

Response ID [REDACTED]

Submitted to Petroleum Exploration and Licensing (Repeal) Bill
Submitted on 2026-04-29 15:40:20

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?

No

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

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 but with my personal information and any content that could be used to identify me redacted.

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?

Yes

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?:

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

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

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

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currently intended, allow the Department to treat live applications for exploration or extraction as if they have been withdrawn and to refund relevant application fees?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?:

Clause 3 - Consequential Provision

8 Do you support Clause 3?

Yes

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

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.:

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:

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:

Response ID [REDACTED]

Submitted to Petroleum Exploration and Licensing (Repeal) Bill
Submitted on 2026-05-07 09:31:47

Introduction

1 What is your name?

name:

2 What is your email address?

email address:

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

No

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

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?

Yes

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?:

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

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

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

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?:

Clause 3 - Consequential Provision

8 Do you support Clause 3?

Yes

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

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.:

Onshore petroleum exploration and fracking pose several environmental and health risks. Fracking can contaminate groundwater with chemicals used in drilling fluids, threatening drinking water supplies.
Spills of wastewater can pollute soil and waterways.
Additionally, exposure to pollutants may increase health problems for residents living near drilling sites. Overall, these activities raise significant environmental concerns.

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:

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:

Response ID

Submitted to Petroleum Exploration and Licensing (Repeal) Bill
Submitted on 2026-05-26 19:29:26

Introduction

1 What is your name?

name:

2 What is your email address?

email address:

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

No

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

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 but with my personal information and any content that could be used to identify me redacted.

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?:

There should be no restrictions at all on petroleum exploration and extraction.

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

None

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

Yes

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

Yes

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?

No

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

Allow the applications

Clause 3 - Consequential Provision

8 Do you support Clause 3?

No

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

Suitable regulations in place

Clause 4 - Ancillary regulations

9 Do you support Clause 4?

No

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

There should be an independent body approving any delegated legislation

Clause 5 - commencement

10 Do you support Clause 5?

No

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

It should be a graduated response over a span of at least 10 years

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.:

Removing a resource that the rest of the world have access to is putting Northern Ireland at a complete disadvantage from the cost of energy to the cost of manufacturing and transportation. NI will never be able to compete.

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:

Allow the exploration and excavation of fuel to continue without restriction

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:

Response ID [REDACTED]

Submitted to Petroleum Exploration and Licensing (Repeal) Bill
Submitted on 2026-06-08 21:49:35

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?

No

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

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 but with my personal information and any content that could be used to identify me redacted.

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?:

No restrictions

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

Power to explore and use income to support Northern Ireland's economy

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

Yes

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

Yes

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?

No

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

Allow

Clause 3 - Consequential Provision

8 Do you support Clause 3?

Yes

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

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.:

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:

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:

Response ID [REDACTED]

Submitted to Petroleum Exploration and Licensing (Repeal) Bill
Submitted on 2026-06-22 20:34:21

Introduction

1 What is your name?

name:

2 What is your email address?

email address:

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

No

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

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 but with my personal information and any content that could be used to identify me redacted.

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?

Yes

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?:

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

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

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

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?:

Clause 3 - Consequential Provision

8 Do you support Clause 3?

Yes

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

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.:

Offshore exploration should also be banned.

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:

Banning offshore as well as onshore exploration would make the Bill more comprehensive in its protection of the environment.

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]

Response ID [REDACTED]

Submitted to Petroleum Exploration and Licensing (Repeal) Bill
Submitted on 2026-06-23 23:12:33

Introduction

1 What is your name?

name:

2 What is your email address?

email address:

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

No

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

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?:

Be careful.

I'm concerned about the way the bill seeks to ban petroleum licensing in Northern Ireland while leaving the door open to the UK government to impose a licensing regime in a possible regulatory vacuum.

