



Energy Act 2023

2023 CHAPTER 52

PART 2

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

CHAPTER 1

REVENUE SUPPORT CONTRACTS

General

88 Shadow directors, etc

- (1) The Secretary of State is not, by virtue of the exercise of a power conferred by or by virtue of this Chapter, to be regarded as—
 - (a) a person occupying the position of director in relation to a [Chapter 1](#) entity;
 - (b) a person in accordance with whose directions or instructions the directors of a [Chapter 1](#) entity are accustomed to act;
 - (c) a person in accordance with whose directions or instructions the members of a Chapter 1 entity which is a limited liability partnership are accustomed to act;
 - (d) exercising any function of management in a [Chapter 1](#) entity;
 - (e) a principal of a [Chapter 1](#) entity.
- (2) An allocation body is not, by virtue of the exercise of a power conferred by or by virtue of this Chapter, to be regarded as—
 - (a) a person occupying the position of director in relation to a revenue support counterparty;
 - (b) a person in accordance with whose directions or instructions the directors of a revenue support counterparty are accustomed to act;

*Changes to legislation: There are currently no known outstanding effects
for the Energy Act 2023, Section 88. (See end of Document for details)*

- (c) a person in accordance with whose directions or instructions the members of a revenue support counterparty which is a limited liability partnership are accustomed to act;
 - (d) exercising any function of management in a revenue support counterparty;
 - (e) a principal of a revenue support counterparty.
- (3) In this section “[Chapter 1 entity](#)” means the following—
- (a) a revenue support counterparty;
 - (b) a hydrogen levy administrator;
 - (c) an allocation body.

Commencement Information

- I1** S. 88 in force at Royal Assent for specified purposes, see [s. 334\(3\)\(a\)\(vi\)](#)
- I2** S. 88 in force at 26.12.2023 in so far as not already in force, see [s. 334\(3\)\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Section 88.