



Energy Act 2023

2023 CHAPTER 52

PART 2

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

CHAPTER 1

REVENUE SUPPORT CONTRACTS

Allocation of contracts

73 Power to appoint allocation bodies

- (1) The Secretary of State may by regulations appoint—
 - (a) a person to carry out functions in connection with the allocation of hydrogen production revenue support contracts;
 - (b) a person to carry out functions in connection with the allocation of carbon capture revenue support contracts.
- (2) The power under each paragraph of [subsection \(1\)](#) may be exercised so that more than one appointment has effect under that paragraph at the same time.
- (3) An appointment may be made only with the consent of the person appointed (except where that person is the Secretary of State).
- (4) An appointment ceases to have effect if—
 - (a) the Secretary of State by regulations revokes the appointment, or
 - (b) the person withdraws consent.
- (5) Regulations under [subsection \(1\)](#) may make provision with regard to the cessation of an appointment, including—

*Changes to legislation: There are currently no known outstanding effects
for the Energy Act 2023, Section 73. (See end of Document for details)*

- (a) provision requiring a person appointed under [subsection \(1\)](#) to give a period of notice no shorter than a period specified in the regulations when withdrawing their consent to appointment, or otherwise restricting or subjecting to conditions a person's power under [subsection \(4\)](#) to withdraw consent;
 - (b) provision enabling a person who has ceased to be appointed under [subsection \(1\)](#) to continue to be treated as if they were so appointed, including provision about the purposes for which, the circumstances in which, and the period for which, such a person may be so treated.
- (6) In this Chapter—
- (a) a person appointed under [subsection \(1\)\(a\)](#) is called a “hydrogen production allocation body”;
 - (b) a person appointed under [subsection \(1\)\(b\)](#) is called a “carbon capture allocation body”;
 - (c) references to “allocating” a hydrogen production revenue support contract or carbon capture revenue support contract to a person are to specifying the person in a notification under [section 75\(1\)](#) or [\(2\)](#) (and references to the “allocation” of such a contract are to be interpreted accordingly);
 - (d) “allocation body” means a hydrogen production allocation body or a carbon capture allocation body.
- (7) Regulations under this section, other than regulations under [subsection \(4\)\(a\)](#), are subject to the negative procedure.

Commencement Information

II [S. 73](#) 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 73.