



# Infrastructure Act 2015

## 2015 CHAPTER 7

### PART 6

#### ENERGY

##### *Petroleum and geothermal energy in deep-level land*

#### 46 Notice scheme

- (1) The Secretary of State may, by regulations, require relevant energy undertakings to give notice of the proposed exercise, or exercise, of [<sup>F1</sup>—
- (a) the right to use deep-level land in England for the purposes of exploiting petroleum, and
  - (b) the right to use deep-level land for the purposes of exploiting deep geothermal energy.]

[<sup>F2</sup>(1A) The Welsh Ministers may, by regulations, require relevant energy undertakings to give notice of the proposed exercise, or exercise, of the right to use deep-level land in Wales for the purposes of exploiting petroleum.]

- (2) The regulations may require relevant energy undertakings—
- (a) to give notice—
    - (i) to owners of relevant land or interests in relevant land;
    - (ii) to persons of other specified descriptions;
  - (b) to display notice within the area in which relevant land is situated or elsewhere;
  - (c) to publish notice (otherwise than by displaying the notice).
- (3) The regulations may make provision about the information which the notice is to contain, including provision about information relating to—
- (a) any payment scheme regulations which are in force;
  - (b) the application of any payment scheme regulations to the proposed exercise, or exercise, of the right of use; [<sup>F3</sup>to which the regulations relate]

*Changes to legislation: There are currently no known outstanding effects for the Infrastructure Act 2015, Section 46. (See end of Document for details)*

- (c) the method for obtaining a payment under any payment scheme regulations.
- (4) The regulations may make provision about the manner in which notice is to be given, displayed or published, including provision requiring notice to be—
- (a) displayed at specified places or places of specified descriptions;
  - (b) published in specified publications or publications of specified descriptions.
- (5) [<sup>F4</sup>Regulations under subsection (1)] may require relevant energy undertakings to provide the Secretary of State, or any other specified person, with specified information about—
- (a) the proposed exercise, or exercise, of the right of use [<sup>F5</sup>to which the regulations relate];
  - (b) the giving of notice in accordance with regulations under [<sup>F6</sup>subsection (1)].
- [<sup>F7</sup>(5A) Regulations under subsection (1A) may require relevant energy undertakings to provide the Welsh Ministers, or any other specified person, with specified information about—
- (a) the proposed exercise, or exercise, of the right of use to which the regulations relate;
  - (b) the giving of notice in accordance with regulations under subsection (1A).]

(6) Before making regulations under [<sup>F8</sup>subsection (1)], the Secretary of State must consult such persons as the Secretary of State considers appropriate.

[<sup>F9</sup>(6A) Before making regulations under subsection (1A), the Welsh Ministers must consult such persons as they consider appropriate.]

(7) In this section “payment scheme regulations” means regulations under section 45.

#### Textual Amendments

- F1** Words in s. 46(1) substituted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 25(3)(a)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(a)
- F2** S. 46(1A) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 25(3)(b)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(a)
- F3** Words in s. 46(3)(b) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 29(2)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)
- F4** Words in s. 46(5) substituted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 29(3)(a)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)
- F5** Words in s. 46(5)(a) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 29(3)(b)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)
- F6** Words in s. 46(5)(b) substituted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 29(3)(c)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)
- F7** S. 46(5A) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 29(4)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)
- F8** Words in s. 46(6) substituted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 29(5)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)
- F9** S. 46(6A) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 29(6)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)

#### Commencement Information

- I1** S. 46 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 46.