I support legislation that will place a statutory moratorium or prohibition on petroleum licensing in Northern Ireland. The current intention, based on the proposed wording, is to repeal Northern Ireland's Petroleum (Production) Act (Northern Ireland) 1964, rather than amend that legislation to prohibit Petroleum Licensing in line with stated Stormont policy. Yes, the bill as written will prevent the government of Northern Ireland from granting Petroleum licenses, but what benefit is that to affected communities in Northern Ireland if it clears the way for the UK government to enact legislation in Westminster that could potentially fill that regulatory vacuum and grant them instead?

The British Crown retains vesting and exclusive rights over petroleum in Scotland and Wales, but not currently in Northern Ireland. Scotland and Wales have devolved onshore licensing powers, and both have adopted policies of no support for new onshore licensing, but those policies are weaker given the current vesting arrangement.

Under the current 1964 legal structure, Northern Ireland, through its government department, has ownership and an exclusive right to search for, bore for, and obtain the petroleum vested in it. Why, at a time when Northern Ireland promised to legislate to put a prohibition on petroleum licensing, would it repeal its exclusive rights over the petroleum vested in it? The current bill, as proposed, intends to omit the following clause from the Northern Ireland Petroleum (Production) Act (Northern Ireland) 1964;

"1(3)Without prejudice to its powers to grant licences under section 2, the Ministry shall have the exclusive right of searching and boring for and getting

the petroleum vested in it under subsection (1) or by virtue of the provisions of the Act of 1959 referred to in subsection".

That clause, although it refers to section 2, which is to be omitted, needs to be amended so that Northern Ireland's relevant government department never gives up its exclusive rights over undeveloped petroleum in Northern Ireland.

The Northern Ireland Assembly should amend the Petroleum (Production) Act (Northern Ireland) 1964 in line with the will of the people in Northern Ireland, and not in a way that undermines the powers they currently hold.

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

The relevant Northern Ireland Government department must retain all exclusive rights to search for, bore for, and obtain the petroleum vested in it, and, while maintaining this exclusivity, should impose through this legislation a prohibition on petroleum licensing in the Northern Ireland onshore area, including its internal waters.

In a situation where the Northern Ireland Petroleum (Production) Act (Northern Ireland) 1964 was significantly diminished by the relinquishment of exclusive rights, and where there is no prohibition on licensing written into the act, the UK government might seek to create primary Westminster legislation that could lead to Exploration licences being granted in Northern Ireland.

Such a licensing process could bypass the safeguards currently offered under the Good Friday Agreement. Under the current safeguards, if a petroleum licensing decision were taken by a Northern Ireland Minister, it would likely be subject to the Northern Ireland Executive's collective decision-making rules, cross-community safeguards, Assembly scrutiny and political accountability.

Imagine if Stormont didn't have exclusive rights or a statutory prohibition on petroleum licensing. Imagine also if we were looking at the formation of a new all-Ireland state as set out under the Good Friday Agreement. The establishment of an onshore Oil and Gas industry in Northern Ireland could render the maintenance of a fracking ban in the South of Ireland untenable, as regulatory alignment would be required. Either entities holding petroleum licences in Northern Ireland would have to be compensated for loss of future profits, or the regulatory field may have to be opened up for everybody.

So it is very important that the people of Northern Ireland maintain as much control as possible over decision-making there.

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

The relevant Northern Ireland Government department needs to remain the lawful owner of any petroleum that may exist beneath the ground in Northern Ireland and its internal waters.

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

Yes, including the imposition of fees and prison sentences for those who engage in petroleum-related activities that are not permitted in Northern Ireland by the government of Northern Ireland.

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?:

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 you are completely dismantling the Northern Ireland petroleum regime without an agreement that the British government will not legislate for a UK government-led regime. I don't know what assurances have been given. The committee need to have a good understanding of the risks to the people of Northern Ireland if a future UK government seeks to undermine what should effectively be a ban on Petroleum Licences in Northern Ireland, and not dismantle an important transferred power so it can be subsumed by a UK government and imposed on affected communities in Northern Ireland

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 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.

Nobody can see into the future, so if this is possible under the existing power structures, the implications need to be considered. It could have implications for the safeguards available under the Good Friday Agreement. Such a petroleum licensing regime could bypass human rights protections, the cross-community support mechanism, and generally limit the democratic protections in place today.

