Heat Networks (Scotland) Bill

AMENDMENTS TO BE MOVED AT STAGE 2

Clause 2, page 2, line 10, at end insert—

< section 2(1) does not apply to a person who supplies thermal energy from a source of production only to any person who:

(a) holds a heat networks licence; or
(b) is exempt from the requirement for a heat network licence under regulations made under section 3(1) or a direction made under section 3(2).>

Clause 14, page 8, line 8, at end insert—

<prior to the publication of any such guidance under subsection (1), Scottish Ministers must undertake consultation in relation to such guidance.>

Clause 17, page 8, line 37, at end insert -

<This does not apply to any person acting on behalf of a person –

a) holding a heat network consent relating to the construction of the heat network or
b) operating a network on behalf of a person holding a heat network consent relating to the operation of the heat network.>

Clause 30, page 14, line 3, at end insert-

< An enforcement authority under subsection (1) cannot serve a written notice where a person is acting on behalf of a person -

(a) holding a heat network consent relating to the construction of the heat network or
(b) operating a network on behalf of a person holding a heat network consent relating to the operation of the heat network.>

Clause 33, page 14, line 31, leave out subsection (1) and insert-

< If at any time after the end of the period for compliance with an enforcement notice:
(a) any step required by the notice has not been taken, or
(b) any activity required by the notice to cease is being carried on,
the person to whom the notice was given is in breach of the notice.>
() If the person to whom the breach of the notice was given is in breach of that notice the person commits an offence.>

Clause 48, page 22, line 34, at end insert—

< the conditions or limitations that may be applied to a heat network zone permit by the permit authority>

Clause 49, page 23, line 3, at end insert-

< Modification of heat network zone permit

(1) The Scottish Ministers may by regulations make provision for or about the process for modifying a heat network zone permit.

(2) Regulations under subsection (1) may in particular make provision about

(a) how the permit authority is to make modifications to a heat network zone permit,
(b) the form and manner of making a modification to a heat network zone permit,
(c) the information (including the information in the form of a document) that must be included in a modification of a heat network zone permit,
(d) publication or notification of modification for a heat network zone permit,
(e) publication or notification of the permit authority’s decision whether or not to grant a modification of a heat network zone permit,
(f) publication or notification of a modification to heat network zone permit.>

Clause 50, page 23, line 9, at end insert-

<or

( ) if the person has failed to comply with a condition of the heat network zone permit>