

Energy Bill [HL]

AMENDMENTS TO BE MOVED ON REPORT

Clause 9

LORD CALLANAN

Clause 9, page 9, line 31, after “(2)” insert “or (6)”

Member's explanatory statement

This amendment requires proposed regulations under subsection (6) to be consulted on in the same way as regulations under subsection (2).

Clause 19

LORD CALLANAN

Clause 19, page 21, line 9, leave out from “transfer,” to end of line 11

Member's explanatory statement

This amendment removes a provision that would have authorised the Secretary of State to direct the economic regulator not to impose conditions on consent to the transfer of a licence. Lord Callanan's amendment at page 21, line 19 is consequential on this amendment.

LORD CALLANAN

Clause 19, page 21, line 19, leave out sub-paragraph (ii)

Member's explanatory statement

See the explanatory statement for Lord Callanan's amendment at page 21, line 9.

Clause 28

LORD CALLANAN

Clause 28, page 27, line 27, at end insert “under this Part”

Member's explanatory statement

This amendment clarifies that the duties under subsection (3) relate only to functions under Part 1 of the Bill, not to other functions of the Gas and Electricity Markets Authority.

Clause 29

LORD CALLANAN

Clause 29, page 28, line 12, at end insert –

- “(5) Except as provided by subsection (6), the disclosure of information under this section does not breach –
- (a) any obligation of confidence owed by the person making the disclosure, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (6) This section does not authorise or require a disclosure of information if the disclosure would contravene the data protection legislation (but in determining whether a disclosure would do so, a requirement imposed by virtue of subsection (2) is to be taken into account).”

Member's explanatory statement

In this amendment new subsection (5) clarifies that disclosure of information under the clause would not amount to a breach of any other legal restrictions and new subsection (6) clarifies the relationship between the power to require information under the clause and requirements in data protection legislation.

Clause 31

LORD CALLANAN

Clause 31, page 30, line 20, leave out from second “order” to end of line 22 and insert “have the same meaning as in Schedule 3 (see paragraph 1(12) of that Schedule).”

Member's explanatory statement

This amendment updates subsection (4) to take account of amendments made in Committee which affected the way “final order” and “provisional order” are defined in Part 1.

Clause 46

LORD CALLANAN

Clause 46, page 42, line 29, after “licence” insert “(“the section 7 licence”)

Member's explanatory statement

This amendment is supplementary to Lord Callanan’s amendment at page 43, line 4.

LORD CALLANAN

Clause 46, page 43, line 4, leave out paragraphs (b) and (c) and insert –

- “(b) if the section 7 licence authorises activities within section 2(2)(a), the person who granted any associated licence under section 18 of the Energy Act 2008, and”

Member's explanatory statement

This amendment, which is supplemented by Lord Callanan's amendments at page 42 line 29, page 43 line 12 and page 49 line 27, amends the list of persons whom the Secretary of State must consult before exercising the powers under subsection (1).

LORD CALLANAN

Clause 46, page 43, line 12, leave out subsection (6) and insert –

- “(6) For the purposes of this section, a licence under section 18 of the Energy Act 2008 (“the carbon storage licence”) is an “associated licence” in relation to the section 7 licence if –
- (a) the carbon storage licence is in respect of activities within section 17(2)(a) of that Act, and
 - (b) any part of the site to which the section 7 licence relates is within any place to which the carbon storage licence relates.”

Member's explanatory statement

See Lord Callanan's amendment at page 43, line 4.

Clause 55

LORD CALLANAN

Clause 55, page 49, line 27, after ““licence”” insert “, except where the context otherwise requires,”

Member's explanatory statement

This amendment is consequential on Lord Callanan's amendment at page 43, line 4.

Clause 57

LORD CALLANAN

Clause 57, page 52, line 2, after “66,” insert “(Payments to relevant market participants),”

Member's explanatory statement

This amendment provides for the Parliamentary procedure to which regulations under new clause (Payments to relevant market participants) are to be subject.

