



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Status: This is the original version (as it was originally enacted).

- (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](#).