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, we have a ban on fracking;

5B. (1) Notwithstanding anything in this Act or any other enactment or rule of law it shall not be lawful for a person to search for, get, raise, take, carry away or work petroleum by means of hydraulic fracturing. In that act "hydraulic fracturing" means the generation of mechanical fractures in rock below the surface by means of the physical process of pumping fluid at high pressure into the rock via a petroleum wellbore for the purpose of enhancing the flow of petroleum between the rock and petroleum wellbore;

Note that that is any and all rocks.

I trust we all want to protect everyone on this Island from the effects of 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:

I don't understand why the bill does not include a prohibition on petroleum licensing. The bill's drafters have gone in a direction I don't agree with, but I don't have all the information. I'm pointing out the issues I see, and I hope the committee will consider my concerns.

I would like to see a ban on petroleum licences in Northern Ireland.

I don't think that Stormont should give up transferred powers.

My preference is to see a Petroleum Exploration and Licensing (Prohibition on the granting of Petroleum Licencing) Bill, or a ban on fracking in all rocks under the ground, in alignment with the Republic of Ireland's legislation.

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 I have raised to their satisfaction.

One amendment I would like you to consider that may go some way to helping to protect this initiative could be that, rather than omitting;

Subsection (3) "Without prejudice to its powers to grant licences under section 2, the Ministry shall have the exclusive right of searching and boring for and getting the petroleum vested in it under subsection (1) or by virtue of the provisions of the Act of 1959 referred to in subsection"

Consider amending this clause to retain the current legal exclusive rights claim over undeveloped petroleum vested in the Ministry of Commerce or the relevant Northern Ireland government Department.

I wish you the best of luck with your deliberations

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]

Submitted to Petroleum Exploration and Licensing (Repeal) Bill
Submitted on 2026-06-24 11:09:54

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?

No

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

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 but with my personal information and any content that could be used to identify me redacted.

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?:

This bill seeks to ban petroleum licensing in Northern Ireland all the while creating an opening for the UK government to impose a licensing regime in what could be a regulatory vacuum.

We need legislation that will place a statutory moratorium or prohibition on petroleum licensing in Northern Ireland. The current wording would repeal Northern Ireland's Petroleum (Production) Act (Northern Ireland) 1964, rather than amend that legislation to prohibit Petroleum Licensing in line with stated Stormont policy.

As written it will prevent the government of Northern Ireland from granting Petroleum licenses, but what happens to Northern Ireland communities if it clears the way for the UK government to enact legislation in Westminster that could grant them instead?

The British Crown retains vesting and exclusive rights over petroleum in Scotland and Wales, but not currently in Northern Ireland. Both Scotland and Wales have devolved onshore licensing powers, and both have adopted policies of no support for new onshore licensing, but those policies are weaker given the current vesting arrangement.

Under the current 1964 legal structure, Northern Ireland, through its government department, has ownership and an exclusive right to search for, bore for, and obtain the petroleum vested in it. Why, at a time when Northern Ireland promised to legislate to put a prohibition on petroleum licensing, would it repeal its exclusive rights over the petroleum vested in it?

The current bill, as proposed, intends to omit the following clause from the Northern Ireland Petroleum (Production) Act (Northern Ireland) 1964;

"1(3)Without prejudice to its powers to grant licences under section 2, the Ministry shall have the exclusive right of searching and boring for and getting the petroleum vested in it under subsection (1) or by virtue of the provisions of the Act of 1959 referred to in subsection".

That clause, although it refers to section 2, which is to be omitted, needs to be amended so that Northern Ireland's relevant government department never gives up its exclusive rights over undeveloped petroleum in Northern Ireland.

The Northern Ireland Assembly should amend the Petroleum (Production) Act (Northern Ireland) 1964 in line with the will of the people in Northern Ireland, and not in a way that undermines the powers they currently hold.

