



# Infrastructure Act 2015

## 2015 CHAPTER 7

### PART 6

#### ENERGY

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

#### 48 Interpretation

- (1) For the purposes of deciding whether land is deep-level land—
- (a) the depth of a point in land below surface level is the distance between that point and the surface of the land vertically above that point; and
  - (b) in determining what is the surface of the land, any building or other structure on the land, and any water covering the land, must be ignored.
- (2) In sections 43 to 47 and this section—
- “deep geothermal energy” means geothermal energy in deep-level land (including in water or any other fluid in deep-level land);
  - “deep-level land” has the meaning given in section 43(4);
  - “landward area” means those parts of the landward area (within the meaning of the Petroleum Licensing (Exploration and Production) (Landward Areas) Regulations 2014) that are in England and Wales or are beneath waters (other than waters adjacent to Scotland);
  - “petroleum” has the same meaning as in Part 1 of the Petroleum Act 1998 (see section 1 of that Act);
  - “relevant energy undertaking” means a person who proposes to exercise, or exercises, the right of use;
  - “relevant land” means land in respect of which the right of use is proposed to be, or is, exercised;
  - “relevant requirement” means a requirement imposed by regulations under section 45 or 46;
  - “right of use” means the right conferred by section 43;

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*Status: This is the original version (as it was originally enacted).*

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“specified” means specified in regulations under section 45 or 46;  
“substance” includes electricity and any other intangible thing.

- (3) The power of the Secretary of State to make regulations under section 4 of the Petroleum Act 1998 includes power to make such amendments of the definition of “landward area” in subsection (2) above as the Secretary of State considers appropriate in consequence of any other exercise of the power under section 4 of the 1998 Act.