
STATUTORY INSTRUMENTS

2023 No. 424

The Secretaries of State for Energy Security and Net Zero, for Science, Innovation and Technology, for Business and Trade, and for Culture, Media and Sport and the Transfer of Functions (National Security and Investment Act 2021 etc) Order 2023

Transfer of functions to the Secretary of State for Energy Security and Net Zero

7.—(1) There are transferred to the Secretary of State for Energy Security and Net Zero the functions of the Secretary of State for Business, Energy and Industrial Strategy under the following provisions of the Channel Tunnel Rail Link Act 1996(1)—

- (a) section 50(4) (overhead lines: deemed planning permission);
- (b) Schedule 14 (overhead lines: consent);
- (c) paragraph 2 of Part 2 of Schedule 15 (protection for electricity, gas, water and sewerage undertakers);

that are exercisable due to the Secretary of State being an appropriate Minister for the purposes of those provisions.

(2) There are transferred to the Secretary of State for Energy Security and Net Zero the functions of the Secretary of State for Business, Energy and Industrial Strategy under the following provisions of the Crossrail Act 2008(2)—

- (a) section 4(4) (overhead lines: deemed planning permission);
- (b) Schedule 4 (overhead lines: consent);
- (c) paragraphs 2 and 13 of Part 2 of Schedule 17 (protection for electricity, gas, water and sewerage undertakers);

that are exercisable due to the Secretary of State being an appropriate Minister for the purposes of those provisions.

(3) There are transferred to the Secretary of State for Energy Security and Net Zero the following functions of the Secretary of State for Business, Energy and Industrial Strategy under the Digital Economy Act 2017(3)—

- (a) functions under section 35(1) (disclosure of information to improve public service delivery) so far as those functions relate to a relevant energy function;
- (b) functions under sections 36(1) and 37(1) (disclosure of information to and by gas and electricity supplies etc);
- (c) functions under section 48(1) (disclosure of information to reduce debt owed to the public sector), so far as those functions relate to a relevant energy function;
- (d) functions under section 56(1) (disclosure of information to combat fraud against the public sector), so far as those functions relate to a relevant energy function.

(1) 1996 c. 61.
(2) 2008 c. 18.
(3) 2017 c. 30.

(4) In [paragraph \(3\)](#) “relevant energy function” means—

- (a) a function falling within paragraph (b) of the definition of energy function in [article 2](#), or
- (b) a function transferred by [paragraph \(1\)](#), [\(2\)](#), [\(5\)](#) or [\(6\)](#).

(5) There are transferred to the Secretary of State for Energy Security and Net Zero the functions of the Secretary of State for Business, Energy and Industrial Strategy under paragraphs 19 and 24 of Part 2 of Schedule 33 to the High Speed Rail (London - West Midlands) Act 2017⁽⁴⁾ (protection for electricity, gas, water and sewerage undertakers) that are exercisable due to the Secretary of State being an appropriate Minister for the purposes of those provisions.

(6) There are transferred to the Secretary of State for Energy Security and Net Zero the functions of the Secretary of State for Business, Energy and Industrial Strategy under paragraphs 19, 24 and 31 of Part 2 of Schedule 32 to the High Speed Rail (West Midlands - Crewe) Act 2021⁽⁵⁾ (protection for electricity, gas, water and sewerage undertakings) that are exercisable due to the Secretary of State being an appropriate Minister for the purposes of those provisions.

(4) 2017 c. 7.
(5) 2021 c. 2.