
STATUTORY INSTRUMENTS

2014 No. 430

PIPE-LINES

The Submarine Pipe-lines (Electricity Generating Stations) (Revocation) Regulations 2014

<i>Made</i>	- - - -	<i>26th February 2014</i>
<i>Laid before Parliament</i>		<i>28th February 2014</i>
<i>Coming into force</i>	- -	<i>6th April 2014</i>

These Regulations are made in exercise of the powers conferred by section 24(3) of the Petroleum Act 1998(1).

As these Regulations revoke redundant regulations, there are no organisations in the United Kingdom that the Secretary of State considers are representative of persons who will be affected under section 25(1) of the Petroleum Act 1998.

Accordingly, the Secretary of State makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Submarine Pipe-lines (Electricity Generating Stations) (Revocation) Regulations 2014 and come into force on 6th April 2014.

Revocation

2. The Submarine Pipe-lines (Electricity Generating Stations) Regulations 1981(2) are revoked.

26th February 2014

Verma
Parliamentary Under Secretary of State
Department of Energy and Climate Change

(1) 1998 c. 17. The Petroleum Act 1998 is a consolidation Act. The enabling power cited is a re-enactment on consolidation of the power under which the instrument revoked by these Regulations was originally made (which was section 31(3) of the Petroleum and Submarine Pipe-lines Act 1975 (c. 74)).

(2) S.I. 1981/750; the original enabling power was repealed but re-enacted as section 24(3) of the Petroleum Act 1998. By virtue of paragraph 1 of Part 1 of Schedule 3 to that Act (transitional provisions and savings), S.I. 1981/750 has effect as if made under section 24(3) of the Petroleum Act 1998.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the Submarine Pipe-lines (Electricity Generating Stations) Regulations 1981 (“the 1981 Regulations”). The 1981 Regulations were originally made under section 31(3) of the Petroleum and Submarine Pipe-lines Act 1975⁽³⁾ (“the 1975 Act”). However the 1975 Act was repealed in its entirety by the Petroleum Act 1998 (“the 1998 Act”), which is a consolidation Act.

The 1998 Act re-enacted various provisions of the 1975 Act, including section 31(3) of the 1975 Act (re-enacted as section 24(3) of the 1998 Act). Paragraph 1 of Part 1 of Schedule 3 to the 1998 Act makes an express saving of subordinate legislation made under any provision of an Act repealed and re-enacted by the 1998 Act, and provides that such subordinate legislation has effect as if made under the corresponding re-enacted provision. Therefore the 1981 Regulations continued to have effect as if they were made under section 24(3) of the 1998 Act.

Section 31(3) of the 1975 Act gave the Secretary of State power to provide in regulations that prescribed provisions of Part 3 of that Act (concerning submarine pipelines) did not apply to a pipeline of a prescribed kind. The 1981 Regulations disapplied certain provisions in Part 3 of the 1975 Act (concerning authorisation for construction, compulsory increases in capacity and acquisition by third parties of rights to use) for pipelines (a) for the conveyance of water to or from an electricity generating station, and (b) for the conveyance of dissolved chlorine to any pipeline conveying water to an electricity generating station. These disapplications continued to apply to the corresponding re-enacted provisions in Part 3 of the 1998 Act (submarine pipelines).

The Petroleum Act 1998 (Specified Pipelines) Order 2011⁽⁴⁾ (“the 2011 Order”), made under sections 24 and 25 of the 1998 Act, specifies descriptions of pipelines which are to be disregarded for the purposes of Part 3 of the 1998 Act entirely. The pipelines dealt with by the 1981 Regulations fall within those described in the 2011 Order, and so the 1981 Regulations are redundant.

An impact assessment has not been produced for this instrument as no impact on business or the private, voluntary or public sectors is foreseen.

⁽³⁾ 1975 c. 74. The Act was repealed by section 51 of, and Part 1 of Schedule 5 to, the Petroleum Act 1998.

⁽⁴⁾ S.I. 2011/423.