



# 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.