



Energy Act 2023

2023 CHAPTER 52

PART 5

INDEPENDENT SYSTEM OPERATOR AND PLANNER

Advice, analysis and information

172 Power to require information from regulated persons etc

- (1) The ISOP may by notice request from a person within [subsection \(2\)](#) such information as the ISOP reasonably requires in connection with the exercise of any of its functions.
- (2) A person is within this subsection if—
 - (a) the person carries out a relevant activity, or
 - (b) the ISOP reasonably considers that the person intends to carry out a relevant activity.
- (3) A person to whom a request is made under [subsection \(1\)](#) must, so far as reasonably practicable, provide the requested information within such period, and in such form and manner, as may be specified in the notice.
- (4) Where a requirement under [subsection \(3\)](#) is imposed on a regulated person (as defined by section 25(8) of the Electricity Act 1989), it is enforceable by the GEMA as if it were a relevant requirement imposed on the person for the purposes of section 25 of that Act.
- (5) Where a requirement under [subsection \(3\)](#) is imposed on a regulated person (as defined by section 28(8) of the Gas Act 1986), it is enforceable by the GEMA as if it were a relevant requirement imposed on the person for the purposes of section 28 of that Act.
- (6) Where neither of [subsections \(4\)](#) and [\(5\)](#) applies, the duty imposed under [subsection \(3\)](#) on a person is enforceable by the ISOP in civil proceedings—
 - (a) for an injunction,
 - (b) for specific performance of a statutory duty under section 45 of the Court of Session Act 1988, or

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 172. (See end of Document for details)

- (c) for any other appropriate remedy or relief.
- (7) Nothing in this section requires a disclosure of information that would contravene the data protection legislation (within the meaning of the Data Protection Act 2018 - see section 3 of that Act).
- In determining whether a disclosure would do so, the duty imposed by [subsection \(3\)](#) is to be taken into account.

Commencement Information

- I1** S. 172 not in force at Royal Assent, see [s. 334\(1\)](#)
- I2** S. 172 in force at 31.1.2024 by [S.I. 2024/32, reg. 3\(a\)\(vi\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Section 172.