

Status: Point in time view as at 01/10/2018.

Changes to legislation: Wales Act 2017, Paragraph 17 is up to date with all changes known to be in force on or before 09 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)

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS RELATING TO ONSHORE PETROLEUM

Petroleum Act 1998 (c. 17)

- 17 (1) Section 4B of that Act (section 4A: supplementary provision) is amended as follows.
- (2) In subsection (4)(a) and (b), after ““areas”” insert “ in the English onshore area ”.
- (3) In subsection (7)—
- (a) in paragraph (a) omit ““in relation to England””;
 - (b) omit paragraph (b).
- (4) After subsection (7) insert—
- “(7A) The Welsh Ministers may, by regulations made by statutory instrument, specify—
- (a) the descriptions of areas in the Welsh onshore area that are ““protected groundwater source areas””, and
 - (b) the descriptions of areas in the Welsh onshore area that are ““other protected areas””,
- for the purposes of section 4A.
- (7B) A statutory instrument that contains regulations under subsection (7A) may not be made unless a draft of the instrument has been laid before and approved by a resolution of the National Assembly for Wales.
- (7C) Before making regulations under subsection (7A)(a), the Welsh Ministers must consult the Natural Resources Body for Wales.”
- (5) In subsection (8)—
- (a) in paragraph (a) of the definition of ““relevant environmental regulator””, for ““England”” substitute “ the English onshore area ”;
 - (b) in paragraph (b) of that definition, for ““Wales”” substitute “ the Welsh onshore area ”;
 - (c) in the definition of ““well consent””, after ““OGA”” insert “ or the Welsh Ministers ”.
- (6) In subsection (9)—
- (a) after ““this section”” insert “ (as it applies to the English onshore area) ”;
 - (b) after ““of the power”” insert “ by the Secretary of State ”.

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(7) After subsection (9) insert—

“(9A) The power of the Welsh Ministers to make regulations under section 4 includes power to make such amendments of the definition of ““onshore licence for England and Wales”” in this section (as it applies to the Welsh onshore area) as they consider appropriate in consequence of any exercise by them of the power under section 4.”

(8) In subsection (10)(a), after ““appropriate”” insert “ as regards an application for a hydraulic fracturing consent in relation to land in the English onshore area ”.

(9) At the end insert—

“(12) The Welsh Ministers may, by regulations made by statutory instrument—

- (a) make such amendments of column 2 of the table in section 4A as the Welsh Ministers consider appropriate as regards an application for a hydraulic fracturing consent in relation to land in the Welsh onshore area, and
- (b) make such other amendments of section 4A or this section as the Welsh Ministers consider appropriate in consequence of provision made under paragraph (a).

(13) A statutory instrument that contains regulations under subsection (12) may not be made unless a draft of the instrument has been laid before and approved by a resolution of the National Assembly for Wales.”

Commencement Information

II Sch. 6 para. 17 in force at 1.10.2018 by S.I. 2017/1179, reg. 4(b)

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