

Response ID ANON-7Z9X-2Q5D-X

Submitted to Petroleum Exploration and Licensing (Repeal) Bill
Submitted on 2026-06-24 10:49:32

Introduction

1 What is your name?

name:

[REDACTED]

2 What is your email address?

email address:

[REDACTED]

3 Are you providing a submission on behalf of an organisation or business?

Yes

If yes, please provide the name of the organisation or business below:

Belcoo Frack Free

Consent

4 Please confirm that you have read the Northern Ireland Assembly Committee's Privacy Notice by clicking the button below.

yes:

Yes

5 How would you like your submission to be published?

Yes. Publish in full.

Petroleum Exploration and Licensing (Repeal) Bill

Clause 1 - Principal Set of Repeals

6 Do you support the provisions of Clause 1? In other words, should the Clause, as it is currently intended, provide for a ban on all forms of onshore petroleum exploration and production and maintain the Department as lawful owner of all possible underground petroleum reserves in Northern Ireland?

No

If No, how should Clause 1 be amended? Should the Clause instead limit petroleum licensing to time bound periods in defined geographic areas? Or should the Clause apply a legislative ban solely to exploration and production of unconventional hydrocarbons including high volume hydraulic fracturing (also known as fracking)? Or should the Clause provide for any restriction at all on petroleum exploration and extraction?:

I've answered no because it looks like the bill, while vesting petroleum in the Minister as a devolved matter, also removes the exclusive right for the Minister to licence petroleum in Northern Ireland. It is possible therefore that while the petroleum is vested in N Ireland that the crown or UK Gov could at another time introduce legislation to licence that petroleum. One is giving away a devolved power - ie the exclusive right to licence petroleum. I would say that is not what is intended here. Who has those exclusive rights once 1964 PPA is repealed. Do they return to the preceding Minerals Act which governed Petroleum exploration prior to the 1964 Act. It is unclear.

If No, what powers should the Department have in respect of petroleum exploration and extraction? :

As above exclusive rights should be retained. As I understood it the Minister's predecessor talked of giving statutory effect to the moratorium - it being a policy currently. There must be a way of removing petroleum licensing without leaving transfer of those rights to licence available to the UK Government or even to the Irish Government in a future UI.

If No, should the Department continue to be the lawful owner of underground petroleum resources?:

Yes the Department should remain the lawful owner of underground petroleum resources on behalf of the people of Northern Ireland.

If No, should the Department be able to take action against those conducting related activities on land including boring?:

Yes the Department must have powers to prevent any unauthorised activities relating to exploring for or getting petroleum.

Clause 2 - Transitional Provision

7 Do you support the provisions of Clause 2? In other words, should the Clause, as it is currently intended, allow the Department to treat live applications for exploration or extraction as if they have been withdrawn and to refund relevant application fees?

Yes

If No, what should be done about live applications for exploration or extraction and what powers should the Department have in this regard?:

Yes I believe this is the most sensible way forward.

Clause 3 - Consequential Provision

8 Do you support Clause 3?

No

If No, please explain the amendments you would like to see.:

I'm very concerned that this bill will dismantle the Northern Ireland petroleum regime without an agreement that the British government will not legislate for a UK government-led regime. Assurances are required that a future UK Gov will not seek to undermine a ban on petroleum licensing against the wishes of the people of N Ireland. In particular the devolved powers currently instant in the 1964 Act must be recognised as devolved powers and while not being exercised, eg no licences being granted, is not the same as removal of powers with the possibility of those powers being transferred back to Westminster. The committee and scrutineers need to ensure that non-exercised powers are not transferred back by default.

Clause 4 - Ancillary regulations

9 Do you support Clause 4?

Yes

If No, what restrictions should be applied to the Department's ability to make delegated legislation?:

Clause 5 - commencement

10 Do you support Clause 5?

Yes

If No, what restrictions should be applied to the commencement of the Petroleum Exploration and Licensing (Repeal) Act?:

Additional Information/Comments

11 Please provide any additional information or comments on any aspect of the Bill that you feel is relevant.

Additional information or comments.:

The Explanatory and Financial Memorandum indicates that the Secretary of State's consent is required by section 8 of the Northern Ireland Act 1998 and a statement of such consent is required for the purpose of section 10(3)(b) of that Act. If this indicates that the bill deals with an excepted or reserved matter, those matters should be clearly identified and discussed as this may go to the core of why the bill seeks to avoid simply putting a ban on petroleum licensing as the people living in affected communities were promised. My concern is that this bill, as introduced, may be described as a ban on petroleum licensing in Northern Ireland, but if it is really just a repeal of the Petroleum (Production) Act (Northern Ireland) 1964 without putting a clear statutory prohibition on petroleum licensing in place, it may well just undermine transferred powers under the Northern Ireland Act 1998. If the bill simply repeals the power to grant licences rather than expressly prohibiting petroleum licensing, exploration and extraction, it could create the appearance that the devolved administration has vacated its regulatory role.

I'm concerned that a regulatory vacuum may well be filled by a future British Government imposing a petroleum licensing regime from London in the name of national energy security interests. A British Parliament could be open to passing an act saying something like;

For reasons of national energy security, the Department for Energy Security and Net Zero, or the North Sea Transition Authority may grant petroleum exploration and production licences in Northern Ireland.

Stormont currently doesn't have the power to immediately hand the petroleum licensing function to a UK Minister, but if Stormont repeals transferred powers, rather than banning petroleum licensing, there would be very little to stop a Westminster government giving functions in relation to Northern Ireland to a Minister of the Crown.

If this repealing of the Northern Ireland petroleum legislation without including a clear statutory prohibition on petroleum licensing and maintaining exclusive rights over petroleum vested in Northern Ireland were to lead to the establishment of an oil and gas industry in Northern Ireland because of

this action and subsequent UK primary legislation, it could have implications for a United Ireland. We must consider the effect of regulatory alignment, where on the southern side of the border, there is a ban on fracking;

Proposed Additions and Amendments

12 Please provide information on any potential amendments that you feel would enhance the Bill and the rationale for those.

Information on any potential amendments:

The bill does not include a prohibition on petroleum licensing; instead it repeals the 1964 PPA and leaves a legal vacuum about who has the right to licence petroleum onshore in Northern Ireland. What we want is legal certainty. I don't believe that our legislators in Stormont should give up devolved powers, powers specifically granted and exercised on behalf of the people of Northern Ireland. Nor should those same legislators leave a situation where those devolved powers could be transferred to the UK Government (regardless of how unlikely one thinks that may be - we're being told that Reform will be biggest party in England and will control Westminster and they are authoritarian and Trumpian in nature.

All any of us want is something that works and that won't be easily undermined. I hope the committee can consider and resolve the issues raised to their satisfaction, but more importantly to the democratic intent of the people of N Ireland. We want to secure our future here and not have a petroleum industry in N Ireland either through the front door or via the back door because of poorly framed legislation.

Almost done...

13 If you provide an email address you will be sent a receipt and a link to a PDF copy of your response.

email:

[REDACTED]