



Energy Act 2023

2023 CHAPTER 52

PART 2

CARBON DIOXIDE CAPTURE, STORAGE ETC AND HYDROGEN PRODUCTION, TRANSPORT AND STORAGE

CHAPTER 5

CARBON STORAGE INFORMATION AND SAMPLES

Requirements relating to information and samples

114 Power of Secretary of State to require information and samples

- (1) The Secretary of State may require the OGA to provide the Secretary of State with such information or samples held by or on behalf of the OGA as the Secretary of State may require for the purpose of—
 - (a) carrying out any function conferred by or under any Act,
 - (b) monitoring the OGA's performance of its functions, or
 - (c) any Parliamentary proceedings.
- (2) The Secretary of State may use information or samples acquired under [subsection \(1\)](#) (“acquired material”) only for the purpose for which it is provided.
- (3) Acquired material must not be disclosed—
 - (a) by the Secretary of State, or
 - (b) by a subsequent holder,except in accordance with this section.
- (4) For the purposes of [subsection \(3\)\(b\)](#), “subsequent holder”, in relation to acquired material, means a person who receives acquired material directly or indirectly from

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for the Energy Act 2023, Section 114. (See end of Document for details)

the Secretary of State by virtue of a disclosure, or disclosures, in accordance with this section.

- (5) [Subsection \(3\)](#) does not prohibit the Secretary of State from disclosing acquired material so far as necessary for the purpose for which it was provided.
- (6) [Subsection \(3\)](#) does not prohibit a disclosure of acquired material if—
 - (a) the disclosure is required by virtue of an obligation imposed by or under any Act, or
 - (b) the OGA consents to the disclosure and, where the acquired material in question was provided to the OGA by or on behalf of another person, confirms that that person also consents to the disclosure.
- (7) References in this section to disclosing acquired material include references to making the acquired material available to other persons (where the acquired material includes samples).

Commencement Information

II [S. 114](#) in force at 26.12.2023, see [s. 334\(3\)\(b\)](#)

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