After Clause 66

LORD CALLANAN

After Clause 66, insert the following new Clause—

“Payments to relevant market participants

- (1) Revenue support regulations may make provision about amounts which must be paid—
 - (a) by a hydrogen levy administrator to relevant market participants, or
 - (b) by a hydrogen production counterparty—
 - (i) to relevant market participants, or
 - (ii) to a hydrogen levy administrator for the purpose of enabling payments to be made to relevant market participants.
- (2) Regulations by virtue of subsection (1) may make provision—
 - (a) for a hydrogen levy administrator to calculate or determine, in accordance with such criteria as may be provided for by or under the regulations, amounts which are owed by—
 - (i) the hydrogen levy administrator, or
 - (ii) a hydrogen production counterparty;
 - (b) for a hydrogen production counterparty to calculate or determine, in accordance with such criteria as may be provided for by or under the regulations, amounts which are owed by—
 - (i) the hydrogen production counterparty, or
 - (ii) a hydrogen levy administrator;
 - (c) for the issuing of notices by a hydrogen levy administrator to require the payment by a hydrogen production counterparty of amounts calculated or determined by the hydrogen levy administrator in accordance with paragraph (a)(ii);
 - (d) for the issuing of notices by a hydrogen production counterparty to require the payment by a hydrogen levy administrator of amounts calculated or determined by the hydrogen production counterparty in accordance with paragraph (b)(ii);
 - (e) for the provision of copies of notices such as are mentioned in paragraph (c) or (d) to persons specified in the regulations, or the publication of such notices.
- (3) Revenue support regulations may make provision imposing on a relevant market participant who receives a payment from a hydrogen levy administrator or a hydrogen production counterparty a requirement to secure that customers of the relevant market participant receive, by a time specified in the regulations, such benefit from the payment as may be specified in or determined in accordance with the regulations.”

Member's explanatory statement

This amendment enables regulations to require payments to be made to levy payers and to require benefits from such payments to be passed on to customers of levy payers. Lord Callanan's amendments at page 52, line 2 and page 59, line 23 are consequential on this amendment.

Clause 67

LORD CALLANAN

Clause 67, page 59, line 23, after "(9)" insert "or (Payments to relevant market participants)(2) or (3)"

Member's explanatory statement

See the explanatory statement for new clause (Payments to relevant market participants).

Clause 68

LORD CALLANAN

Clause 68, page 60, line 7, at end insert –

“(1A) 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.”

Member's explanatory statement

This amendment makes it clear that more than one appointment of a hydrogen production allocation body or carbon capture allocation body may have effect at the same time.

LORD CALLANAN

Clause 68, page 60, line 22, after “about” insert “the purposes for which,”

Member's explanatory statement

This amendment is about regulations that treat a person whose appointment as an allocation body has ceased as if they were still so appointed, and enables such regulations to specify for what purposes the body is to be so treated.

After Clause 74

LORD CALLANAN

After Clause 74, insert the following new Clause—

“Licence conditions regarding functions of certain allocation bodies

(1) In section 7B of the Gas Act 1986, after subsection (5) insert—

“(5ZA) Without prejudice to the generality of paragraph (a) of subsection (4), conditions for or in connection with the purpose set out in subsection (5ZB) may be included in a licence under section 7AA by virtue of that paragraph.

(5ZB) The purpose is to facilitate or ensure the effective performance (whether in relation to Northern Ireland or any other part of the United Kingdom), at relevant times, of functions of a hydrogen production allocation body under Chapter 1 of Part 2 of the Energy Act 2023.

(5ZC) In subsection (5ZB) “relevant times” means times when the hydrogen production allocation body holds a licence under section 7AA.”

(2) Where—

(a) the GEMA proposes by a modification under section 23 of the Gas Act 1986 of a licence under section 7AA of that Act to add, remove or alter a condition such as is mentioned in section 7B(5ZA) of that Act, and

(b) that condition relates to functions of a hydrogen production allocation body that are exercisable in relation to Northern Ireland,

section 23 of that Act has effect as if the persons listed in subsection (4)(b) of that section included the Department for the Economy in Northern Ireland.”

Member's explanatory statement

This new clause makes it clear that licences under section 7AA of the Gas Act 1986 may include certain conditions relating to functions of certain bodies appointed under Part 2 of the Bill, and makes related provision about proposed licence modifications.

Clause 77

LORD CALLANAN

Clause 77, page 66, line 34, at end insert—

“(ca) for a revenue support counterparty to require a person specified, or of a description specified, in the regulations to provide information to it;”

Member's explanatory statement

This amendment enables regulations to provide for a revenue support counterparty to require a person or description of persons to provide information to it.

