Energy Act 2016

2016 CHAPTER 20

PART 1

THE OGA

Information and samples

11 Power of Secretary of State to require information and samples

(1) The Secretary of State may require the OGA to provide the Secretary of State with such information or samples held by or on behalf of the OGA as the Secretary of State may require for the purpose of—

(a) carrying out any function conferred by or under any Act,

(b) monitoring the OGA's performance of its functions, or

(c) any Parliamentary proceedings.

(2) In this section—

(a) references to "protected material" are references to information or samples acquired by the Secretary of State under subsection (1), and

(b) references to disclosing protected material include references to making the protected material available to other persons (in a case where the protected material includes samples).

(3) The Secretary of State may use protected material only for the purpose for which it is provided.

(4) Protected material must not be disclosed—

(a) by the Secretary of State, or

(b) by a subsequent holder,

except in accordance with this section.

(5) For the purposes of subsection (4)(b), "subsequent holder", in relation to protected material, means a person who receives protected material directly or indirectly from

the Secretary of State by virtue of a disclosure, or disclosures, in accordance with this section.

(6) Subsection (4) does not prohibit the Secretary of State from disclosing protected material so far as necessary for the purpose for which it was provided.

(7) Subsection (4) does not prohibit a disclosure of protected material if—

(a) the disclosure is required by virtue of an obligation imposed by or under any Act, or

(b) the OGA consents to the disclosure and, in a case where the protected material in question was provided to the OGA by or on behalf of another person, confirms that that person also consents to the disclosure.

Commencement Information

I1 S. 11 in force at 1.10.2016 by S.I. 2016/920, **reg. 2(a)**

Changes to legislation:
There are currently no known outstanding effects for the Energy Act 2016, Cross Heading: Information and samples.