



Department for the

Economy

An Roinn

Geilleagair

www.economy-ni.gov.uk

Peter McCallion
Clerk to the Committee for the Economy

cc committee.economy@niassembly.gov.uk

Adelaide House
39-49 Adelaide Street
Belfast BT2 8FD
02890 529333

Our ref: CQ DfE 380/26

Your Ref: EC2026:863

Date: 26 06 2026

Dear Peter

Petroleum Exploration and Licensing (Repeal) Bill

Further to your letter dated 22 May 2026, seeking further information relating to the Petroleum Exploration and Licensing (Repeal) Bill. Please see response below which has been cleared by Minister Archibald. In the event of a request for disclosure of information contained in this submission under the FOI Act, the request would be considered in the context of the relevant provisions of the legislation, including any relevant exemptions that may be applicable.

In relation to the request for an Equality Impact Assessment or screening document, the Department has attached the Equality Screening document completed in June 2024 for the Onshore Petroleum Licensing Policy, published alongside the consultation response, which underpins the provisions in the Bill. The Department considers that the Bill gives effect to this policy and does not introduce additional equality impacts beyond those already assessed. This is consistent with the conclusions set out in the Explanatory and Financial Memorandum, which notes that the proposals are technical in nature and that a full Equality Impact Assessment is not required.

In relation to the request for the Delegated Powers Memorandum, the Department has attached a copy for your information.

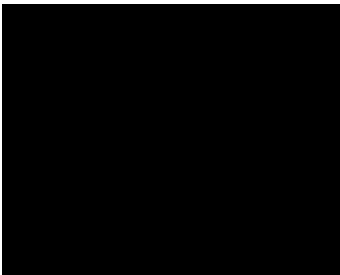
In relation to a Keeling Schedule, one was not prepared as part of the Bill's drafting. The Bill includes a combination of substantive amendment, omission and revocation

provisions. A comprehensive Keeling Schedule would therefore be complex and time consuming to prepare and is unlikely to provide significant additional clarity.

The Department would, however, welcome clarification from the Committee on whether it requires Keeling material specifically in respect of the amendments made to the Petroleum (Production) Act (Northern Ireland) 1964 (Clause 1), or whether it is seeking a broader schedule covering the provisions in Clause 3.

If the Committee considers that a comprehensive Keeling Schedule is necessary to support its scrutiny, it may wish to commission one.

Yours sincerely



Departmental Assembly Liaison Officer

PETROLEUM EXPLORATION AND LICENSING (REPEAL) BILL

DELEGATED POWERS MEMORANDUM

Prepared by the Department for the Economy

Introduction

1. This Memorandum identifies those provisions in the Petroleum Exploration and Licensing (Repeal) Bill which confer powers to make delegated legislation. It explains why the powers have been taken, why the matter has been left to be dealt with by delegated legislation, and the reasons for choosing the Assembly control selected.

Overview of the Petroleum Exploration and Licensing (Repeal) Bill

2. The Bill introduces a ban on issuing licences for all forms of onshore petroleum exploration and production in Northern Ireland through amendments to The Petroleum (Production) Act (Northern Ireland) 1964 (**Clause 1**). This means it will not be possible for individuals or companies to explore for or produce oil and gas in the onshore area of Northern Ireland. This includes all forms of oil and gas and all the different techniques for accessing them.
3. **Clause 2**-deems that live outstanding applications for licences are to be treated as withdrawn by the applicants. It enables the Department, at its discretion, to provide a refund (partial or whole) to the applicants for the fee paid in relation to the application, including an amount for interest.
4. **Clause 3** makes consequential amendments to legislation referring to the licensing regime being repealed by the Bill and revokes regulations that relate to that licensing regime. A savings provision is also provided in relation to s.1(4) of the Petroleum (Production) Act (Northern Ireland) 1964.
5. The only delegated power to make subordinate legislation is **Clause 4** which enables the Department to make regulations containing certain types of ancillary provision the Department considers necessary or expedient for the purposes of, in connection with or for giving full effect to the Bill. If regulations “repeal or revoke, or alter, remove or add to any text of, any primary legislation”, then, the draft affirmative resolution applies. Otherwise, the negative resolution procedure applies.

Delegated Powers

6. The Bill contains 6 clauses and does not contain any schedules. The provisions which contain powers to make regulations by Statutory Rule are set out in the following table.

