EXPLANATORY MEMORANDUM TO

THE SUBMARINE PIPE-LINES (ELECTRICITY GENERATING STATIONS) (REVOCATION) REGULATIONS 2014

2014 No. 430

1. This explanatory memorandum has been prepared by Department of Energy and Climate Change and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 To revoke the Submarine Pipe-lines (Electricity Generating Stations) Regulations 1981 (S.I. 1981/750) ("the 1981 Regulations"), which have become redundant after the coming into force of the Petroleum Act 1998 (Specified Pipelines) Order 2011 (S.I. 2011/423) ("the 2011 Order").

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Context

4.1 The 1981 Regulations were made under section 31(3) of the Petroleum and Submarine Pipe-lines Act 1975 ("the 1975 Act"), which was repealed by, but re-enacted as section 24(3) of, the Petroleum Act 1998, with savings to preserve the continuity of the law, with the effect that the 1981 Regulations continued in force.

4.2 The 1981 Regulations disapplied certain provisions in the Petroleum and Submarine Pipe-lines Act 1975 dealing with submarine pipelines, in relation to specified descriptions of pipelines which served electricity generating stations. The 2011 Order specifies descriptions of pipelines which are to be disregarded for the purposes of Part 3 of the 1998 Act entirely (Part 3 concerns submarine pipelines). The pipelines dealt with by the 1981 Regulations fall within those described in the 2011 Order, and so the 1981 Regulations are redundant.

5. Territorial Extent and Application

5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- What is being done and why

7.1 These Regulations are made as a result of the government's 'Red Tape Challenge' programme which sought the views of businesses and the public on the removal and reform of areas of regulation. DECC holds primary responsibility for the 'Red Tape Challenge Energy Theme' under which the reforms are being delivered.

7.2 These Regulations revoke previous Regulations which related to certain submarine pipe-lines. The previous Regulations are now redundant, therefore they can be revoked.

- Consolidation

7.2 None.

8. Consultation outcome

8.1 No specific consultation concerning the Regulations being revoked was undertaken. As part of the Red Tape Challenge, every few weeks regulation affecting a specific sector or industry (as well as that of general regulation that cuts across sectors) is published by the Cabinet Office online (at this web address: http://www.redtapechallenge.cabinetoffice.gov.uk/home/index/) for the public and stakeholders to suggest how they can be 'scrapped' or 'improved'. The department also ran an internal challenge process to identify measures which could be removed or reformed, which identified the Regulations now being revoked. No external comments were received concerning the Regulations.

9. Guidance

9.1 No guidance has been produced concerning this instrument.

10. Impact

10.1 The impact on business, charities or voluntary bodies is nil.

10.2 The impact on the public sector is nil.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 There is no need for monitoring and review.

13. Contact

Ricki Kiff at the Department of Energy and Climate Change Tel: 0300 068 6042 or email: ricki.kiff@decc.gsi.gov.uk can answer any queries regarding the instrument.