



Energy Act 2008

2008 CHAPTER 32

PART 1

GAS IMPORTATION AND STORAGE

CHAPTER 2

IMPORTATION AND STORAGE OF COMBUSTIBLE GAS

Enforcement

10 [F¹OGA]'s power of direction

- (1) This section applies if a licence holder fails to comply with any provision of the licence.
- (2) The [F¹OGA] may direct the licence holder to take steps which the [F¹OGA] considers necessary or appropriate to comply with the provision within a period specified in the direction.
- (3) The [F¹OGA] must consult the licence holder before giving a direction under subsection (2).
- (4) If the licence holder fails to comply with a direction under subsection (2), the [F¹OGA] may—
 - (a) comply with the direction on behalf of the licence holder, or
 - (b) make arrangements for another person to do so.
- (5) A person taking action by virtue of subsection (4) may—
 - (a) do anything which the licence holder could have done, and
 - (b) recover from the licence holder any reasonable costs incurred in taking the action.

*Changes to legislation: There are currently no known outstanding effects
for the Energy Act 2008, Section 10. (See end of Document for details)*

- (6) A person (“P”) liable to pay any sum by virtue of subsection (5)(b) must also pay interest on that sum for the period beginning with the day on which the person taking action by virtue of subsection (4) notified P of the sum payable and ending with the date of payment.
- (7) The rate of interest payable in accordance with subsection (6) is a rate determined by the [F1OGA] as comparable with commercial rates.
- (8) The licence holder must provide a person taking action by virtue of subsection (4) with such assistance as the [F1OGA] may direct.
- (9) The power to give a direction under this section is without prejudice to any provision made in the licence with regard to the enforcement of any of its provisions.

.....

Textual Amendments

- F1** Word in s. 10 substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 47**; S.I. 2016/920, reg. 2(a)
-

Commencement Information

- II** S. 10 in force at 13.11.2009 for specified purposes by S.I. 2009/2809, **art. 2** (with art. 4)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2008, Section 10.