



Energy Act 2023

2023 CHAPTER 52

PART 2

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

CHAPTER 4

CARBON DIOXIDE STORAGE LICENCES

106 Power of OGA to require information about change in control of licence holder

After section 29 of the Energy Act 2008 insert—

“Information about change in control of licence holder

29A OGA’s power to require information about change in control of licence holder

- (1) This section applies in relation to a licence granted (or having effect as if granted) by the OGA which includes provisions prohibiting a change in control of a licence holder which is a company without the OGA’s consent.
- (2) The OGA may by notice in writing require a person within subsection (3) to provide the OGA with any information that it requires for the purpose of exercising its functions in relation to a change or potential change in control of a licence holder which is a company.
- (3) The persons within this subsection are—
 - (a) the company;
 - (b) the person who (if consent were granted) would take control of the company;

Changes to legislation: There are currently no known outstanding effects
for the Energy Act 2023, Section 106. (See end of Document for details)

- (c) if the company is a joint licence holder with another person or other persons, that other person or those other persons;
 - (d) any person not within any of paragraphs (a) to (c) who appears to the OGA to have information that it requires as mentioned in subsection (2).
- (4) The power conferred by this section does not include power to require the provision of any information that would be protected from disclosure or production in legal proceedings on grounds of legal professional privilege or, in Scotland, confidentiality of communications.
- (5) Nothing in this section limits any power of the OGA to require information under—
- (a) regulations under this Chapter,
 - (b) the terms of a licence, or
 - (c) the terms of a permit granted under a licence.”

Commencement Information

- I1** S. 106 not in force at Royal Assent, see [s. 334\(1\)](#)
- I2** S. 106 in force at 11.1.2024 by [S.I. 2024/32](#), [reg. 2\(a\)\(iv\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Section 106.