Clause 78

LORD CALLANAN

Clause 78, page 67, line 41, at end insert –

- “(3) Revenue support regulations may make provision for special allocation body requirements (or a subset of such requirements) to be enforceable by the GEMA as if they were relevant requirements within the meaning of sections 28 to 30O of the Gas Act 1986.
- (4) In this section “special allocation body requirements” means requirements imposed by or under revenue support regulations or regulations under section 68 on a hydrogen production allocation body, so far as the requirements relate to times when the body holds a licence under section 7AA of the Gas Act 1986 (including requirements in respect of functions of the body that relate to Northern Ireland).”

Member's explanatory statement

This amendment provides for requirements imposed on a hydrogen production allocation body which holds a gas system planner licence to be able to be enforced by the application of provisions of the Gas Act 1986.

Clause 82

LORD CALLANAN

Clause 82, page 71, line 8, at end insert –

- “(ba) 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;”

Member's explanatory statement

This amendment ensures that the Secretary of State will not, by virtue of exercising functions under Chapter 1 in relation to an entity which is a limited liability partnership, be treated (for the purposes of any relevant rule of law) as a person in accordance with whose directions etc the members of a limited liability partnership are accustomed to act.

LORD CALLANAN

Clause 82, page 71, line 16, at end insert –

- “(ba) 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;”

Member's explanatory statement

This amendment ensures that an allocation body will not, by virtue of exercising functions under Chapter 1 in relation to a revenue support counterparty which is a limited liability partnership,

be treated (for the purposes of any relevant rule of law) as a person in accordance with whose directions etc the members of a limited liability partnership are accustomed to act.

Clause 83

LORD CALLANAN

Clause 83, page 72, line 26, at end insert –

- “(6A) Provision included in a licence, or in a document or agreement relating to licences, by virtue of a power conferred by this section may do anything authorised for licences of that type by –
- (a) section 7(2A), (3), (4), (5) or (6A) of the Electricity Act 1989,
 - (b) section 7B(5)(a), (6) or (7) of the Gas Act 1986,
 - (c) Article 11(3), (4), (5), (6A) or (6B) of the Electricity (Northern Ireland) Order 1992 (S.I. 1992/231 (N.I. 1)), or
 - (d) Article 10(3)(a) to (d), (4), (5) or (6A) of the Gas (Northern Ireland) Order 1996 (S.I. 1996/275 (N.I. 2)).
- (6B) For the purposes of subsection (6A)(c) and (d), the provisions referred to in those sub-paragraphs are to be read as if references to the Northern Ireland Authority for Utility Regulation included the Secretary of State.”

Member's explanatory statement

This amendment further supplements the Secretary of State's powers under clause 83 to modify certain licences and related documents.

After Clause 83

LORD CALLANAN

After Clause 83, insert the following new Clause –

“Electricity system operator and gas system planner licences: modifications

- (1) The Secretary of State may, for the purpose of facilitating or ensuring the effective performance of functions specified in subsection (3), modify –
 - (a) the conditions of a licence under section 6(1)(da) of the Electricity Act 1989 (electricity system operator licence);
 - (b) a document maintained in accordance with the conditions of such a licence, or an agreement that gives effect to a document so maintained.
- (2) The Secretary of State may, for the purpose of facilitating or ensuring the effective performance of functions specified in subsection (3), modify –
 - (a) the conditions of a licence under section 7AA of the Gas Act 1986 (gas system planner licence);
 - (b) a document maintained in accordance with the conditions of such a licence, or an agreement that gives effect to a document so maintained.

- (3) The functions referred to in subsections (1) and (2) are –
 - (a) functions of hydrogen production allocation bodies, and
 - (b) other functions under this Chapter which are related to such functions.
- (4) Modifications under subsections (1) and (2) may only make provision in relation to times when the person holding the licence is a hydrogen production allocation body.
- (5) The provision referred to in subsection (4) includes consequential or transitional provision in relation to times when it is no longer the case that the person holding the licence is a hydrogen production allocation body.
- (6) Provision included in a licence, or in a document or agreement relating to licences, by virtue of a power under this section may in particular –
 - (a) include provision of any kind that may be included in revenue support regulations or regulations under section 68;
 - (b) do any of the things authorised for licences of that type by –
 - (i) section 7B(5)(a), (5ZA), (6) or (7) of the Gas Act 1986, or
 - (ii) section 7(3), (4), (5) or (6A) of the Electricity Act 1989.
- (7) Before making a modification under this section the Secretary of State must consult –
 - (a) the holder of any licence being modified;
 - (b) the GEMA;
 - (c) such other persons as the Secretary of State considers it appropriate to consult.
- (8) Subsection (7) may be satisfied by consultation before, as well as by consultation after, the passing of this Act.”

