



# Energy Act 2023

## 2023 CHAPTER 52

### PART 1

#### LICENSING OF CARBON DIOXIDE TRANSPORT AND STORAGE

### CHAPTER 4

#### SPECIAL ADMINISTRATION REGIME

##### *Licence modifications*

#### **46 Modification of conditions of licences**

- (1) The Secretary of State may modify the conditions of a T&S company's licence ("the section 7 licence") so that they include—
  - (a) conditions relating to the recovery of amounts owed to the Secretary of State by the T&S company by virtue of, or otherwise relating to, financial assistance given by the Secretary of State while a T&S administration order is in force in relation to the T&S company;
  - (b) conditions relating to raising of funds for the purpose of meeting of expenses arising by virtue of the order.
- (2) The Secretary of State may exercise the power under [subsection \(1\)](#) only if a T&S administration order is in force in relation to the T&S company.
- (3) Before making a modification under [subsection \(1\)](#), the Secretary of State must consult—
  - (a) the economic regulator,
  - (b) if the [section 7](#) licence authorises activities within [section 2\(2\)\(a\)](#), the person who granted any associated licence under section 18 of the Energy Act 2008, and
  - (c) such other persons as the Secretary of State considers appropriate.

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**Changes to legislation:** There are currently no known outstanding effects for the Energy Act 2023, Cross Heading: Licence modifications. (See end of Document for details)

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- (4) The power to make modifications under [subsection \(1\)](#) includes power to make such incidental, consequential or transitional modifications as the Secretary of State considers necessary or expedient.
- (5) In [subsection \(1\)\(a\)](#), “financial assistance” means grants, loans, guarantees or indemnities, or any other kind of financial assistance.
- (6) For the purposes of this section, a licence under section 18 of the Energy Act 2008 (“the carbon storage licence”) is an “associated licence” in relation to the [section 7](#) licence if—
  - (a) the carbon storage licence is in respect of activities within section 17(2)(a) of that Act, and
  - (b) any part of the site to which the [section 7](#) licence relates is within any place to which the carbon storage licence relates.

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**Commencement Information**

**11** [S. 46](#) in force at 26.12.2023, see [s. 334\(3\)\(a\)](#)

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