



# Energy Act 2016

## 2016 CHAPTER 20

### PART 1

#### THE OGA

##### *Review*

#### **16 Review of OGA and guidance from Secretary of State**

- (1) The Secretary of State must review the OGA's performance for each review period.
- (2) The first review period—
  - (a) begins with the day on which section 1 comes into force, and
  - (b) ends at the end of the period of three years beginning with that day, or on such earlier day as the Secretary of State may determine.
- (3) Subsequent review periods—
  - (a) begin with the day (“the first day”) after the last day of the preceding review period,
  - (b) end at the end of the period of three years beginning with the first day, or on such earlier day as the Secretary of State may determine.
- (4) A review must, in particular—
  - (a) assess how effective the OGA has been in exercising its functions, and
  - (b) consider the OGA's functions under—
    - (i) Part 2, and
    - (ii) Chapter 3 of Part 1 of the Energy Act 2008 (storage of carbon dioxide),with regard to their fitness for purpose and scope.
- (5) As soon as practicable after a review period, the Secretary of State must—
  - (a) publish a report of the findings of the review for that period, and
  - (b) lay a copy of the report before Parliament.

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- (6) As a result of the findings of a review, the Secretary of State may give guidance to the OGA about any matter relating to the OGA's functions.
- (7) The OGA must take account of any such guidance in carrying out its functions.
- (8) For the purposes of this section “function” does not include any function which the OGA is authorised to exercise by virtue of—
  - (a) an order under section 69 of the Deregulation and Contracting Out Act 1994, or
  - (b) an agreement under section 7(3).

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#### Commencement Information

**II** [S. 16](#) in force at 1.10.2016 by [S.I. 2016/920](#), [reg. 2\(a\)](#)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2016/602, art. 3 by [S.I. 2016/710 reg. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act excluded in part by [S.I. 2023/734 art. 6\(1\)](#)