Member's explanatory statement

This amendment enables the Secretary of State to modify electricity system operator licences and gas system planner licences, and related codes etc, for the purpose of facilitating etc the effective performance of certain functions relating to hydrogen production allocation bodies.

After Clause 84

LORD CALLANAN

Clause 84, page 73, line 7, at end insert “or

- (b) section (*Electricity system operator and gas system planner licences: modifications*).

Member's explanatory statement

*This amendment is supplementary to new clause (*Electricity system operator and gas system planner licences: modifications*)*

Clause 87

LORD CALLANAN

Clause 87, page 77, line 25, leave out subsection (1) and insert—

“(1) Section 30 of the Energy Act 2008 (abandonment of installations) is amended in accordance with subsections (1A) to (1D).

(1A) In subsection (1), for “, (2)” substitute “to (2)”.

(1B) After subsection (1A) insert—

“(1AA) Part 4 of the 1998 Act, in its application in relation to carbon storage installations, has effect with the modifications set out in subsection (1AB).

(1AB) The modifications are as follows—

(a) in section 30 of the 1998 Act, for subsections (5) and (6) substitute—

“(5) This subsection applies to a person in relation to a carbon storage installation if—

(a) the person has the right—

(i) to use a controlled place for the storage of carbon dioxide (with a view to its permanent disposal, or as an interim measure prior to its permanent disposal),

(ii) to convert any natural feature in a controlled place for the purpose of storing carbon dioxide (with a view to its permanent disposal, or as an interim measure prior to its permanent disposal), or

(iii) to explore a controlled place with a view to, or in connection with, the carrying on of the activities within sub-paragraph (i) or (ii), and

(b) either—

(i) any activity mentioned in subsection (6) is carried on from, by means of or on the installation, or

(ii) the person intends to carry on an activity mentioned in that subsection from, by means of or on the installation,

or if the person had such a right when any such activity was last so carried on.

(6) The activities referred to in subsection (5) are—

(a) the use of a controlled place for the storage of carbon dioxide (with a view to its permanent disposal, or as an interim measure prior to its permanent

- disposal) in the exercise of the right mentioned in subsection (5)(a);
- (b) the conversion of any natural feature in a controlled place for the purpose of storing carbon dioxide (with a view to its permanent disposal, or as an interim measure prior to its permanent disposal) in the exercise of the right mentioned in subsection (5)(a);
 - (c) the exploration of a controlled place in the exercise of the right mentioned in subsection (5)(a) with a view to, or in connection with, the carrying on of activities within paragraph (a) or (b) of this subsection;
 - (d) the conveyance in the controlled place mentioned in subsection (5)(a) of carbon dioxide by means of a pipe or system of pipes, in the exercise of the right mentioned in subsection (5)(a); and
 - (e) the provision of accommodation for persons who work on or from an installation which is or has been maintained, or is intended to be established, for the carrying on of an activity falling within any of paragraphs (a) to (d) of this subsection.”;
- (b) in section 30(7) of that Act, in the words before paragraph (a), for “(c)” substitute “(e)”;
 - (c) in section 31 of that Act, for subsection (B1) substitute—
 - “(B1) This subsection applies to an activity if—
 - (a) where the activity is within paragraph (a), (b) or (c) of section 30(6), the controlled place mentioned in that paragraph is one for which the installation is, or is to be, established or maintained;
 - (b) where the activity is within paragraph (d) of section 30(6), the conveyance of the carbon dioxide relates to a controlled place for which the installation is, or is to be, established;
 - (c) where the activity is within paragraph (e) of section 30(6), the installation is in a controlled place in respect of which P has a licence under section 18 of the Energy Act 2008.”;
 - (d) in section 31 of that Act, omit subsection (C1);
 - (e) in section 45 of that Act, in the appropriate place insert—
 - ““controlled place” has the same meaning as in section 17 of the Energy Act 2008;”.
- (1C) After subsection (4A) insert—
- “(4B) The powers in subsections (2)(b) and (4) include power to amend or repeal subsections (1AA) and (1AB).”

- (1D) In subsection (5) for “established or maintained” substitute “or has been maintained, or is intended to be or has been established.”

Member's explanatory statement

This amendment sets out modifications of Part 4 of the Petroleum Act 1998 as it applies to carbon storage installations and extends the definition of “carbon storage installation” in section 30 of the Energy Act 2008.

