



Energy Act 2008

2008 CHAPTER 32

PART 1

GAS IMPORTATION AND STORAGE

CHAPTER 3

STORAGE OF CARBON DIOXIDE

Interpretation

35 Chapter 3: interpretation

(1) In this Chapter—

“carbon storage facility” has the meaning given by section 20(8);

“carbon storage installation” has the meaning given by section 30(5);

“closure”, in relation to a carbon storage facility, has the meaning given by section 20(8);

“controlled place” has the meaning given by section 17(3) [^{F1}and (3A)] [^{F2}and (4)];

[^{F3}“English controlled place” has the meaning given by section 18(4A);]

[^{F4} “Gas Importation and Storage Zone” is to be read in accordance with section 1(5);]

“installation” includes any floating structure or device maintained on a station by whatever means;

“licence” means a licence granted under section 18(1), and “licence holder” is to be construed accordingly;

“licensing authority” has the meaning given by section 18(2).

[^{F3}“Northern Ireland controlled place” has the meaning given by section 18(4A);]

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2008, Section 35. (See end of Document for details)

[^{F3}“offshore controlled place” means a place that is mentioned in section 17(3);]

[^{F3}“offshore UK-controlled place” has the meaning given by section 18(2)(a);]

[^{F5}“the OGA” means the Oil and Gas Authority.]

[^{F6} “Scottish controlled place” has the meaning given by section 18(5).]

[^{F3}“Welsh controlled place” has the meaning given by section 18(4A).]

(2) An Order in Council under section 126(2) of the Scotland Act 1998 (c. 46) (apportionment of sea areas) has effect for the purposes of this Chapter if, or to the extent that, the Order is expressed to apply—

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

[^{F7}(3) An Order in Council under section 98(8) of the Northern Ireland Act 1998 has effect for the purposes of this Chapter if, or to the extent that, the Order in Council is expressed to apply—

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

(4) 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 this Chapter 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 this Chapter, or
- (b) if no provision has been made by virtue of paragraph (a), for the general or residual purposes of that Act.]

Textual Amendments

- F1** Words in s. 35(1) inserted (16.11.2011) by [The Storage of Carbon Dioxide \(Amendment of the Energy Act 2008 etc.\) Regulations 2011 \(S.I. 2011/2453\)](#), **reg. 13(1)(a)**
- F2** Words in s. 35(1) inserted (S.) (1.4.2011) by [The Energy Act 2008 \(Storage of Carbon Dioxide\) \(Scotland\) Regulations 2011 \(S.S.I. 2011/224\)](#), regs. 1, **2(6)(a)**
- F3** Words in s. 35(1) inserted (16.11.2011) by [The Storage of Carbon Dioxide \(Amendment of the Energy Act 2008 etc.\) Regulations 2011 \(S.I. 2011/2453\)](#), **reg. 13(1)(b)**
- F4** Words in s. 35(1) substituted (31.3.2014) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 4 para. 5(3)**; S.I. 2013/3055, art. 2
- F5** Words in s. 35(1) inserted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 62**; S.I. 2016/920, reg. 2(a)
- F6** Definition of “Scottish controlled place” in s. 35(1) inserted (S.) (1.4.2011) by [The Energy Act 2008 \(Storage of Carbon Dioxide\) \(Scotland\) Regulations 2011 \(S.S.I. 2011/224\)](#), regs. 1, **2(6)(b)**
- F7** S. 35(3)(4) inserted (16.11.2011) by [The Storage of Carbon Dioxide \(Amendment of the Energy Act 2008 etc.\) Regulations 2011 \(S.I. 2011/2453\)](#), **reg. 13(2)**

Commencement Information

- I1** S. 35 in force at 6.4.2009 by [S.I. 2009/45](#), **art. 4(a)(ii)**

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2008, Section 35.