



# Energy Act 2023

## 2023 CHAPTER 52

### PART 12

#### CORE FUEL SECTOR RESILIENCE

### CHAPTER 2

#### POWERS FOR RESILIENCE PURPOSES

#### *Information*

#### **277 Disclosure of information held by the Secretary of State**

- (1) Subsection (2) applies to information held by the Secretary of State which was provided to the Secretary of State under [section 273](#), [274](#) or [276](#).
- (2) The information may be disclosed—
  - (a) to any government department or devolved authority for the purpose of—
    - (i) maintaining or improving core fuel sector resilience, or
    - (ii) restoring, or counteracting a disruption to, or failure of, continuity of supply of core fuels (or counteracting the potential adverse impact of any such disruption or failure), or
  - (b) if the disclosure is necessary for the purpose of criminal proceedings.
- (3) Nothing in this section authorises the making of a disclosure which—
  - (a) contravenes the data protection legislation (as defined in section 3 of the Data Protection Act 2018), or
  - (b) is prohibited by any of Parts 1 to 7 of, or Chapter 1 of Part 9 of, the Investigatory Powers Act 2016.

In determining whether a disclosure would fall within paragraph (a) or (b), the powers conferred by this section are to be taken into account.

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*Changes to legislation:* There are currently no known outstanding effects for the Energy Act 2023, Section 277. (See end of Document for details)

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- (4) In subsection (2) “devolved authority” means—
- (a) the Welsh Ministers,
  - (b) the Scottish Ministers, or
  - (c) a Northern Ireland department.

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**Commencement Information**

- I1** S. 277 not in force at Royal Assent, see [s. 334\(1\)](#)  
**I2** [S. 277](#) in force at 11.1.2024 by [S.I. 2024/32](#), [reg. 2\(c\)\(iv\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Energy Act 2023, Section 277.