

## SCHEDULE 5

### Consequential Amendments

## PART 1

### Public General Acts

#### Energy Act 2008

**39.**—(1) The Energy Act 2008(1) is amended as follows.

(2) In section 4 (licences)—

(a) for subsection (3) substitute—

“(3) For this purpose “Crown lease” means (as the case may be)—

(a) a lease of property forming part of the Crown Estate, or an authorisation to exercise rights forming part of that Estate (whether by virtue of section 1 or otherwise), or

(b) a lease of property forming part of the Scottish assets, or an authorisation to exercise rights forming part of those assets (whether by virtue of section 1 or otherwise).”;

(b) after subsection (3), insert—

“(4) In subsection (3), “Scottish assets” means any property, rights and interests to which section 90B(5) of the Scotland Act 1998 applies.”.

(3) In section 18 (licences)—

(a) for subsection (4) substitute—

“(4) For this purpose a “Crown lease” means (as the case may be)—

(a) a lease of property forming part of the Crown Estate, or an authorisation to exercise rights forming part of that Estate (whether by virtue of section 1 or otherwise), or

(b) a lease of property forming part of the Scottish assets, or an authorisation to exercise rights forming part of those assets (whether by virtue of section 1 or otherwise).”;

(b) after subsection (4), insert—

“(4ZA) In subsection (4), “Scottish assets” means any property, rights and interests to which section 90B(5) of the Scotland Act 1998 applies.”.