Clause	Nature of statutory rule which can be made	Assembly control	Notes
Clause 4 (1)	Regulations	If regulations “repeal or revoke, or alter, remove or add to any text of, any primary legislation”, then, draft affirmative resolution. Otherwise, negative resolution.	Clause 4 of the Bill contains a delegated power for DfE who may, by regulations “make such consequential, incidental, supplementary, transitional, transitory or saving provision as the Department considers necessary or expedient for the purposes of, in connection with or for giving full effect to this Act (or any provision of it).”.
Clause 4 (2)	Regulations	As above.	Clause 4(2) provides that regulations made under Clause 4(1) “may modify, particularly by way of repeal, revocation or amendment, any statutory provision (including this Act)”.

CLAUSES IN THE BILL WHICH CREATE NEW DELEGATED POWERS OR WHICH AMEND OR ALTER THE EFFECT OF EXISTING ONES

Clause 4: Power to make regulations

Power conferred on: The Department for the Economy

Power exercisable by: Regulations

Assembly procedure: If regulations “repeal or revoke, or alter, remove or add to any text of, any primary legislation”, then, draft affirmative resolution. Otherwise, negative resolution

Context and purpose

7. Clause 3 makes consequential amendments to legislation referring to the licensing regime which is being repealed by the Bill and revokes regulations that relate to that licensing regime. The purpose of the delegated power is to ensure, in the event that some consequential amendment may have been inadvertently missed at the time of drafting Clause 3, this could be addressed if appropriate.

Justification for taking the power

8. At the time of drafting of the Bill, concerns were noted around the age of the legislation (pre-dating the digitalisation of NI subordinate legislation), and the resulting outside chance that despite detailed and repeated searches, some consequential amendment may have been inadvertently missed, thus potentially requiring the later use of the delegated power. OLC advice at the time included that, to be on the safe side given the age of the legislation and the concern something might be missed, there should be a relevant delegated power in case it is needed in future.
9. The regulation making powers in the Bill are limited to consequential, incidental, supplementary, transitional, transitory or saving provision as the Department considers necessary or

expedient for the purposes of, in connection with or for giving full effect to the Bill (or any provision of it).

Justification for the procedure

10. If regulations were to seek to make amendment to primary legislation, they would face the scrutiny of the NI Assembly pursuant to the draft affirmative Assembly control procedure (Clause 4(3)(a)). Draft affirmative procedure is noted as being the normal presumption for a delegated power of this type – see legislation guidance note 15, para 8. Regulations are otherwise subject to the negative resolution procedure pursuant to Clause 4(3)(b). This is considered appropriate where amendments to primary legislation are not being made. Both would in any event be subject to the usual review by the Examiner of Statutory Rules.

Equality Screening Template – Section 75 of Northern Ireland Act 1998

Please complete the coversheet details below:

Policy title: Onshore Petroleum Licensing Policy

Decision (delete as appropriate)

Policy screened out **without** mitigation

Contact: [REDACTED]

Date of completion: 05/06/2024

Content

Part 1. Policy scoping – asks public authorities to provide details about the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations.

