



Energy Act 2023

2023 CHAPTER 52

PART 3

LICENSING OF HYDROGEN PIPELINE PROJECTS

Information

139 Information and advice

- (1) The Secretary of State may by regulations make provision about the provision and publication of information and advice in connection with the carrying out of functions of any person under or by virtue of this Part.
- (2) The provision that may be made by virtue of [subsection \(1\)](#) includes provision—
 - (a) for the Secretary of State to require the GEMA to provide information to a hydrogen transport counterparty or any other specified person;
 - (b) for a hydrogen transport counterparty to require the GEMA to provide information to it;
 - (c) for the Secretary of State to require a designated person, a hydrogen transport counterparty or any other specified person to provide information to the GEMA;
 - (d) for the GEMA to require a designated person, a hydrogen transport counterparty or any other specified person to provide information to the GEMA;
 - (e) for the Secretary of State to require a designated person, a hydrogen transport counterparty, the GEMA or any other specified person to provide information or advice to the Secretary of State or any other specified person;
 - (f) for the classification and protection of confidential or sensitive information;
 - (g) for the enforcement of any requirement imposed by virtue of any of [paragraphs \(a\) to \(f\)](#).
- (3) Section 105(1) of the Utilities Act 2000 (general restrictions on disclosure of information) does not apply to a disclosure required by virtue of this section.

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 139. (See end of Document for details)

- (4) The first regulations under this section are subject to the affirmative procedure.
- (5) Any other regulations under this section are subject to the negative procedure.
- (6) In this section—
- “designated person” includes a person who has been a designated person;
 - “hydrogen transport counterparty” has the same meaning as in [Chapter 1 of Part 2](#) (see section [56](#));
 - “specified person” means a person specified, or of a description specified, in regulations under this section.
- (7) See also section 34(4) of the Gas Act 1986 (general duty for the GEMA to give information, advice and assistance to the Secretary of State or the Competition and Markets Authority).

Commencement Information

II [S. 139](#) in force at 26.12.2023, see [s. 334\(3\)\(c\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Section 139.