



Energy Act 2008

2008 CHAPTER 32

PART 3

DECOMMISSIONING OF ENERGY INSTALLATIONS

CHAPTER 1

NUCLEAR SITES: DECOMMISSIONING AND CLEAN-UP

Enforcement

59 Offence of further disclosure of information

- (1) A person who discloses information obtained by virtue of a notice under section 52(4) or 53(2) or (5), or regulations under section 54(2)(e), is guilty of an offence unless the disclosure is permitted by this section.
- (2) The disclosure is permitted if—
 - (a) it is made with the consent of the person by or on behalf of whom the information was provided;
 - (b) it is made under section 63 or for the purposes of any other function of the Secretary of State under this Chapter;
 - (c) it is a disclosure of information obtained under section 63 by [^{F1}the Office for Nuclear Regulation] and it is made by [^{F2}the Office for Nuclear Regulation] for the purposes of its functions under the Nuclear Installations Act 1965 (c. 57);
 - (d) it is a disclosure of information obtained under that section by the Environment Agency or the Department of the Environment for Northern Ireland and it is made by the Agency or Department for the purposes of its functions under [^{F3}the Radioactive Substances Act 1993 (c. 12)] [^{F3} [^{F4}the Environmental Permitting (England and Wales) Regulations 2016 (S.I.

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2008, Section 59. (See end of Document for details)

2016/1154)] in relation to radioactive material and radioactive waste within the meaning of those Regulations];

(e) it is required by or under an enactment.

(3) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or both.

Textual Amendments

- F1** Words in s. 59(2)(c) substituted (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), **Sch. 12 para. 99(a)**; [S.I. 2014/251](#), art. 4
- F2** Words in s. 59(2)(c) substituted (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), **Sch. 12 para. 99(b)**; [S.I. 2014/251](#), art. 4
- F3** Words in s. 59(2)(d) substituted (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), **Sch. 26 para. 19** (with reg. 1(2), Sch. 4)
- F4** Words in s. 59(2)(d) substituted (E.W.) (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\)](#), reg. 1(1), **Sch. 29 para. 18** (with regs. 1(3), 77-79, Sch. 4)

Commencement Information

- I1** S. 59 in force at 6.4.2009 by [S.I. 2009/45](#), **art. 4(b)(i)**

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2008, Section 59.