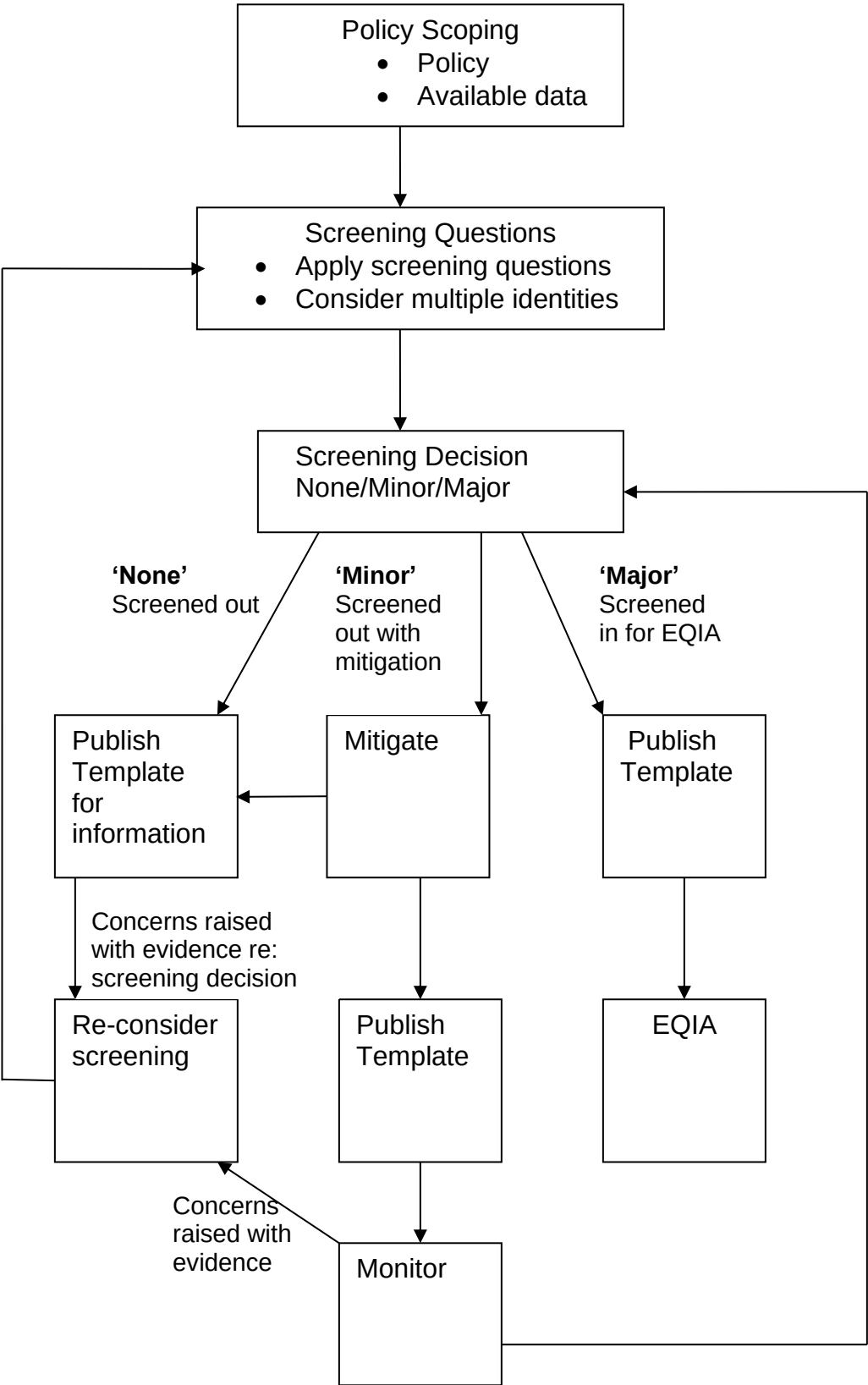
Part 2. Screening questions – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues.

Part 3. Screening decision – guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or to introduce measures to mitigate the likely impact, or the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

Part 4. Monitoring – provides guidance to public authorities on monitoring for adverse impact and broader monitoring.

Part 5. Approval and authorisation – verifies the public authority's approval of a screening decision by a senior manager responsible for the policy.

Flowchart for the equality screening process and decision.



Part 1. Policy scoping

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

Public authorities should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

Information about the policy

Name of the policy

Onshore Petroleum Licensing Policy

Is this an existing, revised or a new policy?

Revised policy

What is it trying to achieve? (intended aims/outcomes)

A moratorium and eventual legislative ban on exploration and production of all forms of onshore oil and gas in Northern Ireland.

Are there any Section 75 categories which might be expected to benefit from the intended policy?
If so, explain how.

No

Who initiated or wrote the policy?

Minerals and Petroleum Branch

Who owns and who implements the policy?

Minerals and Petroleum Branch

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

If yes, are they (please delete as appropriate)

Legislative – there will need to be amendments to legislation to implement a full ban.

Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon? (please delete as appropriate)

Service users (Businesses)

Other public sector organisations

Other policies with a bearing on this policy

- what are they?
DfE Energy Strategy, DfE Economic Vision, New Decade New Approach Document, 2021 draft PFG, Green Growth
- who owns them?
DfE, TEO, DAERA

- **Available evidence**

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data. The Commission has produced this guide to [signpost to S75 data](#).

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

This is a technical policy as applications for an onshore petroleum licence are made by a registered company (or group of companies) rather than individuals. The [guidance for applicants](#) explains the criteria for how a licence will be assessed (see p.28-54) - financial and technical capability and environmental awareness none of which relate to the protected characteristics of individuals.

Previous licences have been granted on this basis and there is a stated commitment in the guidance to assessing applications in a non-discriminatory fashion.

