

Renewable Liquid Heating Fuel Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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B I L L

TO

Reduce the duty charged on renewable liquid heating fuel; to provide for the imposition of obligations on suppliers of heating fuel in relation to the supply of renewable fuel; and for connected purposes

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Reduction of duty on renewable liquid heating fuel

- (1) The Hydrocarbon Oil Duties Act 1979 is amended as follows.
- (2) In section 6AA(3), at end insert “subject to the exception in subsection (3A)”.
- (3) After subsection (3), insert—

“(3A) The rate of duty for chargeable use under—

 - (a) subsection (2)(aa), and
 - (b) subsection (2)(b), where the use is for a purpose under subsection (2)(aa)

is £0.1114 a litre.”

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2 Renewable liquid heating fuel obligations

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- (1) The Energy Act 2004 is amended as follows.
- (2) After Chapter 5 (renewable transport fuel obligations) insert—

“CHAPTER 6

RENEWABLE LIQUID HEATING FUEL OBLIGATIONS

132A Imposition of renewable liquid heating fuel obligations

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- (1) The Secretary of State may by order impose on each liquid heating fuel supplier of a specified description the obligation mentioned in subsection (2) (a “renewable liquid heating fuel obligation”).

- (2) That obligation is an obligation, for each specified period, for the supplier to produce to the Administrator, by the specified date, evidence which—
- (a) is of the specified kind and in the specified form; and
 - (b) shows that during the specified period the specified amount of renewable liquid heating fuel was supplied at or for delivery to places in the United Kingdom. 5
- (3) An order under subsection (1) is referred to in this Chapter as an “RLHF order”.
- (4) Before making an RLHF order the Secretary of State must consult such persons appearing to them to represent persons whose interests will be affected by the order, and such other persons, as they consider appropriate. 10
- (5) The power to make an RLHF order is subject to the affirmative resolution procedure. 15

132B The Administrator

- (1) An RLHF order may, for the purposes of provision made by or under this Chapter, appoint a person as the Administrator.
- (2) Such an order may—
- (a) confer or impose powers and duties on the Administrator for purposes connected with the implementation of provision made by or under this Chapter; 20
 - (b) confer discretions on the Administrator in relation to the making of determinations under such an order and otherwise in relation to his powers and duties; and 25
 - (c) impose duties on heating fuel suppliers for purposes connected with the Administrator’s powers and duties.
- (3) The powers that may be conferred on the Administrator by virtue of subsection (2) include, in particular—
- (a) power to require a heating fuel supplier to provide such information as the Administrator may require for purposes connected with the carrying out of their functions; 30
 - (b) power to impose requirements as to the form in which such information must be provided and as to the period within which it must be provided; 35
 - (c) power to impose charges of specified amounts on heating fuel suppliers.
- (4) Sums received by the Administrator by virtue of provision within subsection (3)(c) must be used by him for the purpose of meeting costs incurred by him in carrying out his functions as the Administrator. 40
- (5) The duties that may be imposed by virtue of subsection (2)(c) include, in particular, duties framed by reference to determinations made by the Administrator.

- (6) Only the following persons may be appointed as the Administrator—
- (a) a body or other person established or appointed by or under any enactment to carry out other functions;
 - (b) a body established by virtue of subsection (8).
- (7) Where provision is made by an RLHF order for the appointment of a body or other person within subsection (6)(a), such an order may make such modifications of any enactment relating to that body or person as the Secretary of State considers appropriate for the purpose of facilitating the carrying out of the functions of the Administrator. 5
- (8) An RLHF order may— 10
- (a) establish a body corporate to be appointed as the Administrator;
 - (b) make provision for the appointment of members of that body;
 - (c) make provision in relation to the staffing of that body;
 - (d) make provision in relation to the expenditure of that body;
 - (e) make provision regulating the procedure of that body; 15
 - (f) make any other provision that the Secretary of State considers appropriate for purposes connected with the establishment and maintenance of that body.
- (9) The provision that may be made by virtue of subsection (8) in relation to a body corporate includes, in particular, provision conferring discretions on— 20
- (a) the Secretary of State;
 - (b) the body itself; or
 - (c) members or staff of the body.
- (10) The Secretary of State may make grants to the Administrator on such terms as the Secretary of State may determine.” 25

3 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Renewable Liquid Heating Fuel Act 2023. 30

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