



# Energy Act 2023

## 2023 CHAPTER 52

### PART 1

#### LICENSING OF CARBON DIOXIDE TRANSPORT AND STORAGE

### CHAPTER 1

#### LICENSING OF ACTIVITIES

#### *Transfer of licences*

### 18 Transfer of licences

- (1) A licence—
  - (a) is to be capable of being transferred by the licence holder, with the consent of the economic regulator, in accordance with this section and subject to any term of the licence relating to its transfer;
  - (b) may include conditions which must be complied with before the licence can be transferred.
- (2) A transfer may relate to the whole or any part of the licence.
- (3) The reference in [subsection \(2\)](#) to part of a licence is a reference to a part of the activities authorised by the licence (whether described by reference to activities being carried on by the licence holder or to activities which the licence holder is authorised to carry on).
- (4) Such consent may be given subject to compliance with such modification conditions or other conditions as the economic regulator considers necessary or expedient.
- (5) In the case of a partial transfer, conditions imposed under [subsection \(4\)](#) may make, as respects so much of the licence as is proposed to be retained by the transferor, provision different from that made as respects so much of the licence as is proposed to be transferred.

---

*Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 18. (See end of Document for details)*

---

- (6) Conditions imposed under [subsection \(4\)](#) may in particular require—
- (a) the transfer of rights, liabilities or property to the transferee;
  - (b) the creation of rights in relation to property, rights or liabilities in favour of the transferee;
  - (c) the creation of other rights and liabilities as between the transferor and transferee.
- (7) A purported transfer of a licence is to be void—
- (a) if the licence is not capable of transfer or the economic regulator has not given its consent under [section 19](#),
  - (b) if the purported transfer is in breach of a condition of the licence, or
  - (c) if there has, before the purported transfer, been a contravention of a condition subject to compliance with which the economic regulator’s consent is given.
- (8) In this section—
- “modification condition” means a condition requiring, or otherwise providing for the making of, modifications to the conditions of a licence;
  - “transfer” includes any form of transfer or assignment or, in Scotland, assignation.

---

**Commencement Information**

**II** [S. 18](#) in force at 26.12.2023, see [s. 334\(3\)\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Energy Act 2023, Section 18.