



# Heat Networks (Scotland) Act 2021

## 2021 asp 9

### PART 1

#### HEAT NETWORKS LICENCES

##### *Conditions of heat networks licence*

PROSPECTIVE

#### **6 Heat networks licence standard conditions**

- (1) The licensing authority must determine conditions relating to the obligations of persons holding heat networks licences.
- (2) In this Part, the conditions determined under subsection (1) are referred to as the “standard conditions”; and references to the standard conditions include those conditions as they may be modified from time to time under section 7(2)(b)(i).
- (3) The standard conditions may in particular—
  - (a) include standard conditions that are to apply to—
    - (i) all heat networks licences,
    - (ii) heat networks licences of a particular description,
  - (b) make provision for—
    - (i) the standard conditions (or any of them) not to apply to a particular heat networks licence or heat networks licences of a particular description in such circumstances as may be specified in the standard conditions,
    - (ii) the coming into effect and suspension of the standard conditions (or any of them) in such manner and in such circumstances as may be specified in the standard conditions,
  - (c) include conditions relating to the standards of service to be provided by the person holding a heat networks licence.
- (4) Subject to subsection (5), each heat networks licence has incorporated in it by reference such of the standard conditions as are applicable to it.

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*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, Section 6. (See end of Document for details)*

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- (5) The licensing authority may, in granting a particular heat networks licence application, exclude or modify any of the standard conditions to such extent as it considers appropriate in the circumstances of the case.
- (6) Before making any modification under subsection (5), the licensing authority must give notice of the proposed modification to the applicant of the particular heat networks licence application.
- (7) The notice must—
  - (a) state the reasons why the modification is proposed, and
  - (b) specify the period (which is to be not less than 28 days from the date on which the notice is given) within which the applicant may make representations about the proposed modification to the licensing authority.
- (8) In determining the standard conditions under subsection (1), the licensing authority must have regard in particular to—
  - (a) the interests of users of thermal energy supplied by means of a heat network,
  - (b) the desirability of furthering or promoting the reduction of greenhouse gas emissions (within the meaning of the Climate Change (Scotland) Act 2009) from the operation of heat networks,
  - (c) the desirability of furthering or promoting the use by heat networks of—
    - (i) thermal energy generated from renewable sources,
    - (ii) waste heat or cold.
- (9) In subsection (8)(c)(ii), “waste heat or cold” means heat or cold generated as a result of a use of (or process affecting) land, which would disperse unused if released into air or water.

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, Section 6.