



Energy Act 2023

2023 CHAPTER 52

PART 1

LICENSING OF CARBON DIOXIDE TRANSPORT AND STORAGE

CHAPTER 4

SPECIAL ADMINISTRATION REGIME

Interpretation

49 Interpretation of Chapter 4

(1) In this Chapter—

“business”, “member” and “property” have the same meanings as in the Insolvency Act 1986;

“company” means—

- (a) a company registered under the Companies Act 2006, or
- (b) an unregistered company;

“court”, in relation to a company, means the court—

- (a) having jurisdiction to wind up the company, or
- (b) that would have such jurisdiction apart from section 221(2) or 441(2) of the Insolvency Act 1986 (exclusion of winding up jurisdiction in case of companies having principal place of business in, or incorporated in, Northern Ireland);

“modification” includes omission, addition or alteration, and cognate expressions are to be construed accordingly;

“non-GB company” means a company incorporated outside Great Britain;

“objective of a transport and storage administration” is to be construed in accordance with section 43;

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 49. (See end of Document for details)

“subsidiary” and “wholly-owned subsidiary” have the meaning given by section 1159 of the Companies Act 2006;

“T&S administration order” (or “transport and storage administration order”) has the meaning given by section 42(1);

“T&S administrator” has the meaning given by section 42(2)(c) and is to be construed in accordance with subsection (2) of this section;

“T&S company” has the meaning given by section 42(2)(b);

“unregistered company” means a company that is not registered under the Companies Act 2006.

- (2) In this Chapter references to the T&S administrator of a company—
- (a) include references to a person appointed under paragraph 91 or 103 of Schedule B1 to the Insolvency Act 1986, as applied by Part 1 of Schedule 20 to the Energy Act 2004 and section 44 of this Act to be the T&S administrator of that company, and
 - (b) where two or more persons are appointed to be the T&S administrator of that company, are to be construed in accordance with the provision made under section 158(5) of the Energy Act 2004, as applied by section 44 of this Act.

Commencement Information

II S. 49 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 49.