



Energy Act 2011

2011 CHAPTER 16

PART 2

SECURITY OF ENERGY SUPPLIES

CHAPTER 3

UPSTREAM PETROLEUM INFRASTRUCTURE

87 Powers of [F¹OGA] to require information

- (1) Where the [F¹OGA] has reason to believe that a person has made or received an application of a kind mentioned in subsection (1) of section 82, the [F¹OGA] may by notice require the person to confirm whether or not that is the case.
- (2) The [F¹OGA] may by notice require a person who has made or received an application of a kind mentioned in subsection (1) of section 82 to provide the [F¹OGA] with specified information for the purpose of enabling the [F¹OGA] to decide—
 - (a) whether to exercise any function conferred on the [F¹OGA] by section 82, 83, or 84; and
 - (b) if so, how to exercise the function.
- (3) Where a person has applied to the [F¹OGA] under section 85 for a notice to be varied, the [F¹OGA] may by notice require any person within subsection (4) to provide the [F¹OGA] with specified information for the purpose of enabling the [F¹OGA] to decide—
 - (a) whether to vary the notice; and
 - (b) if so, how to vary the notice.
- (4) Those persons are—
 - (a) the person who applied for the notice to be varied;
 - (b) the other person to whom the notice was given;

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- (c) any person who has had assigned to him or her a right which is secured by the notice or a duty which is imposed by the notice.
- (5) The information that may be required under subsection (2) and (3) includes financial information.
- [^{F2}(5A) A notice under subsection (1), (2) or (3) that imposes a requirement on a person must specify when the requirement is to be complied with.]
- (6) The [^{F1}OGA] may not disclose any information obtained under this section unless—
 - (a) the person by or on behalf of whom the information was provided consents to the disclosure, ^{F3}...
 - (b) the disclosure is required by virtue of an obligation imposed on the [^{F1}OGA] by or under an enactment [^{F4}or
 - (c) the disclosure is made under section 89A or 89B.]
- (7) In this section “specified” means specified in a notice under subsection (2) or (3).

Textual Amendments

- F1** Words in s. 87 substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), [Sch. 1 para. 69](#); S.I. 2016/920, reg. 2(a)
- F2** S. 87(5A) inserted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), [ss. 70\(2\)](#), 84(3); S.I. 2016/920, reg. 2(c)
- F3** Word in s. 87(6)(a) omitted (1.10.2016) by virtue of [Energy Act 2016 \(c. 20\)](#), [ss. 71\(3\)\(a\)](#), 84(3); S.I. 2016/920, reg. 2(c)
- F4** S. 87(6)(c) and preceding word inserted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), [ss. 71\(3\)\(b\)](#), 84(3); S.I. 2016/920, reg. 2(c)

Commencement Information

- I1** S. 87 in force at 21.3.2012 by [S.I. 2012/873](#), [art. 2\(b\)\(i\)](#) (with art. 4)

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