



Energy Act 2023

2023 CHAPTER 52

PART 3

LICENSING OF HYDROGEN PIPELINE PROJECTS

Conditions of gas transporter licences

140 Conditions of gas transporter licences for conveyance of hydrogen

- (1) For the purposes of this section, “relevant licence” means a gas transporter licence so far as it authorises a person to convey hydrogen through pipes in connection with the carrying on of a hydrogen pipeline project.
- (2) Without prejudice to the generality of section 7B(4)(a) of the Gas Act 1986 (conditions of licences), conditions described in subsection (3) may be included in a relevant licence in respect of circumstances where a person other than the licence holder (“the candidate”)—
 - (a) has applied for, or is considering whether to apply for, a relevant licence, or
 - (b) is considering whether to apply for financial support for activities relating to the production, transportation, storage or use of hydrogen.
- (3) The conditions referred to in subsection (2) are conditions that require the licence holder to comply with a direction given by the Secretary of State or the GEMA requiring the holder to provide to the candidate—
 - (a) information in relation to the activities authorised by the licence, and
 - (b) any other assistance that the candidate may reasonably require for the purpose of determining whether to—
 - (i) apply for a relevant licence, or
 - (ii) apply for financial support as mentioned in [subsection \(2\)\(b\)](#).
- (4) A person (“P”) may not under section 8(3) of the Gas Act 1986 modify a condition of a relevant licence unless P is of the opinion that the modification is such that—

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Cross Heading: Conditions of gas transporter licences. (See end of Document for details)

- (a) the licence holder would not be unduly disadvantaged in competing with one or more other holders of relevant licences, and
- (b) no other holder of a relevant licence would be unduly disadvantaged in competing with other holders of such licences (including the holder of the relevant licence to be modified).

Commencement Information

II S. 140 in force at 26.12.2023, see s. 334(3)(c)

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