



Energy Act 2023

2023 CHAPTER 52

PART 12

CORE FUEL SECTOR RESILIENCE

CHAPTER 1

INTRODUCTION

267 General objective

The functions of the Secretary of State under this Part must be exercised with a view to—

- (a) ensuring that economic activity in the United Kingdom is not adversely affected by disruptions to core fuel sector activities, and
- (b) reducing the risk of emergencies affecting fuel supplies.

Commencement Information

- I1** S. 267 not in force at Royal Assent, see [s. 334\(1\)](#)
- I2** S. 267 in force at 11.1.2024 by [S.I. 2024/32, reg. 2\(c\)\(i\)](#)

268 “Core fuel sector activity” and other key concepts

(1) In this Part “core fuel sector activity” means an activity of a kind mentioned in [subsection \(2\)](#), so far as the activity—

- (a) is carried on in the United Kingdom in the course of a business, and
- (b) contributes (directly or indirectly) to the supply of core fuels to consumers in the United Kingdom or persons carrying on business in the United Kingdom.

(2) The kinds of activity are—

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Chapter 1. (See end of Document for details)

- (a) storing oil or renewable transport fuel;
 - (b) handling oil or renewable transport fuel;
 - (c) the carriage of oil or renewable transport fuel by sea or inland water;
 - (d) transporting oil or renewable transport fuel by road or rail;
 - (e) conveying oil or renewable transport fuel by pipes;
 - (f) processing or producing oil or renewable transport fuel (whether by refining, blending or otherwise).
- (3) In [subsection \(2\)](#) the references to “oil” do not include crude oil which has not yet entered any refinery or terminal in the United Kingdom.
- (4) In this Part “core fuels” means—
- (a) crude oil based fuels, and
 - (b) renewable transport fuels.
- (5) In this Part “core fuel sector resilience” means the capability of core fuel sector participants to—
- (a) manage the risk of,
 - (b) reduce the potential adverse impact of, and
 - (c) facilitate recovery from,
- disruptions to core fuel sector activities.
- (6) In this Part “core fuel sector participant” means—
- (a) a person carrying on core fuel sector activities;
 - (b) a [Part 12](#) facility owner.
- (7) For the purposes of this Part there is “continuity of supply of core fuels” where the supply of core fuels to consumers in all areas of the United Kingdom, and persons carrying on business in all areas of the United Kingdom—
- (a) is reliable and continuous, and
 - (b) is maintained at normal levels.
- (8) In [subsection \(7\)](#) “normal levels” means levels that—
- (a) are not substantially below average monthly levels of supply in the United Kingdom (taking account of regional variations), and
 - (b) are consistent with a reasonable balance between supply and demand.
- (9) For the purposes of [subsection \(8\)](#) “average monthly levels” are to be calculated by reference to levels of supply in the five years preceding the calculation.
- (10) In this Part “relevant activities or assets”—
- (a) in relation to a person carrying on core fuel sector activities, means the person’s core fuel sector activities (and includes any land or assets under the person’s control that are associated with those activities);
 - (b) in relation to a [Part 12](#) facility owner, means the owned facility.
- (11) In this Part—
- (a) “[Part 12](#) facility owner” means the owner of a pipeline, terminal, or other facility or infrastructure which is used, or any part of which is used, for the purposes of core fuel sector activities;
 - (b) in relation to a [Part 12](#) facility owner, “the owned facility” means the facility or infrastructure mentioned in [paragraph \(a\)](#).

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Chapter 1. (See end of Document for details)

- (12) In [subsection \(11\)](#) “owner”, in relation to any facility or infrastructure, means—
- (a) a person in whom the facility or infrastructure is vested, or
 - (b) a lessee of the facility or infrastructure.
- (13) In this Part references to a “person carrying on core fuel sector activities” include any person carrying on such activities (whether or not as the owner of the oil or renewable transport fuel).

Commencement Information

- I3** S. 268 not in force at Royal Assent, see [s. 334\(1\)](#)
I4 S. 268 in force at 11.1.2024 by [S.I. 2024/32](#), [reg. 2\(c\)\(i\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Chapter 1.