



Infrastructure Act 2015

2015 CHAPTER 7

PART 6

ENERGY

Petroleum and geothermal energy in deep-level land

47 Payment and notice schemes: supplementary provision

- (1) Regulations under section 45 or 46 may make provision about the enforcement of relevant requirements, including provision for the imposition of financial penalties in respect of breach of relevant requirements.
- (2) Regulations [^{F1}made by the Secretary of State] under section 45 or 46 may confer a function on—
 - (a) the Secretary of State, or
 - (b) any other person, apart from the Welsh Ministers.

- [^{F2}(2A) Regulations made by the Welsh Ministers under section 45 or 46 may confer a function on—
- (a) the Welsh Ministers, or
 - (b) any other person apart from a Minister of the Crown (within the meaning of the Ministers of the Crown Act 1975).]

- (3) The functions that may be imposed include—
 - (a) a duty (including a restriction or prohibition);
 - (b) a function involving the exercise of a discretion;
 - (c) a requirement to consult.
- (4) The provisions of sections 45 and 46 and this section which specify particular kinds of provision that may be made in regulations under section 45 or 46 do not limit the powers conferred by that section to make such regulations.

Changes to legislation: There are currently no known outstanding effects for the Infrastructure Act 2015, Section 47. (See end of Document for details)

- (5) The Secretary of State must carry out a review of ^{F3}the Secretary of State's powers under] sections 45 and 46 and the preceding provisions of this section as soon as reasonably practicable after the end of the period of 5 years beginning with the day on which they come into force.
- (6) The Secretary of State must by regulations—
- (a) repeal section ^{F4}45(1)], and make any consequential amendments (including repeals) of the other provisions of this Act that the Secretary of State considers appropriate, if the relevant conditions are met in relation to the power under section ^{F4}45(1)];
 - (b) repeal section ^{F5}46(1)], and make any consequential amendments (including repeals) of the other provisions of this Act that the Secretary of State considers appropriate, if the relevant conditions are met in relation to the power under section ^{F5}46(1)].
- (7) The relevant conditions are met in relation to the power under section ^{F6}45(1)] or the power under section ^{F7}46(1)] if—
- (a) that power is not exercised within the period of 7 years beginning with the day on which that section comes into force, and
 - (b) the Secretary of State is satisfied that there is no convincing case for retaining that power.

Textual Amendments

- F1** Words in s. 47(2) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\)](#), **Sch. 6 para. 30(2)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179, reg. 4\(b\)](#)
- F2** S. 47(2A) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\)](#), **Sch. 6 para. 30(3)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179, reg. 4\(b\)](#)
- F3** Words in s. 47(5) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\)](#), **Sch. 6 para. 30(4)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179, reg. 4\(b\)](#)
- F4** Word in s. 47(6)(a) substituted (1.10.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\)](#), **Sch. 6 para. 30(5)(a)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179, reg. 4\(b\)](#)
- F5** Word in s. 47(6)(b) substituted (1.10.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\)](#), **Sch. 6 para. 30(5)(b)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179, reg. 4\(b\)](#)
- F6** Word in s. 47(7) substituted (1.10.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\)](#), **Sch. 6 para. 30(6)(a)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179, reg. 4\(b\)](#)
- F7** Word in s. 47(7) substituted (1.10.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\)](#), **Sch. 6 para. 30(6)(b)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179, reg. 4\(b\)](#)

Commencement Information

- I1** S. 47 in force at 12.4.2015, see s. 57(7)(b)

Changes to legislation:

There are currently no known outstanding effects for the Infrastructure Act 2015, Section 47.