

# Energy Bill [HL]

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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**Clause 1**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 1, page 2, line 31, leave out “must have regard to” and insert “is bound by”

***Member's explanatory statement***

*This amendment obligates the Secretary of State to be bound by, not just with regard to, their duties as Minister.*

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 1, page 2, line 35, leave out “must have regard to” and insert “is bound by”

***Member's explanatory statement***

*This amendment obligates the Secretary of State to be bound by, not just with regard to, their duties as Minister.*

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 1, page 3, line 11, at end insert “or who seeks to be a party to arrangements for the use of sequestered and transported carbon dioxide;”

***Member's explanatory statement***

*The Bill refers to CCUS but does not appear to include carbon capture use. This amendment seeks explicitly to include the use of carbon dioxide.*

**Clause 2**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 2, page 3, line 35, at end insert –

“(c) the use of sequestered and transported carbon dioxide.”

***Member's explanatory statement***

*This is consequential to the amendment at line 11.*

**Clause 7**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 7, page 8, line 38, at end insert “, or

(c) both these activities.”

***Member's explanatory statement***

*This amendment seeks to make clear that a licence can be granted for transportation or storage (or both if wanted), but a licence need not be granted for everything.*

**Clause 8**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 8, page 9, line 7, at end insert “and that licences may be granted for one or both activities”

***Member's explanatory statement***

*This is consequential to the amendment at page 8, line 38.*

**Clause 9**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 9, page 10, line 6, after “the Secretary of State” insert “must ensure that licences are only granted to fit and proper persons, and”

***Member's explanatory statement***

*This phrase (“it and proper”) was used in the National Security and Investment Bill. The aim of this amendment is to put the responsibility on the Secretary of State to personally deem the individual as “fit and proper”.*

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 9, page 10, line 9, leave out “negative” and insert “affirmative”

**Clause 18**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 18, page 19, line 33, at end insert –

“(c) may only be transferred to a fit and proper person as decided by the Secretary of State.”

***Member's explanatory statement***

*This phrase (“fit and proper”) was used in the National Security and Investment Bill. The aim of this amendment is to put the responsibility on the Secretary of State to personally deem the individual as “fit and proper”.*

**Clause 43**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 43, page 39, line 30, at end insert “provided that the transferee is a fit and proper person as determined by the Secretary of State.”

***Member's explanatory statement***

*This phrase (“fit and proper”) was used in the National Security and Investment Bill. The aim of this amendment is to put the responsibility on the Secretary of State to personally deem the individual as “fit and proper”.*

**Clause 57**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 57, page 51, line 39, at end insert –

“(c) a carbon capture use revenue support contract.”

***Member's explanatory statement***

*See the explanatory statement for the amendment at page 3, line 11.*

**Clause 61**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 61, page 54, line 33, after “a” insert “fit and proper”

***Member's explanatory statement***

*This phrase (“fit and proper”) was used in the National Security and Investment Bill. The aim of this amendment is to put the responsibility on the Secretary of State to personally deem the individual as “fit and proper”.*

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 61, page 55, line 23, at end insert “providing that the transferee is in the opinion of the Secretary of State a fit and proper person.”

***Member's explanatory statement***

*This amendment refers specifically to the need for the hydrogen counter party to be a fit and proper person. This phrase (“fit and proper”) was used in the National Security and Investment Bill. The aim of this amendment is to put the responsibility on the Secretary of State to personally deem the individual as “fit and proper”.*

**Clause 66**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 66, page 58, line 4, leave out “relevant market participants (see subsection (8))” and insert “the consolidated fund or gas shippers”

***Member's explanatory statement***

*This amendment means the Secretary of State may put a levy on gas shippers, but may not put it on gas or electricity suppliers, thus taking responsibility away from levies to households.*

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 66, page 59, line 1, leave out subsection (8)

***Member's explanatory statement***

*This amendment is consequential to the amendment at page 58, line 4.*

**Clause 76**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 76, page 66, line 29, at end insert –

- “(4A) Revenue support regulations may make provision for the return of sums held by a revenue support counterparty that have been secured from gas shippers over and above necessary reserve levels to energy supply customers.”

