

*These notes refer to the Energy Act 2008 (c.32)
which received Royal Assent on 26 November 2008*

ENERGY ACT 2008

EXPLANATORY NOTES

Chapter 2: Importation and Storage of Combustible Gas

Commentary on Sections Enforcement

Section 11: Failure to comply with a direction under section 10

38. *Subsection (1)* of this section provides that a failure to comply with a direction under section 10 is a criminal offence, unless the accused proves due diligence was exercised in trying to avoid committing the offence. The penalties are set out in *subsection (2)*: a fine of up to the statutory maximum (currently £5,000 in England, Wales and Northern Ireland and £10,000 in Scotland) on summary conviction, or an unlimited fine for conviction on indictment.