



# Energy Act 2023

## 2023 CHAPTER 52

### PART 2

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

### CHAPTER 1

#### REVENUE SUPPORT CONTRACTS

##### *General provision about counterparties*

#### **82 Application of sums held by a revenue support counterparty**

- (1) Revenue support regulations may make provision for apportioning sums—
  - (a) received by a revenue support counterparty from a hydrogen levy administrator under provision made by virtue of [section 70](#), or
  - (b) received by a revenue support counterparty under a revenue support contract, in circumstances where the revenue support counterparty is unable to fully meet its liabilities under a revenue support contract.
- (2) The provision that may be made by virtue of [subsection \(1\)](#) includes provision about the meaning of “unable to fully meet its liabilities under a revenue support contract”.
- (3) In making provision by virtue of [subsection \(1\)](#), the Secretary of State must have regard to the principle that sums should be apportioned in proportion to the amounts that are owed.
- (4) Revenue support regulations may make provision about the application of sums held by a revenue support counterparty.
- (5) The provision that may be made by virtue of [subsection \(4\)](#) includes provision that sums are to be paid, or not to be paid, into the Consolidated Fund.

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**Status:** Point in time view as at 26/12/2023.

**Changes to legislation:** There are currently no known outstanding effects  
for the Energy Act 2023, Section 82. (See end of Document for details)

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**Commencement Information**

**II** [S. 82](#) in force at 26.12.2023, see [s. 334\(3\)\(b\)](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Energy Act 2023, Section 82.