



Energy Act 2023

2023 CHAPTER 52

PART 2

CARBON DIOXIDE CAPTURE, STORAGE ETC AND HYDROGEN PRODUCTION, TRANSPORT AND STORAGE

CHAPTER 3

STRATEGY AND POLICY STATEMENT

102 Procedural requirements

- (1) This section sets out the requirements that must be satisfied in relation to a statement before the Secretary of State may designate it as the CCUS strategy and policy statement.
- (2) In this section references to a statement include references to a statement as amended following a review under [section 101\(6\)\(a\)](#).
- (3) The Secretary of State must first—
 - (a) prepare a draft of the statement, and
 - (b) issue the draft to the required consultees for the purpose of consulting them about it.
- (4) The “required consultees” are—
 - (a) the economic regulator,
 - (b) the Scottish Ministers,
 - (c) the Department for the Economy in Northern Ireland, and
 - (d) the Welsh Ministers.
- (5) The Secretary of State must then—
 - (a) make such revisions to the draft as the Secretary of State considers appropriate as a result of responses to the consultation under [subsection \(3\)\(b\)](#), and

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 102. (See end of Document for details)

- (b) issue the revised draft for the purposes of further consultation about it to the required consultees and to such other persons as the Secretary of State considers appropriate.
- (6) The Secretary of State must then—
- (a) make any further revisions to the draft that the Secretary of State considers appropriate as a result of responses to the consultation under [subsection \(5\)\(b\)](#), and
 - (b) prepare a report summarising those responses and the changes (if any) that the Secretary of State has made to the draft as a result.
- (7) In relation to required consultees within [subsection \(4\)\(b\)](#) to (d), references in subsections [\(3\)\(b\)](#) and [\(5\)\(b\)](#) to consultation about a draft are to consultation about the draft so far as it relates—
- (a) in the case of the Scottish Ministers, to Scottish devolved matters;
 - (b) in the case of the Department for the Economy in Northern Ireland, to Northern Ireland devolved matters;
 - (c) in the case of the Welsh Ministers, to Welsh devolved matters.
- (8) References in this section to relating to Scottish devolved matters, Northern Ireland devolved matters or Welsh devolved matters are to be interpreted in accordance with [section 101\(14\)](#).
- (9) The Secretary of State must lay before Parliament—
- (a) the statement as revised under [subsection \(6\)\(a\)](#), and
 - (b) the report prepared under [subsection \(6\)\(b\)](#).
- (10) The statement as laid under [subsection \(9\)\(a\)](#) must have been approved by a resolution of each House of Parliament before the Secretary of State may designate it as the strategy and policy statement under [section 99](#).
- (11) The requirement under [subsection \(3\)\(a\)](#) to prepare a draft of a statement may be satisfied by preparation carried out before, as well as preparation carried out after, the passing of this Act.

Commencement Information

II [S. 102](#) in force at 26.12.2023, see [s. 334\(3\)\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Section 102.