
Changes to legislation: Wales Act 2017, Paragraph 16 is up to date with all changes known to be in force on or before 21 April 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

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS RELATING TO ONSHORE PETROLEUM

Petroleum Act 1998 (c. 17)

- 16 (1) Section 4A of that Act (onshore hydraulic fracturing: safeguards) is amended as follows.
- (2) In subsection (1), after ““well consent”” insert “ for a well situated in the English onshore area ”.
- (3) After subsection (1) insert—
- “(1A) The Welsh Ministers must not issue a well consent for a well situated in the Welsh onshore area that is required by an onshore licence for England or Wales unless the well consent imposes—
- (a) a condition that prohibits associated hydraulic fracturing from taking place in land at a depth of less than 1000 metres; and
- (b) a condition that prohibits associated hydraulic fracturing from taking place in land at a depth of 1000 metres or more unless the licensee has the Welsh Ministers' consent for it to take place (a ““hydraulic fracturing consent””).”
- (4) In subsection (3), after ““made”” insert “ to the Secretary of State ”.
- (5) After subsection (3) insert—
- “(3A) Where an application is made to the Welsh Ministers, the Welsh Ministers may not issue a hydraulic fracturing consent unless—
- (a) they are satisfied that—
- (i) the conditions in column 1 of the following table are met, and
- (ii) the conditions in subsection (6) are met, and
- (b) they are otherwise satisfied that it is appropriate to issue the consent.”
- (6) In subsections (4) and (5), after ““Secretary of State”” insert “ or the Welsh Ministers ”.
- (7) In subsection (7), for ““which the Secretary of State thinks appropriate”” substitute “ thought to be appropriate by the Secretary of State or the Welsh Ministers ”.

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Commencement Information

II Sch. 6 para. 16 in force at 1.10.2018 by S.I. 2017/1179, reg. 4(b)

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Changes and effects yet to be applied to :

- specified provision(s) transitional and savings provisions for commencing S.I. 2017/1179 by [S.I. 2018/278](#) [reg. 2](#)[Sch.](#)