



Scotland Act 2016

2016 CHAPTER 11

PART 4

OTHER LEGISLATIVE COMPETENCE

49 Onshore petroleum: existing licences

- (1) The Secretary of State may make any amendment that appears to the Secretary of State to be necessary or expedient in consequence of section 47 or 48—
 - (a) in any model clause, to the extent that, under Part 1 of the Petroleum Act 1998, it is incorporated, or has effect as if incorporated, in an existing licence, and
 - (b) in any other provision of an existing licence.
- (2) In the case of an existing licence granted in respect of an area (“the licence area”) of which part only was within the Scottish onshore area at the time the licence was granted—
 - (a) the Secretary of State may direct that it is to have effect as a licence in respect of an area comprising that part and a separate licence in respect of an area comprising the rest of the licence area, and
 - (b) subsection (1) applies in relation to each of those licences as it applies in relation to the existing licence.
- (3) The power to make amendments under subsection (1)(a) is exercisable by regulations made by statutory instrument.
- (4) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) In this section “existing licence” means a licence granted, before the commencement of section 47, under—
 - (a) section 3 of the Petroleum Act 1998, or
 - (b) section 2 of the Petroleum (Production) Act 1934,in respect of an area all or part of which is within the Scottish onshore area, within the meaning given by Section D2 of Part 2 of Schedule 5 to the Scotland Act 1998.

Status: Point in time view as at 29/11/2017.

Changes to legislation: Scotland Act 2016, Section 49 is up to date with all changes known to be in force on or before 28 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Commencement Information

II [S. 49](#) in force at 29.11.2017 by [S.I. 2017/1157](#), [reg. 2](#)

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