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

The relevant Northern Ireland Government department must retain all exclusive rights to search for, bore for, and obtain the petroleum vested in it. They should impose through this legislation a prohibition on petroleum licensing in the Northern Ireland onshore area, including its internal waters.

In a situation where the Northern Ireland Petroleum (Production) Act (Northern Ireland) 1964 was significantly diminished by the relinquishment of exclusive rights, and where there is no prohibition on licensing written into the act, the UK government might seek to create primary Westminster legislation that could lead to Exploration licences being granted in Northern Ireland.

Such a licensing process could bypass the safeguards currently offered under the Good Friday Agreement.

Under the current safeguards, if a petroleum licensing decision were taken by a Northern Ireland Minister, it would likely be subject to the Northern Ireland Executive's collective decision-making rules, cross-community safeguards, Assembly scrutiny and political accountability.

Imagine if Stormont didn't have exclusive rights or a statutory prohibition on petroleum licensing. Imagine also if we were looking at the formation of a new all-Ireland state as set out under the Good Friday Agreement.

The establishment of an onshore Oil and Gas industry in Northern Ireland could render the maintenance of a fracking ban in the South of Ireland untenable, as regulatory alignment would be required. Either entities holding petroleum licences in Northern Ireland would have to be compensated for loss of future profits, or the regulatory field may have to be opened up for everybody.

So it is very important that the people of Northern Ireland maintain as much control as possible over decision-making there.

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

The relevant Northern Ireland Government department needs to remain the lawful owner of any petroleum that may exist beneath the ground in Northern Ireland and its internal waters.

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

Yes, including the imposition of fees and prison sentences for those who engage in petroleum-related activities that are not permitted in Northern Ireland by the government of Northern Ireland.

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?:

Clause 3 - Consequential Provision

8 Do you support Clause 3?

No

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

This could dismantle the Northern Ireland petroleum regime without an agreement from the British government. They could legislate for a UK government-led regime.

What assurances have been given?

The committee need to have a good understanding of the risks to the people of Northern Ireland if a future UK government seeks to undermine what should effectively be a ban on Petroleum Licences in Northern Ireland, and not dismantle an important transferred power so it can be subsumed by a UK government and imposed on affected communities in Northern Ireland

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.:

I trust we all want to protect everyone on this Island from the effects of fracking, as we know the dangers to our waterways, landscapes and human health.

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.

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 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.

Nobody can see into the future, so if this is possible under the existing power structures, the implications need to be considered. This could affect safeguards available under the Good Friday Agreement. Such a licensing regime could bypass human rights protections, the cross-community support mechanism, and generally limit the democratic protections in place today.

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, we have a ban on fracking;

5B. (1) Notwithstanding anything in this Act or any other enactment or rule of law it shall not be lawful for a person to search for, get, raise, take, carry away or work petroleum by means of hydraulic fracturing.

"hydraulic fracturing" is the generation of mechanical fractures in rock below the surface by means of the physical process of pumping fluid at high pressure into the rock via a petroleum wellbore for the purpose of enhancing the flow of petroleum between the rock and petroleum wellbore;
Note that that is any and all rocks.

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:

I don't think that Stormont should give up transferred powers.

My preference is to see a Petroleum Exploration and Licensing (Prohibition on the granting of Petroleum Licensing) Bill, or a ban on fracking in all rocks under the ground, in alignment with the Republic of Ireland's legislation. All any of us want is something that works and that won't be easily undermined. I trust you will consider this in your deliberations.

One amendment I would like you to consider that may go some way to helping to protect this initiative could be that, rather than omitting;

Subsection (3) "Without prejudice to its powers to grant licences under section 2, the Ministry shall have the exclusive right of searching and boring for and getting the petroleum vested in it under subsection (1) or by virtue of the provisions of the Act of 1959 referred to in subsection"

Consider amending this clause to retain the current legal exclusive rights claim over undeveloped petroleum vested in the Ministry of Commerce or the relevant Northern Ireland government Department.

Thank you for all that you are doing to protect our lands, our health and our waterways. Please do your utmost to keep the power in the hands of the Northern Ireland government department.

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]