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STATUTORY INSTRUMENTS

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**2015 No. 310**

The Fluorinated Greenhouse Gases Regulations 2015

**PART 1**

Introductory provisions

**Interpretation: offshore installations**

4.—(1) In these Regulations, “offshore installation” means an installation or structure [<sup>F1</sup>(other than a Scottish offshore installation, a Northern Ireland offshore installation or a ship)] which is—

- (a) situated in the waters of, or on or under the seabed in—
  - (i) the tidal waters and parts of the sea in or adjacent to the United Kingdom up to the seaward limits of the territorial sea;
  - (ii) in the case of the activities listed in sub-paragraph (b)(i) to (vi), an area designated by an Order in Council under section 1(7) of the Continental Shelf Act 1964 <sup>M1</sup>; or
  - (iii) in the case of the activity listed in sub-paragraph (b)(vii), the sea in any area for the time being designated under section 41(3) of the Marine and Coastal Access Act 2009 <sup>M2</sup>; and
- (b) used [<sup>F2</sup>, intended to be used or has been used,] in connection with—
  - (i) the exploitation, or the exploration with a view to exploitation, of mineral resources in or under the shore or bed of waters described in sub-paragraph (a)(i) and (ii);
  - (ii) the exploration of a place in, under or over such waters with a view to the storage of gas;
  - (iii) the conversion of a place under the shore or bed of such waters for the purpose of storing gas;
  - (iv) the storage of gas in, under or over such waters or the recovery of gas so stored;
  - (v) the unloading of gas at a place in, under or over such waters;
  - (vi) the conveyance of things by means of a pipe, or system of pipes, constructed or placed on, in or under the shore or bed of such waters; or
  - (vii) the production of energy from water or wind.

(2) In paragraphs (1) and (4)—

- (a) references (in whatever form) to storing gas include storing gas with a view to its permanent disposal; and
- (b) “gas” means—
  - (i) gas within the meaning of section 2(4) of the Energy Act 2008 <sup>M3</sup>; or
  - (ii) carbon dioxide.

(3) In these Regulations, “Scottish offshore installation” means an installation or a structure, other than a ship, which is—

- (a) situated in the waters of, or on or under the seabed in—
- (i) the tidal waters and parts of the sea in or adjacent to Scotland up to the seaward limits of the territorial sea; or
  - (ii) the sea in any area for the time being designated under section 41(3) of the Marine and Coastal Access Act 2009 in respect to which the Scottish Ministers have functions designated by an order made under section 41(4) of that Act; and
- (b) used in connection with the production of energy from water or wind.
- (4) In these Regulations, “Northern Ireland offshore installation” means an installation or a structure, other than a ship, which is situated in the marine area and used in connection with any of the following activities—
- (a) the exploitation, or exploration with a view to exploitation, of mineral resources in the marine area;
  - (b) the exploration of any place in the marine area, with a view to the storage of gas;
  - (c) the conversion of any place in the marine area for the purpose of storing gas;
  - (d) the storage of gas in the marine area or the recovery of gas so stored;
  - (e) the unloading of gas at any place in the marine area;
  - (f) the conveyance of things by means of a pipe, or system of pipes, constructed or placed in the marine area;
  - (g) the provision of access to or accommodation for persons who work on or from an installation which is or has been maintained, or is intended to be established, in connection with any of the activities within sub-paragraphs (a) to (f);
  - (h) the production of energy from water or wind;
  - (i) the provision of access to or accommodation for persons who work on or from an installation which is or has been maintained, or is intended to be established, in connection with the production of energy from water or wind.
- (5) In paragraph (4), “marine area” means the area (together with the places above and below it) comprising the waters of, or on or under the seabed in—
- [<sup>F3</sup>(a) the Northern Ireland inshore region;]
  - (b) the sea in any area for the time being designated under section 41(3) of the Marine and Coastal Access Act 2009 in respect of which any Northern Ireland department has functions designated by an order made under section 41(4) of that Act.
- (6) For the purposes of paragraphs (1)(b) and (3)(b), each of the activities described in those paragraphs includes the provision of access to or accommodation for persons who work on or from an installation which is or has been maintained, or is intended to be established, in connection with such an activity.
- [<sup>F4</sup>(7) In paragraph (5), “Northern Ireland inshore region” has the meaning given in section 322(1) of the Marine and Coastal Access Act 2009 (interpretation).]

#### Textual Amendments

- F1** Words in reg. 4(1) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **6(2)(a)**
- F2** Words in reg. 4(1)(b) inserted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **6(2)(b)**
- F3** Reg. 4(5)(a) substituted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **6(3)**

**F4** Reg. 4(7) inserted (22.2.2018) by [The Fluorinated Greenhouse Gases \(Amendment\) Regulations 2018 \(S.I. 2018/98\)](#), regs. 1(2), **6(4)**

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**Marginal Citations**

**M1** 1964 c. 29. Section 1(7) is amended by paragraph 1 of Schedule 3 to the [Oil and Gas \(Enterprise\) Act 1982 \(c. 23\)](#) and section 103 of the [Energy Act 2011 \(c. 16\)](#). Areas have been designated under section 1(7) by [S.I. 1987/1265](#) (as amended by [S.I. 2000/3062](#)) and 2013/3162.

**M2** 2009 c. 23. A designation has been made by [S.I. 2013/3161](#).

**M3** 2008 c. 32.

**Changes to legislation:**

There are currently no known outstanding effects for the The Fluorinated Greenhouse Gases Regulations 2015, Section 4.