



# Energy Act 2023

## 2023 CHAPTER 52

### PART 1

#### LICENSING OF CARBON DIOXIDE TRANSPORT AND STORAGE

### CHAPTER 4

#### SPECIAL ADMINISTRATION REGIME

##### *Powers to modify enactments*

#### **47 Modification under the Enterprise Act 2002**

- (1) The power to modify or apply enactments conferred on the Secretary of State by each of the sections of the Enterprise Act 2002 mentioned in subsection (2) includes power to make such consequential modifications of this Chapter as the Secretary of State considers appropriate in connection with any other provision made under that section.
- (2) Those sections are—
  - (a) sections 248 and 277 (amendments consequential on that Act); and
  - (b) section 254 (power to apply insolvency law to foreign companies).
- (3) In section 170(1) of the Energy Act 2004 (modification of Chapter 3 of Part 3 of that Act under the Enterprise Act 2002), for “or section 33 of the Nuclear Energy (Finance) Act 2022” substitute “, section 33 of the Nuclear Energy (Finance) Act 2022 or section 44 of the Energy Act 2023”.

#### **Commencement Information**

**II** S. 47 in force at 26.12.2023, see [s. 334\(3\)\(a\)](#)

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

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#### **48 Power to make further modifications of insolvency legislation**

- (1) The Secretary of State may by regulations—
  - (a) provide for insolvency legislation to apply in relation to any provision made by or under this Chapter;
  - (b) make such modifications of insolvency legislation as the Secretary of State considers appropriate in relation to any provision made by or under this Chapter (including any insolvency legislation that is applied under paragraph (a)).
- (2) In relation to regulations under subsection (1), “insolvency legislation” means—
  - (a) the Insolvency Act 1986,
  - (b) Chapter 3 of Part 3 of the Energy Act 2004, and
  - (c) any other provision that relates to insolvency, or makes provision by reference to anything that is or may be done under the Insolvency Act 1986, and is—
    - (i) contained in an Act passed before this Act or in the same Session, or
    - (ii) made under an Act before the regulations come into force.
- (3) Provision made under subsection (1) may amend this Chapter.
- (4) Regulations under this section are subject to the affirmative procedure.

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#### **Commencement Information**

**12** S. 48 in force at 26.12.2023, see s. 334(3)(a)

**Changes to legislation:**

There are currently no known outstanding effects for the Energy Act 2023, Cross Heading:  
Powers to modify enactments.