***Member's explanatory statement***

*Where shippers have above what is in reserve provision, this amendment guarantees that the difference should be restored directly to customers from the shippers (in contrast to the way the LCCC works with retailers/customers now).*

**Clause 79**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 79, page 69, line 42, at end insert –

- “(l) for the certification by the Secretary of State that the transferee is a fit and proper person.”

***Member's explanatory statement***

*If the Secretary of State needs to find a new counterparty, this amendment requires that they must ensure they are a fit and proper person, as with previous amendments in our name.*

**Clause 82**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 82, page 73, line 6, at end insert –

- “(9A) Such guidance must have regard to the circumstances under which a prospectively decommissioned carbon capture and storage facility came to be established and what relation that point of establishment had with provisions under Part 4 of the Petroleum Act 1998.”

***Member's explanatory statement***

*This amendment seeks to clarify the position of decommissioned oil and gas plants that are not fully decommissioned before they are transitioned to a CCUS plant, and where financial responsibility then lies at the end of the CCUS lifecycle when it is due to be decommissioned. This amendment requires the Secretary of State to have regard for this complexity and assess where the responsibility lies.*

**Clause 90**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 90, page 83, line 25, at end insert –

“(aa) Her Majesty’s loyal opposition;”

***Member's explanatory statement***

*Under the Bill, the Secretary of State has to produce CCUS strategy and it has to be reviewed after 5 years. However, they have the power to review it before the end of this 5-year term if certain circumstances have taken place (including a general election) but must consult certain people if it is outside the 5-year period. This amendment seeks to include Her Majesty’s opposition in that consultation.*

**Clause 98**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 98, page 90, line 33, at end insert –

“(1A) The establishment of low-carbon heat schemes is to be based on –  
(a) the banning of the installation of unabated gas boilers in new properties from March 2025;  
(b) the banning of the sale and installation of unabated gas boilers in all properties after March 2035.”

***Member's explanatory statement***

*This amendment means any scheme the Secretary of State wants to bring in has to be based on the above timescales for banning the use of gas boilers by 2025/2035.*

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 98, page 90, line 33, at end insert –

“(1A) The Secretary of State must, in making provision for the establishment of one or more low-carbon schemes, produce a plan for low-carbon heating in homes in which it is uneconomic or impractical to install heat pumps.”

***Member's explanatory statement***

*This ensures that, when the Secretary of State is making a low-carbon heat scheme, they have to provide plan for low-carbon heating in homes where it’s uneconomic or unfeasible to have a heat pump (large, rural, off-grid homes etc.).*

**Clause 100**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 100, page 92, line 23, at end insert “provided that targets to be set for a scheme include—

- (i) the sale and installation of at least 600,000 heat pumps per year by 2025,
- (ii) the sale and installation of at least 900,000 heat pumps by 2028, and
- (iii) at least 25% of the output of scheme participant manufacturers must be heat pumps by 2028.”

***Member's explanatory statement***

*Sub-paragraph (i) seeks to include the Government own figures for heat pumps to the Bill. Sub-paragraph (ii) seeks to include the number of heat pumps the latest figures on recommendations from the CCC. And sub-paragraph (iii) seeks to obligate manufacturers producing gas boilers to turn to minimum 25% production of heat pumps by 2028 to facilitate the clean heat transition.*

**Clause 109**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 109, page 98, line 9, at end insert—

“(4A) That provision must include the guarantee of the installation of other forms of low carbon heating by the gas transporter where a household does not wish to take part in the hydrogen grid conversion trial.”

***Member's explanatory statement***

*This amendment seeks to ensure that no household will be forced to take part in the trial and will be given an alternative heating solution by the gas transporter (the DNO).*

**Clause 110**

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 110, page 99, line 13, leave out subsection (2)

***Member's explanatory statement***

*There appears to be covered already in previous legislation.*

LORD LENNIE  
BARONESS BLAKE OF LEEDS

Clause 110, page 99, line 20, at end insert –

“(2A) The Secretary of State shall establish and consult on the establishment of a revised nuclear site licence regime for fusion energy which shall not be subject to the full range of safeguards associated with the use of fissionable materials but shall have regard to the residual radioactivity of the proceeds of fission activity.”

***Member's explanatory statement***

*This would mean that the Secretary of State has to define and consult on new nuclear site license which will not be subject to safeguards associated with fissionable materials – as this is not totally radioactivity free, it's just a low level.*





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*12 August 2022*

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