



Energy Act 2010

2010 CHAPTER 27

PART 1

CARBON CAPTURE AND STORAGE AND DECARBONISATION

Financial assistance

3 Regulations relating to assistance schemes

- (1) The Secretary of State may, by regulations, make provision about assistance schemes.
- (2) Regulations under this section may, in particular—
 - (a) make provision about any of the matters specified in section 2(2); and
 - (b) despite the exception in section 2(2)(n), impose penalties (whether financial or not) in respect of failures to comply with the scheme;but the regulations may not create criminal offences.
- (3) Regulations under this section may not apply to an assistance scheme that is in existence at the time the regulations are made, except with the consent of each person who is, at that time, a participant in relation to that scheme.
- (4) Before making regulations under this section, the Secretary of State must consult the following persons—
 - (a) the administrator;
 - (b) the Scottish Ministers;
 - (c) such other persons as the Secretary of State thinks it is appropriate to consult.
- (5) Subsection (4) may be satisfied by consultation before, as well as by consultation after, this section comes into force.
- (6) The following are subject to regulations under this section—
 - (a) assistance schemes;
 - (b) section 1(3) and (4);
 - (c) section 2.