



Energy Act 2013

2013 CHAPTER 32

PART 3

NUCLEAR REGULATION

CHAPTER 4

FUNCTIONS OF THE ONR

Information etc

97 Power to obtain information

- (1) The ONR may by notice require a person to provide information which the ONR needs for carrying out its functions.

This is subject to subsection (4).

- (2) A notice may require information to be provided—
- (a) in a specified form or manner;
 - (b) at a specified time;
 - (c) in respect of a specified period.
- (3) In particular, a notice may require the person to whom it is given to make returns to the ONR containing information about matters specified in the notice at times or intervals so specified.
- (4) No notice may be given under this section which imposes a requirement which could be imposed by a notice served by the ONR under section 2 of the Nuclear Safeguards Act 2000 (information and records for purposes of the Additional Protocol).
- (5) It is an offence to refuse or fail to comply with a notice under this section.
- (6) A person who commits an offence under this section is liable—

Changes to legislation: Energy Act 2013, Cross Heading: Information etc is up to date with all changes known to be in force on or before 14 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) on summary conviction, to—
 - (i) in England and Wales, a fine, or
 - (ii) in Scotland or Northern Ireland, a fine not exceeding the statutory maximum, or
- (b) on conviction on indictment, to a fine.

Modifications etc. (not altering text)

- C1** S. 97 modified (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), Sch. 1 para. 5(2)**Sch. 1 para. 5(3)(a)** (with Sch. 1 paras. 6, 4)
- C2** S. 97(5) modified (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), Sch. 1 para. 5(4)**Sch. 1 para. 5(5)(a)** (with Sch. 1 paras. 6, 4)

Commencement Information

- I1** S. 97 in force at 1.4.2014 by [S.I. 2014/251](#), art. 4

98 Powers of HMRC in relation to information

- (1) The Commissioners for Her Majesty's Revenue and Customs may disclose information about imports to—
 - (a) the ONR,
 - (b) an inspector, or
 - (c) a health and safety inspector,
 for the purpose of facilitating the ONR, inspector or health and safety inspector to carry out any function.
- (2) For this purpose, “information about imports” means information obtained or held by the Commissioners for the purposes of the exercise of their functions in relation to imports.
- (3) Information may be disclosed to the ONR, an inspector or a health and safety inspector under subsection (1) whether or not the disclosure of the information has been requested by or on behalf of the ONR, inspector or health and safety inspector.

Commencement Information

- I2** S. 98 in force at 1.4.2014 by [S.I. 2014/251](#), art. 4

99 HMRC power to seize articles etc to facilitate ONR and inspectors

- (1) An officer of Revenue and Customs may seize any imported article or substance and detain it for the purpose of facilitating the ONR or an inspector to carry out any function under the relevant statutory provisions.
- (2) It is an offence for a person intentionally to obstruct an officer of Revenue and Customs in the exercise of powers under subsection (1).
- (3) A person who commits an offence under subsection (2) is liable on summary conviction—

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- (a) to imprisonment for a term not exceeding 51 weeks (in England and Wales), 12 months (in Scotland) or 6 months (in Northern Ireland),
 - (b) to—
 - (i) in England and Wales, a fine, or
 - (ii) in Scotland or Northern Ireland, a fine not exceeding level 5 on the standard scale, or
 - (c) to both.
- (4) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for summary offences), the reference in subsection (3)(a), as it has effect in England and Wales, to 51 weeks is to be read as a reference to 6 months.
- (5) Anything seized and detained under subsection (1)—
 - (a) must not be detained for more than 2 working days, and
 - (b) must be dealt with during the period of detention in such manner as the Commissioners for Her Majesty's Revenue and Customs may direct.
- (6) In subsection (5), the reference to 2 working days is a reference to the period of 48 hours beginning when the article or substance in question is seized but disregarding any time falling on a Saturday or Sunday, or on Good Friday or Christmas Day or on a day which is a bank holiday in the part of the United Kingdom where it is seized.

Commencement Information

I3 S. 99 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

100 Disclosure of information

Schedule 9 (disclosure of information) has effect.

Commencement Information

I4 S. 100 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)