



# Heat Networks (Scotland) Act 2021

## 2021 asp 9

### PART 1

#### HEAT NETWORKS LICENCES

##### *Introductory*

### **3 Exemptions from requirement for heat networks licence**

- (1) The Scottish Ministers may by regulations provide that the requirement imposed by section 2(1) does not apply—
  - (a) in circumstances specified in the regulations,
  - (b) in relation to heat networks of a description specified in the regulations.
- (2) The Scottish Ministers may direct that the requirement imposed by section 2(1) does not apply—
  - (a) to—
    - (i) a person specified by name in the direction,
    - (ii) persons of a description specified in the direction,
  - (b) in relation to heat networks of a description specified in the direction.
- (3) Where the Scottish Ministers issue a direction under subsection (2), they must—
  - (a) do so in writing, and
  - (b) publish the direction in such manner as they consider appropriate.
- (4) The Scottish Ministers may grant an exemption by regulations under subsection (1) or by a direction under subsection (2)—
  - (a) either—
    - (i) indefinitely, or
    - (ii) for a period specified in the regulations or the direction,
  - (b) either—
    - (i) unconditionally, or
    - (ii) subject to conditions specified in the regulations or the direction.
- (5) The Scottish Ministers may revise or revoke a direction under subsection (2).

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*Status: This is the original version (as it was originally enacted).*

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- (6) Subsection (3) applies to the revision or revocation of a direction under subsection (2) as it applies to such a direction.
- (7) Regulations under subsection (1), or a direction under subsection (2), may make different provision for different areas.