DfE commissioned research into the economic, environmental and social impacts of onshore petroleum exploration and production by [Hatch Regeneris](#). It used a number of scenarios to measure the potential impacts of different levels of development. The no development scenario is the same as the chosen policy and it registered no impacts across all areas.

Any impacts from stopping onshore petroleum exploration and production cannot be measured at this stage although we expect that it will have longer term benefits on the environment and the aspects of the rural economy such as tourism.

Religious belief—As above

Political Opinion—As above

Racial Group—As above

Age—As above

Marital Status—As above

Sexual Orientation—As above

Men & Women generally—As above

Disability—As above

Dependants—As above

Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision?

Specify details of the needs, experiences and priorities for each of the Section 75 categories below:

This is a technical policy as applications for an onshore petroleum licence are made by a registered company (or group of companies) rather than individuals. The [guidance for applicants](#) explains the criteria for how a licence will be assessed (see p.28-54) - financial and technical capability and environmental awareness none of which relate to the protected characteristics of individuals.

Previous licences have been granted on this basis and there is a stated commitment in the guidance to assessing applications in a non-discriminatory fashion.

DfE commissioned research into the economic, environmental and social impacts of onshore petroleum exploration and production by [Hatch Regeneris](#). It used a number of scenarios to measure the potential impacts of different levels of development. The no development scenario is the same as the chosen policy and it registered no impacts across all areas.

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Religious belief—As above

Political Opinion—As above

Racial Group—As above

Age—As above

Marital status—As above

Sexual orientation—As above

Men and Women Generally—As above

Disability—As above

Dependants—As above

Part 2. Screening questions

Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the Screening Questions 1-4, which follow.

If the public authority's conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

If the public authority's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority's conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are

concerns amongst affected individuals and representative groups, for example in respect of multiple identities;

- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

In favour of none

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions given overleaf and indicate the level of impact on the group i.e. minor, major or none.

Screening questions

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories?

Please provide details of the likely policy impacts and determine the level of impact for each S75 categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**:
What is the level of impact? None

Details of the likely policy impacts on **Political Opinion**:
What is the level of impact? None

Details of the likely policy impacts on **Racial Group**:
What is the level of impact? None

Details of the likely policy impacts on **Age**:
What is the level of impact? None

Details of the likely policy impacts on **Marital Status**:
What is the level of impact? None

Details of the likely policy impacts on **Sexual Orientation**:
What is the level of impact? None

Details of the likely policy impacts on **Men and Women**:
What is the level of impact? None

Details of the likely policy impacts on **Disability**:
What is the level of impact? None

Details of the likely policy impacts on **Dependants**:

What is the level of impact? None

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories? No

Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below:

This is a technical policy as applications for an onshore petroleum licence are made by a registered company (or group of companies) rather than individuals. The [guidance for applicants](#) explains the criteria for how a licence will be assessed (see p.28-54) - financial and technical capability and environmental awareness none of which relate to the protected characteristics of individuals.

Previous licences have been granted on this basis and there is a stated commitment in the guidance to assessing applications in a non-discriminatory fashion.

DfE commissioned research into the economic, environmental and social impacts of onshore petroleum exploration and production by [Hatch Regeneris](#). It used a number of scenarios to measure the potential impacts of different levels of development. The no development scenario is the same as the chosen policy and it registered no impacts across all areas.

Any impacts from stopping onshore petroleum exploration and production cannot be measured at this stage although we expect that it will have longer term benefits on the environment and the aspects of the rural economy such as tourism.

Religious Belief - NONE

Political Opinion - NONE

Racial Group - NONE

Age - NONE

Marital Status - NONE

Sexual Orientation - NONE

Men and Women generally - NONE

Disability - NONE

Dependants - NONE

3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?

Please provide details of the likely policy impact and determine the level of impact for each of the categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**:
What is the level of impact? None

Details of the likely policy impacts on **Political Opinion**:
What is the level of impact? None

Details of the likely policy impacts on **Racial Group**:
What is the level of impact? None

This is a technical policy as applications for an onshore petroleum licence are made by a registered company (or group of companies) rather than individuals. The [guidance for applicants](#) explains the criteria for how a licence will be assessed (see p.28-54) - financial and technical capability and environmental awareness none of which relate to the protected characteristics of individuals.

Previous licences have been granted on this basis and there is a stated commitment in the guidance to assessing applications in a non-discriminatory fashion.

DfE commissioned research into the economic, environmental and social impacts of onshore petroleum exploration and production by [Hatch Regeneris](#). It used a number of scenarios to measure the potential impacts of different levels of development. The no development scenario is the same as the chosen policy and it registered no impacts across all areas.

