



Energy Act 2013

2013 CHAPTER 32

PART 3

NUCLEAR REGULATION

CHAPTER 5

SUPPLEMENTARY

Offences

105 Offences relating to false information and deception

- (1) It is an offence for a person—
 - (a) to make a statement which the person knows to be false, or
 - (b) recklessly to make a statement which is false,in the circumstances mentioned in subsection (2).
- (2) Those circumstances are where the statement is made—
 - (a) in purported compliance with any requirement to provide information imposed by or under any of the relevant statutory provisions, or
 - (b) for the purposes of obtaining the issue of a document under any of the relevant statutory provisions (whether for the person making the statement or anyone else).
- (3) It is an offence for a person—
 - (a) intentionally to make a false entry in a relevant document, or
 - (b) with intent to deceive, to make use of any such entry which the person knows to be false.

Changes to legislation: Energy Act 2013, Cross Heading: Offences is up to date with all changes known to be in force on or before 21 April 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

- (4) In subsection (3) “relevant document” means any register, record, notice or other document which is required to be kept or given by or under any of the relevant statutory provisions.
- (5) It is an offence for a person, with intent to deceive—
- (a) to use a relevant document,
 - (b) to make or have possession of a document so closely resembling a relevant document as to be calculated to deceive.
- (6) In subsection (5) “relevant document” means a document—
- (a) issued or authorised to be issued under any of the relevant statutory provisions, or
 - (b) required for the purpose of any of those provisions.
- (7) A person who commits an offence under this section is liable—
- (a) on summary conviction—
 - (i) to imprisonment for a term not exceeding 12 months (in England and Wales or Scotland) or 6 months (in Northern Ireland),
 - (ii) to a fine (in England and Wales) or a fine not exceeding £20,000 (in Scotland or Northern Ireland), or
 - (iii) to both;
 - (b) on conviction on indictment—
 - (i) to imprisonment for a term not exceeding 2 years,
 - (ii) to a fine, or
 - (iii) to both.
- [^{F1}(8) In the application of this section in England and Wales, the reference in subsection (7) (a)(i) to 12 months is to be read as a reference to the general limit in a magistrates’ court (or to 6 months in relation to an offence committed before 2 May 2022).]

Textual Amendments

- F1** S. 105(8) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022](#) (Magistrates’ Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), **26(4)**

Modifications etc. (not altering text)

- C1** S. 105(1) 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)(b)** (with Sch. 1 paras. 6, 4)
- C2** S. 105(3) 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)(b)** (with Sch. 1 paras. 6, 4)
- C3** S. 105(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)(b)** (with Sch. 1 paras. 6, 4)

Commencement Information

- I1** S. 105 in force at 1.4.2014 by [S.I. 2014/251](#), **art. 4**

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106 Provision relating to offences under certain relevant statutory provisions

- (1) Schedule 10 (provision relating to offences under certain relevant statutory provisions) has effect.
- (2) That Schedule contains provision about the following matters—
 - (a) the place where an offence involving plant or a substance may be treated as having been committed;
 - (b) the extension of time for bringing summary proceedings in certain cases;
 - (c) the continuation of offences;
 - (d) where an offence committed by one person is due to the act or default of another person, the liability of that other person;
 - (e) offences by bodies corporate or partnerships;
 - (f) restrictions on the persons who may institute proceedings in England and Wales;
 - (g) powers of inspectors to prosecute offences;
 - (h) the burden of proof in certain cases relating to what is practicable or what are the best means for doing something;
 - (i) reliance on entries in a register or other document as evidence;
 - (j) power of the court to order a defendant to take remedial action.

Commencement Information

I2 S. 106 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

Changes to legislation:

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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\(4\)](#)