



Energy Act 2023

2023 CHAPTER 52

PART 2

CARBON DIOXIDE CAPTURE, STORAGE ETC AND HYDROGEN PRODUCTION, TRANSPORT AND STORAGE

CHAPTER 1

REVENUE SUPPORT CONTRACTS

Hydrogen levy

71 Payments to relevant market participants

- (1) Revenue support regulations may make provision about amounts which must be paid—
 - (a) by a hydrogen levy administrator to relevant market participants, or
 - (b) by a relevant counterparty—
 - (i) to relevant market participants, or
 - (ii) to a hydrogen levy administrator for the purpose of enabling payments to be made to relevant market participants.
- (2) Regulations by virtue of subsection (1) may make provision—
 - (a) for a hydrogen levy administrator to calculate or determine, in accordance with such criteria as may be provided for by or under the regulations, amounts which are owed by—
 - (i) the hydrogen levy administrator, or
 - (ii) a relevant counterparty;
 - (b) for a relevant counterparty to calculate or determine, in accordance with such criteria as may be provided for by or under the regulations, amounts which are owed by—

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 71. (See end of Document for details)

- (i) the relevant counterparty, or
 - (ii) a hydrogen levy administrator;
- (c) for the issuing of notices by a hydrogen levy administrator to require the payment by a relevant counterparty of amounts calculated or determined by the hydrogen levy administrator in accordance with paragraph (a)(ii);
- (d) for the issuing of notices by a relevant counterparty to require the payment by a hydrogen levy administrator of amounts calculated or determined by the relevant counterparty in accordance with paragraph (b)(ii);
- (e) for the provision of copies of notices such as are mentioned in paragraph (c) or (d) to persons specified in the regulations, or the publication of such notices.
- (3) Revenue support regulations may make provision imposing on a relevant market participant who receives a payment from a hydrogen levy administrator or a relevant counterparty a requirement to secure that customers of the relevant market participant receive, by a time specified in the regulations, such benefit from the payment as may be specified in or determined in accordance with the regulations.
- (4) In this section “relevant counterparty” means any of the following—
- (a) a hydrogen transport counterparty;
 - (b) a hydrogen storage counterparty;
 - (c) a hydrogen production counterparty.

Commencement Information

II S. 71 in force at 26.12.2023, see s. 334(3)(b)

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