



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.