



# Infrastructure Act 2015

## 2015 CHAPTER 7

### PART 6

#### ENERGY

##### *Other provision about onshore petroleum*

#### **49 Advice on likely impact of onshore petroleum on the carbon budget**

- (1) The Secretary of State must from time to time request the Committee on Climate Change to provide advice (in accordance with section 38 of the CCA 2008) on the impact which combustion of, and fugitive emissions from, petroleum got through onshore activity [<sup>F1</sup>in England] is likely to have on the Secretary of State's ability to meet the duties imposed by—
  - (a) section 1 of the CCA 2008 (net UK carbon account target for 2050), and
  - (b) section 4(1)(b) of the CCA 2008 (UK carbon account not to exceed carbon budget).
- (2) As soon as practicable after each reporting period, the Secretary of State must—
  - (a) lay before Parliament a copy of advice received under subsection (1) during the reporting period, and
  - (b) lay before Parliament a draft of regulations under subsection (3) or a report under subsection (5).
- (3) Regulations under this subsection are regulations providing for section 43 to cease to have effect [<sup>F2</sup>in England] to such extent as may be specified in the regulations.
- (4) No provision made in regulations under subsection (3) has effect in relation to anything done in exercise of the right of use conferred by section 43 before the date on which the regulations come into force.
- (5) A report under this subsection is a report explaining why a draft of regulations under subsection (3) has not been laid.

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*Changes to legislation: Infrastructure Act 2015, Section 49 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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(6) Regulations under this section may make such consequential amendments or repeals of sections 43 to 48 and this section as the Secretary of State considers appropriate.

(7) In this section—

“CCA 2008” means the Climate Change Act 2008;

[<sup>F3</sup>“petroleum got through onshore activity in England” means petroleum got from the strata in which it exists in its natural condition by activity carried out on land in England (excluding land covered by the sea or any tidal waters);]

“petroleum” has the same meaning as in Part 1 of the Petroleum Act 1998 (see section 1 of that Act);

“reporting period” means—

- (a) the period ending with 1 April 2016, and
- (b) each subsequent period of 5 years.

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**Textual Amendments**

- F1** Words in s. 49(1) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 25(4)(a)**, 71(4) (with Sch. 7 paras. 1, 6); [S.I. 2017/1179](#), reg. 4(a)
- F2** Words in s. 49(3) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 25(4)(b)**, 71(4) (with Sch. 7 paras. 1, 6); [S.I. 2017/1179](#), reg. 4(a)
- F3** Words in s. 49(7) substituted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 25(4)(c)**, 71(4) (with Sch. 7 paras. 1, 6); [S.I. 2017/1179](#), reg. 4(a)
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**Commencement Information**

- I1** S. 49 in force at 12.4.2015, see s. 57(7)(b)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 6 para. 11(6)(aa) inserted by [2024 asc 3 Sch. 3 para. 13\(2\)](#)