

# DEREGULATION ACT 2015

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Schedule 23: Legislation no longer of practical use*

#### **Part 3: Energy**

##### **Atomic Energy Act 1946**

915. *Paragraph 14* repeals sections 6 and 7 of the Atomic Energy Act 1946. Section 6 enabled the Secretary of State to carry out work on any land to discover whether minerals from which “prescribed substances” can be obtained are present and section 7 conferred the power compulsorily to acquire the exclusive right to work such minerals. “Prescribed substances”, as defined, include uranium, plutonium and other substances prescribed by order which can be used for the production or use of atomic energy or research. Exploration in the United Kingdom for uranium has occurred on a small number of occasions, returning sub-economic yields. It is unclear whether the provisions have ever been relied upon and the United Kingdom no longer needs to search for these substances as it has a steady supply from politically stable countries.
916. *Paragraph 15* makes minor amendments consequential on the repeals in paragraph 14.
917. The repeals and consequential amendments form part of the law of England and Wales and Scotland and will come into force at the end of the period of 2 months beginning with the day on which the Act is passed.

##### **Energy Act 1976**

918. Section 9 of the Energy Act 1976 requires the Secretary of State’s consent for offshore natural gas to be subjected in Great Britain to any process of liquefaction which results in the production of liquid methane or ethane.
919. Section 9 of the Energy Act 1976 was introduced to control the possible export of natural gas from the gas fields being newly exploited offshore in the North Sea, given such exports could affect domestic energy supplies. Export was expected to be achieved by liquefaction of the natural gas in Great Britain. However, there has been no market demand for such exports. In consequence, no requests for consent for a permission under section 9 are recorded and the provision is no longer of practical use.
920. The repeal forms part of the law of England and Wales and Scotland and will come into force at the end of the period of 2 months beginning with the day on which the Act is passed.

##### **Nuclear Industry (Finance) Act 1977**

921. *Paragraph 18* repeals a redundant provision in the Nuclear Industry (Finance) Act 1977.
922. *Section 3* enabled the Secretary of State to incur expenditure in the acquisition of shares or securities of the National Nuclear Corporation Limited. That company was

*These notes refer to the Deregulation Act 2015 (c.20)  
which received Royal Assent on 26 March 2015*

involved in the construction of nuclear power stations and had been formed as part of an earlier restructuring of the nuclear industry. The power is no longer needed as all share purchases have been completed and the National Nuclear Corporation is no longer in existence.

923. The repeal forms part of the law of England and Wales, Scotland and Northern Ireland and comes into force at the end of the period of 2 months beginning with the day on which the Act is passed.

### **Sustainable Energy Act 2003**

924. *Paragraph 19* repeals a redundant provision in the Sustainable Energy Act 2003, namely section 7. Section 7 contained a power for the Secretary of State to direct the Gas and Electricity Markets Authority to transfer monies raised by the Non-Fossil Fuel Obligation to the Consolidated Fund, up to a maximum of £60 million. It also imposed a duty on the Secretary of State to spend those monies for the purpose of promoting the use of renewable energy.
925. As the Secretary of State has directed the transfer of the maximum amount permitted under section 7, and has spent that amount on the promotion of the use of renewable energy, the section is now redundant, having served its purpose.
926. The repeal, like the provision, forms part of the law of England and Wales, and comes into force at the end of the period of 2 months beginning with the day on which the Act is passed.

### **Electricity and Gas (Energy Efficiency Obligations) Orders**

927. *Paragraphs 20 and 21* of this Schedule revoke three orders which no longer have any operative effect. These three orders imposed an energy efficiency obligation on certain gas and electricity suppliers. The obligations imposed were known as the Energy Efficiency Commitment. The 2001 Order imposed a three year obligation commencing 1<sup>st</sup> April 2002. The 2003 Order made an amendment to the 2001 Order. The 2004 Order imposed a different three year obligation commencing 1<sup>st</sup> April 2005. The obligations in the 2001 Order and the 2004 Order have now expired and therefore all three of these orders are being revoked.
928. The revocations form part of the law of England and Wales and Scotland (as do the Orders that are to be revoked), and come into force at the end of the period of 2 months beginning with the day on which the Act is passed.