LORD CALLANAN

Clause 87, page 77, line 39, at end insert –

- “(3A) In section 29 of the Petroleum Act 1998 (preparation of programmes), in subsection (6), for the words from “in question,” to the end substitute “in question if the Secretary of State has under section 32 –
- (a) rejected that programme, or
 - (b) approved it (whether or not the approval has been withdrawn).”

Member's explanatory statement

This amendment abolishes the rule that where an abandonment programme has been approved in relation to an installation or pipe-line the Secretary of State may not serve a further notice under section 29 of the Petroleum Act 1998 in relation to the installation or pipeline unless the approval has been withdrawn.

Clause 92

LORD CALLANAN

Clause 92, page 83, line 24, after “out” insert “CCUS-related”

Member's explanatory statement

This amendment and Lord Callanan’s amendments at page 83 line 27 and page 84 line 9 make it clear that the duties in subsections (1) and (2) of this clause only affect functions related to carbon dioxide capture, usage and storage policy.

LORD CALLANAN

Clause 92, page 83, line 27, after “respective” insert “CCUS-related”

Member's explanatory statement

See Lord Callanan’s amendment at page 83, line 24.

LORD CALLANAN

Clause 92, page 84, line 9, leave out “subsection (3)” and insert “this section –

“CCUS-related functions” means functions to which the strategic priorities are relevant (not including functions under sections 65 to 67, 78(1) or (2) or 83, or other functions so far as carried out in connection with those functions);”

Member's explanatory statement

See Lord Callanan's amendment at page 83, line 24.

Clause 99

LORD CALLANAN

Clause 99, page 90, line 10, leave out from “use” to end of line 15 and insert “relevant infrastructure (whether existing or proposed)”

Member's explanatory statement

This amendment and Lord Callanan's amendment at page 91 line 6 revise the definition of “relevant infrastructure” for the purposes of clause 99.

LORD CALLANAN

Clause 99, page 90, line 19, leave out subsection (3)

Member's explanatory statement

This amendment and Lord Callanan's amendment at page 90 line 21 and first amendment at page 90 line 25 revise and clarify the description of the power conferred by subsection (1).

LORD CALLANAN

Clause 99, page 90, leave out line 21 and insert “Without prejudice to the generality of subsection (1), regulations under that subsection may amend, revoke or replace or make provision similar or corresponding to –”

Member's explanatory statement

See the explanatory note for Lord Callanan's amendment at page 90 line 19.

LORD CALLANAN

Clause 99, page 90, line 25, at end insert –

“(4A) Regulations under subsection (1) –

- (a) may confer functions (including discretions) on any person;
- (b) may confer jurisdiction on a court or tribunal;
- (c) may create criminal offences or impose civil penalties;
- (d) may make other provision about enforcement;

- (e) must provide for any offences created by the regulations to be triable –
 - (i) only summarily, or
 - (ii) either summarily or on indictment.”

Member's explanatory statement

See the explanatory note for Lord Callanan's amendment at page 90 line 19.

LORD CALLANAN

Clause 99, page 90, line 25, at end insert –

“(4B) Where regulations under subsection (1) impose a civil penalty, they must also provide for a right of appeal against the imposition of the penalty.”

Member's explanatory statement

This amendment provides that regulations under clause 99(1) that contain provision imposing a civil penalty must also include provision for a right of appeal against the imposition of the penalty.

LORD CALLANAN

Clause 99, page 90, line 28, leave out “economic regulator” and insert “GEMA”

Member's explanatory statement

This amendment ensures that the correct defined term is used for the Gas and Electricity Markets Authority.

LORD CALLANAN

Clause 99, page 91, line 6, at end insert –

- “(7) In this section “relevant infrastructure” means –
 - (a) a site for the geological storage of carbon dioxide that is situated in a regulated place, or
 - (b) a pipeline, situated in a regulated place, which is used or intended to be used to convey carbon dioxide to a site falling within paragraph (a), and any associated installations, apparatus or works.
- (8) For the purposes of this section a site or pipeline is situated in a “regulated place” if it is situated –
 - (a) in the United Kingdom, or
 - (b) in, under or over –
 - (i) the internal waters of the United Kingdom,
 - (ii) the territorial sea adjacent to United Kingdom, or
 - (iii) waters in a Gas Importation and Storage Zone (within the meaning given by section 1 of the Energy Act 2008).
- (9) In this section “geological storage” has the same meaning as in Part 1 (see section 55).”