Any impacts from stopping onshore petroleum exploration and production cannot be measured at this stage although we expect that it will have longer term benefits on the environment and the aspects of the rural economy such as tourism.

4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Detail opportunities of how this policy could better promote good relations for people within each of the Section 75 Categories below:

Religious Belief - NONE
Political Opinion - NONE
Racial Group - NONE

This is a technical policy as applications for an onshore petroleum licence are made by a registered company (or group of companies) rather than individuals. The [guidance for applicants](#) explains the criteria for how a licence will be assessed (see p.28-54) - financial and technical capability and environmental awareness none of which relate to the protected characteristics of individuals.

Previous licences have been granted on this basis and there is a stated commitment in the guidance to assessing applications in a non-discriminatory fashion.

DfE commissioned research into the economic, environmental and social impacts of onshore petroleum exploration and production by [Hatch Regeneris](#). It used a number of scenarios to measure the potential impacts of different levels of development. The no development scenario is the same as the chosen policy and it registered no impacts across all areas.

Any impacts from stopping onshore petroleum exploration and production cannot be measured at this stage although we expect that it will have longer term benefits on the environment and the aspects of the rural economy such as tourism.

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

N/A

Part 3. Screening decision

If the decision is not to conduct an equality impact assessment, please provide details of the reasons.

Policy screened out **without** mitigation

Applicants (a registered company or group of companies) for onshore petroleum licences need to show that they are financially viable, technically capable and environmentally aware in order to receive a licence. Licences are granted on these technical bases rather than any other considerations. There is also a commitment in the guidance to assessing applications in a non-discriminatory fashion.

The policy to introduce a moratorium and eventual legislative ban on onshore petroleum exploration and production is a technical policy change that will not impact on section 75 categories or good relations. This is a technical policy that will change the licensing system for onshore petroleum exploration and production.

DfE commissioned research into the economic, environmental and social impacts of onshore petroleum exploration and production by Hatch Regeneris. It used a number of scenarios to measure the potential impacts of different levels of development. The no development scenario is the same as the chosen policy and it registered no impacts across all areas. Any impacts from stopping onshore petroleum exploration and production cannot be measured at this stage although we expect that it will have longer term benefits on the environment and aspects of the rural economy such as tourism.

For these reasons it is considered unnecessary to conduct an equality impact assessment for the revised policy.

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced - please provide details.

N/A

If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.

N/A

All public authorities' equality schemes must state the authority's arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

If so, **give the reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

N/A as level of impact is none.

Timetabling and prioritising

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been '**screened in**' for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Priority criterion – Rating (1-3)

Effect on equality of opportunity and good relations -

Social need -

Effect on people's daily lives -

Relevance to a public authority's functions –

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority's Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?

If yes, please provide details.

Part 4. Monitoring

Public authorities should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Effective monitoring will help the public authority identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.

This is a technical policy that will change the licensing system for onshore petroleum exploration and production. Any impacts from stopping onshore petroleum exploration and production cannot be measured at this stage although we expect that it will have longer term benefits on the environment and aspects of the rural economy such as tourism.

Part 5 - Approval and authorisation

Screened by: [REDACTED]
Position/Job Title: Deputy Principal
Business Area/ Branch: Minerals and Petroleum
Date: 05/06/2024

Approved by: [REDACTED]
Position/Job Title: Principal
Business Area/Branch: Minerals and Petroleum
Date: 05/06/2024

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on the public authority's website as soon as possible following completion and made available on request.



Northern Ireland
Assembly

Committee for the Economy

Departmental Assembly Liaison Officer
Department for the Economy
abu@economy-ni.gov.uk

Our Ref: **EC2026: 863**

22 May 2026

Dear DALO,

Petroleum Exploration and Licensing (Repeal) Bill

At its meeting of 20 May 2026, the Committee for the Economy agreed to write to the Department in respect of the Petroleum Exploration and Licensing (Repeal) Bill, seeking:

- the Keeling Schedule for the Bill;
- the Equality Impact Assessment or screening document; and
- the Delegated Powers Memorandum.

A written response at your earliest convenience and providing the above would be greatly appreciated. The Committee would also greatly appreciate any related background policy information that the Department can provide.

If you require further information or clarification in respect of the above, please do not hesitate to contact me.

Yours sincerely,

Peter McCallion

Peter McCallion

Clerk to the Committee for the Economy