purposes, 6.4.2011 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), [ss. 314\(1\)](#), [324\(1\)\(c\)](#), [324\(1\)\(d\)](#); [S.I. 2011/556](#), [art. 3\(2\)\(c\)](#)

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There are currently no known outstanding effects for the Energy Act 2008, Section 82G.