Member's explanatory statement

See Lord Callanan's amendment at page 90, line 10.

After Clause 113

LORD CALLANAN

After Clause 113, insert the following new Clause –

“Treatment of recycled carbon fuel and nuclear-derived fuel as renewable transport fuel

After section 131C of the Energy Act 2004 insert –

“131D Recycled carbon fuel and nuclear-derived fuel

- (1) An RTF order may –
 - (a) designate as recycled carbon fuel a description of liquid or gaseous fuel which is produced wholly from waste derived from a fossil source of energy;
 - (b) designate as nuclear-derived fuel a description of liquid or gaseous fuel which is produced wholly using, or by a process powered wholly by, nuclear fuel.
- (2) Where a designation under subsection (1) is in force, the recycled carbon fuel or nuclear-derived fuel is to be treated for the purposes of this Chapter and any RTF order as renewable transport fuel.”

Member's explanatory statement

This amendment, which inserts a new clause in Chapter 3 of Part 3 of the Bill, provides for recycled carbon fuel and fuel derived from nuclear energy to be treated as a renewable transport fuel for the purposes of renewable transport fuel obligations under Chapter 5 of Part 2 of the Energy Act 2004.

Clause 191

LORD CALLANAN

Clause 191, page 159, line 17, at end insert “in respect of that act or omission”

Member's explanatory statement

This amendment ensures that the acceptance by an enforcement authority (under energy smart regulations) of an enforcement undertaking in respect of a person's act or omission does not prevent the authority imposing a penalty on that person in respect of a different act or omission.

Clause 269

LORD CALLANAN

Clause 269, page 231, line 38, at end insert –

“(ca) section (*Treatment of recycled carbon fuel and nuclear-derived fuel as renewable transport fuel*);”

Member's explanatory statement

This amendment provides that the new clause inserted after clause 113 by the amendment in Lord Callanan's name comes into force two months after Royal Assent.

Schedule 5

LORD CALLANAN

Schedule 5, page 262, line 2, leave out “Nuclear Energy (Financing)” and insert “Energy Prices”

Member's explanatory statement

This amendment takes account of the passing of the Energy Prices Act 2022, which inserted a reference to that Act in section 105(1)(a) of the Utilities Act 2000, since this Bill was introduced.

LORD CALLANAN

Schedule 5, page 262, line 31, at end insert –

“*Enterprise and Regulatory Reform Act 2013*”

9 In Schedule 4 to the Enterprise and Regulatory Reform Act 2013, in paragraph 35(3) (membership of CMA panel), in the definition of “specialist utility functions”, after paragraph (b) insert –

“(ba) an appeal under section 20 of the Energy Act 2023;”.

Member's explanatory statement

This amendment provides for appeals under clause 20 to be “specialist utility functions”. This will attract special provisions relating to the composition of groups constituted to carry out such functions.

Schedule 9

LORD CALLANAN

Schedule 9, page 278, line 28, leave out from “after” to end of line and insert ““Part 1 of the Energy Act 2023” (inserted by paragraph 5(a) of Schedule 5 to this Act) insert “or Part 4 of that Act”.”

Member's explanatory statement

This amendment ensures that the amendment made by paragraph 8 of Schedule 9, in relation to section 105(1)(a) of the Utilities Act 2000, dovetails correctly with the amendment to that provision made by paragraph 5 of Schedule 5 to the Bill.

Schedule 16

LORD CALLANAN

Schedule 16, page 337, line 32, leave out “or Scotland”

Member's explanatory statement

This amendment removes a reference to Scotland in connection with installation and maintenance licences (which do not apply in relation to Scotland).

LORD CALLANAN

Schedule 16, page 341, line 28, leave out “a penalty” and insert “compensation”

Member's explanatory statement

This amendment corrects an error in paragraph 40(1)(f) of Schedule 16.

LORD CALLANAN

Schedule 16, page 346, line 26, at end insert –

- “(3) In this paragraph, “the appropriate authority” means –
- (a) in relation to England and Wales and Scotland, the Secretary of State;
 - (b) in relation to Northern Ireland, the Department.”

Member's explanatory statement

This amendment provides a definition of “the appropriate authority” for paragraph 50 of Schedule 16 (to match the definition in paragraph 61 of that Schedule).

Energy Bill [HL]

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8 March 2023

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