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*Changes to legislation:* There are currently no known outstanding effects for the  
Infrastructure Act 2015, Cross Heading: Buying a stake. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 6

#### COMMUNITY ELECTRICITY RIGHT REGULATIONS

##### PART 1

##### THE RIGHT TO BUY

###### *Buying a stake*

- 11 (1) Right to buy regulations must make provision about the procedure for exercising the right to buy in relation to a qualifying facility (the “purchase procedure”).
- (2) The purchase procedure must identify what stake or stakes—
- (a) the individuals resident in the community, and
  - (b) the groups connected with the community,
- may buy through the right to buy.
- (3) The regulations may require the designated promoter or facility operator to conduct the purchase procedure.
- (4) The purchase procedure must identify the period of time during which stakes in a qualifying facility may be applied for (the “application period”).
- (5) The purchase procedure must secure that the application period does not begin until after planning consent has been given for the development of the qualifying facility.
- (6) Here “planning consent” means whichever of the following is, or are, needed for that facility to be developed—
- (a) development consent under the Planning Act 2008;
  - (b) planning permission under Part 3 of the Town and Country Planning Act 1990;
  - (c) a marine licence under the Marine and Coastal Access Act 2009;
  - (d) consent of the Scottish Ministers under section 36 of the Electricity Act 1989;
  - (e) planning permission under the Town and Country Planning (Scotland) Act 1997;
  - (f) a marine licence under Part 4 of the Marine (Scotland) Act 2010.

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#### **Commencement Information**

**II** Sch. 6 para. 11 in force at 1.6.2016, see s. 57(7)(a)

**Changes to legislation:**

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