



# Energy Act 2023

## 2023 CHAPTER 52

### PART 1

#### LICENSING OF CARBON DIOXIDE TRANSPORT AND STORAGE

### CHAPTER 1

#### LICENSING OF ACTIVITIES

##### *Appeal from decisions of the economic regulator*

## 20 Appeal to the CMA

- (1) An appeal may be made to the CMA against a decision by the economic regulator to proceed with the modification of a condition of a licence under [section 13](#).
- (2) An appeal may be brought under this section only by—
  - (a) a relevant licence holder (within the meaning of [section 13](#));
  - (b) a transport and storage network user whose interests are materially affected by the decision;
  - (c) a qualifying body or association in the capacity of representing a person falling within paragraph (a) or (b);
- (3) The permission of the CMA is required for the bringing of an appeal under this section.
- (4) The CMA may refuse permission to bring an appeal only on one of the following grounds—
  - (a) in relation to an appeal brought by a person falling within [subsection \(2\)\(b\)](#), that the interests of the person are not materially affected by the decision;
  - (b) in relation to an appeal brought by a qualifying body or association, that the interests of the person represented are not materially affected by the decision;
  - (c) in relation to any appeal—

---

*Status: Point in time view as at 26/12/2023.*

*Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 20. (See end of Document for details)*

---

- (i) that the appeal is brought for reasons that are trivial or vexatious;
  - (ii) that the appeal has no reasonable prospect of success.
- (5) References in this section to a “qualifying body or association” are to a body or association whose functions are or include representing persons in respect of interests of theirs which are materially affected by the decision in question.
- (6) In this section “transport and storage network user” has the same meaning as in [section 1](#).

---

**Commencement Information**

**II** [S. 20](#) in force at 26.12.2023, see [s. 334\(3\)\(a\)](#)

**Status:**

Point in time view as at 26/12/2023.

**Changes to legislation:**

There are currently no known outstanding effects for the Energy Act 2023, Section 20.